

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 94-07415

Priority: January 18, 2007

Maximum Diversion Rate: 0.17 CFS
Maximum Diversion Volume: 7.2 AF

This is to certify, that BLS HOLDINGS LLC
622 S AVENIDA DEL MONTE
TUCSON AZ 85748-6846

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>
DOMESTIC	01/01 to 12/31	0.13 CFS	4.8 AF
IRRIGATION	03/15 to 10/31	0.04 CFS	2.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE¼SW¼ Sec. 12, Twp 47N, Rge 03W, B.M. KOOTENAI County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
47N 03W 12									X								

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	
47N 03W 12									2.0								2.0

Total Acres: 2

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 15, 2012**.
2. Subject to all prior water rights.
3. 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.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 94-07415

CONDITIONS OF APPROVAL CONTINUED

4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Domestic use is for 8 homes. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
7. Place of use is located within Lots 4, 6, 15-20, Blk. 6, Black Lake Shores Subdivision.
8. Point of diversion is located within Lot 18, Blk. 6, Black Lake Shores Subdivision.
9. 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 Idaho Department of Water Resources is not a party and which may be independently enforceable by a court of law.
10. Failure of the right holder to comply with any condition of approval is cause for the Director to void this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 4th day of September, 2007.



DAVID R. TUTHILL, JR., Director

73339

Ident. No. 94-7415

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

RECEIVED
JAN 18 2007
IDWR/North

1. Name of Applicant BLS Holdings LLC Phone 520.977.7633
2. Source of water supply Ground water which is a tributary of N/A
3. Location of point of diversion is Township 47 N Range 3 WBM Sec. 12, in the NE 1/4, SESW 1/4, Govt. Lot NE, B.M., Kootenai County;
4. Water will be used for the following purposes:
- 0.13 Amount 0.04 CFS for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- 0.04 Amount 0.04 CFS for Irrigation purposes from 3/15 to 10/31 (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) ~~0.04~~ 0.17 Partic. with Richard 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 3 HP Submersible Well pump, variable speed + bladder tank
- b. Height of storage dam feet; active reservoir capacity acre-feet; total reservoir capacity acre-feet
- c. Proposed well diameter is 6" inches; proposed depth of well is 300 feet
- d. Is ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? ; Drilling firm
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 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. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; show name of municipality. N/A
- d. Domestic; show number of households. Possibility of max 8, see Map*
- e. Other; describe fully.

* Lots to benefit from well are Lots 4, 6, 15, 16, 17, 18, 19, 20
Block 6, unit 3, Black Lake Shores, per map attached.
* Lots to have water meters and well agreement.

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.

Per T.C. With Richard

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
47N	3W	12									1/2								2

Total number of acres to be irrigated 210. Describe any other water rights used for the same purposes as described above. N/A11. a. Who owns the property at the point of diversion? BLS Holdings LLCb. Who owns the land to be irrigated or place of use? BLS Holdings LLCc. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Owner Applicant

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.

Richard L. Olson mgr.
Signature of Applicant (and title, if applicable)

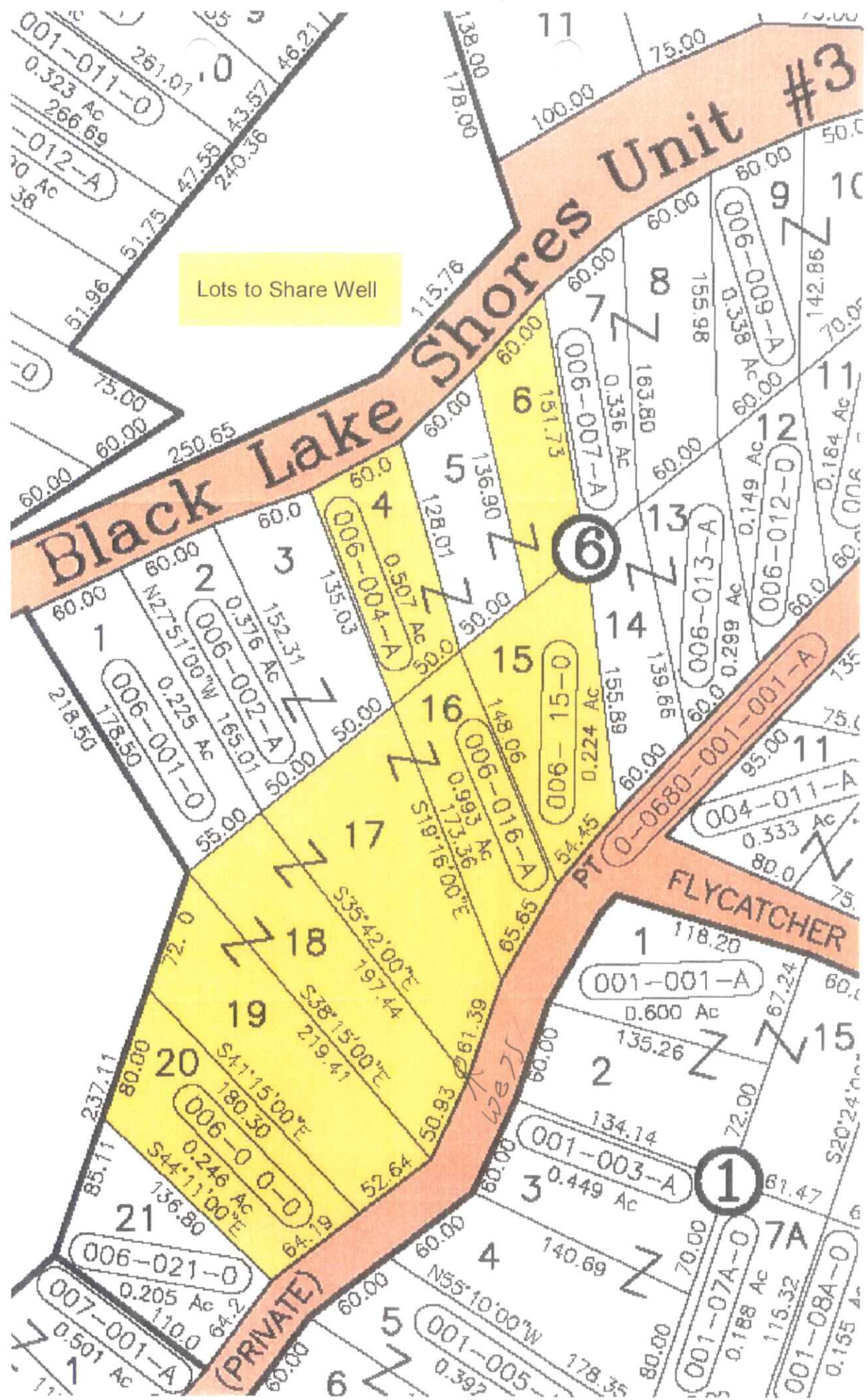
Received by [Signature] Date 1/18/07 Time 11:20a Preliminary check by [Signature]
 Fee \$ 100.00 Receipted by [Signature] # N 018109 Date 1/18/07
 Publication prepared by [Signature] Date 3/7/07 Published in Idaho News 3/15 & 22/07
 Publication approved [Signature] Date 3/23/07

94-7415



-  Kootenai taxlots
-  GCDB47N03W GCDB
-  GCDB47N02W GCDB
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp







ARTICLES OF ORGANIZATION **FILED EFFECTIVE** LIMITED LIABILITY COMPANY

(Instructions on back of application) 16 PM 2:17

SECRETARY OF STATE
IDAHO

1. The name of the limited liability company is:

BLS Holdings, L.L.C.

2. The address of the initial registered office is:

5527 Kendall Street, Boise, ID 83706

and the name of the initial registered agent at that address is:

Record Search & Information Services, Inc.

3. The mailing address for future correspondence :

622 S. Avenida Del Monte, Tucson, AZ 85748

4. Management of the limited liability company will be vested in:

Manager(s) ☐ or Member(s) ☒ (please check the appropriate box)

5. If management is to be vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is to be vested in the members, list the name(s) and address(es) of at least one initial member.

Name

Address

Richard Roberts

622 S. Avenida Del Monte, Tucson, AZ 85748

Amy Roberts

622 S. Avenida Del Monte, Tucson, AZ 85748

6. Signature of at least one person responsible for forming the limited liability company:

 2/14/06
Richard Roberts - Member

Customer Acct #:
(if using pre-paid account)

Secretary of State use only

IDAHO SECRETARY OF STATE
02/16/2006 05:00
CK: 1444 CT: 191205 BH: 930200
C @ 100.00 = 100.00 ORGAN LLC # 1
L @ 20.00 = 20.00 EXPEDITE C R 2

MLLC1.pdf Revised 8/98

**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

September 6, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

BLS HOLDINGS LLC
622 S AVENIDA DEL MONTE
TUCSON AZ 85748-6846

RE: Permit No. 94-7415

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.

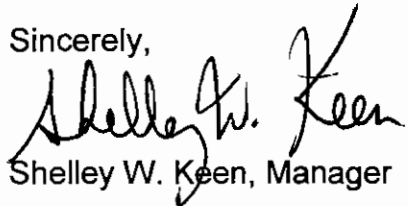
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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" and last name "Keen" being the most prominent parts.

Shelley W. Keen, Manager
Water Right Permits Section

Enclosure(s)

cc: KOOTENAI ENVIRONMENTAL ALLIANCE

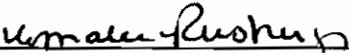
CERTIFICATE OF SERVICE

I hereby certify that on September 6, 2007 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the persons listed below:

RE: WATER RIGHT NO. 94-7415

**BLS HOLDINGS LLC
622 S AVENIDA DEL MONTE
TUCSON AZ 85748-6846**

**KOOTENAI ENVIRONMENTAL ALLIANCE
C/O BARRY ROSENBERG EXEC DIRECTOR
PO BOX 1598
COEUR D ALENE ID 83816-1598**



**Emalee Rushing
Office Services Supervisor**

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.

Keen, Shelley

From: Franklin, Keith
Sent: Tuesday, August 28, 2007 8:50 AM
To: Keen, Shelley
Subject: FW: Language Change

I contacted KEA and they have agreed to the language change for 94-7415. Copy of Mr. Rosenberg's confirmation is attached.
Keith.

-----Original Message-----

From: Barry Rosenberg [mailto:barry@kealliance.org]
Sent: Monday, August 27, 2007 3:50 PM
To: Franklin, Keith
Subject: Language Change

Keith,
KEA agrees to the following change of language in the settlement agreements:

- 1.C contain a provision stating, "The diversion and use of water described in this order 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 is (to: "may be") independently enforceable by a court of law;"

Barry

Barry Rosenberg
Executive Director
Kootenai Environmental Alliance
408 Sherman, # 301
Coeur d'Alene, ID 83814
(208) 667-9093
barry@kealliance.org

MEMORANDUM

Date: August 24, 2007
To: Water Right File 94-7415
From: cpadilla
Re: Permit Review

WD-none
Protest settled through agreement
Overlaps-none
Conditions added to address agreement
Recommend for approval as suggested by the region.

MEMORANDUM

Date: August 02, 2007
To: Water Right File 94-7415
From: kfranklin
Re: Settlement Agreement Conditions

This application was protested by Kootenai Environmental Alliance. A settlement agreement was reached between parties prior to a conference with the department. The settlement agreement between the applicant and Kootenai Environmental Alliance contained many elements that the department is not a party to, however, in the permit the department will condition the amount of hookups to 8 and limit the annual volume to 7.2 acre-feet, as per the agreement. Both parties have reviewed and signed off on a draft permit containing the elements that satisfy the protest, copy of which is in the file.

Franklin, Keith

From: Rich Roberts [theduderich@msn.com]
Sent: Tuesday, July 31, 2007 2:47 PM
To: Franklin, Keith
Subject: Permit to Appropriate Water (No. 94-07415)

Keith,

I have reviewed the Permit to Appropriate Water (No. 94-07415) that you prepared and sent to me.

I agree to the allotments for domestic and irrigation use based on a maximum diversion rate of 0.17 CFS and 7.2 AFA.

Thanks,
Rich Roberts Mgr
BLS Holdings LLC
622 S. Avenida Del Monte
Tucson, AZ 85748
520.977.7633

8/1/2007



*Kootenai
Environmental
Alliance*

July 31, 2007

Keith E. Franklin
Senior Water Resources Agent
Idaho Department of Water Resources
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, ID 83815

RECEIVED
AUG 01 2007
IDWR/North

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho, 94-7415

Dear Mr. Franklin,

I agree that the draft permit that you sent to me for BLS Holdings, LLC, reflects the elements of the settlement agreement between Kootenai Environmental Alliance (KEA) and BLS Holdings. That agreement, when approved by the Idaho Department of Water Resources, resolves KEA's protest of the BLS Holdings, LLC Application for Permit No. 94-7415.

Thank you for forwarding a copy of the draft permit for my review.

Sincerely,

Barry Rosenberg

Barry Rosenberg
Executive Director



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

July 26, 2007

Richard L. Roberts
BLS Holdings, LLC
622 S. Avenida Del Monte
Tucson, AZ 85748

Re: Application For Permit to appropriate the Public Waters of the State of Idaho,
94-7415

Dear Mr. Roberts:

As per the protest settlement agreement between BLS Holdings, LLC and Kootenai Environmental Alliance, I have enclosed a draft permit that reflect elements of the settlement. The annual volume calculation for the domestic portion of the permit was based upon 0.6 acre-feet per year per home, which is equivalent to 4.8 acre-feet. The balance from the agreed upon annual volume, 2.4 acre-feet, was allotted to the irrigation portion of the permit. If you agree, please respond to me in written and once the department receives confirmation from Kootenai Environmental Alliance, the application will be sent to the state office for final processing.

If you have any questions, feel free to contact me at this office.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

Enclosure.

COPY



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

July 26, 2007

Barry Rosenberg
Kootenai Environmental Alliance
PO Box 1598
Coeur d' Alene, Idaho 83816-1598

Re: Application For Permit to appropriate the Public Waters of the State of Idaho,
94-7415

Dear Mr. Rosenberg:

As per the protest settlement agreement between BLS Holdings, LLC and Kootenai Environmental Alliance, I have enclosed a draft permit that reflect elements of the settlement. If you agree, please respond to me in written and once the department receives confirmation from BLS Holdings, LLC, the application will be sent to the state office for final processing.

If you have any questions, feel free to contact me at this office.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

Enclosure.

COPY

State of Idaho
Department of Water Resources

DRAFT**Permit to Appropriate Water****DRAFT**

NO. 94-07415

Priority: January 18, 2007

Maximum Diversion Rate: 0.17 CFS
Annual Volume 7.2 AFA

This is to certify, that BLS HOLDINGS LLC
622 S AVENIDA DEL MONTE
TUCSON AZ 85748-6846

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>
DOMESTIC	01/01 to 12/31	0.13 CFS	4.8 AF
IRRIGATION	03/15 to 10/31	0.04 CFS	2.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE1/4SW1/4 Sec. 12, Twp 47N, Rge 03W, B.M.
KOOTENAI County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
47N	03W	12																	X

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	
47N	03W	12																	2.0

Total Acres: 2

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. As per a settlement agreement between Kootenai Environmental Alliance and BLS HOLDINGS LLC this permit is limited to 8 homes with a maximum annual volume of 7.2 acre feet.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 94-07415

4. The diversion and use of water described in this permit is subject to additional conditions and limitations agreed to by BLS HOLDINGS LLC and KOOTENAI ENVIRONMENTAL ALLIANCE under a separate agreement to which the Idaho 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

M E M O R A N D U M

Date: July 02, 2007
To: Water Right File 94-7415
From: kfranklin
Re: Settlement Agreement Conditions

This application was protested by Kootenai Environmental Alliance. A settlement agreement was reached between parties prior to a conference with the department. The settlement agreement between the applicant and Kootenai Environmental Alliance contained many elements that the department is not a party to, however, in the permit the department will condition the amount of hookups to 8 and limit the annual volume to 7.2 acre feet, as per the agreement.

Thursday, June 28, 2007

To: Keith Franklin
Idaho Dept of Water Resources
7600 Mineral Drive
Suite 100
Coeur d'Alene, ID 83815

RECEIVED
JUL - 2 2007
IDWR/North

From: Richard L. Roberts
Mgr: BLS Holdings LLC
622 S. Avenida Del Monte
Tucson, AZ 85748

Keith,

I recently sent you a letter of agreement my company and the KEA in reference to their letter of protest against my well distribution application. Missing I believe was the Motion to Withdraw.

Enclosed is the Motion to Withdraw that goes with that Letter of Agreement.

Please expedite my application and please let me know if there are any other issues.

Thanks,



Richard Roberts
Manager, BLS Holdings LLC
Phone: 520.977.7633
RichRobertsAZ@gmail.com

1
2 BEFORE THE DEPARTMENT OF WATER RESOURCES
3 OF THE STATE OF IDAHO
4

5)
6)
7) NOTICE OF SETTLEMENT AND
8 IN THE MATTER OF APPLICATION FOR) CONDITIONAL MOTION TO WITHDRAW
9 PERMIT NO. 94-7415 IN THE NAME OF) PROTEST
10 BLS HOLDINGS LLC)
11)
12 _____

13 The parties to the above titled matter, BLS Holdings LLC and Kootenai Environmental
14 Alliance, hereby provide notice to the Idaho Department of Water Resources of the attached
15 settlement agreement resolving all issues of the parties in this matter. As set forth in the attached
16 settlement agreement, the Protestants agree to withdraw its protest in this matter subject to the
17 terms of the settlement agreement, including the following specific actions of the Department of
18 Water Resources:

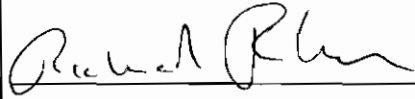
19 1. The Department of Water Resources issues BLS Holdings LLC a water right
20 permit for 0.17 cfs for domestic and irrigation use, not to exceed 7.2 acre feet per annum except
21 for use in documented fire protection incidents;
22

23 2. The Department of Water Resources issues the above referenced water right
24 permit with a provision stating, "The diversion and use of water described in this order is subject
25 to additional conditions and limitations agreed to by both the Protestants and the water right
holder under a separate agreement to which the Department is not a party and which is
independently enforceable by a court of law;" and

3. The Department of Water Resources specifically references the attached
Settlement Agreement in the water right permit and includes a copy in the permit file.

Should the Department of Water Resources agree to issue a water right permit consistent
with the terms set forth above, the Protestants agree to withdraw its protest of this matter and all
NOTICE OF SETTLEMENT AND
CONDITIONAL MOTION TO WITHDRAW- 1

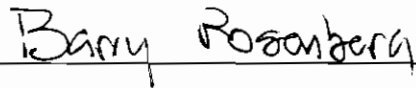
1 parties agree not to further protest or challenge any permit issued consistent with the terms of the
2 attached Settlement Agreement.

3
4 

Date 6/29/07

5 Rich Roberts

6 BLS Holdings LLC

7
8 

Date 6/20/07

9 Barry Rosenberg, for Kootenai Environmental Alliance
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RECEIVED
JUN 28 2007
IDWR/North

**SETTLEMENT AGREEMENT BETWEEN BLS HOLDINGS LLC AND THE
KOOTENAI ENVIRONMENTAL ALLIANCE IN REGARDS TO IDWR APPLICATION
TO PERMIT NO. 94-7415**

This Settlement Agreement (Agreement) is entered into by and between the Kootenai Environmental Alliance (KEA) and BLS HOLDINGS LLC to resolve disputes regarding IDWR Application to Permit No. 94-7415. In consideration of the mutual promises specified herein and by conditioning their performance under this Agreement upon satisfaction of the identified conditions precedent, and for other good and valuable consideration, the Parties agree as follows:

A. Scope of Agreement

This Agreement is intended to settle all matters related solely to the protest filed by KEA of BLS Holdings LLC water right application filed with IDWR (Permit No. 94-7415).

B. Actions of BLS Holdings LLC

Under the terms of this Agreement, BLS Holdings LLC agrees to undertake the following actions:

1. Submit an amended Application to Permit 94-7415 to the Idaho Department of Water Resources for 0.17 cfs for domestic and irrigation purposes, not to exceed 7.2 acre feet per annum, which equates to an average of 800 gallons/day/per home.
2. Agree that the water requested in this water right will be used solely to supply water to the proposed development and that there will be no more than 8 connections.
3. Require each home to be equipped with a water meter.
4. Implement a rate schedule that encourages water conservation.
5. Report on a yearly basis the annual water withdrawal and distribution information by October 15 to IDWR for fiscal year ending on October 1.
6. Limit the size of irrigated areas to no more than $\frac{1}{4}$ acre.
7. Recommend in the CCRs that moisture and/or rain sensors will be installed as an integral part of the constructed automatic irrigation systems on their property.
8. Recommend in CCRs that property owners in the proposed development do not irrigate during the high evaporation times between 9:00 a.m. and 7:00 p.m. and utilize an odd only or an even only watering schedule.
9. Recommend the installation of underground sprinkler systems and drip systems for shrubs.

C. Mutual Actions The Parties agree to jointly file a notice of settlement, a copy of this Agreement, and a conditional motion to withdraw protest requesting that IDWR issue a water right that:

1. Incorporates the terms of the amended water right application described in section B (1) & B (2);
2. Contain a provision stating, "The diversion and use of water described in this order 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 Idaho Department of Water Resources is not a party, and

3. References this Agreement and includes a copy of this Agreement in the permit file.

The conditional motion to withdraw protest shall be conditioned upon the acceptance and inclusion of the terms set forth in section C by IDWR. The Parties further agree not to protest or otherwise challenge the terms of IDWR's water right permit should the terms of that permit be issued in a manner consistent with this Agreement.

D. Actions of KEA

In consideration for the actions identified above and upon the issuance of final water rights permit to BLS Holdings LLC that incorporates the terms set forth in section C, KEA agrees to a full and final dismissal of its protest.

E. Enforcement

The Parties agree that the terms found in section C (1) of this Agreement may be enforceable, to the extent practicable, through an action by IDWR.

F. Non-Severability

The paragraphs of this Agreement are not severable. This Agreement is executed on the understanding that each paragraph is in consideration of the others.

G. Good Faith

The Parties to this Agreement agree to act in good faith and make all reasonable efforts to satisfy the conditions of the Agreement.

H. Successors and Assigns

This Agreement will be binding and will inure to the benefit of the Parties and their respective heirs, legal representatives, successors and permitted assigns, except as restricted by this Agreement.

I. Authorizations

All individuals executing this Agreement and other documents on behalf of the respective Parties certify and warrant that they have the capacity and have been duly authorized to so execute the documents on behalf of the Party so indicated.

J. Advice of Attorneys

Each Party represents and warrants that in executing this Agreement, each has been advised by or has had an opportunity to be advised by independent legal counsel. Each party has read the terms of this Agreement and understands their consequences. Each Party further acknowledges and represents that, in executing this Agreement, it has not relied on any inducements, promises or representations made by any other Party or its representatives, except as otherwise stated in this Agreement.

K. Entire Agreement and Amendment

With respect to the issues considered herein, this Agreement contains the entire understanding and agreement of the Parties. There have been no promises, representations, agreements, warranties or undertakings by any of the Parties, either oral or written, of any character or nature binding except as stated in this Agreement. This Agreement may be altered, amended or modified only by an instrument in writing, executed by the Parties to this Agreement and by no

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JUN 28 2007
IDWR/North

other means. An amendment to the Agreement is binding only on the Parties that execute the Amendment. Each Party waives its right to claim, contest or assert that this Agreement was modified, cancelled, superseded or changed by any oral agreement, course of conduct, waiver, or estoppel.

Barry Rosenberg
Barry Rosenberg
Kootenai Environmental Alliance

6/15/07
Date

Rich Roberts
Rich Roberts
BLS Holdings LLC

6/21/07
Date

RECEIVED
JUN 28 2007
IDWR/North

Monday, June 25, 2007

To: Keith Franklin
Idaho Dept of Water Resources
7600 Mineral Drive
Suite 100
Coeur d'Alene, ID 83815

RECEIVED
JUN 28 2007
IDWR/North

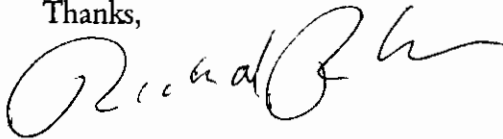
From: Richard L. Roberts
Mgr: BLS Holdings LLC
622 S. Avenida Del Monte
Tucson, AZ 85748

Keith,

Enclosed is a signed letter of agreement between my company and the KEA in reference to their letter of protest against my well distribution application.

Please expedite my application and please let me know if there are any other issues.

Thanks,



Richard Roberts
Manager, BLS Holdings LLC
Phone: 520.977.7633
RichRobertsAZ@gmail.com

RECEIVED
JUN 11 2007
IDWR/North

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

)
)
) NOTICE OF SETTLEMENT AND
IN THE MATTER OF APPLICATION FOR)
) CONDITIONAL MOTION TO WITHDRAW
PERMIT NO. 94-7415 IN THE NAME OF) PROTEST
BLS HOLDINGS LLC)
)

The parties to the above titled matter, BLS Holdings LLC and Kootenai Environmental Alliance, hereby provide notice to the Idaho Department of Water Resources of the attached settlement agreement resolving all issues of the parties in this matter. As set forth in the attached settlement agreement, the Protestants agree to withdraw its protest in this matter subject to the terms of the settlement agreement, including the following specific actions of the Department of Water Resources:

1. The Department of Water Resources issues BLS Holdings LLC a water right permit for 0.04 cfs for domestic and irrigation use, not to exceed 7.2 acre feet per annum except for use in documented fire protection incidents;

2. The Department of Water Resources issues the above referenced water right permit with a provision stating, "The diversion and use of water described in this order is subject to additional conditions and limitations agreed to by both the Protestants and the water right holder under a separate agreement to which the Department is not a party and which is independently enforceable by a court of law;" and

3. The Department of Water Resources specifically references the attached Settlement Agreement in the water right permit and includes a copy in the permit file.

Should the Department of Water Resources agree to issue a water right permit consistent with the terms set forth above, the Protestants agree to withdraw its protest of this matter and all
NOTICE OF SETTLEMENT AND
CONDITIONAL MOTION TO WITHDRAW- 1

1 parties agree not to further protest or challenge any permit issued consistent with the terms of the
2 attached Settlement Agreement.

3
4 Richard Roberts

Date 6/7/07

5 Rich Roberts

6 BLS Holdings LLC

7
8 Barry Rosenberg

Date 5/23/07

9 Barry Rosenberg, for Kootenai Environmental Alliance

Thursday, June 07, 2007

To: Keith Franklin
Idaho Dept of Water Resources
7600 Mineral Drive
Suite 100
Coeur d'Alene, ID 83815

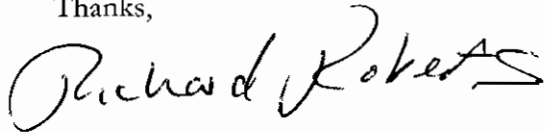
From: Richard L. Roberts
Mgr: BLS Holdings LLC
622 S. Avenida Del Monte
Tucson, AZ 85748

Keith,

Enclosed is a signed letter of agreement between my company and the KEA in reference to their letter of protest against my well distribution application.

Please expedite my application and please let me know if there are any other issues.

Thanks,

A handwritten signature in black ink that reads "Richard Roberts". The signature is written in a cursive style with a large, stylized "R" and "S".

Richard Roberts
Manager, BLS Holdings LLC
Phone: 520.977.7633
RichRobertsAZ@gmail.com

Idaho Department of Water Resources Receipt

Receipt ID N018248

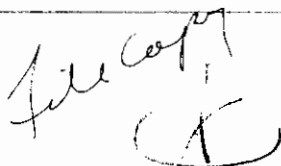
Payment Amount	\$25.00	Date Received	4/2/2007 4:39:19 PM	Region	Northern	Status	
Payment Type	Check	Check Number	5754				

Payer BARRY ROSENBERG FOR KEA

Comment Protest re 94-7415 BLS Holdings

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	PROTESTS	0229	21	65103	1155

_____
Signature Line (Dept. Representative)



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

FAX TRANSMITTAL COVER SHEET

DATE: 4-4-07

TO: Rich Roberts

FROM: IDWR

FAX #: 520-794-4421

NOTE: BLANK FORMS ARE AVAILABLE ON THE INTERNET AT:
www.idwr.state.id.us/info/forms.htm

DOCUMENT DESCRIPTION:

Protest document 94-7415

TOTAL PAGES SENT: 3 PLUS (+) COVER SHEET

CONTACT: Keith Franklin
(NAME OF SENDER)

CHARGES: One (1) free copy per request, cover sheet not included. Two (2) or more copies per request are \$0.25 per page with a \$0.50 minimum

PLEASE CONSIDER THIS DOCUMENT AS A BILLING STATEMENT.

THE CHARGE FOR YOUR FAX COPIES IS \$

PLEASE REMIT BY RETURN MAIL TO THE ABOVE ADDRESS.

PHONE NO: (208) 762-2800

FAX NO: (208) 762-2819



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

April 04, 2007

BLS HOLDINGS LLC
622 S AVENIDA DEL MONTE
TUCSON AZ 85748-6846

Application to Permit No. 94-7415

Dear Applicant(s):

Enclosed is a copy of a protest filed against approval of the above referenced application. The Department suggests that you contact the protestant(s) directly to determine the nature of the protest and, if possible, to resolve the matter without action by the Department. In our experience, informal discussion between the parties prior to initiation of formal proceedings often leads to resolution of the protest.

If the protest cannot be resolved informally, the matter will be scheduled for conference and/or hearing. The following are criteria the Department must consider in either approving or denying the application (Section 42-203A, Idaho Code).

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest in the public water resource?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?
7. For applications proposing to divert water from one watershed or local area into another, will the proposed use adversely affect the local economy of the watershed or local area where the source of water originates?

You will be notified at a later date of the time and place of the conference and/or hearing. Please contact this office if you have any questions regarding this procedure.

Sincerely,

Robert G. Haynes, P.E.
Regional Manager

cc: Barry Rosenberg, Executive Director, Kootenai Environmental Alliance



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

April 04, 2007

KOOTENAI ENVIRONMENTAL ALLIANCE
C/O BARRY ROSENBERG EXEC DIRECTOR
PO BOX 1598
COEUR D ALENE, ID 83816-1598

Application to Permit No. 94-7415

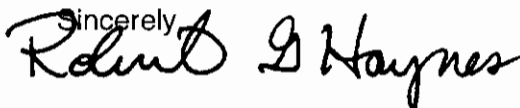
Dear Protestant(s):

The Department of Water Resources acknowledges receipt of your protest against the approval of the above referenced application. A copy of your protest has been sent to the applicant. The Department suggests that you contact the applicant directly for details regarding the application and, if possible, to resolve the matter without action by the Department. In our experience, informal discussion between the parties prior to initiation of formal proceedings often leads to resolution of the protest.

If the protest cannot be resolved informally, the matter will be scheduled for conference and/or hearing. The following are criteria the Department must consider in either approving or denying the application (Section 42-203A, Idaho Code).

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest in the public water resource?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?
7. For applications proposing to divert water from one watershed or local area into another, will the proposed use adversely affect the local economy of the watershed or local area where the source of water originates?

You will be notified at a later date of the time and place of the conference and/or hearing. Please contact this office if you have any questions regarding this procedure.

Sincerely,


Robert G. Haynes, P.E.
Regional Manager

cc: BLS Holdings LLC

RECEIVED

APR 02 2007

IDWR/North

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 94-7415)
In the name of BLS Holdings LLC)

PROTEST

*Receipt #
No 18248*

This protest is submitted on behalf of the Kootenai Environmental Alliance.

A. Interests of Protestant

Kootenai Environmental Alliance (KEA) is a 501(c)(3) non-profit corporation incorporated in the state of Idaho, with a mission to protect and restore the environment with an emphasis on the Idaho Panhandle and the Coeur d'Alene basin. The KEA office is located at 408 Sherman, suite 301, Coeur d'Alene, ID. KEA mailing address is: Kootenai Environmental Alliance, P.O. Box 1598, Coeur d'Alene, ID 83816-1598.

KEA has members and supporters who live, work and recreate in North Idaho and Eastern Washington, including recreating on the Spokane River. KEA members rely upon the Rathdrum-Spokane aquifer (Aquifer) and other ground and surface water sources for drinking water supply and to serve the businesses where they work. KEA members actively participate in the current comprehensive bi-state study of the Aquifer.

The Protestant and its members are, and will continue to be adversely affected by water allocation and management decisions, including the instant application, that diminish, over-allocate, or otherwise harm the Aquifer and hydraulically connected water resources, including the Spokane and Little Spokane Rivers, and other ground and surface water sources.

B. Basis of Protest

Kootenai Environmental Alliance protests Application for Permit No. 94-7415 filed by BLS Holdings LLC, which seeks 0.17 CFS (109,874 gallons per day) for domestic and irrigation purposes from groundwater to supply water to 8 homes. This protest is based on the criteria set forth in Sec. 42-203A, Idaho Code, and groundwater statutes, as more specifically set forth below.

The applicant has provided a water supply plan with the application. For a project of this size and complexity, more information will be required pursuant to IDAPA § 37.03.08.040.05. As the applicant provides that information to IDWR, and as more information becomes available through approved discovery processes, Protestants reserve the right to raise additional issues. The application as submitted is inadequate to meet the standards set forth in controlling regulations and statutes and the applicant will not be able to meet its burden of proof under the law.

The project is contrary to the conservation of resources.

The application is contrary to the conservation of water resources in Idaho, in contravention of IC §42-203A(5)(f), insofar as it proposes to withdraw 0.17 CFS.

The Applicant requests 0.17 CFS to supply water to 8 homes. This works out to approximately 13,734 gallons per day per unit under the application and is not justified by a reasonable water balance. These quantities are excessive and wasteful and do not represent an appropriate water duty for the purposes set forth in the permit application.

This issue is of particular concern when the effects of this water permit are analyzed cumulatively with other pending applications and active permits and licenses.

The applicant has offered no proposal in writing to mitigate the impacts of its proposed water withdrawals.

C. Relief Sought

For the foregoing reasons, Protestants request that a protest hearing be scheduled and that BLS Holdings LLC Water Permit Application No. 94-7415 be denied or conditioned to mitigate the harms and impacts identified above.

DATED this 2nd day of April 2007.


Barry Rosenberg
Executive Director
Kootenai Environmental Alliance

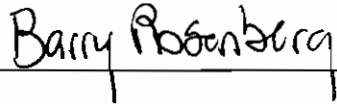
(208) 667-9093

CERTIFICATE OF SERVICE

RECEIVED
APR 02 2007
IDWR/North

I hereby certify that on the 2nd day of April 2007, I served a true and correct copy of the within and foregoing document upon the party named below by depositing a copy of the same in the United States mail, postage pre-paid, at the post office in Coeur d'Alene, Idaho.

BLS Holdings LLC
622 S Avenida Del Monte
Tucson, AZ 85748-6846



Barry Rosenberg
Executive Director
Kootenai Environmental Alliance
(208) 667-9093

AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF IDAHO,
County of Kootenai,

} ss.

MAR 23 2007

IDWR/North

Heather Buyp

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 Thursday issue of said newspaper for 2 consecutive weeks commencing on the 15 day of March 2007, and ending on the 22 day of March 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 Heather Buyp

On this 22 day of March in the year of 2007, before me, a Notary Public, personally appeared Heather Buyp, 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

NOTICE

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

94-7415

BLS HOLDINGS LLC
622 S AVENIDA DEL MONTE
TUCSON AZ 85748-6846

Point(s) of Diversion NESW S12 T47N R03W KOOTENAI County
Source GROUND WATER

Use: IRRIGATION 03/15 To 10/31 0.04 CFS

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

Total Diversion: 0.17 CFS

Date Filed: 01/18/2007

Place Of Use: DOMESTIC & IRRIGATION

T47N R03W S12 NESW

Number of Acres 2

Remark: Domestic use is for 8 homes.

94-7416

BISSELL FAMILY REVOCABLE LIVING TRUST

5305 E O GARA RD

HARRISON ID 83833

Point(s) of Diversion L4 (SESW) S17 T47N R03W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 To 10/31 0.09 CFS

Total Diversion: 0.09 CFS

Date Filed: 03/02/2007

Place Of Use: IRRIGATION

T47N R03W S17 SESW Lot 4 SWSE Lot 4

Number of Acres 3

95-9380

LAWRENCE H EGGLESTON

DEBBIE A EGGLESTON

S 2204 COLLINS CT

SPOKANE VALLEY WA 99216

Point(s) of Diversion L4 (NENWSW) S35 T49N R04W KOOTENAI Co.

Source COEUR D'ALENE LAKE ~ Tributary To SPOKANE RIVER

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

Total Diversion: 0.02 CFS

Date Filed: 02/06/2007

Place Of Use: DOMESTIC

T49N R04W S35 NWSW Lot 4

Remark: Domestic use is for 1 home.

95-9382

MICHAEL VAN BUSKIRK

PO BOX 3333

HAYDEN ID 83835

Point(s) of Diversion L5 (NWNE) S3 T51N R03W KOOTENAI County

Source HAYDEN LAKE ~ Tributary To SINKS

Use: IRRIGATION 04/01 To 11/30 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 03/05/2007

Place Of Use: IRRIGATION

T51N R03W S3 NWNE Lot 5

Number of Acres 0.5

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 04/02/2007. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Interim Director

Legal 807

March 15, 22, 2007

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

94-7415

BLS HOLDINGS LLC
622 S AVENIDA DEL MONTE
TUCSON AZ 85748-6846
Point(s) of Diversion NESW S12 T47N R03W KOOTENAI County
Source GROUND WATER
Use: IRRIGATION 03/15 To 10/31 0.04 CFS
Use: DOMESTIC 01/01 To 12/31 0.13 CFS
Total Diversion: 0.17 CFS

Date Filed: 01/18/2007
Place Of Use: DOMESTIC & IRRIGATION
T47N R03W S12 NESW
Number of Acres 2
Remark: Domestic use is for 8 homes.

94-7416

BISSELL FAMILY REVOCABLE LIVING TRUST
5305 E O GARA RD
HARRISON ID 83833
Point(s) of Diversion L4 (SESW) S17 T47N R03W KOOTENAI County
Source GROUND WATER
Use: IRRIGATION 03/15 To 10/31 0.09 CFS
Total Diversion: 0.09 CFS

Date Filed: 03/02/2007
Place Of Use: IRRIGATION
T47N R03W S17 SESW Lot 4 SWSE Lot 4
Number of Acres 3

95-9380

LAWRENCE H EGGLESTON
DEBBIE A EGGLESTON
S 2204 COLLINS CT
SPOKANE VALLEY WA 99216
Point(s) of Diversion L4 (NENWSW) S35 T49N R04W KOOTENAI County
Source COEUR D'ALENE LAKE - Tributary To SPOKANE RIVER
Use: DOMESTIC 01/01 To 12/31 0.02 CFS
Total Diversion: 0.02 CFS

Date Filed: 02/06/2007
Place Of Use: DOMESTIC
T49N R04W S35 NWSW Lot 4
Remark: Domestic use is for 1 home.

95-9382

MICHAEL VAN BUSKIRK
PO BOX 3333
HAYDEN ID 83835
Point(s) of Diversion L5 (NWNE) S3 T51N R03W KOOTENAI County
Source HAYDEN LAKE - Tributary To SINKS
Use: IRRIGATION 04/01 To 11/30 0.02 CFS
Total Diversion: 0.02 CFS

Date Filed: 03/05/2007
Place Of Use: IRRIGATION
T51N R03W S3 NWNE Lot 5
Number of Acres 0.5
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 04/02/2007. The protestant must also send a copy of the protest to the applicant.
DAVID R. TUTHILL, JR., Interim Director
Published on March 15 & a 22, 2007



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

C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR
Interim Director

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

March 07, 2007

DEE DUQUETTE AND GLENDA JEFFERSON
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

RE: Application for Permit No. 94-7415, 94-7416, 95-9380 and 95-9382

Dear Dee and Glenda:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, March 15 and 22, 2007, (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 04/02/2007. Your cooperation is very much appreciated.

Thank you,
Sincerely

Dianne

Dianne Ball
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 07, 2007

BLS HOLDINGS LLC
622 S AVENIDA DEL MONTE
TUCSON AZ 85748-6846

RE: Application for Permit No 94-7415

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 March 15 & 22, 2007. 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. N018109

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, March 07, 2007 12:08 PM
To: Legal Notices-CdA Press (E-mail); Legal Notices-CdA Press2 Glenda Jefferson (E-mail);
Legal Notices-CdA Press3 Dee Duquette (E-mail)
Subject: Legal notice for publication on March 15 and 22, 2007

Good day to you,

Attached is our cover letter requesting publication on March 15 and 22, 2007 of a legal notice, also attached. I will FAX this also to cover all bases.

Please FAX a proof copy to me before this goes to press, at 762-2819

If you need to abbreviate the word "County" to CO on one or more lines, that is ok.

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

Many thanks for all your good work and help, and have a marvelous day.

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
3-07-07 CDA e-mal.



LegalNotice
3-07-07 CDA e-mal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

RECEIVED
FEB 20 2007
IDWR/North

February 6, 2007

Richard Roberts
C/o BLS Holdings, LLC
622 S. Avenida Del Monte
Tucson, AZ 85748-6846

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

Dear Mr. Roberts:

As per our telephone conversation on February 6, 2007, I have enclosed a second aerial photograph showing the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, for you to outline your property boundary and return it to me at your earliest convenience.

Thank you.

Sincerely,

Keith E. Frankli
Senior Water Resources Agent

429-587-7289

Enclosure

Keith,

See enclosed.

Let me know if you need anything else. Please send me a copy of the application in it's final form. Thanks Rich Roberts 2/16/07

SCANNED
SEP - 8 2007

RECEIVED
FEB 20 2007
IDWR/North



↖ NESW

↖ NWSE



State of Idaho

DEPARTMENT OF WATER RESOURCES

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NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

February 26, 2007

BLS HOLDINGS, LLC
C/o Richard Roberts
622 S. Avenida Del Monte
Tucson, AZ 85748-6846

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

Dear Mr. Roberts:

Enclosed is a copy of the corrected application for your records, as per your request.
Should you have any questions, feel free to contact me at this office.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

February 6, 2007

Richard Roberts
C/o BLS Holdings, LLC
622 S. Avenida Del Monte
Tucson, AZ 85748-6846

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

Dear Mr. Roberts:

As per our telephone conversation on February 6, 2007, I have enclosed a second aerial photograph showing the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, for you to outline your property boundary and return it to me at your earliest convenience.

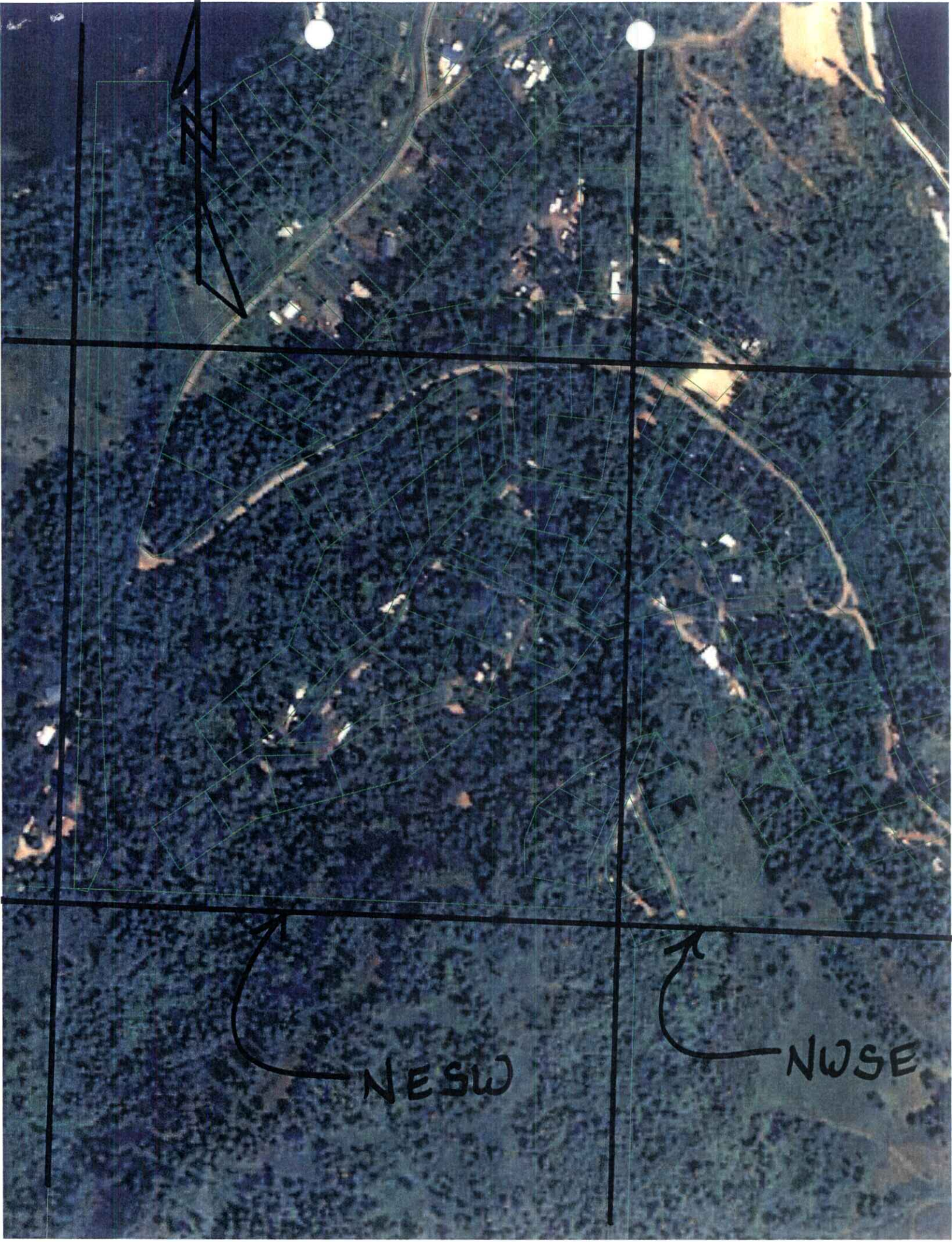
Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

Enclosure

C O P Y



NESW

NWSE



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

January 30, 2007

Richard Roberts
C/o BLS Holdings, LLC
622 S. Avenida Del Monte
Tucson, AZ 85748-6846

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

Dear Mr. Roberts:

In processing your application, I could not determine exactly where your property was located, in accordance with the map you supplied. Please trace the outline of your property on the enclosed aerial photograph, as close as possible to the faint tax lines and return it to me at your earliest convenience. It's best to use a black permanent marker.

If you have any questions, don't hesitate to contact me at this office.

Thank you.

Sincerely

Keith E. Franklin
Senior Water Resources Agent

Enclosure

C O P Y

4
N

NW $\frac{1}{4}$ SE $\frac{1}{4}$