

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09305

Priority: September 06, 2006

Maximum Diversion Rate: 0.14 CFS

This is to certify, that GEERMAN GROUP LLC
2900 N GOVERNMENT WAY 127
COEUR D ALENE ID 83815

has applied for a permit to appropriate water from:

Source: SPRING
UNNAMED STREAM

Tributary: SINKS
SAGE CREEK

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>
STOCKWATER	01/01 to 12/31	0.02 CFS
IRRIGATION	04/01 to 10/31	0.12 CFS

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM NW¼SE¼ Sec. 31, Twp 53N, Rge 02W, B.M. KOOTENAI County
SPRING NW¼NW¼SE¼ Sec. 31, Twp 53N, Rge 02W, B.M. KOOTENAI County

PLACE OF USE: STOCKWATER AND IRRIGATION

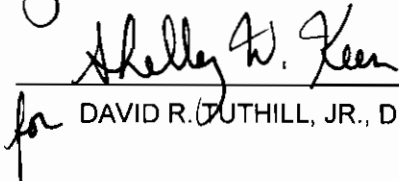
Twp Rge Sec	NE	NW	SW	SE	Totals
53N 02W 31	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	6.0

Total Acres: 6

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 1, 2010**.
2. Subject to all prior water rights.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. 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.
5. 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.
6. Stockwater use is for 1-4 cattle or horses.

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 August, 2007.


for DAVID R. GUTHILL, JR., Director

RECEIVED

SEP - 1 2006

79155

Ident. No. 96-9305

IDWR/North STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
OCT 06 2006

IDWR/North

As far
A.C. 6
501

1. Name of Applicant The Geerman Group, LLC Phone 208.683.1669

Mailing address 2900 N. Government Way #127, Coeur d'Alene, ID 83815

2. Source of water supply Spring Unnamed Stream which is a tributary of N/A Sage Creek

3. Location of point of diversion is Township 53N Range 02W Sec. 31, in the NW $\frac{1}{4}$,
NW $\frac{1}{4}$, SE $\frac{1}{4}$, Govt. Lot 4/A, B.M., Kootenai County;

additional points of diversion if any:

4. Water will be used for the following purposes:

☒ Amount 8.12 cfs for Irrigation purposes from 05.01 to 10.31 (both dates inclusive)
(cfs or acre-feet per annum)

☒ Amount 0.02 cfs 0.02 for Stockwater purposes from 05.01 to 12.31 (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) 0.25 0.14 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source 1-1/2 hp Electric Pump via 1 1/4"
Suction Line

b. Height of storage dam 4.0 feet; active reservoir capacity _____ acre-feet; total
reservoir capacity 0.184 acre-feet

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

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? _____; Drilling time: _____

Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 3 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. 1 - 4 horses or cows

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. _____

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	
53N	54N	02W	31													6			6
																			Irrigation
53N	54N	02W	31													5			

Total number of acres to be irrigated 6

10. Describe any other water rights used for the same purposes as described above. N/A

11. a. Who owns the property at the point of diversion? Dr. Karla J. Geerhart

b. Who owns the land to be irrigated or place of use? Dr. Karla J. Geerhart

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: The Geerman Group, LLC (applicant) is a family trust LLC owned & managed by Dr. Karla J. Geerhart

12. Remarks: (property owner).

Attached Maps: Exhibit 'A' - USGS 7.5 minute topographic map.

Exhibit 'B' - Record of Survey (1" = 200')

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.

Karla J. Geerhart, owner
Signature of Applicant (and title, if applicable)

Received by cm Date 9-1-06 Time 12:30p Preliminary check by
Fee \$ 100.00 Received by db # NO17866 Date 9/6/06
Publication prepared by db Date 11/8/06 Published in dda press 1/1/06 + 2/3/06
Publication approved db Date 11/28/06

96-9305



0.09 0 0.09 0.18 Miles

-  Kootenai taxlots
-  GCDB53N02W GCDB
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp



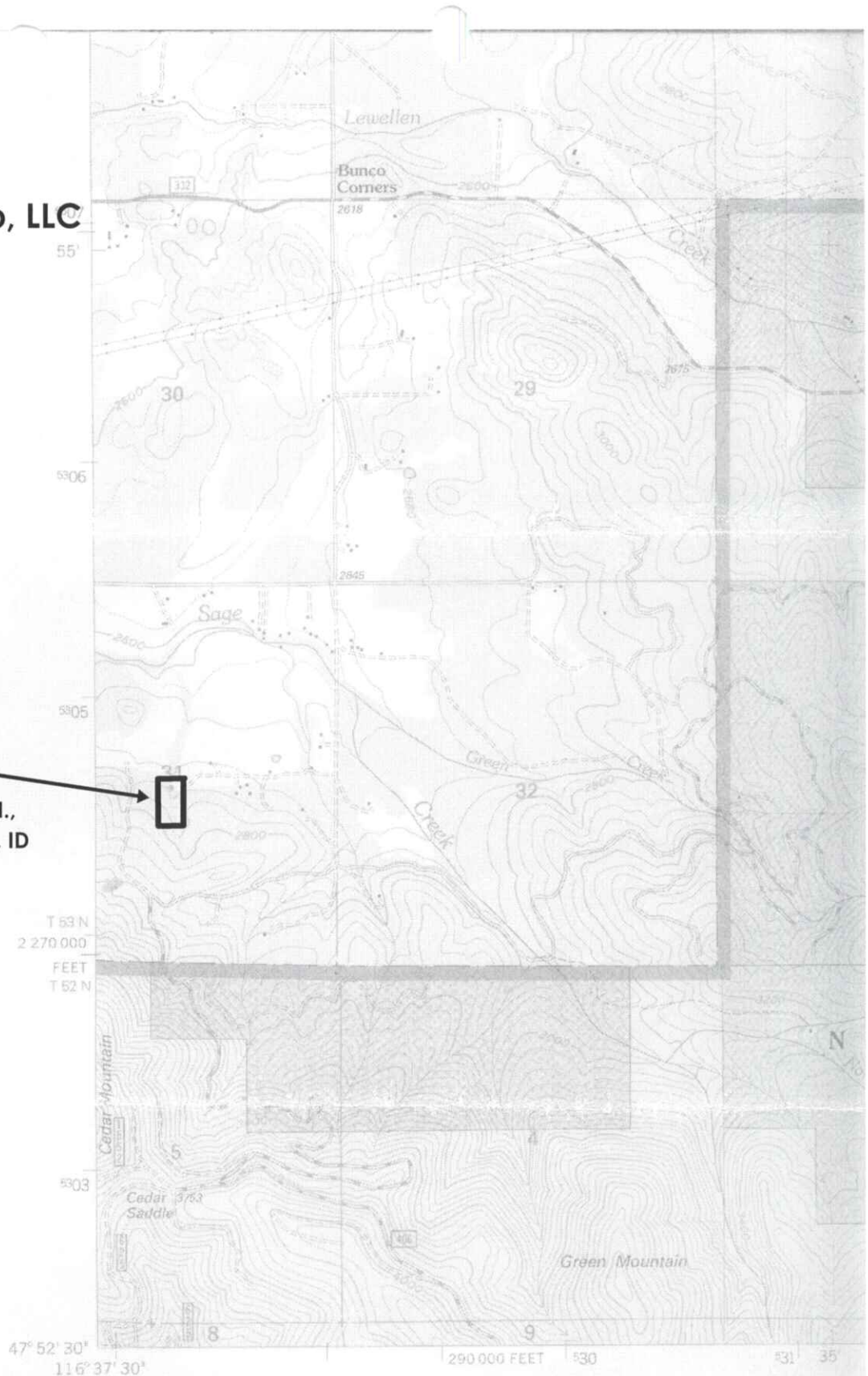
EXHIBIT 'A'

The Geerman Group, LLC Application

Subject Property

SE 1/4 OF Sec. 31, TWP.53W N.,
R.2W., B.M., Kootenai County, ID

See Exhibit 'B'



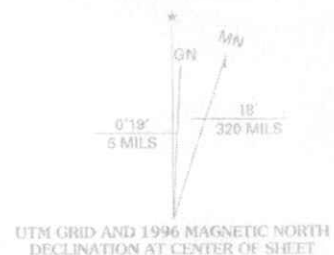
Produced by the United States Geological Survey 1967
Revision by USDA Forest Service 1996

Topography compiled 1958. Planimetry derived from Imagery taken 1992
Public Land Survey System and survey control current as of 1996

North American Datum of 1927 (NAD 27). Projection and 10 000-foot ticks:
Idaho coordinate system, west zone (Lambert conformal conic)
Blue 1000-meter Universal Transverse Mercator ticks, zone 11

North American Datum of 1983 (NAD 83) is shown by dashed corner ticks
The values of the shift between NAD 27 and NAD 83 for 7.5-minute
intersections are obtainable from National Geodetic Survey NADCON software

Non-National Forest System lands within the National Forest
Inholdings may exist in other National or State reservations





A PORTION OF THE SE 1/4 OF 3

KEN S

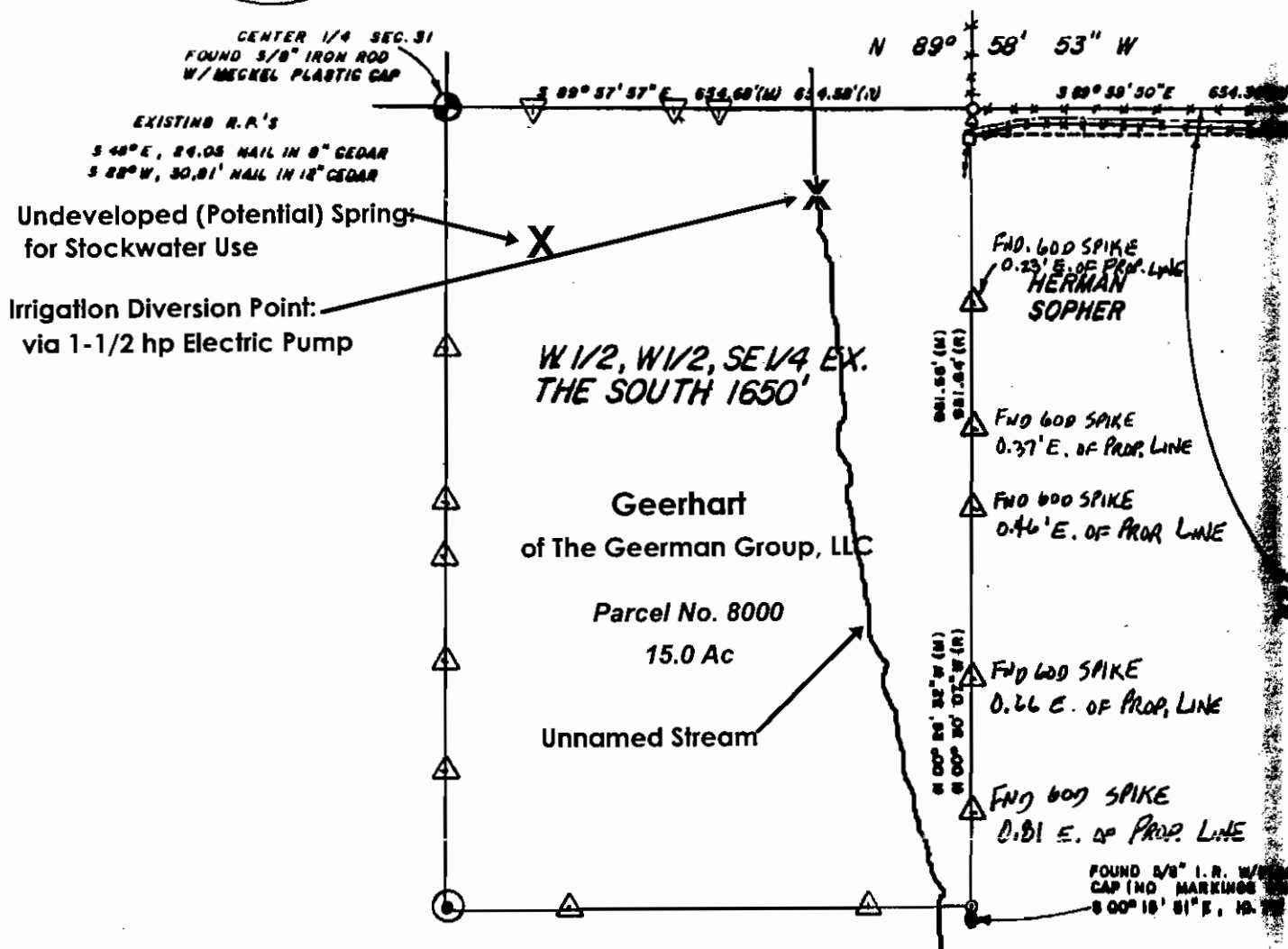
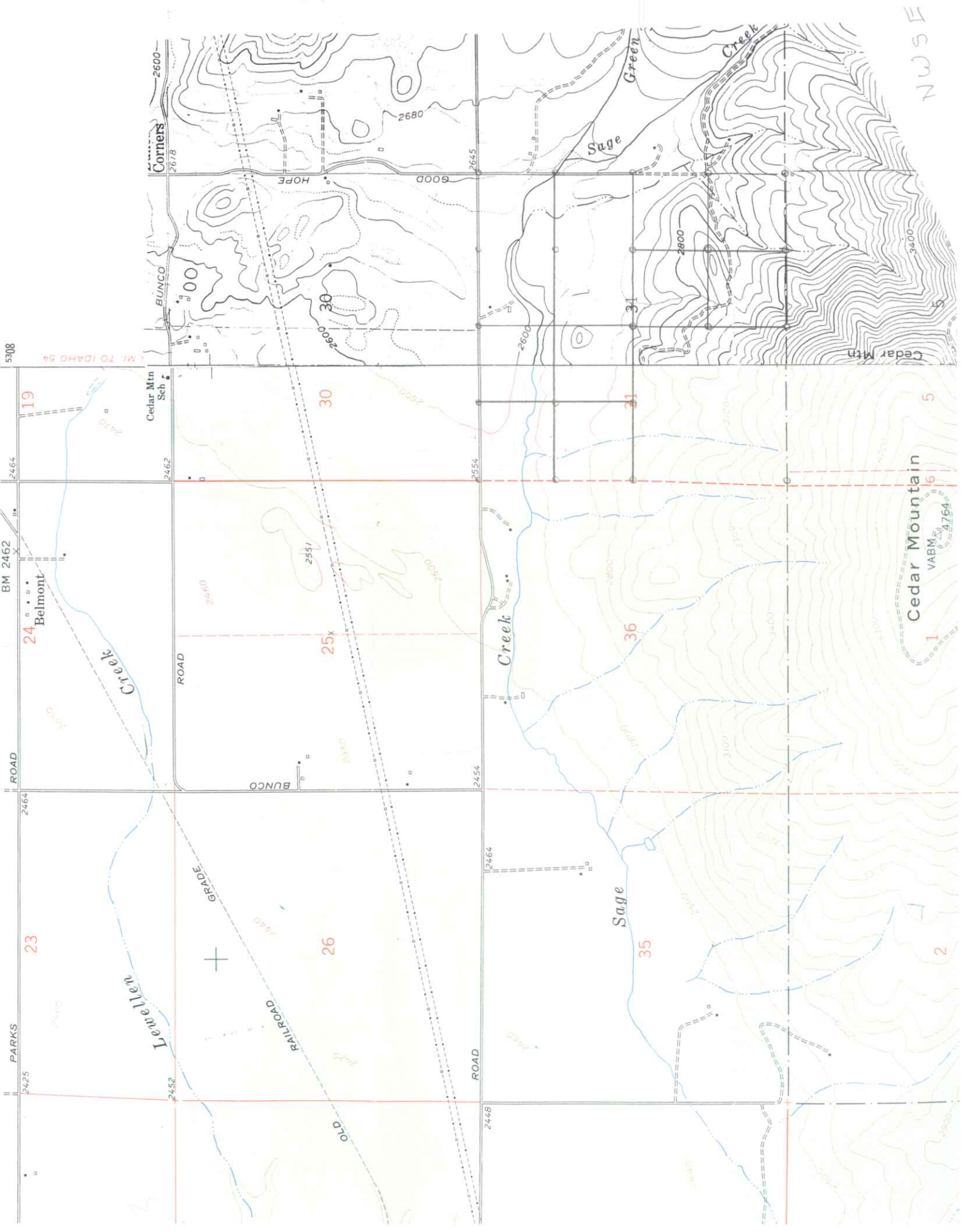


EXHIBIT 'B'

The Geerman Group, LLC
Application



NWSE

Cedar Mountain
VABM 4764

1

6

5

39

31

36

25

24

23

30

35

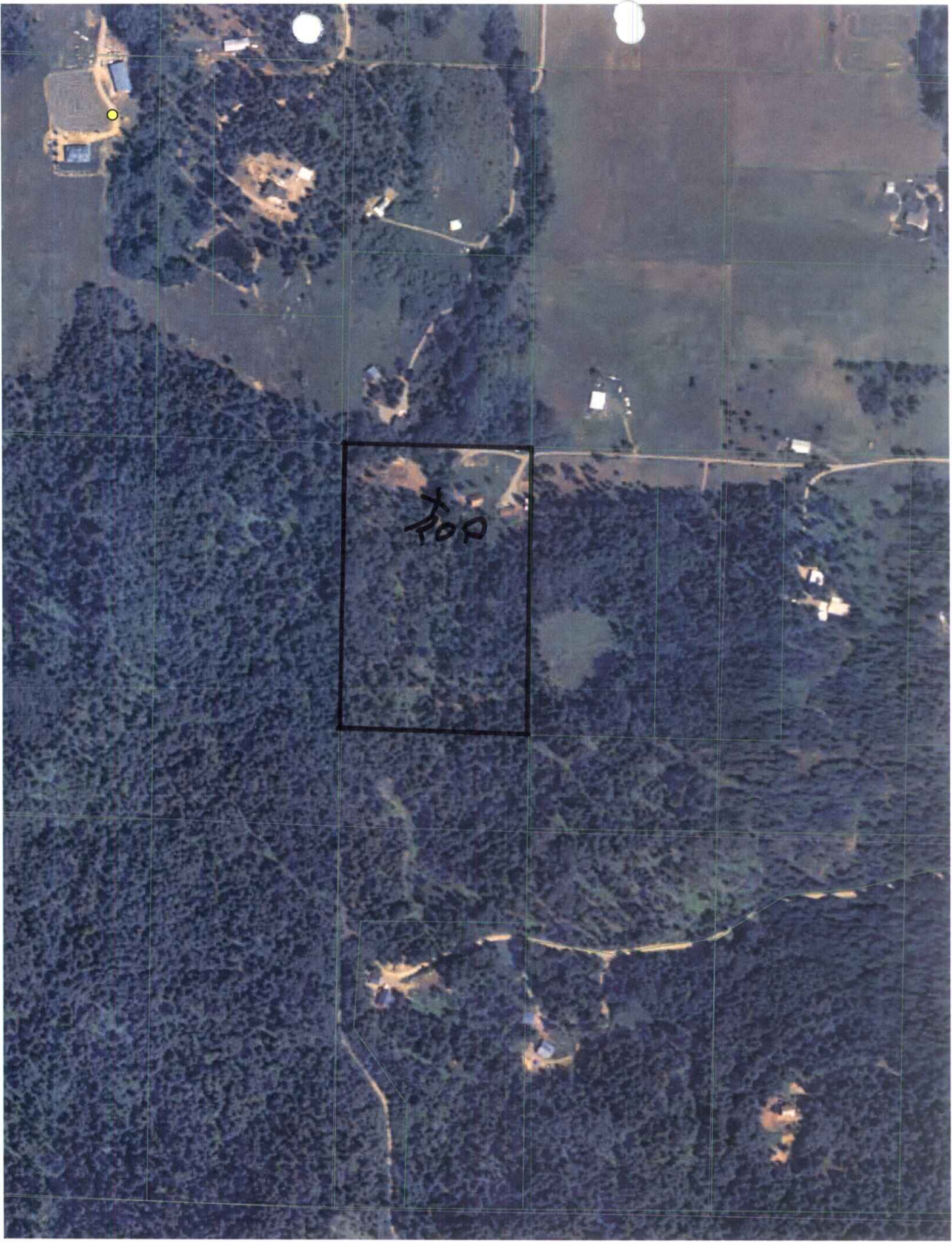
36

26

25

24

23



**NOW
STARTING
RIGHT
SIDE OF
FILE**



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

August 15, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

GEERMAN GROUP LLC
2900 N GOVERNMENT WAY 127
COEUR D ALENE ID 83815

RE: Permit No. 96-9305

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It 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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

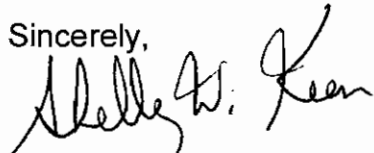
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

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,

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

Shelley W. Keen, Manager
Water Right Permits Section

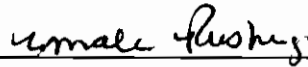
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2007 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person listed below:

RE: WATER RIGHT NO. 96-9305

**GEERMAN GROUP LLC
2900 N GOVERNMENT WAY 127
COEUR D ALENE ID 83815**

A handwritten signature in cursive script, reading "Emalee Rushing", is positioned above a horizontal line.

**Emalee Rushing
Technical Records Specialist**

Statement of Available Procedures and Applicable Time Limits

RESPONDING TO PRELIMINARY ORDERS ISSUED BY THE IDAHO DEPARTMENT OF WATER RESOURCES (To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: August 14, 2007
To: Water Right File 96-9305
From: cpadilla
Re: Permit Review

WD-none

No protests

No overlaps

Storage allowed under this right since the total capacity of the reservoir is less than what the system put out in 24 hour period. $0.14\text{cfs} @ 24\text{hours} = 0.277 \sim 0.3\text{cfs}$.

Recommend for approval as suggested by the region.

AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF IDAHO,
County of Kootenai, } ss.

NOV 27 2006

upon oath deposes and says:

Amey McCue IDWR/North
being first duly sworn

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.

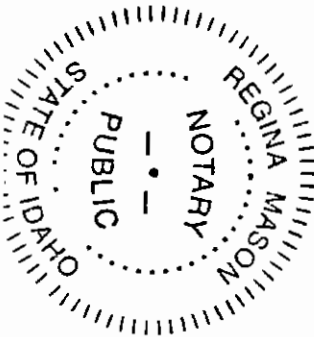
3 The Legal Notice

of which the annexed is a printed copy, was published in the regular issue of said newspaper for 9 consecutive weeks commencing on the 16 day of November 2006, and ending on the 23 day of November 2006, and such publication was made as often during said period as said 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 Amey McCue. On this 23 day of November in the year of 2006, before me, a Notary Public, personally appeared Amey McCue 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.

Regina Mason
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:

95-9362 JOHNSON MEADOWS ESTATES WATER ASSN INC
12875 S FLICKER LN
HARRISON ID 83833
Point(s) of Diversion SESWNE S6 T48N R03W KOOTENAI County
Source GROUND WATER
Use: MUNICIPAL 01/01 To 12/31 0.11 CFS
Total Diversion: 0.11 CFS

Date Filed: 10/10/2006
Place Of Use: MUNICIPAL
Remark: Municipal use is within service area of applicant.
96-9305

THE GIERMAN GROUP LLC
2900 N GOVERNMENT WAY 127
COEUR D'ALENE ID 83815
Point(s) of Diversion NWNWSE S31 T53N R02W KOOTENAI Co.
Source SPRING Tributary To SINKS
Point(s) of Diversion NWSE S31 T53N R02W KOOTENAI County
Source UNNAMED STREAM Tributary To SAGE CREEK
Use: IRRIGATION 04/01 To 10/31 0.12 CFS
Use: STOCKWATER 01/01 To 12/31 0.02 CFS
Total Diversion: 0.14 CFS

Date Filed: 09/06/2006
Place Of Use: STOCKWATER
TS3N R02W S31 NWSE
Place Of Use: IRRIGATION same as STOCKWATER
Number of Acres 6
Remark: Stockwater use is for 4 head of mixed stock
96-9306

BRUNNER WATER ASSOCIATION INC
2321 E BRUNNER RD
ATHOL ID 83801
Point(s) of Diversion LA (SWSW) S30 T53N R03W KOOTENAI Co.
Source GROUND WATER
Use: IRRIGATION 04/01 To 10/31 0.04 CFS
Use: DOMESTIC 01/01 To 12/31 0.08 CFS
Total Diversion: 0.12 CFS

Date Filed: 10/10/2006
Place Of Use: DOMESTIC
TS3N R03W S30 - SWSW SESW
Place Of Use: IRRIGATION same as DOMESTIC
Number of Acres 1.5
Remark: Domestic use is for 3 homes.
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 12/04/2006.
The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director

Legal 107
November 16, 23, 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

November 08, 2006

AMY McCREE, GLENDA JEFFERSON
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

e-mailed and faxed

Please FAX proof copy before this goes to press, to 762-2819
Thanks, Dianne

RE: Application for Permit No. 95-9362, 96-9305 and 96-9306

Dear Amy and Glenda:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, November 16 and 23, 2006, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 12/04/2006. Your cooperation is very much appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

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

95-9362

JOHNSON MEADOWS ESTATES WATER ASSN INC

12875 S FLICKER LN

HARRISON ID 83833

Point(s) of Diversion SESWNE S6 T48N R03W KOOTENAI County

Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 0.11 CFS

Total Diversion: 0.11 CFS

Date Filed: 10/10/2006

Place Of Use: MUNICIPAL

Remark: Municipal use is within service area of applicant.

96-9305

THE GEERMAN GROUP LLC

2900 N GOVERNMENT WAY 127

COEUR D'ALENE ID 83815

Point(s) of Diversion NWNWSE S31 T53N R02W KOOTENAI County

Source SPRING Tributary To SINKS

Point(s) of Diversion NWSE S31 T53N R02W KOOTENAI County

Source UNNAMED STREAM Tributary To SAGE CREEK

Use: IRRIGATION 04/01 To 10/31 0.12 CFS

Use: STOCKWATER 01/01 To 12/31 0.02 CFS

Total Diversion: 0.14 CFS

Date Filed: 09/06/2006

Place Of Use: STOCKWATER

T53N R02W S31 NWSE

Place Of Use: IRRIGATION same as STOCKWATER

Number of Acres 6

Remark: Stockwater use is for 4 head of mixed stock

96-9306

BRUNNER WATER ASSOCIATION INC

2321 E BRUNNER RD

ATHOL ID 83801

Point(s) of Diversion L4 (SWSW) S30 T53N R03W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 04/01 To 10/31 0.04 CFS

Use: DOMESTIC 01/01 To 12/31 0.08 CFS

Total Diversion: 0.12 CFS

Date Filed: 10/10/2006

Place Of Use: DOMESTIC

T53N R03W S30 - SWSW SESW

Place Of Use: IRRIGATION same as DOMESTIC

Number of Acres 1.5

Remark: Domestic use is for 3 homes.

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 12/04/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published Nov. 16 & 23, 2006

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, November 08, 2006 3:50 PM
To: Legal Notices-CdA Press (E-mail); Legal Notices-CdA Press2 Glenda Jefferson (E-mail);
Legal Notices-CdA Press3 Amy (E-mail); Legal Notices-CdA Press4 Dee Duquette (E-mail)
Subject: Legal notice for publication Nov. 16 and 23, 2006

A good afternoon to you,

Attached please find our cover letter requesting publication of a legal notice on Nov. 16 and 23, 2006.
Also attached is the legal notice.

I will also be faxing this FYI.

If you have ANY questions, please call me at 762-2800.

Also, as usual, please fax a proof copy to me prior to publication so I might double check the layout and also make sure I didn't miss something.

Thanks very much for all your help.

Dianne

*Dianne Ball
Administrative Assistant
Idaho Dept of Water Resources
7600 Mineral Drive Suite 100
Coeur d'Alene, ID 83815
Phone (208)762-2800 FAX (208)762-2819*



CoverLetter
1-08-06 CdA e-mai.



LegalNotice
1-08-06 CdA e-mai.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

November 08, 2006

THE GEERMAN GROUP LLC
2900 N GOVERNMENT WAY 127
COEUR D ALENE ID 83815

RE: Application for Permit No 96-9305

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Coeur d'Alene Press on November 16 and 23, 2006. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Keith E. Franklin
Senior Water Resource Agent

Enclosure(s) – Receipt No. N017866



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

October 16, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

MARY TERRA-BERNS
IDAHO DEPARTMENT OF FISH & GAME
2750 KATHLEEN AVE
COEUR D ALENE ID 83815

FAXED TO MARY 10/16/2006
8 pages total

Re: Water Permit Application No. 96-9305 – The Geerman Group LLC

Dear Mary:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application follows for your reference.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **November 24 2006**. If we do not hear from you by that date, we will assume that no comment from you means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

You may send comments by regular mail to the address above, by **FAX to 762-2819**, or by e-mail to Keith.Franklin@idwr.idaho.gov, or to me, Dianne.Ball@idwr.idaho.gov.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dianne', is written in black ink.

Dianne Ball
Administrative Assistant

FILED/EFFECTIVE

02 JAN -7 AM 10:37

STATE OF IDAHO

STATE OF IDAHO
ARTICLES OF ORGANIZATION
OF
GEERMAN GROUP, LLC
A LIMITED LIABILITY COMPANY

Article 1.

The name of the Limited Liability Company is GEERMAN GROUP, LLC.

Article 2.

The duration of this Limited Liability Company is perpetual.

Article 3.

The mailing address for future correspondence is
2900 N. GOVERNMENT WAY SUITE 127
COEUR D'ALENE, IDAHO 83815

Article 4.

Management will be vested in Managers

Article 5.

The initial registered office of this Limited Liability Company shall be located at
2900 N. GOVERNMENT WAY SUITE 127, COEUR D'ALENE, IDAHO 83815
and the name of the initial registered agent of this Limited Liability Company at that address is
JOHN HILZMAN.

Article 6.

The names and address of the initial managers are:

NAME

ADDRESS

KARLA J. GEERHART
JOHN HILZMAN

P.O. BOX 4119 PAGE ARIZONA 86040 - SAME AS APPLICATION
2900 N. GOVERNMENT WAY SUITE 127 COEUR D'ALENE IDAHO

Article 7.

The name and address of the Organizer is:

NAME

ADDRESS

JOHN F. MARTIN

3150 SANDY RIDGE DRIVE CLEARWATER FLORIDA 33761

DATED: this 27 th day of December, 2001..


JOHN F. MARTIN, Organizer
Authorized Representative

K. Geerhart, member, 208.683 1850
J. Hilzman, RA, 208.683 1469

IDAHO SECRETARY OF STATE
01/07/2002 05:00
CK: 5195 CT: 151167 BH: 438487
1 @ 100.00 = 100.00 CORP # 2
1 @ 20.00 = 20.00 EXPEDITE C # 3

W17679

September 8, 2006

The Geerman Group, LLC
2900 N Government Way, #127
Coeur d' Alene, ID 83815

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho.

Gentlemen:

Please find enclosed the Application For Permit you recently submitted to the department. We are returning the application because of insufficient information. Please see the following items that need to be completed before the department can begin processing the application.

Item Number 3. Point of Diversion Location.

The quarter quarter where the point of diversion is located needs to be added to the application, such as the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$.

Item Number 4. Water Use Purposes.

You have indicated a diversion rate of 0.16 cfs for the irrigation of 6.0 acres. The normal statutory standard is 0.02 cfs per acre, which would allow a maximum diversion of 0.12 cfs. Any more than this would require a written justification from the applicant.

Also, you indicated a diversion rate of 0.04 cfs for watering one to four head of mixed stock. The statutory standard for the watering of up to 25 head of mixed stock is 0.02 cfs

Item Number 5. Total Appropriation.

The combined total statutory standard for the irrigation of six acres and the watering of up to four head of mixed stock would be 0.14 cfs, unless the applicant can adequately demonstrate a need for an additional amount. Total quantity to be appropriated should read: 0.14 cfs, instead of 0.20 cfs.

C O P Y

Ownership.

Since a LLC is submitting the application, the department will need a copy of the articles of formation for the LLC, that includes a listing of the current officers, their titles and telephone numbers.

Please return the application with the requested information and initial any changes that are made. If you have any questions, don't hesitate to contact me at our new office location. 7600 Mineral Drive, Ste. 100, Coeur d' Alene, ID 83815 or 208-762-2800.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

Encl/kf