



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815
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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

January 8, 2008

JAI NELSON
COALITION FOR POSITIVE RURAL IMPACT
15192 GATE 7 RIDGE RD
COEUR D ALENE ID 83814

RE: CLUB AT BLACK ROCK AND BLACK ROCK NORTH

Dear Ms. Nelson:

This is in response to your letter of November 26, 2007, regarding the Club at Black Rock and Black Rock North developments. As you can see from the attached correspondence, I am requesting a response from Black Rock Utilities on some of the questions you raised. I will attempt to provide a response to the other questions raised in your letter and would suggest we try to meet sometime after the 31st of January, when I should have a response from Black Rock Utilities.

In Item No. 4 of your letter regarding a plan from Black Rock relating to co-mingling water from sources other than Lake Coeur d'Alene, we have not received any plan.

The final approval of Amendment 72669 for Permit 95-9045 was June 19, 2007. The Department of Water Resources has not had any discussion with Black Rock regarding a construction period relating to Black Rock North. That two (2) year window came from an agreement between Black Rock and Kootenai Environmental Alliance (KEA).

At the present time we are not independently monitoring the amount of water used in connection with Permit 95-9045. As a condition of the settlement agreement between KEA and Black Rock, Black Rock is required to submit records of their usage to us.

In regard to your questions concerning 95-9055, to my knowledge we have not received an assignment of permit from Black Rock Utilities to another entity. From conversations that I have had with attorneys and other representatives of Black Rock, it is my understanding that they are considering using the groundwater wells as a source for ponds, waterfalls, and other aesthetic features. Those types of uses would be permitted under the municipal designation.

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I do not have any first hand knowledge of whether a measuring device has been installed on the wells. The conditions of permit 95-9055 require that a measuring device be installed upon specific notice from the Department. No such notice has been issued to Black Rock Utilities. However, since the use of those waters is for a public water supply, and I believe the Department of Environmental Quality typically requires volume usage be reported to them, I suspect that a measuring device is installed on the wells.

Well drillers' reports for all of the wells that have been drilled by Black Rock are available on line at our website, www.idwr.idaho.gov.

If you have further questions, please contact me.

Sincerely,

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

Robert G. Haynes, P.E.
Regional Manager

RGH:db

Enc. Copy of Letter to Black Rock Utilities