

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 95-12315

Priority: April 05, 2010

Maximum Diversion Rate: 0.20 CFS

This is to certify, that BLACK ROCK BEACH HOMEOWNERS ASSN
17033 S TWISTED PINE RD
COEUR D ALENE ID 83814
(208) 795-7040

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.17 CFS
IRRIGATION	03/15 to 11/15	0.09 CFS
FIRE PROTECTION	01/01 to 12/31	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER, L3 (NW1/4SW1/4), Sec. 10, Twp 48N, Rge 04W, B.M., KOOTENAI County

PLACE OF USE: IRRIGATION, DOMESTIC, FIRE PROTECTION

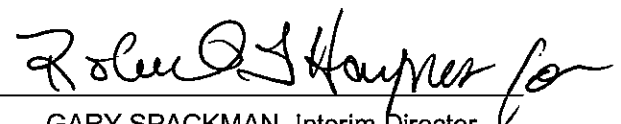
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N 04W 10											3.0						3.0
											L3						

Total Acres: 3

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2015**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
7. Domestic use is for 12 homes. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
8. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Coeur d'Alene, this 12th day of July, 2010.


GARY SPACKMAN, Interim Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

July 13, 2010

BLACK ROCK BEACH HOMEOWNERS ASSN
17033 S TWISTED PINE RD
COEUR D ALENE ID 83814

RE: Permit No.95-12315

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 762-2800.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith B. Franklin". The signature is fluid and cursive, with the first name "Keith" being more prominent.

Keith B. Franklin

Sr. Water Resources Agent

Enclosure(s)

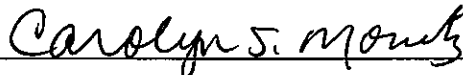
CERTIFICATE OF SERVICE

I hereby certify that on July 13, 2010 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

95-12315

**BLACK ROCK BEACH HOMEOWNERS ASSN
17033 S TWISTED PINE RD
COEUR D ALENE ID 83814**

A handwritten signature in cursive script, reading "Carolyn S. Monitz", is written over a horizontal line.

**Carolyn S. Monitz
Technical Records Clerk**

Statement of Available Procedures and Applicable Time Limits

RESPONDING TO PRELIMINARY ORDERS ISSUED BY THE IDAHO DEPARTMENT OF WATER RESOURCES (To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: July 12, 2010
To: Water Right File 95-12315
From: kfranklin
Re: Applicant

A typographical error was discovered in the applicant's name. There were two e's in the word owners and was changed for the permit.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET**

W.R. # 95-12315 APPLICATION ID # 70419 ENT. 4/6 BCA 5/12 OK to Publish 5/12/10
 APPLICANT: Back Rock Beach Homeowners Assn. BY: KS DATE: 4/16/2010

- ITEM REQUIRED INFORMATION**
1. ☒ Name and Address
 2. ☒ Source
 3. ☒ Point of Diversion & County
 4. ☒ Quantity
☒ Nature of Proposed Use
☒ Period of Use
 5. ☒ Total Quantity
 6. ☒ Description of diverting works
 7. ☒ Time required for b/u
 8. ☒ Proposed use
 9. ☒ Place of use or acres irrigated
 10. ☒ Other water Rights
 11. ☒ Ownership
 12. ☒ Map
☒ Signature
☒ Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y () N ()

ADDITIONAL INFORMATION

(Yes)(No)
☒ Shape File Created Date 4/6 By: KS
☐ Field check: by _____
☐ Field report attached
☐ Analysis Supp. attached (>5cfs/500af)
☐ Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No) PRIORITY DATE: 4/5/2010
 (Include Moratorium Remark)
 Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).
 ADVERTISE IN: Boonville County
 Newspaper: Boonville
 Dates scheduled for publication 5/20 & 27/10
 Affidavit of Publication received: 5/28/10
 Dates actually published: 5/20 & 27/10
 Application published correctly. Yes ☒ No ☐
 If not, action taken: _____

Final Date for Protest: 6/7
 Protests Received: Yes _____ No ☒

LETTERS SENT REQUESTING:

() Dam Information () Fish Information
 () Power Information () Other: _____

INFORMATION RECEIVED:

() Dam Information () Fish Information
 () Power Information () Other: _____

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
<u>752158</u>		Dom. ☐ Non-Dom. ☐	Paid \$ _____		Y () N ☒ <u>1984</u>
		Dom. ☐ Non-Dom. ☐	Paid \$ _____		Y () N ()
		Dom. ☐ Non-Dom. ☐	Paid \$ _____		Y () N ()

- ☐ Groundwater management area
☐ Critical ground water area
☐ Well Drilling Permit required
☐ Well Drilling Application and Fees received
☐ Well Drilling Application approved?

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)
☒ Notice of pending void order issued. Final order response date: ____/____/____
☒ Further information required from applicant

- ☒ Measuring device required
☒ Measuring port required
☒ Special conditions: _____
☒ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: Kerli Janklin Date: 7/6/2010 Sr. Agent initial KS

RECEIVED

MAY 28 2010

IDWR / NORTH

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

Jayne Farmer being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Legal Notice

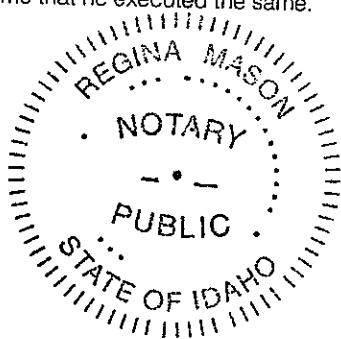
of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 20 day of May, 2010, and ending on the 27 day of May, 2010, and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice. Jayne Farmer On this 27 day of May in the year of 2010, before me, a Notary Public, personally appeared Jayne Farmer, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Regina Mason

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/15



RECEIVED
MAY 28 2010
IDWR / NORTH

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

95-12277

IDAHO ASPHALT SUPPLY INC

16425 W PRAIRIE AVE

HAUSER, ID 83854

Point of Diversion SWSE S19 T51N R05W KOOTENAI CO

Source GROUND WATER

Point of Diversion SESE S19 T51N R05W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 03/15 to 10/15 0.03 CFS

Use: INDUSTRIAL 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 3/26/2010

Place Of Use: INDUSTRIAL

T51N R05W S19 NESE NWSE SWSE SESE

Place Of Use: IRRIGATION T51N R05W S19 SWSE SESE

Total Acres: 1

Industrial use is for asphalt emulsion production.

95-12286

AUDREY CARTER

3098 W PRESLEY RD

COEUR D ALENE, ID 83814

Point of Diversion SWNW S34 T50N R04W KOOTENAI CO

Source UNNAMED STREAM tributary KID CREEK

Point of Diversion NWSW S34 T50N R04W KOOTENAI CO

Source UNNAMED STREAM tributary KID CREEK

Use: WILDLIFE STORAGE 01/01 to 12/31 16 AF

Use: RECREATION STORAGE 01/01 to 12/31 16 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 4/1/2010

Place Of Use: DIVERSION TO STORAGE

T50N R04W S34 SWNW NWSW

Place Of Use: RECREATION STORAGE & WILDLIFE STORAGE

Same as DIVERSION TO STORAGE

Recreational storage is for swimming.

95-12295

RON PRATTE

4400 W EARHART WAY

CHANDLER, AZ 85226

Point of Diversion L2(NWSW) S20 T48N R04W KOOTENAI CO

Source COEUR D ALENE LAKE tributary SPOKANE RIVER

Use: IRRIGATION 03/15 to 11/15 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 3/30/2010

Place Of Use: IRRIGATION T48N R04W S20 L2(NWSW)

Total Acres: 5

95-12297

OTTO O STEVENS ETUX TRUSTEES

7110 NORTH G ST

SPOKANE, WA 99208

Point of Diversion L2(SWNE) S13 T49N R04W KOOTENAI CO

Source COEUR D ALENE LAKE tributary SPOKANE RIVER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 4/1/2010

Place Of Use: DOMESTIC T49N R04W S13 L2(SWNE)

Domestic use is for 1 home.

95-12302

PATRICK D SNOW

JEFFERY M SNOW

901 CAMBRIDGE CT

APPLETON, WI 54915

Point of Diversion L6(NESE) S1 T49N R04W KOOTENAI CO

Source COEUR D ALENE LAKE Tributary SPOKANE RIVER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 4/2/2010

Place Of Use: DOMESTIC T49N R04W S1 L6(NESE)

Domestic use is for 1 home.

95-12307

LEES POINT WATER ASSN

820 N POST ST #504

SPOKANE, WA 99201

Point of Diversion L6(SESE) S10 T51N R03W KOOTENAI CO

Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.14 CFS

Total Diversion: 0.14 CFS

Date Filed: 4/5/2010

Place Of Use: DOMESTIC

T51N R03W S10 L6(SESE)

T51N R03W S11 L7(SWSW)

Domestic use is for 9 homes with no irrigation.

95-12308

DON CANADAY

DEBRA CANADAY

820 N POST ST. #504

SPOKANE, WA 99201

Point of Diversion L6(SESE) S10 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

Use: IRRIGATION 03/15 to 11/15 0.05 CFS

Total Diversion: 0.05 CFS

Date Filed: 4/5/2010

Place Of Use: IRRIGATION T51N R03W S10 L6(SESE)

Total Acres: 1.5

95-12315

BLACK ROCK BEACH HOMEOWNERS ASSN

17033 S TWISTED PINE RD

COEUR D ALENE, ID 83814

Point of Diversion L3(NWSW) S10 T48N R04W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.09 CFS

Use: DOMESTIC 01/01 to 12/31 0.17 CFS

Use: FIRE PROTECTION 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 4/5/2010

Place Of Use: DOMESTIC T48N R04W S10 L3(NWSW)

Place Of Use: IRRIGATION & FIRE PROTECTION

Same as DOMESTIC

Total Acres: 3

Domestic use is for 12 homes.

Permits will be subject to all prior water rights. 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 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 6/7/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal 9949

May, 20, 27, 2010

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

95-12277

IDAHO ASPHALT SUPPLY INC

16425 W PRAIRIE AVE

HAUSER, ID 83854

Point of Diversion SWSE S19 T51N R05W KOOTENAI CO

Source GROUND WATER

Point of Diversion SESE S19 T51N R05W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 03/15 to 10/15 0.03 CFS

Use: INDUSTRIAL 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 3/26/2010

Place Of Use: INDUSTRIAL

T51N R05W S19 NESE NWSE SWSE SESE

Place Of Use: IRRIGATION

T51N R05W S19 SWSE SESE

Total Acres: 1

Industrial use is for asphalt emulsion production.

95-12286

AUDREY CARTER

3098 W PRESLEY RD

COEUR D ALENE, ID 83814

Point of Diversion SWNW S34 T50N R04W KOOTENAI CO

Source UNNAMED STREAM tributary KID CREEK

Point of Diversion NWSW S34 T50N R04W KOOTENAI CO

Source UNNAMED STREAM tributary KID CREEK

Use: WILDLIFE STORAGE 01/01 to 12/31 16 AF

Use: RECREATION STORAGE 01/01 to 12/31 16 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 4/1/2010

Place Of Use: DIVERSION TO STORAGE

T50N R04W S34 SWNW NWSW

Place Of Use: RECREATION STORAGE & WILDLIFE STORAGE

Same as DIVERSION TO STORAGE

Recreational storage is for swimming.

95-12295

RON PRATTE

4400 W EARHART WAY

CHANDLER, AZ 85226

Point of Diversion L2(NWSW) S20 T48N R04W KOOTENAI CO

Source COEUR D ALENE LAKE tributary SPOKANE RIVER

Use: IRRIGATION 03/15 to 11/15 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 3/30/2010

Place Of Use: IRRIGATION T48N R04W S20 L2(NWSW)

Total Acres: 5

95-12297

OTTO O STEVENS ETUX TRUSTEES

7110 NORTH G ST

SPOKANE, WA 99208

Point of Diversion L2(SWNE) S13 T49N R04W KOOTENAI CO

Source COEUR D ALENE LAKE tributary SPOKANE RIVER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 4/1/2010

Place Of Use: DOMESTIC T49N R04W S13 L2(SWNE)

Domestic use is for 1 home.

95-12302

PATRICK D SNOW

JEFFERY M SNOW

901 CAMBRIDGE CT

APPLETON, WI 54915

Point of Diversion L6(NESE) S1 T49N R04W KOOTENAI CO

Source COEUR D ALENE LAKE Tributary SPOKANE RIVER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 4/2/2010

Place Of Use: DOMESTIC T49N R04W S1 L6(NESE)

Domestic use is for 1 home.

95-12307

LEES POINT WATER ASSN

820 N POST ST #504

SPOKANE, WA 99201

Point of Diversion L6(SESE) S10 T51N R03W KOOTENAI CO

Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.14 CFS

Total Diversion: 0.14 CFS

Date Filed: 4/5/2010

Place Of Use: DOMESTIC

T51N R03W S10 L6(SESE)

T51N R03W S11 L7(SWSW)

Domestic use is for 9 homes with no irrigation.

95-12308

DON CANADAY

DEBRA CANADAY

820 N POST ST. #504

SPOKANE, WA 99201

Point of Diversion L6(SESE) S10 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

Use: IRRIGATION 03/15 to 11/15 0.05 CFS

Total Diversion: 0.05 CFS

Date Filed: 4/5/2010

Place Of Use: IRRIGATION T51N R03W S10 L6(SESE)

Total Acres: 1.5

95-12315

BLACK ROCK BEACH HOMEOWNERS ASSN

17033 S TWISTED PINE RD

COEUR D'ALENE, ID 83814

Point of Diversion L3(NWSW) S10 T48N R04W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.09 CFS

Use: DOMESTIC 01/01 to 12/31 0.17 CFS

Use: FIRE PROTECTION 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 4/5/2010

Place Of Use: DOMESTIC T48N R04W S10 L3(NWSW)

Place Of Use: IRRIGATION & FIRE PROTECTION

Same as DOMESTIC

Total Acres: 3

Domestic use is for 12 homes.

Permits will be subject to all prior water rights. 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 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 6/7/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 5/20/2010 and 5/27/2010

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, May 12, 2010 3:29 PM
To: Legal Notices-CdA Press; Legal Notices-CdAPress - Jaylene Farmer
Subject: Application for Permit No. 95-12277, 95-12286, 95-12295, 95-12297, 95-12302, 95-12307, 95-12308, 95-12315

Good afternoon, Jaylene,

This is the second legal notice for which we are requesting publication on **May 20 and 27, 2010**.

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.

Once again, I will greatly appreciate a proof/preview copy for my review before this goes to press. I will be out of the office Thursday and Friday because I am having a cataract removed from my eye. I should be back in the office on Monday, 5/17, in time to review the proof/preview copy before this actually hits the press.

If you have any questions, please give me a call either this afternoon, or on Monday. I will be able to receive e-mails – I can pick them up at home – so if you have something unusual, I might be able to respond on Friday afternoon. I get the patch off Friday morning and the doctor wants to make sure everything looks good, and then that I take it easy for a couple days.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 6/7/2010. Your cooperation is appreciated.

If I don't hear from you today, have a great weekend and I'll talk to you on Monday.



LegalNotice
5-12-10 CDA e-mai.

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 12, 2010

BLACK ROCK BEACH HOMEOWNERS ASSN
17033 S TWISTED PINE RD
COEUR D ALENE, ID 83814

Application For Permit No. 95-12315

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 5/20/2010 and 5/27/2010. 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 this office if you have any questions regarding the application.

Sincerely,

Keith Franklin
Sr. Water Resource Agent

**REQUEST FOR WITHDRAWAL OF CLAIM
WITH FILING FEES APPLIED TO APPLICATION FOR PERMIT**

Name of Claimant: Black Rock Beach Homeowners' Assn
 Mailing Address: 17033 S. Twisted Pine Rd. Coeur d'Alene, ID 83814
 Amount: \$50.00 Receipt No.: N 023817
 Claim No(s): 49576

I/We wish to withdraw the Notice(s) of Claim to a Water Right which number(s) appear above and for which I/We previously paid a filing fee to the Idaho Department of Water Resources. I request the filing fee I/We paid on the receipt referenced above be applied to filing an Application for Permit.

For Individuals:

_____ (Signature of Claimant)	_____ (Date)
_____ (Signature of Claimant)	_____ (Date)

For Organizations:

<u><i>[Signature]</i></u> (Signature of Authorized Agent)	<u>4-2-10</u> (Date)
<u>President</u> (Title)	
<u>Black Rock Beach Homeowners' Association</u> (Name of Organization)	

Return to: Idaho Department of Water Resources
 Adjudication Bureau
 P.O. Box 83720
 Boise, ID 83720-0098

RECEIVED

APR 05 2010

IDWR / NORTH

For IDWR Use

	<u>Initials</u>	<u>Date</u>
Approval Region	_____	_____
Approval State Office	_____	_____
Data Entry	_____	_____

6/30/09

Black Rock Beach Homeowners' Association

April 2, 2010

Mr. Keith Franklin
Idaho Department of Water Resources
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763

RECEIVED

APR 05 2010

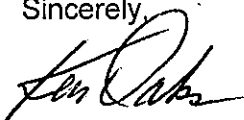
IDWR / NORTH

Dear Mr. Franklin,

Enclosed is a completed Request of Withdrawal of Claim with Filing Fees Applied to Application for Permit form. Please withdraw our Notice of Claim to a Water Right and apply the \$50 fee to our new Application for a Permit. Enclosed is a check for the additional \$50.00 required for the Application of Permit along with the completed Application for Permit form and a copy of the receipt for the original \$50.00 fee. Please let me know if you need any additional materials or have any questions.

Thank you for the time you spent with me explaining what our options are and what is required to properly complete these materials.

Sincerely,



Ken Oaks
President
Black Rock Beach Homeowners' Association

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

Permit #
752158
Wall IO
275454

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT