

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 95-09045

Priority: April 12, 2000

Maximum Diversion Rate: 2.50 CFS
Maximum Diversion Volume: 1,215.0 AF

This is to certify, that BLACK ROCK UTILITIES INC
KYLE CAPPS, CGCS
PO BOX 3070
COEUR D ALENE ID 83816

has applied for an amendment of a permit and the amendment is APPROVED for development of water as follows:

Source: COEUR D ALENE LAKE Tributary: SPOKANE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	2.50 CFS	1,215.0 AF

LOCATION OF POINT(S) OF DIVERSION:

COEUR D ALENE LAKE L1 (NE1/4NE1/4) Sec. 16, Twp 48N, Rge 04W, B.M.
KOOTENAI County

CONDITIONS OF APPROVAL

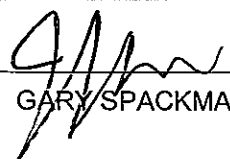
1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2010**.
2. Subject to all prior water rights.
3. Prior to or in connection with the proof of beneficial use statement to be submitted for municipal water use under this right, the right holder shall provide the department with documentation showing that the water supply system is being regulated by the Idaho Department of Environmental Quality as a public water supply and that it has been issued a public water supply number.
4. Municipal use is for irrigation, diversion to storage, aesthetic storage, irrigation storage, irrigation from storage, and fire protection.
5. Irrigation shall be limited to not more than 545 acres within the service area of the water right holder. The service area encompasses Sections 4, 5, 8, 9, 16, and 17, Township 48 North, Range 4 West, Kootenai County. Irrigation of golf courses, parks, common areas, and other open spaces (hereafter referred to as "open space") must be complete at the time of the filing of proof of beneficial use. The right holder must submit evidence of the following: (a) the number of acres of open space irrigated, (b) the average acreage irrigated within each lot upon which a home is constructed; and (c) the number of domestic connections stubbed to platted lots where homes are not constructed. Any license issued for this right shall limit the irrigated open space to the acreage irrigated during the development period.
6. Aesthetic and irrigation storage may be developed within the service area of the water right holder. The service area encompasses portions of Sections 4, 5, 8, 9, 16, and 17, Township 48 North, Range 4 West, Kootenai County.
7. All storage beneficial uses must be completed at the time of the filing of proof of beneficial use. The right holder must submit evidence of the completion of the storage ponds, the storage capacity of the ponds, and the volume of water stored in the ponds during the development period. Any license issued for this right will limit the total storage component of the municipal use to the volume of water actually constructed and stored during the period of development prior to the filing of proof of beneficial use.

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 95-09045

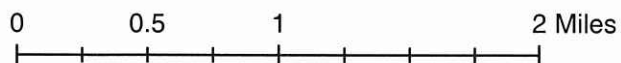
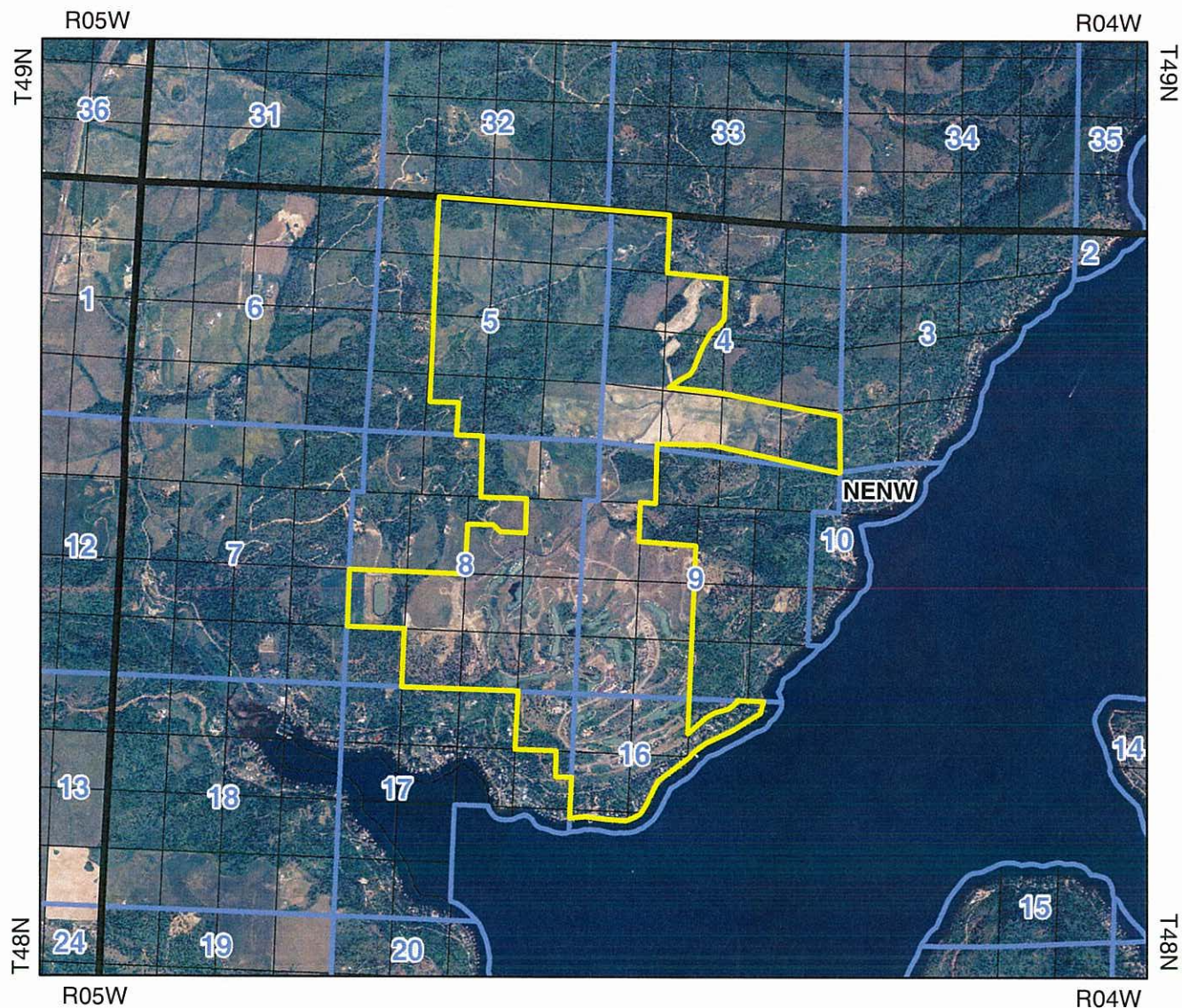
8. Water diverted under this right may be used for construction within the Black Rock North Development during the remainder of the development period.
9. Total physical storage is limited to 123 acre feet.
10. Total annual refill volume for seepage, evaporation, and depletions from the ponds for irrigation shall not exceed 246 acre feet.
11. The total annual volume for all storage and storage uses shall not exceed 369 acre feet.
12. The right holder shall install and maintain impervious liners on the ponds authorized under this right unless the right holder can show that the strata underlying a pond is sufficiently impervious that it will mimic the flow impedance of an impervious liner.
13. Water may only be diverted and used for irrigation from March 15 through November 15.
14. The right holder shall comply with all water quality statutes and rules administered by the Idaho Department of Environmental Quality.
15. The right holder shall install and maintain a fish screen at the point of diversion with ¼ inch or smaller screen mesh.
16. Direct flow use and diversions from storage under this right are limited to irrigation of 545 acres of turf and landscaping and for fire protection. In addition, water diverted under this right may be used for dust suppression and related construction purposes during the initial development and build-out of the project. In this condition, the phrase "direct flow use" will be narrowly interpreted to apply only to the immediate uses of water directly diverted from Lake Coeur d'Alene unrelated to storage, primarily irrigation use.
17. The owner of this right shall install or require to be installed a meter for each of its customers served by this right. The meter shall measure and record the quantity of water delivered to that customer.
18. The owner of this right shall meter and record its diversions from Lake Coeur d'Alene under this right and its diversions out of each water storage unit and shall report annually to IDWR on or before January 10 of each year the total annual diversions from the lake and from storage. Such reports shall be matters of public record.

This amendment of permit is issued pursuant to the provisions of Section 42-211, Idaho Code. Witness the signature of the Director, affixed at Boise, this 29th day of June, 2010.


for GARY SPACKMAN, Interim Director

State of Idaho
Department of Water Resources
Permit to Appropriate Water
95-9045

Water Service Area Boundary for Black Rock Utilities Inc



Legend

- Water Service Area Boundary
- Townships
- PLS Sections
- Quarter Quarters

