

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 94-07515

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
47N 03W 4						5.5											5.5
						L 4											
48N 03W 32			1.0	.5													1.5
			L 4	L 5													

Total Acres: 7

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 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. Domestic use is for 13 homes and one boarding house. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
5. Stockwater use is for 300 head of mixed stock.
6. 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.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. The wells will be interconnected into a common delivery and storage system.

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 11th day of February, 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

February 12, 2010

BLACK ROCK RANCH LLC
PO BOX 3070
COEUR D ALENE ID 83816

RE: Permit No.94-7515

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,



Keith E. Franklin

Sr. Water Resources Agent

Enclosure(s)

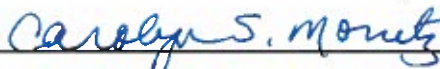
CERTIFICATE OF SERVICE

I hereby certify that on February 12, 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.

94-7515

**BLACK ROCK RANCH LLC
PO BOX 3070
COEUR D ALENE ID 83816**



**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.

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

W.R. # 94-7515

APPLICATION ID # 75764

ENT. 10/27 BCA 11/27 OK to Publish 11/25/09

APPLICANT: Black Rock Ranch, LLC INITIAL REVIEW

BY: KJ DATE: 10/27/2009

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

(Yes)(No)

- ☒ Shape File Created Date 10/27 By: KJ
- ☐ Field check: by _____
- ☐ Field report attached
- ☐ Analysis Supp. attached(>5cfs/500af)
- ☐ Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No)

PRIORITY DATE: 7/16/2009

(Include Moratorium Remark)

Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN:

Newspaper: ceo Kootenai County

Dates scheduled for publication 12/3+10/09

Affidavit of Publication received: 12/11/09

Dates actually published: 12/3+10/07

Application published correctly. Yes ☒ No ☐

If not, action taken: _____

Final Date for Protest: 12/21/09

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:

843284
803694

Tag #

00046918
00028418

Type:

Dom. ☐ Non-Dom. ☐
Dom. ☐ Non-Dom. ☐
Dom. ☐ Non-Dom. ☐

Fees

Paid \$ 125.00
Paid \$ 125
Paid \$ _____

Receipt No.

N021154
11

Upgrade Needed?

Y() N() paid
Y() N() paid
Y() N() paid

- ☐ 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.
- ☒ Further information required from applicant

Final order response date: ____/____/____

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

Approval Recommended by:

Kapth...

Date: 1/13/2010 Sr. Agent initial

KJ

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

Kelli Bulley

being first duly sworn

upon oath deposes and says:

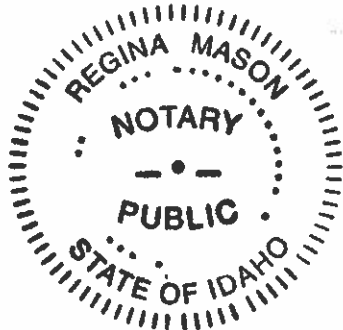
1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

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 3 day of December 2009, and ending on the 10 day of December 2009, 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. Kelli Bulley
On this 10 day of December in the year of 2009 before me, a Notary Public, personally appeared Kelli Bulley, 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

DEC 11 2009

IDWR/North

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

94-7513

BLACK ROCK RANCH LLC

PO BOX 3070

COEUR D'ALENE, ID 83816

Point of Diversion L6(SWNE) S1 T47N R03W KOOTENAI CO

Source GROUND WATER

Point of Diversion NESE S1 T47N R03W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 to 10/31 0.11 CFS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

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

Total Diversion: 0.33 CFS

Date Filed: 7/6/2009

Place Of Use: DOMESTIC

T47N R03W S1 L6(SWNE) L7(SENE) NESE

Place Of Use: IRRIGATION same as DOMESTIC

Place Of Use: STOCKWATER

T47N R02W S6 L1(NENE) L2(NWNE) SWNE L4(NENW)
L6(SWNW) SENW NESW L7(NWSW)

T47N R03W S1 L2(NWNE) L6(SWNE) L7(SENE) NESE

T48N R02W S31 L7(SENE)

Total Acres: 5.5

Domestic use is for 11 homes and one 10 room bunkhouse.

Stockwater use is for 40 head of mixed stock.

94-7515

BLACK ROCK RANCH LLC

PO BOX 3070

COEUR D'ALENE, ID 83816

Point of Diversion(3) L4(SWNE) S32 T48N R03W KOOTENAI CO

Source GROUND WATER

Points of Diversion(2) L4(NWNW) S4 T47N R03W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 03/15 to 10/31 0.14 CFS

Use: STOCKWATER 01/01 to 12/31 0.07 CFS

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

Total Diversion: 0.41 CFS

Date Filed: 7/6/2009

Place Of Use: DOMESTIC

T47N R03W S4 L4(NWNW)

T48N R03W S32 L4(SWNE) L5(SENE)

Place Of Use: STOCKWATER

T47N R03W S4 L3(NENW) L4(NWNW) SWNW SENW

T47N R03W S32 L4(SWNE) L5(SENE)

T47N R03W S33 L4(SWNW)

Place Of Use: IRRIGATION

T47N R03W S4 L4(NWNW)

T48N R03W S32 L4(SWNE) L5(SENE)

Total Acres: 7

Domestic use is for 13 homes and one 10-room boarding house.

Stockwater use is for 300 head of mixed stock.

95-11062

KENT RITTENOUR

ANDREA RITTENOUR

27599 N TIMBER RIDGE RD

RATHDRUM, ID 83858

Point of Diversion NENWNE S30 T53N R04W KOOTENAI CO

Source SPRINGS Tributary SINKS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

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

Total Diversion: 0.06 CFS

Date Filed: 8/20/2009

Place Of Use: DOMESTIC T53N R04W S30 NENE

Place Of Use: STOCKWATER same as DOMESTIC

Domestic use is for 2 homes

Stockwater use for 1 horse.

95-11117

JAMES V HAWKINS

GAIL R HAWKINS

901 W STEAMBOAT DR

COEUR D'ALENE, ID 83814

Point of Diversion L1(NENE) S35 T50N R04W KOOTENAI CO

Source COEUR D'ALENE LAKE Tributary SPOKANE RIVER

Use: IRRIGATION 03/15 to 11/15 0.06 CFS

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

Total Diversion: 0.1 CFS

Date Filed: 9/3/2009

Place Of Use: DOMESTIC T50N R04W S35 L1(NENE)

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 2

Domestic use is for 1 home.

RECEIVED

DEC 11 2009

IDWR/North

95-11128

RICHARD L UHLMANN

16499 N MOUNTAIN VIEW RD

RATHDRUM, ID 83858

Point of Diversion NESW S28 T52N R04W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 04/01 to 10/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 9/8/2009

Place Of Use: IRRIGATION T52N R04W S28 SW

Total Acres: 10

95-11133

PAMELA WOODWORTH

1699 S MEADOWBROOK ACRES RD

COEUR D'ALENE, ID 83814-9022

Point of Diversion SENE S20 T50N R04W KOOTENAI CO

Source SPRING Tributary UNAMED STREAM

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

Use: WILDLIFE STORAGE 01/01 to 12/31 6 AF

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

Total Diversion: 0.2 CFS

Date Filed: 9/10/2009

Place Of Use: DIVERSION TO STORAGE

T50N R04W S20 SENE

T50N R04W S21 SWNW

Place Of Use: WILDLIFE STORAGE

T50N R04W S20 SENE

T50N R04W S21 SWNW

Place Of Use: WILDLIFE same as WILDLIFE STORAGE

95-11136

DEANNA L HUGHES

STEPHEN A HUGHES

17420 N WILKINSON RD

RATHDRUM, ID 83858

Point of Diversion NWNE S27 T52N R04W KOOTENAI Co

Source GROUNDWATER

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

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.15 CFS

Date Filed: 9/10/2009

Place Of Use: IRRIGATION T52N R04W S27 NWNE

Place Of Use: STOCKWATER same as IRRIGATION

Stockwater use is for 3 head of mixed stock.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-211. 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 12/21/2009. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal 8419

December 3, 10, 2009

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

94-7513

BLACK ROCK RANCH LLC

PO BOX 3070

COEUR D ALENE, ID 83816

Point of Diversion L6(SWNE) S1 T47N R03W KOOTENAI CO

Source GROUND WATER

Point of Diversion NESE S1 T47N R03W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 to 10/31 0.11 CFS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

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

Total Diversion: 0.33 CFS

Date Filed: 7/6/2009

Place Of Use: DOMESTIC

T47N R03W S1 L6(SWNE) L7(SENE) NESE

Place Of Use: IRRIGATION same as DOMESTIC

Place Of Use: STOCKWATER

T47N R02W S6 L1(NENE) L2(NWNE) SWNE L4(NENW)

L6(SWNW) SENW NESW L7(NWSW)

T47N R03W S1 L2(NWNE) L6(SWNE) L7(SENE) NESE

T48N R02W S31 L7(SENE)

Total Acres: 5.5

Domestic use is for 11 homes and one 10 room bunkhouse.

Stockwater use is for 40 head of mixed stock.

94-7515

BLACK ROCK RANCH LLC

PO BOX 3070

COEUR D ALENE, ID 83816

Point of Diversion(3) L4(SWNE) S32 T48N R03W KOOTENAI CO

Source GROUND WATER

Points of Diversion(2) L4(NWNW) S4 T47N R03W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 03/15 to 10/31 0.14 CFS

Use: STOCKWATER 01/01 to 12/31 0.07 CFS

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

Total Diversion: 0.41 CFS

Date Filed: 7/6/2009

Place Of Use: DOMESTIC

T47N R03W S4 L4(NWNW)

T48N R03W S32 L4(SWNE) L5(SENE)

Place Of Use: STOCKWATER

T47N R03W S4 L3(NENW) L4(NWNW) SWNW SENW

T47N R03W S32 L4(SWNE) L5(SENE)

T47N R03W S33 L4(SWNW)

Place Of Use: IRRIGATION

T47N R03W S4 L4(NWNW)

T48N R03W S32 L4(SWNE) L5(SENE)

Total Acres: 7

Domestic use is for 13 homes and one 10-room boarding house.

Stockwater use is for 300 head of mixed stock.

95-11062

KENT RITTENOUR

ANDREA RITTENOUR

27599 N TIMBER RIDGE RD

RATHDRUM, ID 83858

Point of Diversion NENWNE S30 T53N R04W KOOTENAI CO

Source SPRINGS Tributary SINKS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

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

Total Diversion: 0.06 CFS

Date Filed: 8/20/2009

Place Of Use: DOMESTIC T53N R04W S30 NENE

Place Of Use: STOCKWATER same as DOMESTIC

Domestic use is for 2 homes

Stockwater use for 1 horse.

95-11117

JAMES V HAWKINS

GAIL R HAWKINS

901 W STEAMBOAT DR

COEUR D ALENE, ID 83814

Point of Diversion L1(NENE) S35 T50N R04W KOOTENAI CO

Source COEUR D ALENE LAKE Tributary SPOKANE RIVER

Use: IRRIGATION 03/15 to 11/15 0.06 CFS

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

Total Diversion: 0.1 CFS

Date Filed: 9/3/2009

Place Of Use: DOMESTIC T50N R04W S35 L1(NENE)

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 2

Domestic use is for 1 home.

95-11128

RICHARD L UHLMANN

16499 N MOUNTAIN VIEW RD

RATHDRUM, ID 83858

Point of Diversion NESW S28 T52N R04W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 04/01 to 10/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 9/8/2009

Place Of Use: IRRIGATION T52N R04W S28 SW

Total Acres: 10

95-11133

PAMELA WOODWORTH

1699 S MEADOWBROOK ACRES RD

COEUR D'ALENE, ID 83814-9022

Point of Diversion SENE S20 T50N R04W KOOTENAI CO

Source SPRING Tributary UNAMED STREAM

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

Use: WILDLIFE STORAGE 01/01 to 12/31 6 AF

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

Total Diversion: 0.2 CFS

Date Filed: 9/10/2009

Place Of Use: DIVERSION TO STORAGE

T50N R04W S20 SENE

T50N R04W S21 SWNW

Place Of Use: WILDLIFE STORAGE

T50N R04W S20 SENE

T50N R04W S21 SWNW

Place Of Use: WILDLIFE same as WILDLIFE STORAGE

95-11136

DEANNA L HUGHES

STEPHEN A HUGHES

17420 N WILKINSON RD

RATHDRUM, ID 83858

Point of Diversion NWNE S27 T52N R04W KOOTENAI Co

Source GROUNDWATER

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

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.15 CFS

Date Filed: 9/10/2009

Place Of Use: IRRIGATION T52N R04W S27 NWNE

Place Of Use: STOCKWATER same as IRRIGATION

Stockwater use is for 3 head of mixed stock.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-211. 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 12/21/2009. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 12/3/2009 and 12/10/2009

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, November 25, 2009 4:26 PM
To: Legal Notices-CdA Press; Legal Notices-CdAPress - Kelli Buley
Subject: Application for Permit No. 94-7513, 94-7515, 95-11062, 95-11117, 95-11128, 95-11133, 95-11136

Attachments: LegalNotice 11-25-09 CDA e-mail 94-7513,15, 95-11062 11117,128,133,136.doc

Good afternoon, Kelli,

This is another legal notice to publish on the same dates as our Legal - your number 8303 (which was scheduled to publish 11/19 and 26, but only published on the 19th and isn't going to make it on the 26th as originally requested).

Please publish the attached legal notice and the one (8303) re-sent to you earlier today on the dates indicated, **December 3 and 10, 2009**, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

Please also send a proof/preview copy for both of these legal notices for my review before they go to press.

An affidavit of publication must be submitted to the Department for both, along with the publication bill. Please send the affidavit and bill to this office before 12/21/2009. Your cooperation is greatly appreciated.



LegalNotice
1-25-09 CDA e-mai.

Thanks for all your great help, and have a wonderful and blessed Thanksgiving.

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

November 25, 2009

BLACK ROCK RANCH LLC
PO BOX 3070
COEUR D ALENE, ID 83816

Application For Permit No. 94-7515

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 12/3/2009 and 12/10/2009. 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,

A handwritten signature in black ink, appearing to read "Keith C. Franklin". The signature is written in a cursive, flowing style.

Keith Franklin
Sr. Water Resource Agent

Idaho Department of Water Resources Receipt

Receipt ID: N021154

Payment Amount \$1,615.00 Date Received 7/6/09 3:22 Region NORTHERN
Payment Type Check Check Number 1991
Payer BLACK ROCK RANCH, LLC

Comments Four Applications For New Water Right Permits

Fee Details

Amount	Description	Fund	Fund Detail	PCA	Subobject
\$1,615.00	PERMITS	0229	21	65103	1155

Signature Line (Department Representative)

Water Right Applications	\$410.00
	\$350.00
	\$330.00
	\$250.00
Sub.Total	\$1,240.00
3 Well upgrades @ \$125 ^{ea}	= \$375.00
Total.	\$1,615.00

Idaho Department of Water Resources Receipt

Receipt ID: N021154

Payment Amount \$1,615.00 Date Received 7/6/09 3:22 Region NORTHERN

Payment Type Check Check Number 1991

Payer BLACK ROCK RANCH, LLC

IPG Transaction ID 0

Comments Four Applications For New Water Right Permits
and three well upgrades.

Fee Details

Amount	Description	Fund	Fund Detail	PCA	Subobject
\$1,240.00	PERMITS	0229	21	65103	1155
\$375.00	DRILLING PERMITS	0229	21	65134	1205

Signature Line (Department Representative)

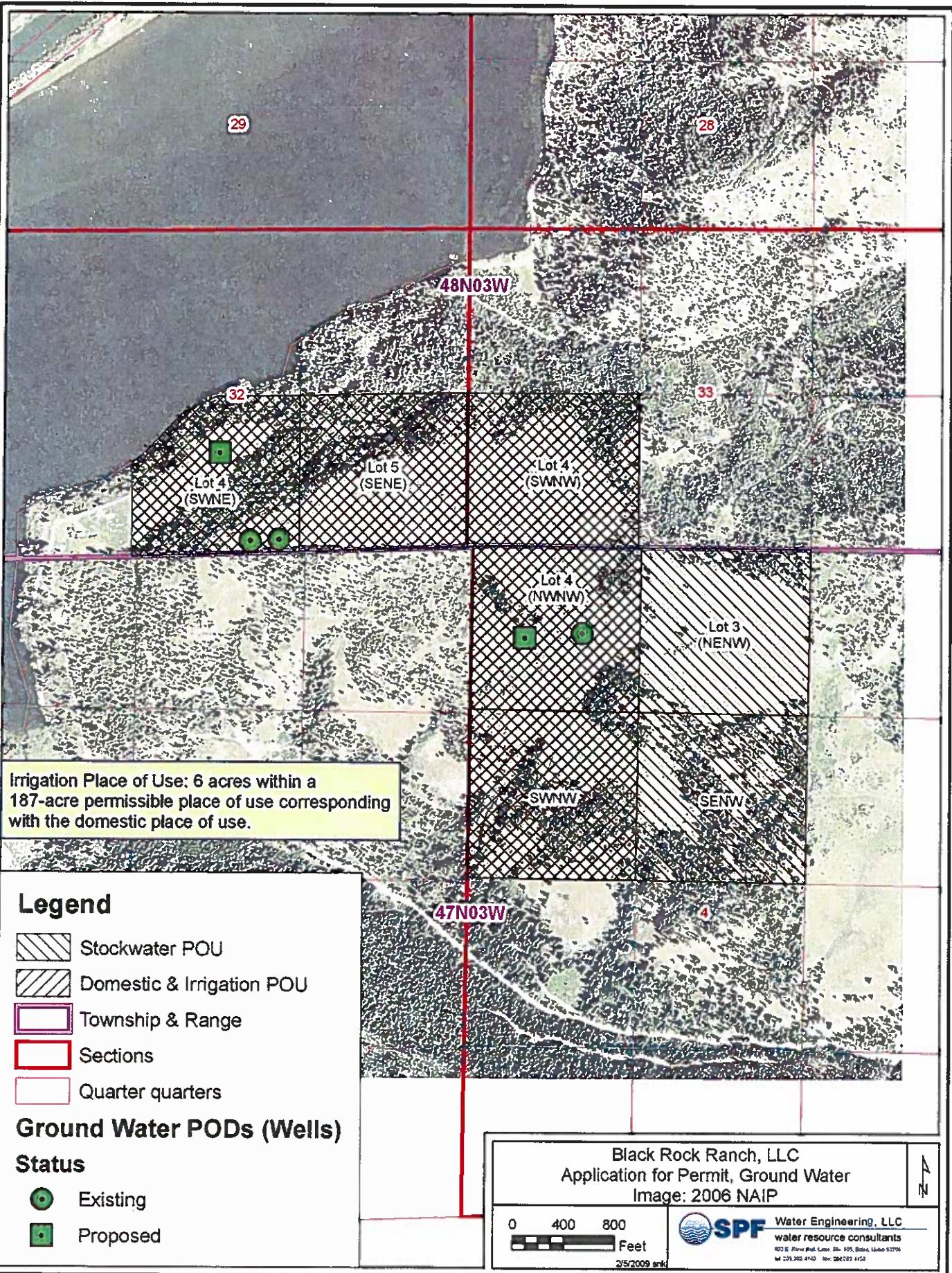
\$330⁰⁰ Black Rock Ranch
Anderson Lake

\$410⁰⁰ Black Rock Ranch
Black Lake

\$375⁰⁰ Black Rock Ranch
Groundwater

\$500⁰⁰ Black Rock Ranch
Groundwater

\$1,615.00 Total





State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

V. EVANS

governor

WILLIAM ALLRED

director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

ADMINISTRATOR'S MEMORANDUM

TO: Regional Offices and Water Allocations Section

FROM: Norman C. Young

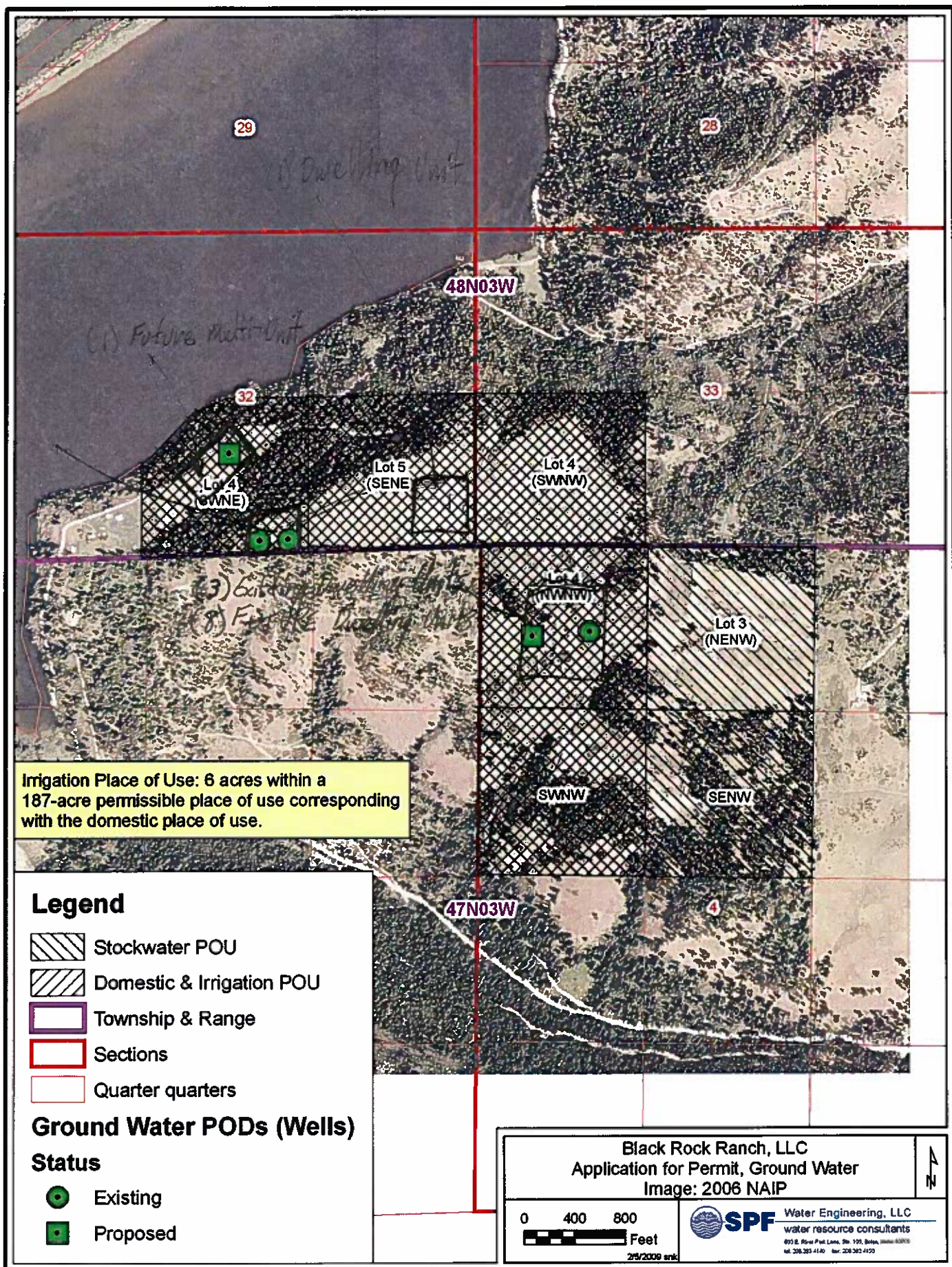
DATE: May 2, 1980

SUBJECT: Water Right Applications and Claims

(This replaces a previous Admin. Memo dated 06-23-75)

When receiving applications or claims with more than one point of diversion, with separate systems, an application or claim for each version is required. However, if more than one point of diversion is to be used under one system, then we can accept both points of diversion under one application or claim. These points of diversion do not divert from more than one source, even if the sources are not unrelated.

For example, a domestic water system for one household with two sources, a well and a supplemental spring, can be represented by one application or claim. As another example, when domestic water is provided by a well through one system and lawn irrigation is provided by a spring through another system, two water rights must be filed.





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

September 24, 2009

Kyle Capps
Black Rock Ranch, LLC
PO Box 3070
Coeur d'Alene, ID 83816

Re: Applications For Permit to Appropriate the Public Waters of the State of Idaho
94-7513 and #94-7515.

Dear Mr. Capps:

With all the changes that were made to the for the two groundwater permit applications for Black Rock Ranch, LLC, I thought it best that you review the applications before they go to advertising. Attached are electronic versions of the applications. If they are OK with you, please drop me a note, in writing please, to that effect so I can get these scheduled for advertising.

If you have any questions, feel free to contact me at this office.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent
Enclosure(s)

COPY



October 20, 2009

Keith Franklin
Idaho Department of Water Resources
Northern Region
7600 Mineral Drive Suite 100
Coeur d'Alene, ID 83815

RECEIVED
OCT 23 2009
IDWR/North

RE: Applications For Permit to Appropriate the Public Waters of the State of Idaho
#94-7513 and # 94-7515

Dear Mr. Franklin,

Per your request, I have reviewed the revised water right applications for the two groundwater permits for the Black Rock Ranch, LLC. It appears that we have gotten all the changes addressed, and these applications appear to be complete as corrected and ready to advertise. Thank you for your diligent assistance in helping us to complete these water right applications.

Please feel free to contact me if you have further comments or questions regarding these applications. I am in the process of addressing the comments received regarding the surface water application for the river ranch property, and that should be forthcoming to your office shortly.

Sincerely,

Kyle Capps
VP Site Development

Enclosures

COPY

