

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09490

Priority: July 29, 2005

Maximum Diversion Rate: 0.30 CFS
Maximum Diversion Volume: 40.3 AF

This is to certify, that KOOTENAI LAND & TRUST LLC
PO BOX 1570
POST FALLS ID 83877

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>
MUNICIPAL	01/01 to 12/31	0.30 CFS	40.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L2 (NW1/4NE1/4) Sec. 1, Twp 53N, Rge 03W, B.M.

KOOTENAI County

GROUND WATER L2 (NW1/4NE1/4) Sec. 1, Twp 53N, Rge 03W, B.M.

KOOTENAI County

PLACE OF USE: see approval conditions**CONDITIONS OF APPROVAL**

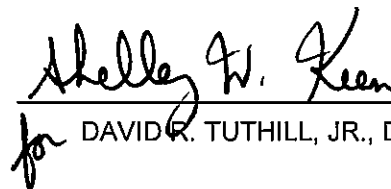
1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2013**.
2. Subject to all prior water rights.
3. Place of use is within the area served by the public water supply system of Rolling Meadows Ranch. The place of use is generally located within Township 53N, Range 3W, Section 1.
4. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
5. 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.
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. 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.
9. The total annual volume for this permit and any subsequent license shall not exceed 40.3 acre feet per annum, except for use in documented fire protection incidents.

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10. The right holder shall annually report to IDWR and Kootenai Environmental Alliance the total annual water volume withdrawn and the annual volume of water delivered to each connection by January 31 for the previous calendar year.
11. Five years from the date of issuance of the original permit, the right holder shall report to the Department and Kootenai Environmental Alliance the average per annum water consumption, within the limits granted in the permit, subject to review by Kootenai Environmental Alliance. The right holder agrees to restrict the annual volume of the water right based on actual average per annum water consumption. Actual average per annum water consumption (actual use) will be calculated as follows:

The total volume of water diverted and measured at the well head and reported for the previous calendar year divided by the actual number of occupied homes. This amount is to be pro-rated for any homes that were not occupied for the entire year. The annual volume shall be limited to the per annum allocation based on actual use plus ten percent multiplied by the 24 connections anticipated at build-out. The total annual volume cannot exceed 40.3 acre feet per annum.
12. Use under this right shall be limited to 24 connections.
13. The diversion and use of water described in this right is subject to additional conditions and limitations agreed to by both Kootenai Environmental Alliance and the water right holder under a separate agreement to which the Department is not a party and which may be independently enforceable by a court of law. A copy of the agreement is contained in the water right file.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 5th day of June, 2008.


for DAVID R. TUTHILL, JR., Director

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NO. 95-09490

Digital Boundary for Rolling Meadows Ranch

June 4, 2008



0 0.05 0.1 0.2 Miles

Legend

- | | |
|--|---|
|  Permit POU |  95-09490 |
|  Sections |  2004 NAIP photography |

