



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene ID 83815-7763

Phone: (208) 762-2800 • Fax: (208) 762-2819

Website: idwr.idaho.gov • Email: northerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

May 13, 2019

LATAH COUNTY
PO BOX 8068
MOSCOW, ID 83843

RE: Withdrawal of Protest against Application for Permit No(s). 87-10100

Dear Protestant(s):

The Department of Water Resources acknowledges receipt of your withdrawal of protest against the above referenced application.

The application does not have any remaining protests; therefore, the department will take the steps necessary to bring the application to a final resolution.

Please contact this office if you have any questions regarding this procedure. Information about water rights and other matters administered by this agency is also available on the Internet at www.idwr.idaho.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Douglas Jones', is written over a horizontal line.

Douglas Jones
Northern Regional Manager



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May 13, 2019

JOAN CASS
THOMAS CASS
940 CANTERWOOD DR
MOSCOW, ID 83843

RE: Withdrawal of Protest against Application for Permit No(s). 87-10100

Dear Applicant(s):

The Department of Water Resources has received withdrawal of protest against the above referenced application. Withdrawals have been received from the following protestants:

1) LATAH COUNTY

The application does not have any remaining protests; therefore, the department will take the steps necessary to bring the application to a final resolution.

Please contact this office if you have any questions regarding this procedure. Information about water rights and other matters administered by this agency is also available on the Internet at www.idwr.idaho.gov.

Sincerely,

Douglas Jones
Northern Regional Manager

RECEIVED

MAY 13 2019

IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WITHDRAWAL OF PROTEST

Application for ☐ Transfer ☐ Permit ☒ Amendment of Permit No. 87-10100

In the Name of Joan Cass and Thomas Cass
Applicant

Name of Protestant: Latah County

Represented by: Latah County Board of Commissioners

I hereby withdraw my protest to the above referenced matter. All of my issues of protest have been addressed and/or resolved.

☐ My withdrawal is not conditional.

Or

☒ My withdrawal is conditioned on the following:

As set forth in the attached settlement agreement.


Signature of Protestant or Representative

Attest: 

Chair, Board of Commissioners

Title

5-8-19

Date

RECEIVED

MAY 13 2019

IDWR / NORTH

**SETTLEMENT AGREEMENT FOR LATAH COUNTY'S PROTEST TO
THOMAS AND JOAN CASS' WATER RIGHT APPLICATION #87-10100**

SECTION 1. RECITALS:

Latah County ("County") filed a timely protest on the application for Water Right #87-10100 made by Thomas and Joan Cass ("Applicants"). Through negotiations, County agreed to withdraw its protest in exchange for the below terms and conditions being attached to Water Right #87-10100. This Settlement Agreement by and between Applicants and County sets forth such terms and conditions.

SECTION 2. OBJECTIVE:

County seeks to ensure that Water Right #87-10100 complies with the Palouse Basin Aquifer Plan ("Plan"), and that the amounts withdrawn from groundwater are not harmful to surrounding properties which might utilize the same aquifer for drinking and other household water uses. The Plan requires water resources to be used as efficiently as reasonably possible.

SECTION 3. TERMS AND CONDITIONS:

- a. The Applicants agree that the following terms and conditions shall attach to Water Right #87-10100 and be binding upon Applicants, once accepted and permitted by the Idaho Department of Water Resources, as follows:
 - i. The instantaneous flow rate of water to be appropriated to Applicants under Water Right #87-10100 shall be no more than .04 cubic feet per second (cfs).
 - ii. The total amount of water to be appropriated to Applicants under Water Right #87-10100 shall be no more than 1.2 acre-feet per year (af).
- b. The Parties agree that the above terms and conditions shall inure to the benefit of, and be binding upon, the Parties and any of their successors and/or assigns.
- c. Following execution of this Agreement by the Parties and acceptance by the Idaho Department of Water Resources of this Settlement Agreement per IDAPA 37.01.01.612, County agrees to withdraw its protest of Water Right #87-10100.

SECTION 4. EFFECTIVE DATE:

This Agreement shall be effective upon its acknowledgement by the Parties below and upon acceptance and attachment to Permit #87-10100 by the Idaho Department of Water Resources.

COUNTY:

DATED this 22nd day of April 2019.

Board of Latah County Commissioners:



Thomas C. Lamar, Chairman



David McGraw, Commissioner



Kathie LaFortune, Commissioner

Attest:



Clerk/Deputy Clerk of the Board

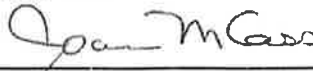
APPLICANTS:



Thomas Cass

4-23-19

Date



Joan Cass

4/23/19

Date