

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09371

Priority: October 20, 2006

Maximum Diversion Rate: 1.67 CFS
Maximum Diversion Volume: 226.0 AF

This is to certify, that BIG SKY ESTATES OWNERS ASSN INC
PO BOX 2184
POST FALLS ID 83877-2184

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>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.67 CFS	226.0 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER NW¼ SE¼ Sec. 29, Twp 51N, Rge 04W, B.M. KOOTENAI County

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	
51N 04W 29			18.0	1.3	.9	6.8	28.8	27.5									83.3

Total Acres: 83.3

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **May 01, 2012**.
2. Subject to all prior water rights.
3. Point of diversion is located within Lot 8, Blk. 3, Big Sky Estates Subdivision.
4. 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.
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 authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the management plan approved by the director for the RPGWMA.
7. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

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8. When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.
9. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 15th day of May, 2007.


for DAVID R. ROUTHILL, JR., Director

Ident. No. 95-9371

73276
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
OCT 20 2006

IDWR/North

1. Name of Applicant Big Sky Estates Homeowners Assoc. Inc. First Addition Phone 208-661-7699

Mailing address PO Box 2184, Post Falls, ID 83877-2184

2. Source of water supply Ground Water which is a tributary of _____

3. Location of point of diversion is Township 51 N Range 4 W Sec. 29, in the SE 1/4, SE 1/4, Govt. Lot —, B.M., KOOTENAI County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 1.67 cfs for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 1.67 cfs and/or (b) 250 226 Per letter from Appr.
cubic feet per second acre feet per annum

6. Proposed diverting works: Existing Well

a. Describe type and size of devices used to divert water from the source _____

150 HP Turbine Pump

b. Height of storage dam _____ feet; active reservoir capacity 0.12 acre-feet; total reservoir capacity 0.12 acre-feet

c. Proposed well diameter is 26 inches; proposed depth of well is 268 feet

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? 2 Apr 1965; Drilling firm _____

Well was drilled for (well owner) Thomas Brickert; Drilling Permit No. 32079

7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. Irrigation For 30 lots

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N	4W	29			1B	1.3	0.9	6.8	20.8	21.5									83.3

Total number of acres to be irrigated 83.3

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? Big Sky Estates Home Owners Association

b. Who owns the land to be irrigated or place of use? Big Sky Estates Home Owners Association

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: _____

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Louise E. Remy, President
Signature of Applicant (and title, if applicable) BSEHOA

Received by [Signature] Date 10/20/06 Time 2:55p Preliminary check by _____
Fee \$ 290.50 Received by [Signature] # N017952 Date 10/20/06
Publication prepared by [Signature] Date 10/20/06 Published in Idaho News # 10/20/06 Date 2/14/07
Publication approved [Signature] Date 2/14/07

95-9371



0.2 0 0.2 0.4 Miles

-  GCDB51N04W GCDB
-  Foster.shp
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp



Big Sky Estates and

Big Sky Estates First Addition

A PORTION OF SEC. 29, T.51N., R.4W., B.M.
KOOTENAI COUNTY, IDAHO

OPERA INTERNATIONAL & S. 100' 0"

First Addition



MEYER ROAD

BIG SKY ESTATES

FIRST ADDITION

CENTURY DRIVE

BIG SKY ESTATES

BLOCK FOUR

BLOCK TWO

BLOCK ONE

CENTURY DRIVE

BIG SKY DRIVE

BUETTER ROAD

CRANSTOWN COURT

R: Reserved

PLANE & SKEET, PA
Consulting Engineers

MASTER PLAN

BIG SKY

101

Big Sky 1st Addition

Area of Home including attached 3 car garage	4100	ft ²	Mature Lawn Water Requirements Southern Idaho
Out buildings	4200	ft ²	
Driveways	<u>8000</u>	ft ²	
Total non Irrigated	16300	ft ²	
	0.374	Acres	
Diversion Rate	0.020 CFS	Idaho Dept. of Water Resources	
			Period 1 April 15 to June 1
			Period 2 June 1 to Sep. 1
			Period 3 Sept. 1 to Oct 15
			North Idaho Correction
			Effective absorpsion Rate
			80%
			Inch/Day
			Days
			Average Rain
			Inches
			3.42
			4.24
			1.95

Block	Lot	Lot Size Net Acres	Irrigated	Diversion Annual		Period 1		Period 2		Period 3			
				Rate CFS	Usage AF	Rate CFS	Usage AF	Rate CFS	Usage AF	Rate CFS	Usage AF		
1	1	4.506	4.132	0.083	12.40	0.035	1.95	0.046	6.86	0.035	2.41		
1	2	4.515	4.141	0.083	12.42	0.035	1.95	0.046	6.88	0.035	2.42		
1	3	4.650	4.276	0.086	12.83	0.036	2.01	0.048	7.10	0.036	2.50		
1	4	4.501	4.127	0.083	12.38	0.035	1.94	0.046	6.85	0.035	2.41		
1	5	4.498	4.124	0.082	12.37	0.035	1.94	0.046	6.85	0.035	2.41		
1	6	4.500	4.126	0.083	12.38	0.035	1.94	0.046	6.85	0.035	2.41		
1	7	4.500	4.126	0.083	12.38	0.035	1.94	0.046	6.85	0.035	2.41		
1	8	4.514	4.140	0.083	12.42	0.035	1.95	0.046	6.88	0.035	2.42		
1	9	4.498	4.124	0.082	12.37	0.035	1.94	0.046	6.85	0.035	2.41		
1	10	4.500	4.126	0.083	12.38	0.035	1.94	0.046	6.85	0.035	2.41		
1	11	4.500	4.126	0.083	12.38	0.035	1.94	0.046	6.85	0.035	2.41		
1	12	4.501	4.127	0.083	12.38	0.035	1.94	0.046	6.85	0.035	2.41		
1	13	4.548	4.174	0.083	12.52	0.035	1.97	0.047	6.93	0.035	2.44		
2	1	4.526	4.152	0.083	12.46	0.035	1.96	0.046	6.90	0.035	2.43		
2	2	4.747	4.373	0.087	13.12	0.037	2.06	0.049	7.26	0.037	2.56		
2	3	4.502	4.128	0.083	12.38	0.035	1.94	0.046	6.86	0.035	2.41		
3	1	4.506	4.132	0.083	12.40	0.035	1.95	0.046	6.86	0.035	2.41		
3	2	4.674	4.300	0.086	12.90	0.036	2.03	0.048	7.14	0.036	2.51		
3	3	4.588	4.214	0.084	12.64	0.036	1.98	0.047	7.00	0.036	2.46		
3	4	4.504	4.130	0.083	12.39	0.035	1.95	0.046	6.86	0.035	2.41		
Total				90.778	83.294	1.666	249.88	0.706	39.23	0.930	138.35	0.706	48.67

Annual Usage 226.26 AF Corrected for Average Rain Fall
 Diversion Rate Period 2 417.19 Gal/Min

Sec. 29
NWNW

Sec. 29
NENW

~~SW~~ NW

Sec. 29

SE NW

Sec. 29

Sec. 29

SW NE

Sec. 29

SE NE

ROD

NW SE

E10

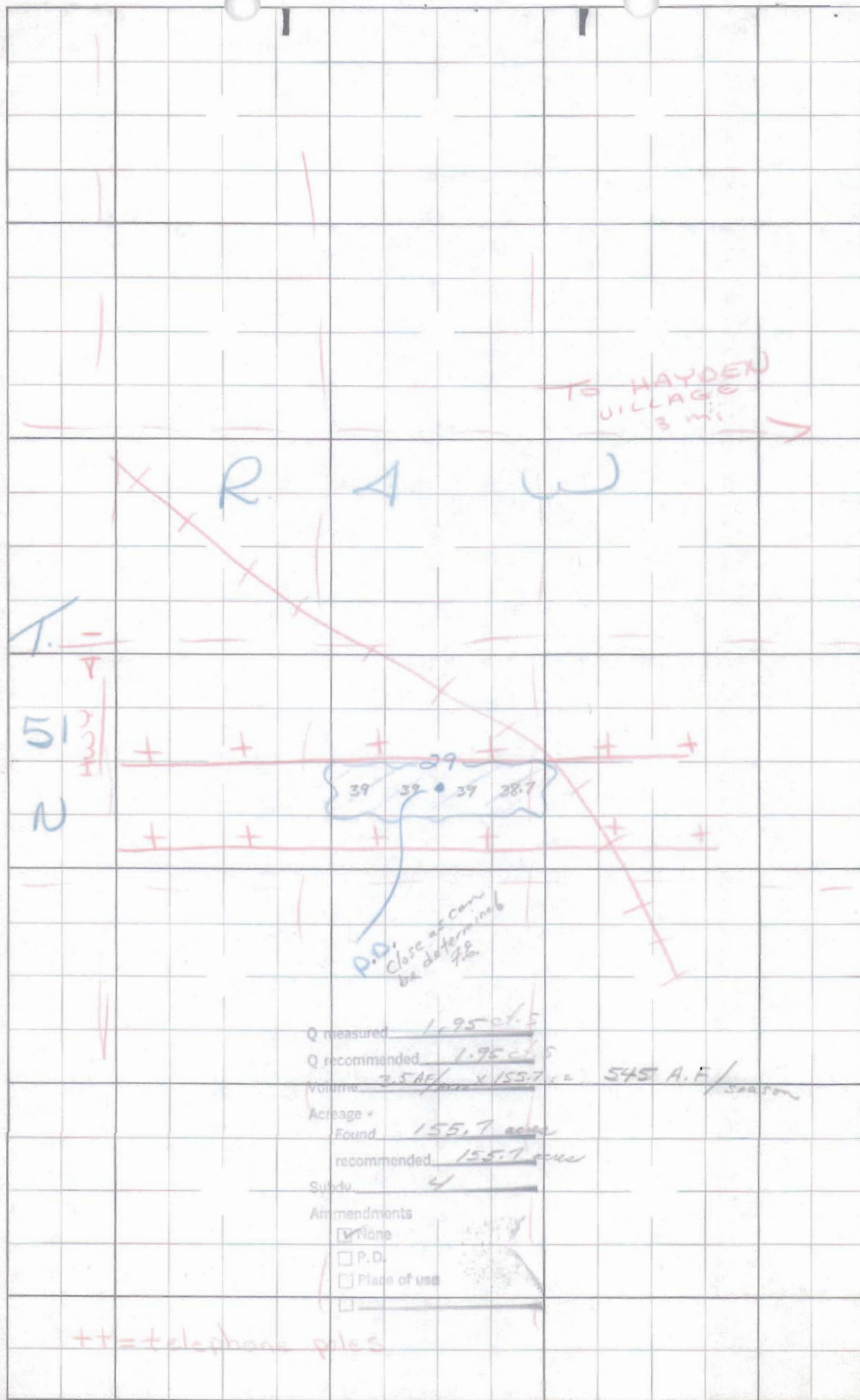
MEYER

1234567

Report # 95-2162

poline

95 2162



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

05 2102

**NOW
STARTING
RIGHT
SIDE OF
FILE**

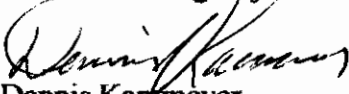
Keith E. Franklin
Senior water resource Agent
Idaho Department of Water Resources
Northern Regional Office
7600 Mineral Drive, Suite # 100
Coeur d'Alene, Idaho 83815

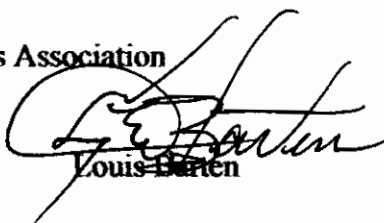
Memo: Change in Application for Water Permit for First Addition of Big Sky Estates Homeowners Association

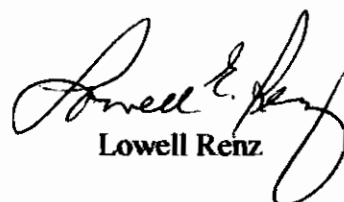
On February 6, 2007, agreement was reached between the three directors from Big Sky Estates acting on behalf of the the Association and the Kootenay County Environmental Alliance. Then Alliance was represented by Barry Rosenberg and three other of consultants. The agreement reached, as it pertains to the application is as follows: the total quantity of water to be appropriated was reduced from 250 acre feet per annum to 226 acre feet per annum as it applies to the First Addition of Big Sky Estates.

This statement is being given to the Department Water Resources to attach to the Permit Application previously submitted.

Directors of Big Sky Estates Homeowners Association


Dennis Kammeier


Louis E. Barten


Lowell Renz

AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF IDAHO,
County of Kootenai, } ss.

FEB 09 2007

Feather Buys IDWR/North
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

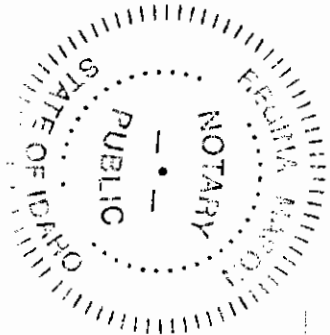
of which the annexed is a printed copy, was published in the regular Times issue of said newspaper for 2 consecutive weeks commencing on the 1 day of Feb 2007 and ending on the 5 day of Feb 2007, and such publication was made as often during said period as said daily newspaper was regularly issued.

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.

On this 2 day of Feb in the year of 2007, before me, a Notary Public, personally appeared Feather Buys 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.

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

MY COMMISSION EXPIRES 6/18/09



LEGAL NOTICE

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

95-9361

MIKE VINCENT

BARBARA VINCENT

15555 BLACKROCK RANCH RD

COEUR D'ALENE ID 83814

Point(s) of Diversion I7 (NWSESW) S3 T48N R04W KOOTENAI Co.

Source GROUND WATER

Use: IRRIGATION 01/01 To 12/31 0.12 CFS

Use: DOMESTIC 01/01 To 12/31 0.13 CFS

Total Diversion: 0.25 CFS

Date Filed: 10/03/2006

Place Of Use: DOMESTIC

T48N R04W S3 NESW Lot 6 NWSW SWSW

Place Of Use: IRRIGATION & DOMESTIC

Number of Acres 4

Remark: Domestic use is for 8 homes.

95-9371

BIG SKY ESTATES OWNERS ASSN INC

PO BOX 2184

Point(s) of Diversion NWSE S29 T51N R04W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 1.67 CFS

Total Diversion: 1.67 CFS

Date Filed: 10/20/2006

Place Of Use: IRRIGATION

T51N R04W S29 SWNE SENE NENW NWNW SWNW SENW

Number of Acres 83.3

95-9376

JASON PLUMMER

NO. 6 SUNRISE DR

Point(s) of Diversion L1 (NENW) S12 T49N R04W KOOTENAI Co.

Source COEUR D'ALENE LAKE - Tributary To SPOKANE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 12/11/2006

Place Of Use: DOMESTIC

T49N R04W S12 NENW Lot 1

Remark: Domestic use is for 1 home.

95-9377

JASON PLUMMER

NO. 6 SUNRISE DR

Point(s) of Diversion L1 (NENW) S12 T49N R04W KOOTENAI Co.

Source COEUR D'ALENE LAKE - Tributary To SPOKANE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 12/11/2006

Place Of Use: DOMESTIC

T49N R04W S12 NENW Lot 1

Remark: Domestic use is for 1 home.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, 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 02/19/2007.

The protestant must also send a copy of the protest to the applicant.

DAVID R TUTTILL, Interim Director

Legal 532

February 1, 8, 2007