

Gerry Savage
Lindsey Lane Water Users Assn.
P.O. Box 618
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8-4-2010

RECEIVED
AUG - 9 2010
IDWR/NORTHERN

State Of Idaho
Department Of Water Resources
7600 Mineral Drive, Suite 100
Coeur d Alene, Idaho 83815

ATT. Keith E. Franklin
Senior Water Resources Agent

Re: Kootenai county unsolicited involvement and take over of the Lindsey
Lane Water Users Assn.

As we have discussed in the past how the second house on the property owned by Mr. James Bosel at 29300 Linzy Lane might interfere with our water rights application (permit No. 95-9526) has come to past.

As the second home was approved using false statements given to the county commissioners and a inaccurate on site inspection made by a inept inspector. These facts came to light when first researching the process for obtaining our water rights permit.

When the building and planning department was made aware of theses facts no agreeable solution was reached.

It came to our attention that the building and planning department has revisited this issue and gave approval to the second home using up dated square footage rules. At that time the Kootenai County Commissioners gave their blessings, thru their spokesman in the building and planning department, to authorized Mr. Bosel to hook up the second home to the Lindsey Lane Water Users Assn. water system. This was indirect violation of the Lindsey Lane Water Users Association covenants and our application for water rights # 95-9526. After requesting a copy of all written correspondence between the county commissioners and Mr. Bosel about this matter the county commissioners thru their spokesman at the building and planning department indicated that it was secret, private and confidential communication and

that the needs and concerns of other members of the Lindsey Lane Water Users Association were of no consequence. As of that moment the other members of the Lindsey Lane Water Users Association were considered to be nonparticipants by the county commissioners through their spokesperson in the building and planning department and the take over was complete.

As per your letter dated June 26, 2009 (copy enclosed) about potential violations to water permit #95-9526 would you consider holding only Kootenai County and the present or future owners of the property in question financially liable for violations of water permit #95-9526.

This request is made because present or future owners of the property in question may say that Kootenai County has demonstrated by past involvement on Mr. Bosels behalf it has total control and say so over how the water system is to be operated and who may be hooked up at all times. Because of Kootenai Counties involvement this places a financial encumbrance on all properties due to the possibility of future severe financial penalties that could be assessed as per Idaho Code 42-1701b for violations of water permit #95-9526.

Kootenai County has not as of this time provided us with revised covenants to be for 10 homes and not 9. Nor have they disclosed their financial involvement for monthly or emergency repairs to the Lindsey Lane Water Users water system.

Is the original water rights application now in jeopardy?

What procedure does the department of water resources use to measure a wells output?

It is possible the present home owner may remove a short section of pipe presently attaching the second home to the above mentioned water system to meet the conditions listed in our water permit. The present or future home owner may very easily replace it with a simple quick disconnect device. This will permit the water tank on the second home to still be filled from the above mentioned water system.

When the department of water resources discovers this is happening will you consider this a one time use or will you assume that it has been used indefinitely. If you assume it has been used for an indefinite time and you determine that a monetary penalty is to be levied against someone will you consider only Kootenai County and the home owner and not other members of the water system. This is where the financial encumbrance placed on all the other properties by Kootenai County could place a financial hardship on other members of the water system.

President



Vice Present

Eric Blewett
Jan Blewett Secretary

Lindsey Lane Water Users Assn.

Respectfully Gerry Savage member of Lindsey Lane Water Users Assn.

