

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 94-07417

Priority: March 05, 2007

Maximum Diversion Rate: 0.06 CFS
Maximum Diversion Volume: 0.6 AF

This is to certify, that SILVER CREEK DEVELOPMENT LLC
409 COEUR D ALENE AVE
COEUR D ALENE ID 83814

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 10/31	0.06 CFS	
FIRE PROTECTION STORAGE	01/01 to 12/31		0.6 AF
IRRIGATION STORAGE	01/01 to 12/31		0.6 AF
IRRIGATION FROM STORAGE	03/15 to 10/31		0.6 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER L2 (NW¼ NE¼) Sec. 5, Twp 48N, Rge 02E, B.M. SHOSHONE County

PLACE OF USE: FIRE PROTECTION STORAGE, IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N 02E 5		X															
		L 2															

PLACE OF USE: IRRIGATION , IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N 02E 5	1.7	.3															2.0
	L 1	L 2															

Total Acres: 2

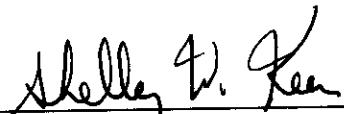
CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2012**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 94-07417

4. 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.
5. Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.
6. Water shall not be diverted from storage for fire protection use under this right except to fight or repel an existing fire.
7. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.

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


for DAVID R. TUTHILL, JR., Director

73427

Ident. No. 94-7417

RECEIVED
MAR 15 2007
IDWR/North

APR 27 2007

DEPARTMENT OF
WATER RESOURCES

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

1. Name of Applicant Silver Creek Development, LLC Phone (208) 664-4457
Mailing address 409 Coeur d'Alene Avenue, Coeur d'Alene, ID 83814
2. Source of water supply Groundwater which is a tributary of N/A
3. Location of point of diversion is Township 48 N Range 2 E Sec. 5, in the Shoshone ~~Kootenai~~ County;
Per T.C. with Matt NW 1/4, NE 1/4, Govt. Lot , B.M.,
additional points of diversion if any: *Per T.C. with Matt.*
4. Water will be used for the following purposes:
- | | |
|--|---|
| <i>Per T.C. with Matt</i> → Amount <u>0.55 Ac-Ft</u> for <u>Irrigation Storage</u> purposes from <u>4/1</u> to <u>10/31</u> (both dates inclusive) | <u>11/1</u> <u>10/31</u> |
| Amount <u>0.55 cfs</u> for <u>Irrigation from Storage</u> purposes from <u>4/1</u> to <u>10/31</u> (both dates inclusive) | <u>3/15</u> <u>10/31</u> |
| Amount <u>0.06 cfs</u> for <u>Irrigation</u> purposes from <u>4/1</u> to <u>10/31</u> (both dates inclusive) | <u>3/15</u> <u>10/31</u> |
| Amount <u>0.55 Ac-Ft</u> for <u>Fire Protection Storage</u> purposes from <u>1/1/</u> to <u>12/31</u> (both dates inclusive) | <u>1/1/</u> <u>12/31</u> |
| Amount <u> </u> for <u> </u> purposes from <u> </u> to <u> </u> (both dates inclusive) | <u> </u> <u> </u> |
| Amount <u> </u> for <u> </u> purposes from <u> </u> to <u> </u> (both dates inclusive) | <u> </u> <u> </u> |
5. Total quantity to be appropriated is (a) 0.06 ^{cubic feet per second} and/or (b) ^{acre feet per annum}
6. Proposed diverting works: Pond with line shaft turbine pump
- a. Describe type and size of devices used to divert water from the source Type - turbine pump, size 1500 gpm
- b. Height of storage dam N/A feet; active reservoir capacity 0.55 acre-feet; total reservoir capacity 0.55 acre-feet
- c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet
- d. Is ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? N/A; Drilling firm N/A
Well was drilled for (well owner) N/A; Drilling Permit No. N/A
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in kW.
 - b. Stockwatering; list number and kind of livestock.
 - c. Municipal; show name of municipality.
 - d. Domestic; show number of households.
 - e. Other; describe fully. Fireflow and landscape irrigation

3. 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	
		7	1.7	0.3															2.0

Per T.C. with Matt

Total number of acres to be irrigated 2.0 ~~2.0~~ 0.35 in NW $\frac{1}{4}$, NE $\frac{1}{4}$; 1.65 in NE $\frac{1}{4}$, NE $\frac{1}{4}$
~~0.3~~ 1.7

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

11. a. Who owns the property at the point of diversion? Silver Creek Development

b. Who owns the land to be irrigated or place of use? Silver Creek Development

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

12. Remarks:

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8 $\frac{1}{2}$ "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.)

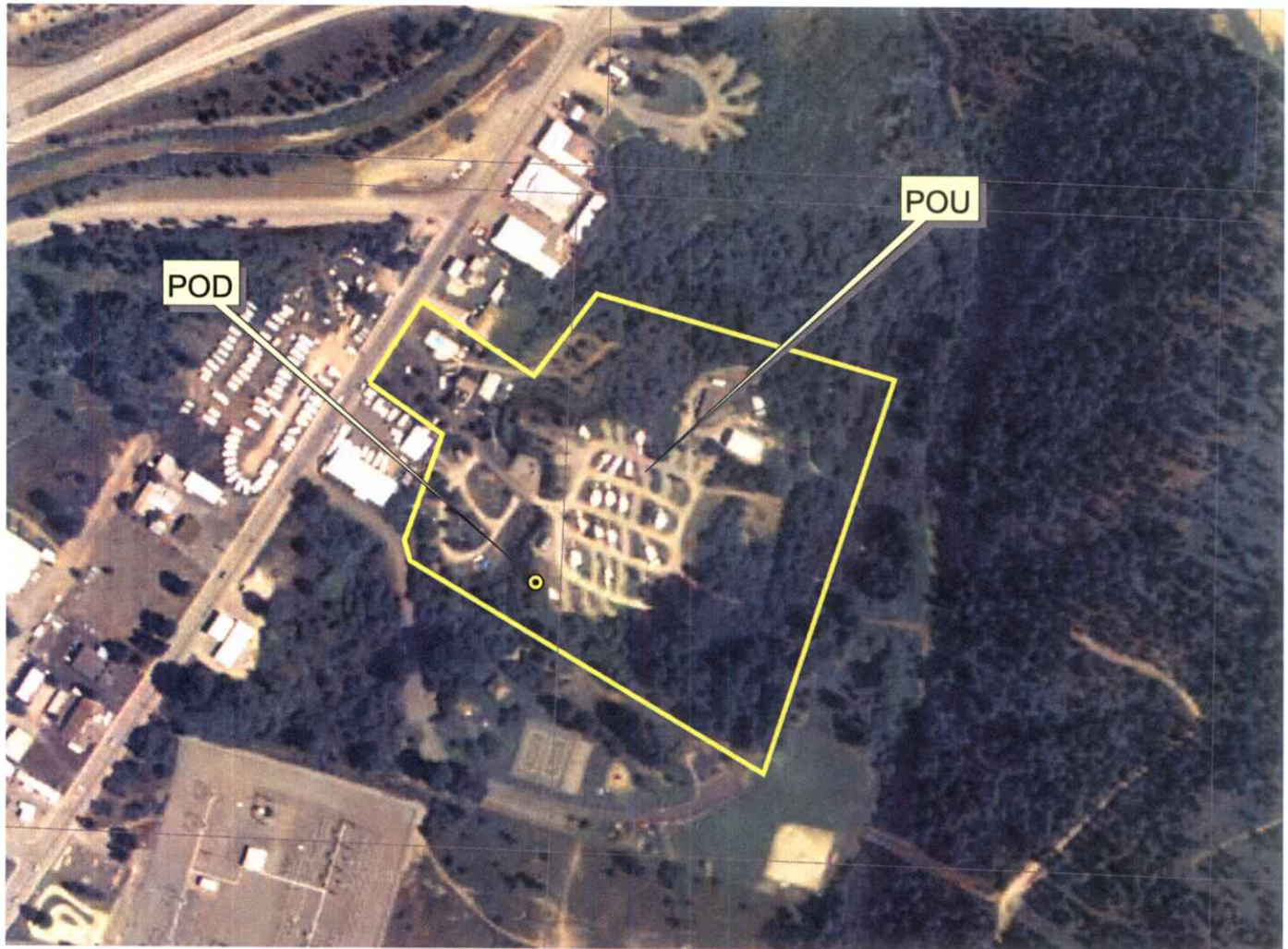
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Robert Guindon
 Signature of Applicant (and title, if applicable)

Received by b Date 3/15/07 Time 11:30a Preliminary check by NOB166 Date 3/5/07
 Fee \$ 100.00 Receipted by Dianne # NOB166
 Publication prepared by b Date 3/28/07 Published in Shelby Co News Press 4/5+12/07
 Publication approved b Date 4/20/07

originally submitted 3/5/07. kg

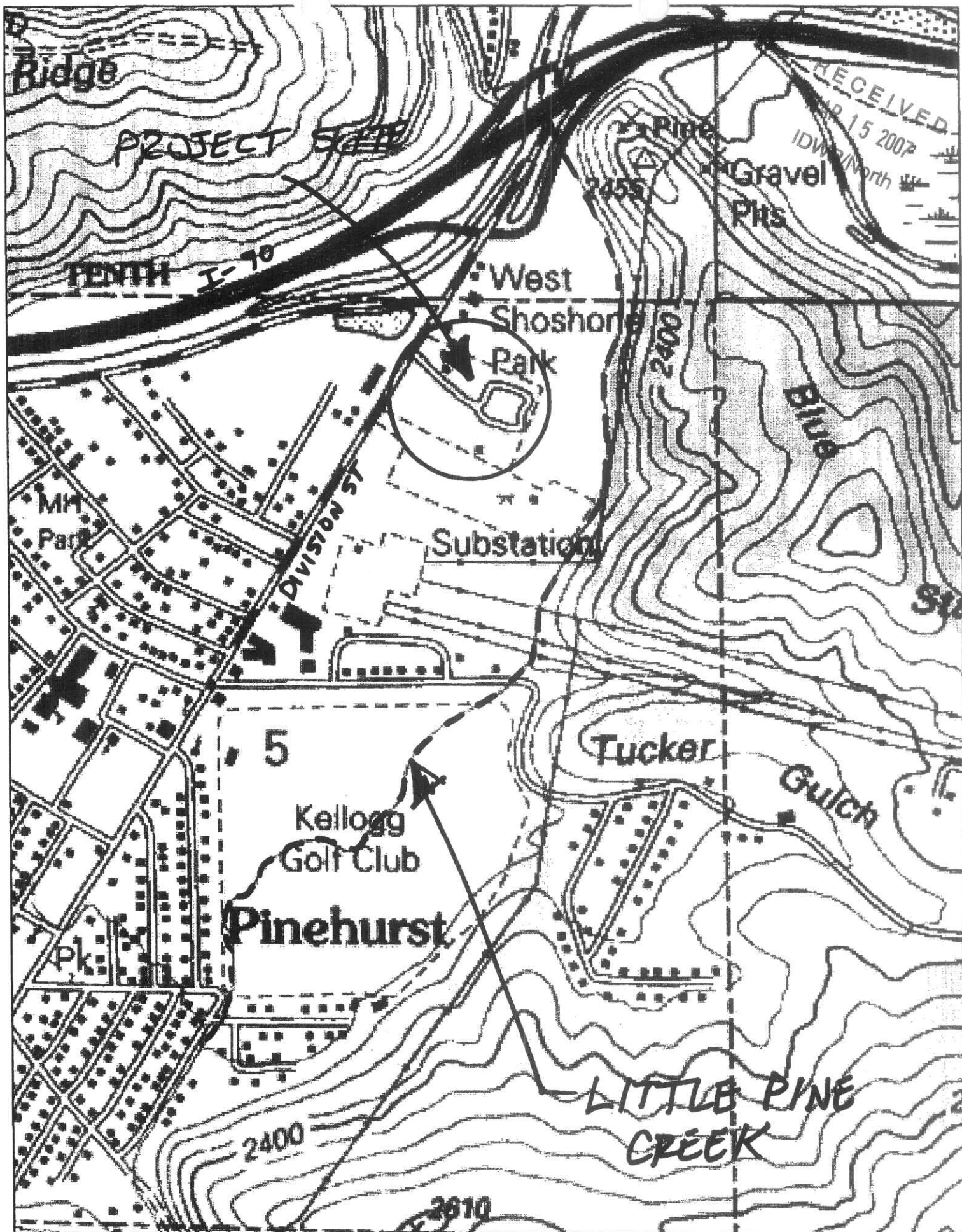
94-7417

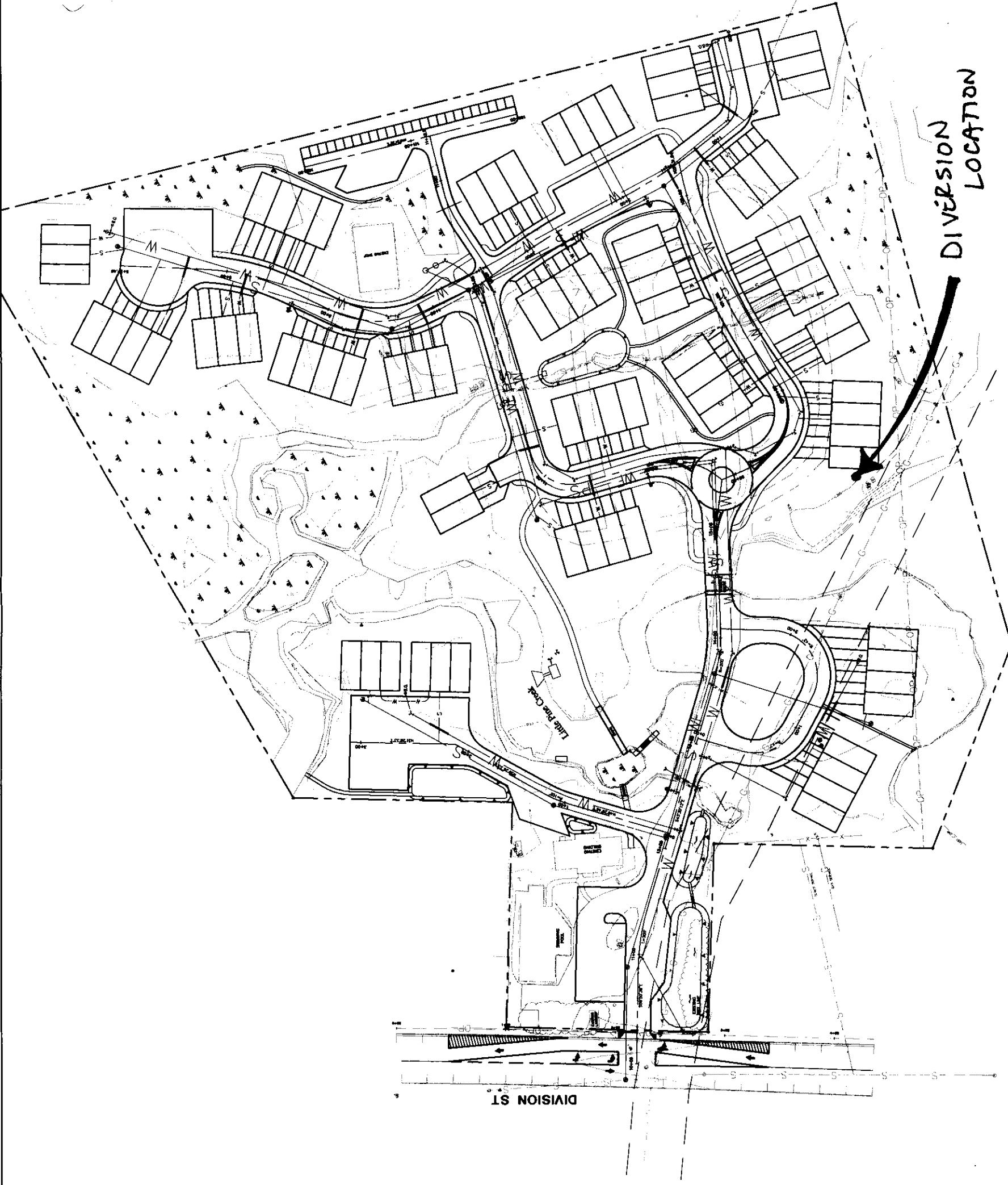


0.1 0 0.1 0.2 Miles

- GCDB49N02E GCDB
- GCDB48N02E GCDB
- Pou.shp
- Pod.shp
- Administrative BasinsAdminbas.shp







WELCH COMER ASSOCIATES, INC. ENGINEERS & SURVEYORS 1828 Lincoln Way, Coeur d'Alene, Idaho 83814 Phone (208) 864-9382 Fax (208) 864-5946 P.O. Box 861, Liberty Lake, WA 99019 Phone (509) 255-6000 Fax (509) 255-6009	THIS DOCUMENT, AND IDEAS AND DESIGNS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF WELCH, COMER & ASSOCIATES, INC., AND IS NOT TO BE USED IN WHOLE OR IN PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF WELCH, COMER & ASSOCIATES. © 2007 WELCH, COMER & ASSOCIATES, INC.	LINE IS ONE INCH ON ORIGINAL DRAWING IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY	NO.	DATE	REVISION DESCRIPTION	BY
HIGH WING CONSTRUCTION			SILVER CREEK DEVELOPMENT			
PROJECT OVERVIEW						
DWG NAME: 12065PROJ.DWG DATE: 02-27-07 SHEET NO:						

An aerial photograph of a residential area. A yellow polygon is drawn over a portion of the image, highlighting a specific area. A black line runs vertically through the center, and another black line runs horizontally across the middle. The text 'NWNE Sec. 5' is written in the lower-left quadrant, and 'NENE Sec. 5' is written in the lower-right quadrant. The image shows houses, trees, and a road.

NWNE
Sec. 5

NENE
Sec. 5

251

FILED EFFECTIVE



ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

2006 JAN -9 AM 9:07

(Instructions on back of application)

SECRETARY OF STATE
STATE OF IDAHO

RECEIVED
MAR 15 2007
IDWR/North

1. The name of the limited liability company is:

Silver Creek Development, LLC

2. The street address of the initial registered office is:

409 Coeur d'Alene Avenue, Coeur d'Alene, Idaho, 83814

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

Brent G. Schlotthauer

3. The mailing address for future correspondence is:

409 Coeur d'Alene Avenue, Coeur d'Alene, Idaho 83814

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 member(s), list the name(s) and address(es) of at least one initial member.

Name

Address

Silver Creek Capital, LLC

25701 LA CIMA, LAGUNA NIGUEL, CA 92677

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

Signature: [Signature]

Typed Name: Brent G. Schlotthauer

Capacity: Incorporator, Corporate Attorney

Signature _____

Typed Name: _____

Capacity: _____

Secretary of State use only

W46235

IDAHO SECRETARY OF STATE
01/09/2006 05:00
CK: 6622 CT: 173163 BH: 938768
1 @ 100.00 = 100.00 ORGAN LLC # 2

Idaho Revised LLC Form 1/1/2002

Web Form

No. W 46235	Due no later than Jan 31, 2007 Annual Report Form		2. Registered Agent and Address (NO PO BOX)	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. SILVER CREEK DEVELOPMENT, LLC BRENT G. SCHLOTTHAUER 409 COEUR D ALENE AVE COEUR D ALENE ID 83814		BRENT G SCHLOTTHAUER 409 COEUR D ALENE AVE COEUR D ALENE ID 83814	
			3. <u>New</u> Registered Agent Signature:*	
4. Limited Liability Companies: Enter Names and Addresses of Managers or Members.				
<u>Office Held</u>	<u>Name</u>	<u>Street or PO Address</u>	<u>City</u>	<u>State</u> <u>Country</u> <u>Zip</u>
MEMBER	SILVER CREEK CAPITAL LLC	25701 LA CIMA	LAGUNA	CA 92677
MEMBER	ROBERT GUINDON	601 E. SELTICE WAY SUITE 2B	POST FALLS ID	USA 83854
5. Organized Under the Laws of: IDAHO W 46235		6. Annual Report must be signed.* Signature: Brent G. Schlotthauer Name (type or print): Brent G. Schlotthauer Date: 11/08/2006 Title: Corporate Counsel		
Processed 11/08/2006		*Electronically provided signatures are accepted as original signatures.		

**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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

June 18, 2007

SILVER CREEK DEVELOPMENT LLC
409 COEUR D ALENE AVE
COEUR D ALENE ID 83814

RE: Permit No. 94-7417

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.

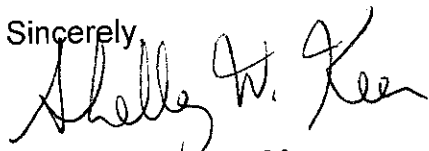
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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 being the most prominent.

Shelley W. Keen, Manager
Water Right Permits Section

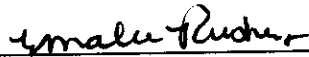
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on June 18, 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. 94-7417

**SILVER CREEK DEVELOPMENT LLC
409 COEUR D ALENE AVE
COEUR D ALENE ID 83814**

A handwritten signature in black ink, appearing to read "Emalee Rushing", is written over 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: June 11, 2007
To: Water Right File 94-7417
From: eretelle
Re: permit review

No WD

No moratorium

Area of Drilling Concern - ok, no well. Excavated pond.

No overlaps - Golf course and 1-acre family irrigation uses nearby

No protests

Recommend approval as suggested by IDWR Northern

PROOF OF PUBLICATION

Department of Water Resources

700 Mineral Dr. suite 100
Coeur d' Alene, Idaho 83815-7763

RECEIVED
APR 20 2007
IDWR/North

S/ Catherine Van Zandt, being first duly sworn deposes and says: SHOSHONE NEWS PRESS, a daily newspaper of general circulation in said county, published in the City of Kellogg, in the County of Shoshone and the State of Idaho, and which has been published continuously in said county for a period of 78 weeks immediately prior to the publication of this notice hereinafter described, and that the

LEGAL NOTICE

#445

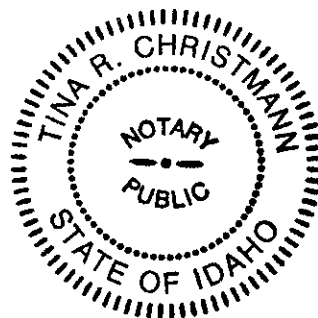
Of which the annexed is a true copy, was published in each regular weekly/daily issue of said newspaper, and not in supplement thereto, for a period of 2 (two) consecutive weeks/days, the first publication there of being in the issue dated 4/5,12/2007.

STATE OF IDAHO
COUNTY OF SHOSHONE

On this 13th day of April in the year of 2007, before me a Notary Public, personally appeared Catherine Van Zandt 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 acknowledge to me that she executed the same.



Tina R Christmann
Notary Public for Idaho
My commission expires: 3/06/2013



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

94-7417
SILVER CREEK DEVELOPMENT LLC
409 COEUR D ALENE AVE
COEUR D ALENE ID 83814
Point(s) of Diversion NWNE S5 T48N R02E SHOSHONE County
Source GROUND WATER
Use: IRRIGATION 03/15 To 10/31 0.06 CFS
Use: IRRIGATION STORAGE 01/01 To 12/31 0.6 AFA
Use: IRRIGATION FROM STORAGE 03/15 To 10/31 0.6 AFA
Use: FIRE PROTECTION STORAGE 01/01 To 12/31 0.6 AFA
Total Diversion: 0.06 CFS

Date Filed: 03/05/2007

Place Of Use: - FIRE PROTECTION STORAGE & IRRIGATION
STORAGE - T48N R02E S5 NWNE

Place Of Use: IRRIGATION & IRRIGATION FROM STORAGE
T48N R02E S5 NENE NWNE

Number of Acres 2

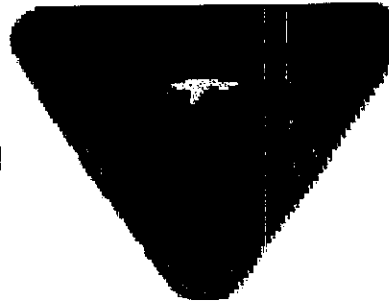
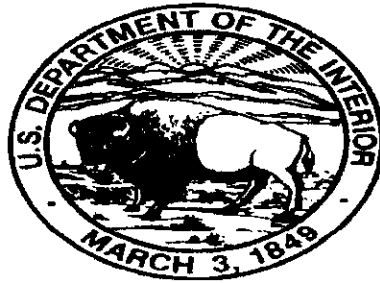
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

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 04/23/2007. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Interim Director

Legal # SHO445

2X 4/5,12/2007



Lin Pierron-Buck
Water Rights Assistant (ID933B)
Department of the Interior
Bureau of Land Management / Idaho State Office
1387 South Vinnell Way - Boise, Idaho 83709
Phone: (208) 373-4097 Fax: (208) 373-3839 Email: Lin_Buck@blm.gov

FAX

April 11, 2007

To: Dianne Ball / IDWR / Northern Regional Office / Fax # (208) 762-2819
cc: Mike Stevenson / BLM / Coeur d'Alene Field Office / Fax # (208) 769-5050

From: Lin Pierron-Buck / BLM / Idaho State Office / Fax # (208) 373-3839

Re: Application for Permit #94-09417 for Silver Creek Development, LLC

Hi Dianne:

Our office reviewed the above water right application for permit from the IDWR New Water Rights filing report dated April 2, 2007 (copy attached).

Our MTP (copy attached) indicates the following may have missing lot #:

POD: T48N R02E S05 NWNE
POU: T48N R02E S05 NENE NWNE

BLM does not have a problem with this application for permit; we are providing this for your information.

Thank you. Have a nice day!!

of pages: 4 (includes coversheet)

IDAHO DEPARTMENT OF WATER RESOURCES
NEW WATER RIGHT FILINGS

DATE: 04/2/07

Application for Permit No. 94-7417

Name: SILVER CREEK DEVELOPMENT LLC

Diversion Pt	NWNE	Sec 5	T 48N R 02E	SHOSHONE County	Source	GROUND WATER
Use:	FIRE PROTECTION		01/01 To 12/31		0.6 AFA	
	STORAGE					
Use:	IRRIGATION STORAGE		01/01 To 12/31		0.6 AFA	
Use:	IRRIGATION FROM		03/15 To 10/31		0.6 AFA	
	STORAGE					
Use:	IRRIGATION		03/15 To 10/31	0.06 CFS		

Total Diversion: 0.06 CFS 0.6 AFA

Date Filed: 03/05/2007

Place Of Use: FIRE PROTECTION STORAGE

T48N R02E S5 NWNE

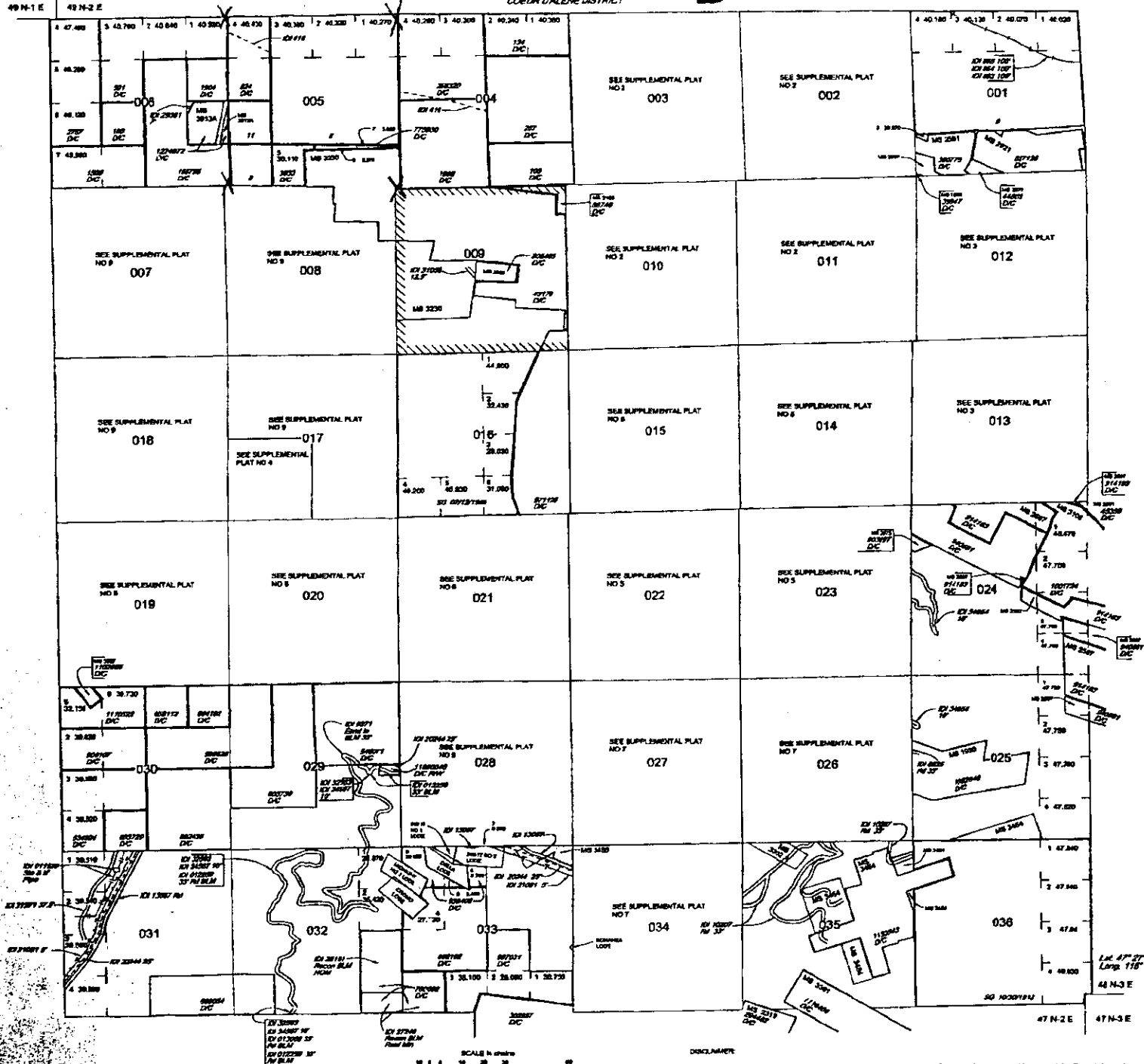
Place Of Use: IRRIGATION STORAGE, same as Fire Protection Storage

Place Of Use: IRRIGATION

T48N R02E S5 NENE NWNE

Number of Acres 2

Place Of Use: IRRIGATION FROM STORAGE, same as Irrigation

[illegible]

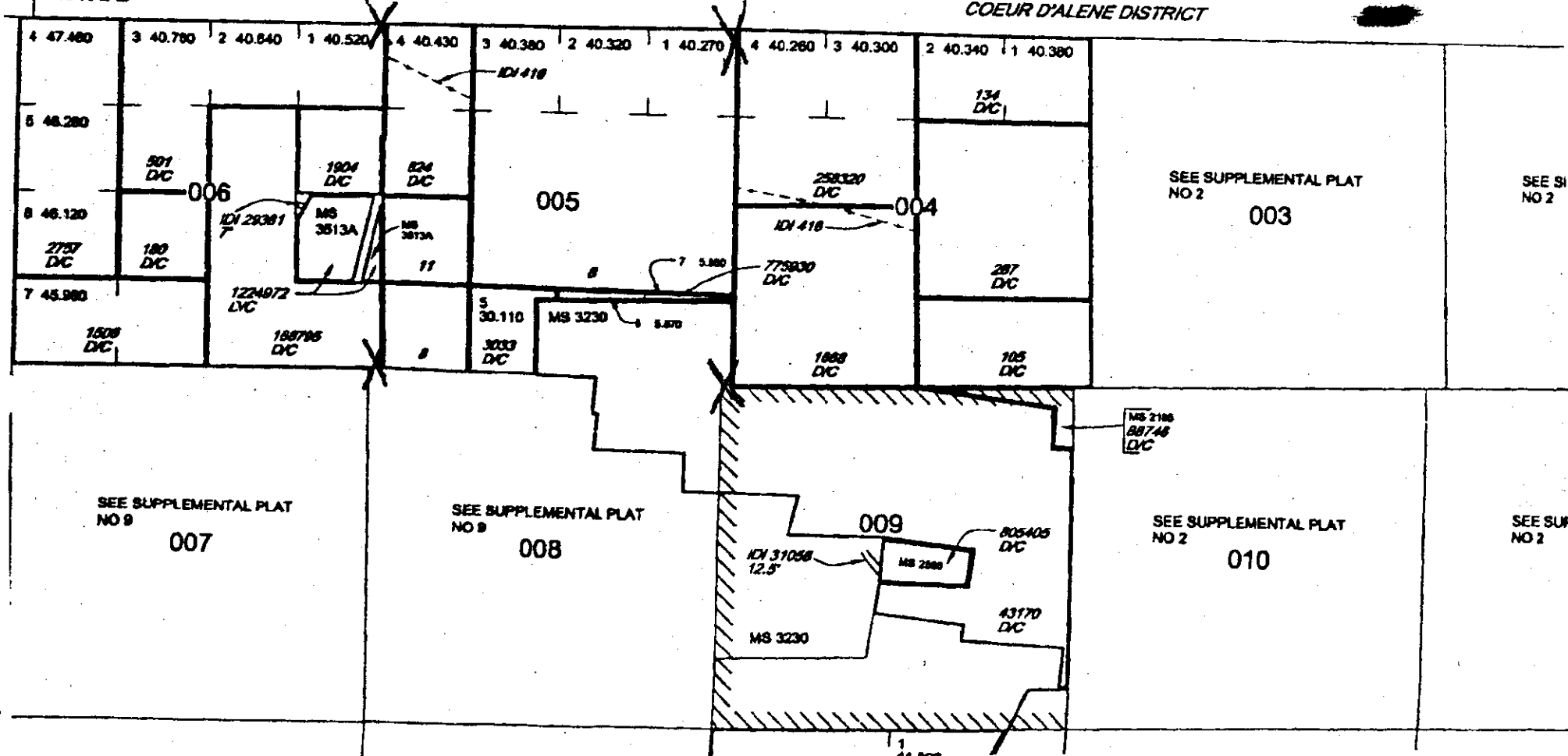
FILE REF: J080648000007-INT00000.dwg	
CONVERTED TO:	03/19/2006 BY: ST
LAST UPDATED:	03/19/2006 BY: ST
LAST VERIFIED:	BY
POINTED TO PUBLIC RECORD:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	JUN 03 2005
BLM GCS ACQUIRED:	03/19/2006
USFS CTF ACQUIRED:	N/A
PROJECTED COORDINATE SYSTEM:	UTM ZONE 17N UTM 18C
NOTES:	

USE PLATE

T 48N
R 02E
S 05

Protraction Diagram No 8 approved 8/12/1966

49 N-2 E



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

94-7417

SILVER CREEK DEVELOPMENT LLC

409 COEUR D'ALENE AVE

COEUR D'ALENE ID 83814

Point(s) of Diversion NWNE S5 T48N R02E SHOSHONE County

Source GROUND WATER

Use: IRRIGATION 03/15 To 10/31 0.06 CFS

Use: IRRIGATION STORAGE 01/01 To 12/31 0.6 AFA

Use: IRRIGATION FROM STORAGE 03/15 To 10/31 0.6 AFA

Use: FIRE PROTECTION STORAGE 01/01 To 12/31 0.6 AFA

Total Diversion: 0.06 CFS

Date Filed: 03/05/2007

Place Of Use: - FIRE PROTECTION STORAGE & IRRIGATION

STORAGE - T48N R02E S5 NWNE

Place Of Use: IRRIGATION & IRRIGATION FROM STORAGE

T48N R02E S5 NENE NWNE

Number of Acres 2

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 04/23/2007. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Interim Director

Published on April 5 & 12, 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 28, 2007

CATHERINE VAN ZANDT
LEGAL NOTICE DEPARTMENT
SHOSHONE COUNTY NEWS PRESS
PO BOX 149
KELLOGG ID 83837-0149

RE: Application for Permit No. 94-7417

Dear CATHERINE:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, April 5 and 12, 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 04/23/2007. Your cooperation is greatly appreciated.

Thank you,
Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, March 28, 2007 1:47 PM
To: Legal Notices-Shoshone Co NP-1 (E-mail); Legal Notices-Shoshone Co NP-2 (E-mail)
Subject: Legal notice for publication on April 5 and 12, 2007

Good afternoon, Catherine,

Attached is our cover letter requesting publication of a legal notice on April 5 and 12, 2007 for a water right application. Also attached is the legal notice.

Generally, when I send these, they can pretty much be copied and pasted to eliminate having to re-type them. I do them in 8 pt size.

If you have ANY questions, please call me at 208-762-2800

ALSO - Please FAX a proof copy for my approval before this goes to press. I need to check layout to make sure the general public will understand what this legal notice means. If something gets moved to a different line, it can change the meaning.

Thank you for your super 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
13-28-07 NP e-mail..



LegalNotice
13-28-07 NP e-mail..



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 28, 2007

SILVER CREEK DEVELOPMENT LLC
409 COEUR D ALENE AVE
COEUR D ALENE ID 83814

RE: Application for Permit No 94-7417

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 Shoshone County News Press on April 5 and 12, 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

TRANSMITTAL

ATTN.:	Keith Franklin	DATE:	March 14, 2007
TO:	Idaho Dept of Water Resources	RE:	Silver Creek - Pinehurst
	7600 Mineral Drive, STE 100		Revised Water Right Permit
	Coeur d'Alene, ID 83815	Proj. #:	12065

ITEMS TRANSMITTED

☐ MAILED

☒ DELIVERED – Rec'd by: _____ Date _____

COPIES	DATE	DESCRIPTION
1		Revised Water Right Application for Permit
1		USGS topographic map of site locations
1		Aerial Photograph of site
1		Revised Project Site Plan
1		Copy of Articles of Organization of LLC

RECEIVED
 MAR 15 2007
 IDWR/North

THESE ARE TRANSMITTED AS CHECKED BELOW:

☒ FOR APPROVAL

☐ NO EXCEPTIONS TAKEN

☐ RETURNED AFTER LOAN TO US

☐ FOR YOUR USE

☐ MAKE CORRECTIONS NOTED

☐ REJECTED - SEE REMARKS

☐ AS REQUESTED

☐ REVISE AND RESUBMIT

☐ RETURN ____ CORRECTED PRINTS

☐ FOR YOUR REVIEW AND COMMENT

☐ _____

REMARKS:

Keith,

Per our telephone conversation, attached is the revised Water Right Permit Application for the Silver Creek Condominium project in Pinehurst. You'll notice that the purposes of the permit are for irrigation and fireflow with the source being groundwater that fills a manmade pond/reservoir.

Please feel free to contact me if you have any questions of require additional information. Thanks.

COPY TO: Highway Construction

FROM: Matt Gillis, P.E.

1626 Lincoln Way, Coeur d'Alene, ID 83814 (208) 664-9382 FAX (208) 664-5946
 E-Mail: mgillis@welchcomer.com

California Business Portal

Secretary of State DEBRA BOWEN

DISCLAIMER: The information displayed here is current as of Mar 9, 2007 and is updated weekly. It is not a complete or certified record of the Limited Partnership or Limited Liability Company.

LP/LLC		
SILVER CREEK CAPITAL MANAGEMENT, LLC		
Number: 200623810431	Date Filed: 8/25/1926	Status: active
Jurisdiction: WASHINGTON		
Address		
1301 FIFTH AVE., 40TH FL.		
SEATTLE, WA 98101		
Agent for Service of Process		
C T CORPORATION SYSTEM (C0168406)		

Blank fields indicate the information is not contained in the computer file.

If the agent for service of process is a corporation, the address of the agent may be requested by ordering a status report. Fees and instructions for ordering a status report are included on the Business Entities Records Order Form.

Idaho Department of Water Resources Receipt

Receipt ID N018166

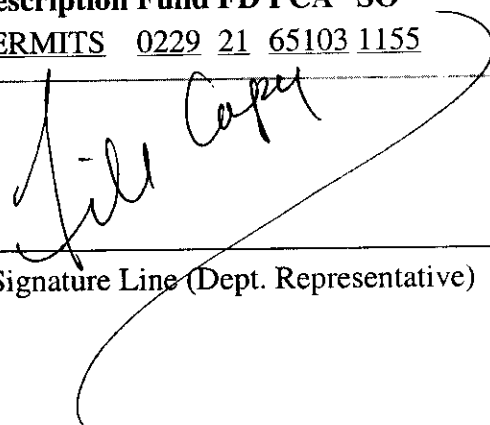
Payment Amount	\$100.00	Date Received	3/5/2007 3:04:02 PM	Region	Northern	Status	
Payment Type	Check	Check Number	27084				

Payer WELCH COMER & ASSOCIATES

Comment WR Permit App Fee for Silver Creek Development LLC

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$100.00	PERMITS	0229	21	65103	1155


Signature Line (Dept. Representative)

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
1	3/2/07	0014319	100.00			100.00
Idaho Department of Water Reso IIB1 1			Totals	100.00		100.00

RECEIVED
MAR 05 2007
IDWR/North