



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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

September 4, 2009

NORTH KOOTENAI WATER DISTRICT
PO BOX 2290
HAYDEN ID 83835

RE: Permit No. 95-9244
Preliminary Order Dismissing A Protest and Issuing A Permit

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed Preliminary Order Dismissing a Protest and Issuing a Permit authorizing you to establish a new water right. A Permit to Appropriate Water is also enclosed. Please be sure to thoroughly review the conditions of approval listed on your permit.

A PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code, 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.

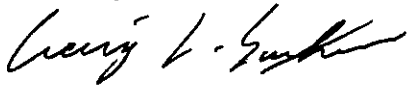
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

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 208-287-4947.

Sincerely,



*on
behalf of* Shelley W. Keen, Manager
Water Right Permits Section

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on September 4, 2009 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. 95-9244

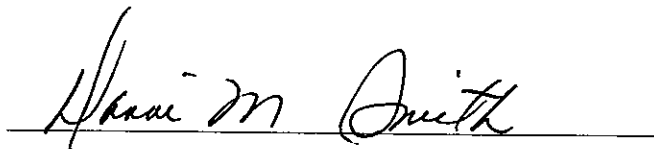
**NORTH KOOTENAI WATER DISTRICT
PO BOX 2290
HAYDEN ID 83835**

**PETER G SCOTT
COUGH SHANAHAN JOHNSON & WATERMAN
33 S LAST CHANCE GULCH
HELENA MT 59601**

**JOHN OLSON MD
IDAHO CONSERVATION LEAGUE AND
SIERRA CLUB UPPER COLUMBIA RIVER GROUP
2421 W MISSION AVE
SPOKANE WA 99201**

**RICHARD K EICHSTAEDT
CENTER FOR JUSTICE
35 W MAIN STE 300
SPOKANE WA 99201**

**RACHAEL PASCHAL OSBORN
25 W MAIN STE 234
SPOKANE WA 99201**

A handwritten signature in cursive script, reading "Danni M. Smith", is written over a horizontal line.

**Danni M. Smith
Office Services Supervisor 1**