



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

DAVID R. TUTHILL, JR.
Director

August 6, 2007

Barry Rosenberg
Kootenai Environmental Alliance
408 Sherman, Ste 301
Coeur d' Alene, Idaho 83814

Re: Protest Settlement of Water Right 96-9304

Dear Mr. Rosenberg:

Enclosed please find a copy of a draft permit that reflects the elements of the protest settlement. Pay special attention to the annual volume and conditions 3 and 4. If you agree with the correctness of the draft, let me know in writing so the application can be forwarded to the state office for final processing.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

Enclosure

COPY



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August 6, 2007

Robert Hamilton
Silver Leaf Ranch Homeowners Assn.
PO Box 1902
Coeur d'Alene, Idaho 83814

Re: Protest Settlement of Water Right 96-9304

Dear Mr. Hamilton:

Enclosed please find a copy of a draft permit that reflects the elements of the protest settlement. Pay special attention to the annual volume and conditions 3 and 4. If you agree with the correctness of the draft, let me know in writing so the application can be forwarded to the state office for final processing.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

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State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 96-09304

Priority: September 14, 2006

Maximum Diversion Rate: 0.30 CFS
Annual Volume 28.0 AFA

This is to certify, that SILVER LEAF RANCH HOMEOWNERS ASSN
PO BOX 1902
COEUR D'ALENE ID 83814

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

MUNICIPAL

PERIOD OF USE

01/01 to 12/31

RATE OF DIVERSION

0.30 CFS

ANNUAL VOLUME

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER

KOOTENAI County

SW1/4NE1/4

Sec. 12, Twp 53N, Rge 03W, B.M.

PLACE OF USE: MUNICIPAL

Twp Rge Sec	NE				NW				SW				SE				Totals
53N 03W 12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	X	X			X			X					X	X			

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before .
2. Subject to all prior water rights.
3. This water right is limited to an annual volume of 28 acre feet
4. The diversion and use of water in this water right is subject to additional conditions and limitations agreed to by the Kootenai Environmental Alliance and the Silver Leaf Homeowners Association under a separate Settlement Agreement to which the Department of Water Resources is not a party and which is independently enforceable by a court of law.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this _____ day of _____, 20_____.

DAVID R. TUTHILL, JR., Director