

81833

95-17348

FORM 202 Rev. 09/16

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. _____

RECEIVED
JUL 28 2011
IDWR/NORTHEAST

1. Name of applicant(s) Hauser MMM LLC Phone 510-893-6476
Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address P.O. Box 24331 City Oakland
 State CA ZIP 94623 Email N/A
2. Name of representative, if any _____ Phone _____
 Mailing address _____ City _____
 State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☒ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Ground Water which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
51N	5W	19			SW	SE	Kootenai	Ground Water	

5. Water will be used for the following purposes:
- Amount 1.5 AF for Fire Protection Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 0.20 CFS for Diversion to Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 0.20 CFS for Fire Protection purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.20 cubic feet per second (cfs) and/or (b) 1.5 acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. 3 Hp Pump from well to lined holding pond for emergency fire suppression system.
- b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☒ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? Unknown; drilling firm Unknown;
 well was drilled for (well owner) Unknown; Drilling Permit No. Unknown

For Department Use

Received by CM Date 7-28-17 Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by CM Receipt No. 2032829 Date 7-28-17

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households _____
 - Other; describe fully. Supply water to fire protection system

9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N	5W	19												F			F		
																	FS		

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? _____
11. a. Who owns the property at the point of diversion? MMM Hauser
- b. Who owns the land to be irrigated or place of use? MMM Hauser
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Applicant plans to use water from well to fill existing fire protection pond and for water for fire protection purposes.
13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

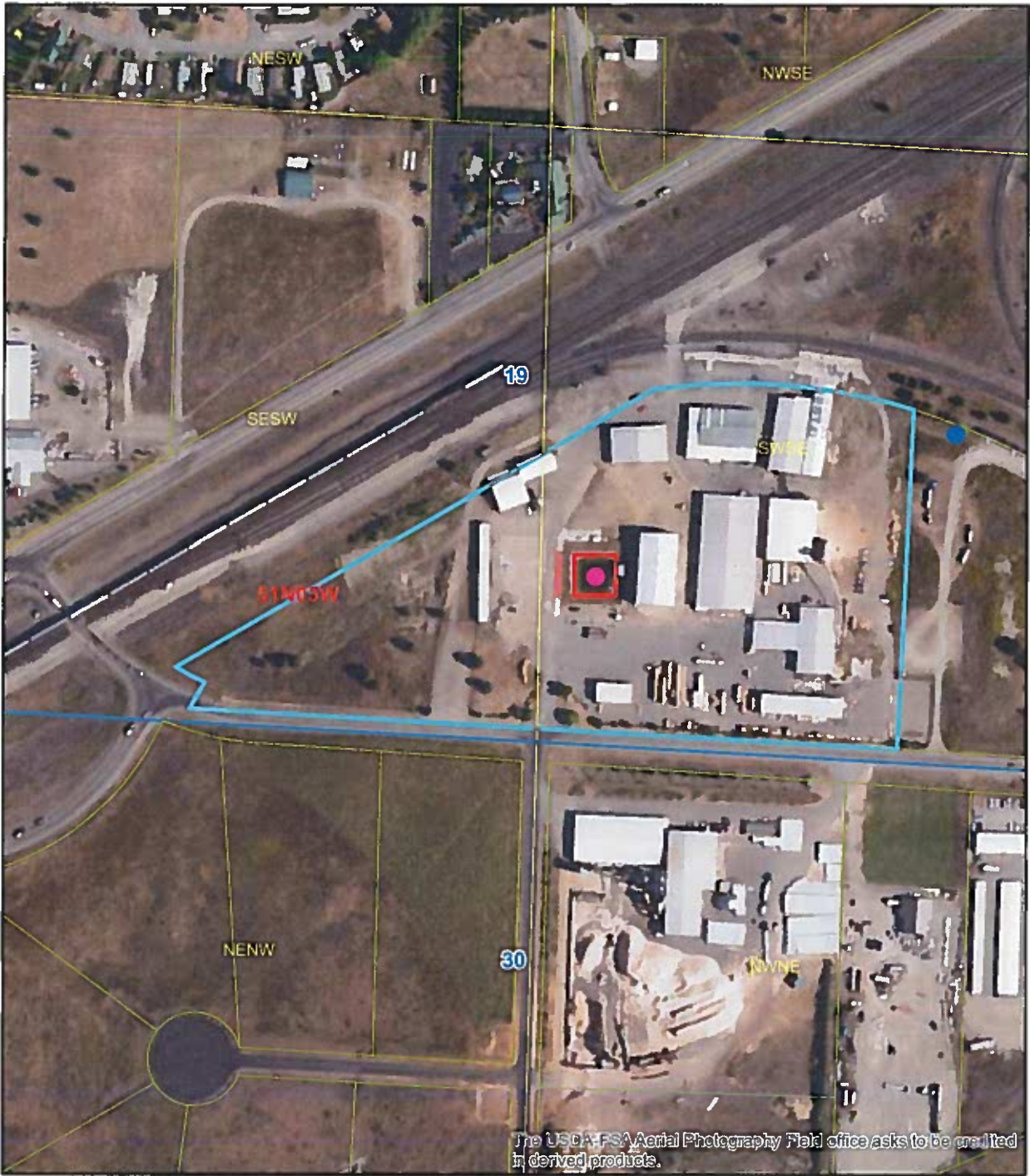
Edward B Kangeter IV - CEO

Print Name (and title, if applicable)

Signature of Applicant

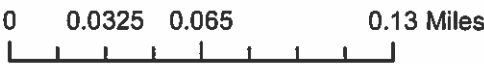
Print Name (and title, if applicable)

APPLICATION MAP

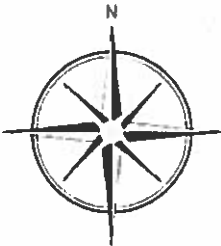


Legend

- Taxlots
- Township/Range
- Sections
- GQ
- Point of Diversion
- Point of Use



Sec	Twp	Rge
19	51N	5W



ATTACHMENT

Total Storage Calculations

FILE NUMBER	Hauser MMM LLC
REVIEWER	Adam Frederick
DATE	7/14/2017

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.

User Input
Calculated value
Formula Explanations

Surface Area (AC.)	0.2	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	16	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
Pond Capacity (AF)	1.5	Pond Capacity is calculated by multiplying the Pond Surface Area by the Average Pond Depth. If you know the capacity, divide the capacity by surface area and enter the average pond depth in the space above. Note: If pond capacity is determined using a method shown on the "Pond Capacity" sheet, the user may need to modify the value of "Pond Capacity" (cell B9) manually. Note that if the value is modified manually, the formula will be altered for future use.

Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	0	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a from storage component if the from storage component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: If a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.
Estimated Seepage Loss (AF)	0.0	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	0.3	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	1.8	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.

Flow Rate into Pond (CFS)	0.20	The "Flow Rate into Pond" depicts the actual flow, either measured or estimated, into the pond. For offstream facilities, this will be equivalent to "diversion to storage" rate.
Highest Daily Evaporation Rate From Evaporation Tab. (mm/Day)	3.84	This number is carried over from the "Evaporation Loss" sheet. It is the highest recorded number in the "Precipitation Deficit Table".
Required Daily Maintenance Volume (AF/Day)	0.00	"Required Daily Maintenance Volume" is the maximum volume of water needed on any given day during the year to maintain pond volume. It is calculated by adding the highest daily evaporation loss to the average daily seepage loss in acre feet. The average daily seepage loss is calculated by dividing the "Estimated Seepage Loss" by 365 days. This is acceptable, since the seepage rate shouldn't vary throughout the season unless the pond completely freezes over during the winter months. The highest daily evaporation loss is calculated by dividing the Highest Daily Evaporation Rate by the 304.8 conversion factor and multiplying this number by the pond surface area to attain a combined daily acre feet requirement.
Minimum Maintenance Flow (CFS)	0.00	The "Minimum Maintenance Flow" is the minimum amount of flow required to maintain the level of the pond. This number is determined by dividing the "Maximum Required Daily Maintenance Volume" by 1.9835. This flow can be used to determine if the flow rate into the pond is adequate to maintain the pond level.
Days Required to Fill the Pond	4	The "Days Required to Fill the Pond" is calculated by dividing the "Pond Capacity" by the "Flow Rate" minus "Minimum Maintenance Flow" multiplied by 1.9835. This section will assist you in determining if the flow rate being diverted to the pond is adequate to fill the pond while maintaining the pond level. The length of time to fill the pond will help determine if the flow rate is adequate for the size of pond being proposed. If this number is approximately 6 months (180 days) or more, the reviewer should have a discussion with the applicant to make sure he/she understands that it will take a significant length of time to fill the pond.
Days Required to Fill the Pond at 13,000 Gallons per Day	39	Some water users may want to fill a pond under the 13,000 gallons per day domestic exemption. The "Days Required to Fill the Pond at 13,000 Gallons per Day" is calculated by converting the "Pond Capacity" and the "Required Daily Maintenance Volume" to gallons. The "Pond Capacity" is then divided by 13,000 gallons minus the "Required Daily Maintenance Volume" in gallons to determine the number of days to fill pond. If this number is approximately 6 months (180 days) or more, the reviewer should have a discussion with the applicant to make sure he/she understands that it will take a significant length of time to fill the pond. Negative values indicate that the supply of 13,000 gallons per day is not enough volume to overcome the required daily maintenance volume; the pond will never fill.

ATTACHMENT

Evaporation Loss Calculations

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the annual evaporation losses from a pond.

FILE NUMBER	Hauser MMM L
REVIEWER	Adam Frederick
DATE	7/14/2017

User Input
Calculated value
Formula Explanations

The acronyms used on the Kimberly Research Center website are defined below:

P = Precipitation
ET = Evapotranspiration
P _d = Precipitation deficit
P _d = ET - P

USING THIS SPREADSHEET

Use the link below to access the Kimberly Research Center website. This website provides the Precipitation Deficit for a station most representative of the pond under examination. The Precipitation Deficit is the total amount of free water surface evaporation minus the precipitation for a given area, which gives the total amount of evaporative losses incurred by the pond. There are several weather sites that are used throughout the state. IDWR staff can find the nearest site using Arc Map. The shape file containing the sites can be found at X:/Spatial/Climate/ETIdahostations.shp.

Instructions:

1. Use the link below to navigate to ET Idaho 2012.
2. Select the station which is most representative to your pond location.
3. Click Submit Query.
4. Under "Land Covers with Evapotranspiration Estimates," select "Open Water - Shallow Systems (ponds, streams)" or "Open Water - small stock ponds" depending on the pond size.
5. Click the link to "Precipitation Deficit."
6. Reference and copy (ctrl + C) the first subheading "Mean" values.
7. Click the "Paste Values from ET Idaho" button. The table will automatically enter a zero (0) for any negative precipitation deficit values.

Found at: <http://data.kimberly.uidaho.edu/ETIdaho/>

Precipitation Deficit

Station: Coeur d'Alene 1 E (NWS - 1001956)

Month	mm/day ¹	Days per month	mm/Month
Jan	-2.64	31	0.00
Feb	-1.62	28	0.00
March	-0.44	31	0.00
April	0.93	30	27.90
May	1.66	31	51.46
June	2.22	30	66.60
July	3.84	31	119.04
August	3.21	31	99.51
September	1.95	30	58.50
October	0.30	31	9.30
November	-2.19	30	0.00
December	-2.95	31	0.00

Total mm/year = 432.31

PLEASE NOTE: The seasonal average for precipitation deficit should not be used for calculations because precipitation often exceeds evaporation during wetter months of the year. If the pond is kept full, excess precipitation during wetter months does not serve to refill the pond during drier months.

For example, see Sandpoint KSPT (NWS - 108137), the annual precipitation deficit is -106 mm. However, April through September have positive precipitation deficit values. To properly estimate the annual volume of water necessary to refill a pond due to evaporation losses, the table will automatically enter a zero (0) for each month that the precipitation value is reported as a negative value.

As described above, precipitation offsets evaporation in winter months, so the net effect is that wintertime precipitation deficit is usually zero.

$[(\text{mm/yr}) \div (\text{convert to feet})] \times (\text{Surface area of pond, in acres}) = \text{Evaporation Loss in Acre Feet}$

$$(432.31 \div 304.8) \times 0.20 = 0.3 \text{ AFA}$$

ATTACHMENT

Seepage Loss Calculations

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total annual seepage losses from a pond.

FILE NUMBER	Hauser MMM LLC
REVIEWER	Adam Frederick
DATE	7/14/2017

User Input
Calculated value
Formula Explanations

INPUTS

Pond Surface Area (AC.)	0.2	AC.
-------------------------	-----	-----

Pond Surface Area (SQ. FT.)	8712	SQ. FT.
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I used the following method to obtain my Soil Classification information:	NRCS Web Soil Survey	
My Soil Classification is	Lined	
Suggested Seepage Rate (FT./DAY)	0.0000	FT./DAY

Formula: (Surface Area X Seepage Rate) X 7.48 = Gallons Per Day Loss		
--	--	--

Convert to GPD	0	GPD
----------------	---	-----

Total Seepage Loss (AFA)	0.0	AFA
--------------------------	-----	-----

Though sand and gravel seepage rates may actually be higher, the maximum allowable rate is 0.2 ft/day, pursuant to Administrative Memo "Seepage Loss Standards for Ponds and Reservoirs."

Suggested Seepage Rates for Different Soil Types:
GW, GP, GM, GC, SW, SP and SM (silty sand, sand silt mixtures and gravel mixtures) = 0.2 ft per day
OL and ML (inorganic silts - very fine sands, silty, or clayey fine sands) = 0.02 ft per day
SC (clayey sands, sand clay mixtures) = 0.007 ft per day
CL (Low to medium plasticity clays) = 0.003 ft per day
MH, OH, PT and CH (high plasticity clays) = 0.0003 ft per day
LINED PONDS (liners can be chemical, fabric, or bentonite) = 0 ft per day
Ponds Intercepting Groundwater (excavated ponds filled by ground water) = 0 ft per day

PLEASE NOTE: The initial basis for the Suggested Seepage Rates in the table above is found on Page 16 of Seepage from Fish Ponds, Bulletin 599, August 1989 Alabama Agricultural experiment Station, Auburn University, Auburn University Alabama. If you don't know the soil type, please refer to the map provided at the NRCS Web Soil Survey (Tab #1), an ArcMap Soil Classification Map (Tab #1.1), or published NRCS Soil Survey (Tab #1.2). Use "0" if the pond fill relies on the water table.



APPLICATION FOR CERTIFICATE OF AUTHORITY FOR FOREIGN LIMITED LIABILITY COMPANY

(Instructions on back of application)

FILED EFFECTIVE

2013 OCT -1 AM 8:39

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is:

HAUSER MMM, LLC

2. If the name of the limited liability company is not permissible or is not available in Idaho, the name the foreign limited liability company will use in Idaho is:

3. The jurisdiction under whose laws the limited liability company is formed is: California

4. The name and complete street address of the registered agent in Idaho is:

CASS, Inc.

16809 West Prairie Avenue, Hauser, ID 83854

5. The street and mailing address of the limited liability company's principal office is:

2730 Peralta Street, Oakland, California 94607

Street Address

2730 Peralta Street, Oakland, California 94607

Mailing Address, if different

6. The street and mailing address of the limited liability company's office in the jurisdiction under whose laws it is organized is:

2730 Peralta Street, Oakland, California 94607

Street Address

2730 Peralta Street, Oakland, California 94607

Mailing Address, if different

7. The name and mailing address of at least one member or manager:

Chal Sulprizio

2730 Peralta Street, Oakland, California 94607

8. The mailing address for future correspondence:

2730 Peralta Street, Oakland, California 94607

9. Signature of a manager, member or authorized person.

Signature

Chal Sulprizio, Manager/Member

Typed Name

Secretary of State use only
IDAHO SECRETARY OF STATE
10/01/2013 05:00
CX: 1188 CT: 200020 BH: 1392190
1 @ 100.00 = 100.00 REGFORLLC # 2

IDAHO SECRETARY OF STATE
10/01/2013 05:00
CX: 1189 CT: 200020 BH: 1392191
1 @ 20.00 = 20.00 EXPEDITE C # 2

con_auth_foreign_LLC Rev 07/2010

For Review

W129633



APPLICATION FOR CERTIFICATE OF AUTHORITY (For Profit)

(Instructions on Back of Application)

2013 SEP 30 AM 9:12

SECRETARY OF STATE
STATE OF IDAHO

The undersigned Corporation applies for a Certificate of Authority and states as follows:

1. The name of the corporation is:

CASS, Inc.

2. The name which it shall use in Idaho is: CASS, Inc.

3. It is incorporated under the laws of: California

4. Its date of incorporation is: May 16, 1973

5. The address of its principal office is:

2730 Peralta Street, Oakland, CA 94607

6. The address to which correspondence should be addressed, if different from item 5, is:

7. The street address of its registered office in Idaho is: 16809 West Prairie Avenue, Hauser, ID 83854

and its registered agent in Idaho at that address is: Jared Ellison

8. The names and respective business addresses of its directors and officers are:

Name	Title	Business Address
<u>Chal Sulprizio</u>	<u>President/Director</u>	<u>2730 Peralta Street, Oakland, CA 94607</u>
<u>Edward B. Kangerter IV</u>	<u>Secretary/Treasurer/</u>	<u>2730 Peralta Street, Oakland, CA 94607</u>
	<u>Director</u>	

Dated: September 26, 2013

Signature: [Signature]

Typed Name: Chal Sulprizio

Capacity: President

[The signer must be a director or an officer of the corporation.]

Customer Acct #:

(if using pre-paid)

IDAHO SECRETARY OF STATE

09/30/2013 05:00
CK: 1191 CT: 200028 BH: 1391945
1 @ 100.00 = 100.00 AUTH PRO # 2

9 Corporation
form application for authority, profit and
Revised 05/2005

Web Form

IDAHO SECRETARY OF STATE

09/30/2013 05:00
CK: 1191 CT: 200028 BH: 1391946
1 @ 20.00 = 20.00 EXPEDITE C # 2

For Review

C199795



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

August 11, 2017

HAUSER MMM LLC
PO BOX 24331
OAKLAND, CA 94623

Application For Permit No. 95-17348

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the COEUR D ALENE PRESS on 8/17/2017 and 8/24/2017. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact the Northern Region office at (208) 762-2800 if you have any questions regarding the application.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist

Hersley, Jean

From: Hagler, Geri <ghagler@cdapress.com>
Sent: Friday, August 11, 2017 4:29 PM
To: Hersley, Jean
Subject: Re: Application for Permit No. 95-17346, 95-17347, 95-17348, 95-17353, 95-17354, 95-17355, 95-17358
Attachments: CDA LEGAL 8107 IDWR WATER APPLICATIONS.pdf

Here is the change.

On Fri, Aug 11, 2017 at 3:14 PM, Hersley, Jean <Jean.Hersley@idwr.idaho.gov> wrote:

Thank you. Can you update the notice to reflect the change I made that is in red? It is the protest end date at the end of the notice.

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

95-17346

CARLIN BAY RESORT LLC

1324 N LIBERTY LAKE DR #3711

LIBERTY LAKE, WA 99019

Point of Diversion SWNE S6 T48N R03W KOOTENAI County

Source GROUND WATER

Use: COMMERCIAL

01/01 to 12/31

0.1 CFS

Total Diversion:

0.1 CFS

Date Filed: 7/19/2017

Place Of Use: COMMERCIAL

T48N R03W S6 L2(NWNE) SWNE L3(NENW) SENW

95-17347

CARLIN BAY RESORT LLC

1324 N LIBERTY LAKE DR #3711

LIBERTY LAKE, WA 99019

Point of Diversion L3(NENW) S6 T48N R03W KOOTENAI County

Source COEUR D ALENE LAKE Tributary SPOKANE RIVER

Use: FIRE PROTECTION

01/01 to 12/31

3.5 CFS

Use: IRRIGATION

03/15 to 11/15

0.11 CFS

Total Diversion:

3.61 CFS

Date Filed: 7/19/2017

Place Of Use: IRRIGATION & FIRE PROTECTION

T48N R03W S6 L2(NWNE) SWNE L3(NENW) SENW

Total Acres: 5.3

95-17348

HAUSER MMM LLC

PO BOX 24331

OAKLAND, CA 94623

Point of Diversion SWSE S19 T51N R05W KOOTENAI County

Source GROUND WATER

Use: DIVERSION TO STORAGE

01/01 to 12/31

0.2 CFS

Use: FIRE PROTECTION

01/01 to 12/31

0.2 CFS

Use: FIRE PROTECTION STORAGE

01/01 to 12/31

1.5 AF

Total Diversion:

0.2 CFS

Date Filed: 7/28/2017

Place Of Use: FIRE PROTECTION STORAGE

T51N R05W S19 SWSE

Place Of Use: FIRE PROTECTION

T51N R05W S19 SESW SWSE

95-17353

JAMES LARSON

VICKI LARSON

9723 W GEORGE LN

POST FALLS, ID 83854

Point of Diversion NESE S11 T50N R05W KOOTENAI County

Source SPOKANE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION

03/15 to 11/15

0.02 CFS

Total Diversion:

0.02 CFS

Date Filed: 8/3/2017

Place Of Use: IRRIGATION

T50N R05W S11 L8(NESE) NESE

Total Acres: 0.5

95-17354

RICHARD YOUNG

GAYLE YOUNG

1869 E SELTICE WAY NO 185

POST FALLS, ID 83854

Point of Diversion NWNWSE S17 T50N R05W KOOTENAI County

Source SPRING Tributary SKALAN CREEK

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 7/27/2017

Place Of Use: DOMESTIC

T50N R05W S17 NWSE

95-17355

TIMOTHY GRAY

HEATHER GRAY

23617 N LAKEVIEW BLVD

RATHDRUM, ID 83858

Point of Diversion NESE S35 T53N R04W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION

04/01 to 10/31

0.8 CFS

Total Diversion:

0.8 CFS

Date Filed: 8/9/2017

Place Of Use: IRRIGATION

T53N R04W S35 NESE

Total Acres: 40

95-17358

BRYAN MITCHELL

DANIELLE CARTWRIGHT

PO BOX 686

RATHDRUM, ID 83858

Point of Diversion SESW S28 T53N R04W KOOTENAI County

Source GROUND WATER

Use: DOMESTIC

01/01 to 12/31

0.08 CFS

Use: STOCKWATER

01/01 to 12/31

0.02 CFS

Total Diversion:

0.1 CFS

Date Filed: 8/10/2017

Place Of Use: STOCKWATER & DOMESTIC

T53N R04W S28 SESW SWSE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N Mineral Dr., Ste 100, Coeur d'Alene, ID 83815 together with a protest fee of \$25.00 for each application on or before 9/5/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Jean Hersley

Idaho Dept Water Resources

Technical Records Specialist II

[208-287-4942](tel:208-287-4942)

From: Hagler, Geri [mailto:ghagler@cdapress.com]

Sent: Friday, August 11, 2017 10:45 AM

To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>

Subject: Re: Application for Permit No. 95-17346, 95-17347, 95-17348, 95-17353, 95-17354, 95-17355, 95-17358

Jean, Here is confirmation for your legal notice (water applications) to be published in the CDA Press August 17 and August 24, 2017 on acct#8925. Let me know if I need to make any changes. Thank you, Geri

On Fri, Aug 11, 2017 at 9:27 AM, Hersley, Jean <Jean.Hersley@idwr.idaho.gov> wrote:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to the Northern Region office before 9/4/2017. Your cooperation is appreciated.

Jean Hersley

Idaho Dept Water Resources

208-287-4942

Hersley, Jean

From: Hersley, Jean
Sent: Friday, August 11, 2017 9:28 AM
To: 'LEGALS@CDAPRESS.COM'
Subject: Application for Permit No. 95-17346, 95-17347, 95-17348, 95-17353, 95-17354, 95-17355, 95-17358
Attachments: Legal Notice.docx

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to the Northern Region office before 9/4/2017. Your cooperation is appreciated.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

95-17346

CARLIN BAY RESORT LLC
1324 N LIBERTY LAKE DR #3711
LIBERTY LAKE, WA 99019
Point of Diversion SWNE S6 T48N R03W KOOTENAI County
Source GROUND WATER
Use: COMMERCIAL
01/01 to 12/31
0.1 CFS
Total Diversion:
0.1 CFS
Date Filed: 7/19/2017
Place Of Use: COMMERCIAL
T48N R03W S6 L2(NWNE) SWNE L3(NENW) SENW

95-17347

CARLIN BAY RESORT LLC
1324 N LIBERTY LAKE DR #3711
LIBERTY LAKE, WA 99019
Point of Diversion L3(NENW) S6 T48N R03W KOOTENAI County
Source COEUR D ALENE LAKE Tributary SPOKANE RIVER
Use: FIRE PROTECTION
01/01 to 12/31
3.5 CFS
Use: IRRIGATION
03/15 to 11/15
0.11 CFS
Total Diversion:
3.61 CFS
Date Filed: 7/19/2017
Place Of Use: IRRIGATION & FIRE PROTECTION
T48N R03W S6 L2(NWNE) SWNE L3(NENW) SENW
Total Acres: 5.3

95-17348

HAUSER MMM LLC
PO BOX 24331
OAKLAND, CA 94623
Point of Diversion SWSE S19 T51N R05W KOOTENAI County
Source GROUND WATER
Use: DIVERSION TO STORAGE
01/01 to 12/31
0.2 CFS
Use: FIRE PROTECTION
01/01 to 12/31
0.2 CFS
Use: FIRE PROTECTION STORAGE
01/01 to 12/31
1.5 AF
Total Diversion:
0.2 CFS
Date Filed: 7/28/2017
Place Of Use: FIRE PROTECTION STORAGE
T51N R05W S19 SWSE
Place Of Use: FIRE PROTECTION
T51N R05W S19 SESW SWSE

95-17353

JAMES LARSON
VICKI LARSON
9723 W GEORGE LN
POST FALLS, ID 83854
Point of Diversion NESE S11 T50N R05W KOOTENAI County
Source SPOKANE RIVER Tributary COLUMBIA RIVER
Use: IRRIGATION
03/15 to 11/15
0.02 CFS
Total Diversion:
0.02 CFS
Date Filed: 8/3/2017
Place Of Use: IRRIGATION
T50N R05W S11 L8(NESE) NESE
Total Acres: 0.5

95-17354

RICHARD YOUNG
GAYLE YOUNG
1869 E SELTICE WAY NO 185
POST FALLS, ID 83854
Point of Diversion NWNWSE S17 T50N R05W KOOTENAI County
Source SPRING Tributary SKALAN CREEK
Use: DOMESTIC
01/01 to 12/31
0.04 CFS
Total Diversion:
0.04 CFS
Date Filed: 7/27/2017
Place Of Use: DOMESTIC
T50N R05W S17 NWSE

95-17355

TIMOTHY GRAY
HEATHER GRAY
23617 N LAKEVIEW BLVD
RATHDRUM, ID 83858
Point of Diversion NESE S35 T53N R04W KOOTENAI County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
0.8 CFS
Total Diversion:
0.8 CFS
Date Filed: 8/9/2017
Place Of Use: IRRIGATION
T53N R04W S35 NESE
Total Acres: 40

95-17358

BRYAN MITCHELL
DANIELLE CARTWRIGHT
PO BOX 686
RATHDRUM, ID 83858
Point of Diversion SESW S28 T53N R04W KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
0.08 CFS
Use: STOCKWATER
01/01 to 12/31
0.02 CFS
Total Diversion:
0.1 CFS
Date Filed: 8/10/2017
Place Of Use: STOCKWATER & DOMESTIC
T53N R04W S28 SESW SWSE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N Mineral Dr., Ste 100, Coeur d'Alene, ID 83815 together with a protest fee of \$25.00 for each application on or before 9/4/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/17/2017 and 8/24/2017

Hersley, Jean

From: Hersley, Jean
Sent: Friday, August 11, 2017 1:10 PM
To: 'june.bergquist@deq.idaho.gov'
Subject: Applications for Permit 95-17346, 95-17347, 95-17348, 95-17353, 95-17354, 95-17355, 95-17358, 96-9666

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. You can find a copy of the applications at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the applications as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact the Northern Region office if you have any questions regarding the application.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

Frederick, Adam

From: Mark Arce <Mark@customalloy.com>
Sent: Wednesday, August 02, 2017 3:40 PM
To: Frederick, Adam
Subject: RE: MMM Hauser 16809 W Prairie Ave, Hauser, ID 83854
Attachments: MMM Hauser Easement.PDF

Adam,

This hopefully should get that going.

Mark Arce
Environmental Compliance Coordinator

CASS, Inc.
T: 510.893.6476 | 2730 Peralta St Oakland, CA 94607
www.customalloy.com | mark@customalloy.com

Sustainable Manufacturing & Recycling Since 1969

CONFIDENTIALITY NOTICE:

This communication, including attachments, is for the exclusive use of the person or entity to which it is addressed and may contain confidential, proprietary and/or privileged information. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this by mistake, please contact the sender immediately.

From: Frederick, Adam [<mailto:Adam.Frederick@idwr.idaho.gov>]
Sent: Friday, July 21, 2017 9:00 AM
To: Mark Arce
Subject: RE: MMM Hauser 16809 W Prairie Ave, Hauser, ID 83854

I don't know if it's a big deal but its N Mineral Drive. Everything else looks good.

From: Mark Arce [<mailto:Mark@customalloy.com>]
Sent: Friday, July 21, 2017 8:58 AM
To: Frederick, Adam <Adam.Frederick@idwr.idaho.gov>
Subject: RE: MMM Hauser 16809 W Prairie Ave, Hauser, ID 83854

Adam,

Attached are the completed documents and signed Application.

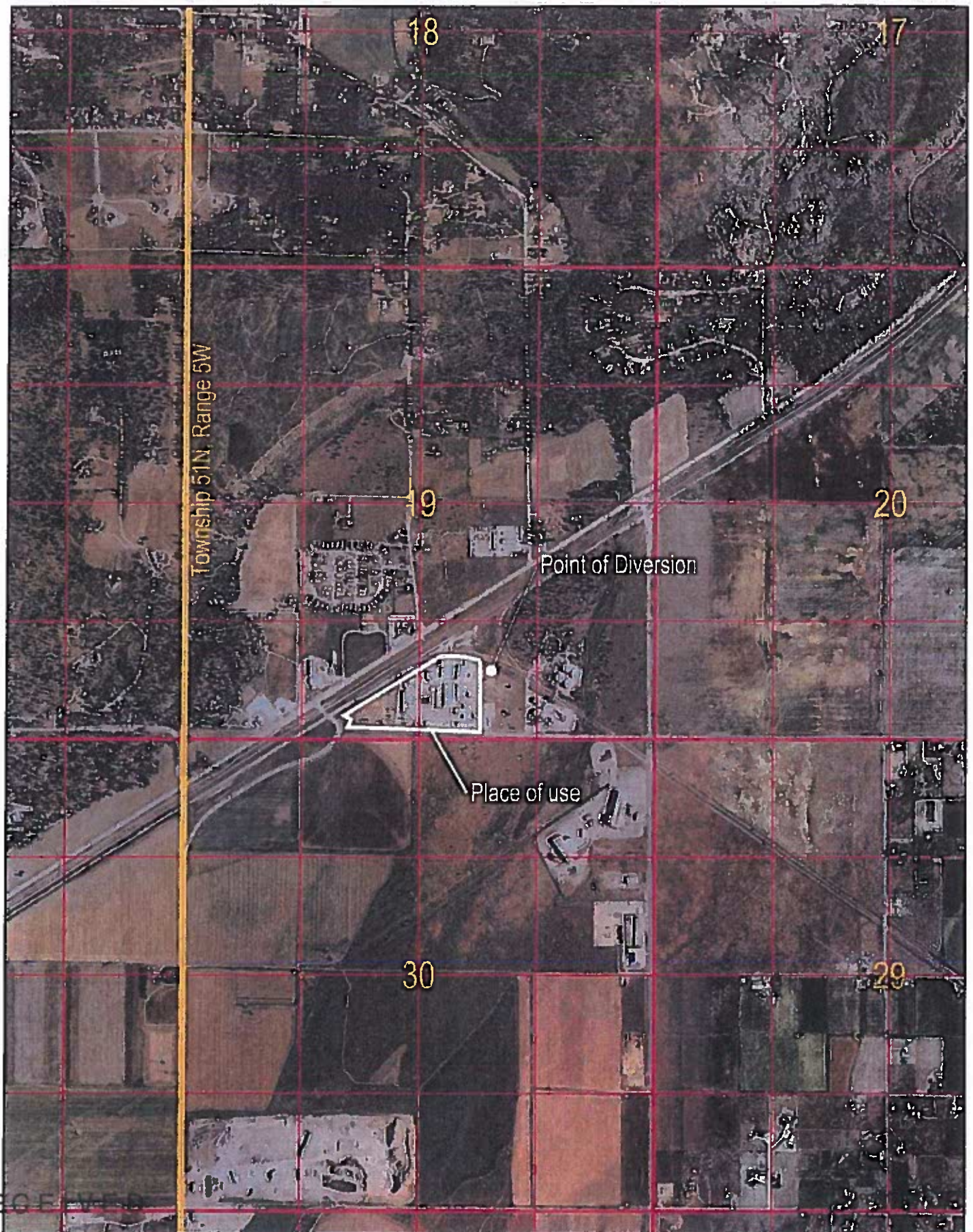
I'll be sending the check and a hard copy of the attached documents later today to:

Idaho Dept. of Water Resources - Northern Regional Office
Attn: Adam Frederick
7600 Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763

Please let me know if this the correct address.

Mark Arce
Environmental Compliance Coordinator

CASS, Inc.
T: 510.893.6476 | 2730 Peralta St Oakland, CA 94607



RECEIVED

AUG 03 2017

IDWR/NORTHERN

ATTACHMENT



DATE: September 21, 2009
Please direct correspondence to:
601 E. FRONT AVENUE, SUITE 204
COEUR D'ALENE, ID 83814
TELEPHONE: 208-765-3333
FAX: 208-765-1761
ESCROW NO.: 6001-22488-JAH
YOUR NUMBER:
PROPERTY:
16809 W. PRAIRIE AVENUE
HAUSER, ID 83854

FRANK L. TORRESY, ESQ.
700 PACIFIC BUILDING
520 SW YAMHILL
PORTLAND, OR 97204

We enclose herewith the following:



Original recorded Easement For Access To A Well And Use Thereof.

If you should have any questions concerning the enclosed, please contact the undersigned.

Sincerely,

A handwritten signature in black ink that reads "Julie Hjelvik".

Julie Hjelvik
Escrow Officer

Handwritten initials in black ink, possibly "JH".

C:\NIT\genm.doc (8/2/09)

RECEIVED

AUG 03 2017

IDWR/NORTHERN

6001-22488 IN

After Recording, Return To:

Frank L. Torresy, Esq.
700 Pacific Building
520 SW Yamhill
Portland OR 97204

DANIEL J. ENGLISH 6P I 2227258000
KOOTENAI CO. RECORDER Page 1 of 6
AAA Date 08/12/2009 Time 15:04:59
REC-REQ OF NORTH IDAHO TITLE INSURA
RECORDING FEE: 18.00
I HAVE BEEN PAID MY FEE FOR THIS INSTRUMENT
2227258000 DE 4

EASEMENT FOR ACCESS TO A WELL AND USE THEREOF

FOR VALUE RECEIVED, HAUSER PLANT, LLC, a Washington Limited Liability Company with address at P.O. Box 50591, Idaho Falls, Idaho 83405 ("GRANTOR"), for consideration for the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant to STIMSON LUMBER COMPANY, an Oregon corporation with address at 700 Pacific Building, 520 SW Yamhill Street, Portland, Oregon 97204 ("GRANTEE"), the following:

A perpetual nonexclusive easement ("Easement") across the tract of land described in Exhibit A attached hereto and incorporated herein by reference (the "Easement Area"), and as depicted in Exhibit B attached hereto and incorporated herein by reference, appurtenant to and for the benefit of the land described as those Portions of Section 19, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, described as Parcel C, Parcel D, and Parcel E on Corporation Warranty Deed dated December 27, 2004 and Recorded December 29, 2004 as Instrument No. 1921382, Official Records of Kootenai County, Idaho ("Benefitted Land").

TO HAVE TO HOLD said Easement for access to and for the maintenance, repair, improvement, replacement, and operation of an existing Well (the "Well"), including all rights associated with the underground pipe(s) and vent(s) from the Well across the Easement Area and all electrical services to the Well, unto GRANTEE, its successors, and assigns forever.

GRANTOR reserves and shall have the right to install a fire hydrant and/or other facilities which shall be connected to the Well to provide emergency fire suppression facilities and emergency water for fire suppression for the benefit GRANTOR's property described in Exhibit C attached hereto and incorporated herein by reference and other adjacent real property now owned by GRANTOR. GRANTOR may not, as a result of such connection cause any loss, damage, harm or injury to GRANTEE. GRANTOR shall indemnify and hold GRANTEE harmless from any and all loss, damage, harm or injury resulting from GRANTOR's installation, operation, or use of the emergency fire

1 - Easement for Access to a Well and Use Thereof

suppression facilities. GRANTOR shall not be deemed to have caused any loss, damage, harm or injury to GRANTEE solely because of such connection. GRANTOR shall be responsible for the cost of installing, operating, and repairing such emergency fire suppression facilities.

GRANTOR reserves the right to make such other uses of the Easement Area as do not unreasonably interfere with the Easement.

GRANTEE for itself and its successors and assigns, accepts the Easement described herein and acknowledges and agrees to the terms thereof set forth herein.

IN WITNESS WHEREOF, the parties have hereunto set their hands this 10th day of August, 2009

GRANTOR:

HAUSER PLANT, LLC

By: Stone Management Trust Manager

Roxine Stone
Roxine Stone, Trustee

GRANTEE:

STIMSON LUMBER COMPANY

William E. Peressini
By: William E. Peressini,
Its: VP Finance / CFO

2 - Easement for Access to a Well and Use Thereof

STATE OF IDAHO)

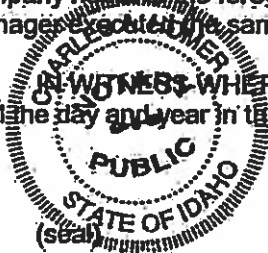
ss.

County of Bonneville)

CHARLES A. HOMER,

On the 10th day of August, 2009, before me the undersigned, a notary public in and for said State, personally appeared Roxine Stone, known or identified to me to be the trustee of the of the Stone Management Trust created under Trust Agreement dated September 23, 1999, known or identified to me to be the manager in the limited liability company of Hauser Plant, LLC, and the manager who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that such manager executed the same in said limited liability company name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Notary Public for Idaho

Residing at Idaho Falls, Idaho

My Commission Expires: 12/6/2010

STATE OF OREGON)

ss.

County of MULTNOMAH)

On the 11 day of August, 2009, before me, the undersigned, a notary public in and for said State, personally appeared William E. Peressini, known or identified to me to be the Vice President - Finance and Chief Financial Officer of Stimson Lumber Company, and the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

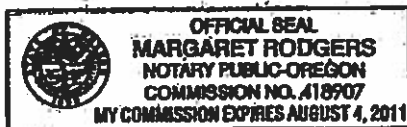
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(seal)

Notary Public for Oregon

Residing at Portland, OR

My Commission Expires: 8-4-2011



3 - Easement for Access to a Well and Use Thereof

EXHIBIT A

DESCRIPTION OF WELL EASEMENT FOR STIMSON LUMBER

DESCRIPTION of an easement for well access and utilities, being a portion of the Southeast Quarter of Section 19, Township 51 North, Range 5 West, Boise Meridian, County of Kootenai, State of Idaho, more particularly described as follows:

BEGINNING AT the Northwest corner of Parcel "B" as noted on Record of Survey recorded in Book 1 of Surveys, Page 260, records of Kootenai County, Idaho;

Thence South $01^{\circ}31'13''$ West along the West line of said parcel, a distance of 113.00 feet;

Thence North $77^{\circ}15'12''$ East a distance of 62.00 feet;

Thence North $59^{\circ}36'33''$ East a distance of 55.00 feet;

Thence North $20^{\circ}23'03''$ East a distance of 36.01 feet to a point on the North boundary of said parcel, also being the South right-of-way of the Burlington Northern Railroad;

Thence along said north boundary along a non-tangent curve to the left having a radius of 1365.53 feet, through a central angle of $05^{\circ}10'39''$ (the long chord of which bears North $72^{\circ}12'16''$ West a distance of 123.34 feet) with a radial line in of South $20^{\circ}23'03''$ West and a radial line out of North $15^{\circ}12'24''$ East for an arc length of 125.39 feet to the TRUE POINT OF BEGINNING.

CONTAINING approximately 3383 square feet or 0.2 acres of land, more or less.

Prepared on: 27 July 2009
Prepared for and on behalf of Taylor Engineering Inc.
Prepared by David M. Sease, PLS
Project No. 09-G010

L:\99CD\0-STIMSON MILL HAUSER\Survey\09 CD\10 W&H Easement\072709.doc

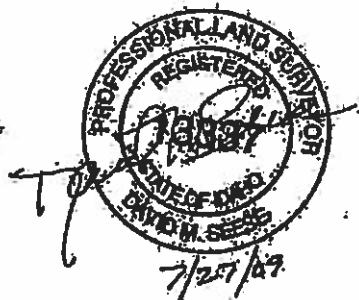
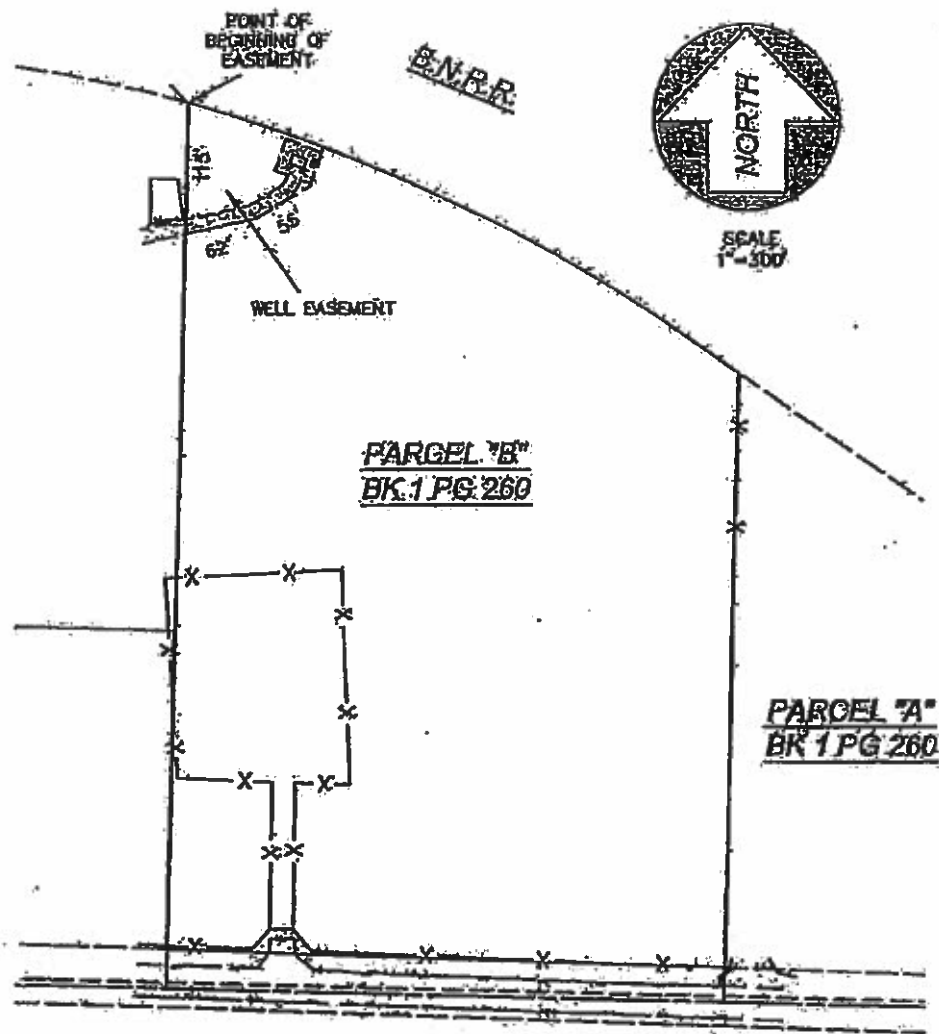


EXHIBIT B

EXHIBIT FOR WELL EASEMENT



THIS MAP IS FOR EXHIBIT PURPOSES ONLY AND
DOES NOT CONSTITUTE A PROPERTY BOUNDARY
SURVEY

5 - Easement for Access to a Well and Use Thereof

EXHIBIT C

THE GRANTOR PROPERTY

PARCEL B:

COMMENCING AT THE SOUTHWEST CORNER OF THE
SOUTHEAST QUARTER IN SECTION 19, TOWNSHIP 51 NORTH,
RANGE 5 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO;
THENCE SOUTH $88^{\circ}28'27''$ EAST, ALONG THE SOUTH LINE OF THE
SOUTHEAST QUARTER, 763.16 FEET TO THE POINT OF
BEGINNING;
THENCE CONTINUING SOUTH $88^{\circ}28'27''$ EAST, 477.22 FEET;
THENCE NORTH $1^{\circ}31'33''$ EAST, 538.0 FEET TO A POINT ON THE
B.N.R.R. CO. R/W;
THENCE NORTH $54^{\circ}48'48''$ WEST, ALONG THE B.N.R.R. CO. R/W
LINE, 51.49 FEET TO THE BEGINNING OF THE 1365.53 FOOT
RADIUS CURVE TO THE LEFT;
THENCE NORTHWESTERLY ALONG THE SAID CURVE AND
B.N.R.R. CO. R/W LINE THROUGH A CENTRAL ANGLE OF
 $20^{\circ}00'00''$, AN ARC LENGTH OF 476.66 FEET;
THENCE SOUTH $1^{\circ}31'33''$ WEST, 757.46 FEET TO THE POINT OF
BEGINNING.
EXCEPT THAT PORTION CONTAINED WITHIN COUNTY ROAD.