

**STARTING  
LEFT  
SIDE OF  
FILE**

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**

NO. 96-09295

Priority: July 20, 2006

Maximum Diversion Rate: 0.10 CFS

This is to certify, that LODGE HAVEN WATER CO LLC  
612 OLD HOUSE RD  
ATHOL ID 83801

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> |
|-----------------------|----------------------|--------------------------|
| IRRIGATION            | 04/01 to 10/31       | 0.10 CFS                 |
| DOMESTIC              | 01/01 to 12/31       | 0.10 CFS                 |

**LOCATION OF POINT OF DIVERSION:**

GROUND WATER NW¼ SE¼ NW¼ Sec. 35, Twp 54N, Rge 03W, B.M. BONNER County

**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 |        |
| 54N 03W 35     |    |    |    |    |    |    |    | 8.0 |    |    |    |    |    |    |    |    | 8.0    |
| Total Acres: 8 |    |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |        |

**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 |        |
| 54N 03W 35  |    |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |        |

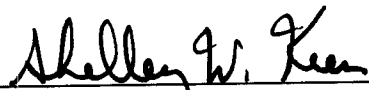
**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2011**.
2. Subject to all prior water rights.
3. Domestic use is for 8 homes. Irrigation of lawn, garden and landscaping associated with the homes is authorized under the irrigation component of this right.
4. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**  
NO. 96-09295

6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.
8. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the management plan approved by the director for the RPGWMA.
9. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.
10. When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 26<sup>th</sup> day of September, 2006.

  
\_\_\_\_\_  
FOR KARL J. DREHER, Director

RECEIVED

SEP 13 2006  
DEPARTMENT OF  
WATER RESOURCES

72961  
STATE OF IDAHO

Ident. No. 96-9295

DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of Applicant Lodge Haven Water Co. LLC. Phone 6830725  
Mailing address 612 Old House Rd., Athol, ID 83801

2. Source of water supply Ground Water which is a tributary of \_\_\_\_\_

3. Location of point of diversion is Township 54N Range 3W Sec. 35, in the NW ¼,  
NESE ¼, NW ¼, Govt. Lot \_\_\_\_\_, B.M., Bonner County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount .10 for Domestic purposes from 1-1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount .10 for irrigation purposes from 4-1 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) .10 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 well to submersible Pump  
to line to homes

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 309.  
350 feet

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

e. If well is already drilled, when? 2006; Drilling firm Brand x Water Wells  
Well was drilled for (well owner) Ken Burch; Drilling Permit No. 839006

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. 8

e. Other; describe fully. \_\_\_\_\_

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RGE | SEC | NE |    |    |    | NW            |    |    |    | SW |    |    |    | SE |    |    |    | TOTALS |
|-----|-----|-----|----|----|----|----|---------------|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE            | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 54N | 36W | 35  |    |    |    |    | <del>SE</del> |    |    | □  |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    | <del>SE</del> |    |    | 8  |    |    |    |    |    |    |    |    | 8      |
|     |     |     |    |    |    |    |               |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |               |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |               |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |               |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |               |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |               |    |    |    |    |    |    |    |    |    |    |    |        |

Total number of acres to be irrigated EIGHT

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? Superior Homes & Development/Lodge Haven Water
- b. Who owns the land to be irrigated or place of use? To be sold
- 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 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.

Lodge Haven Water LLC

By Jan Smith

Signature of Applicant (and title, if applicable)

Received by [Signature] Date 7-20-06 Time 11:28A Preliminary check by \_\_\_\_\_

Fee \$ 100.00 Received by [Signature] # N017762 Date 7-20-06

Publication prepared by [Signature] Date 8/10/06 Published in BC Daily Bee 8/17+24/06

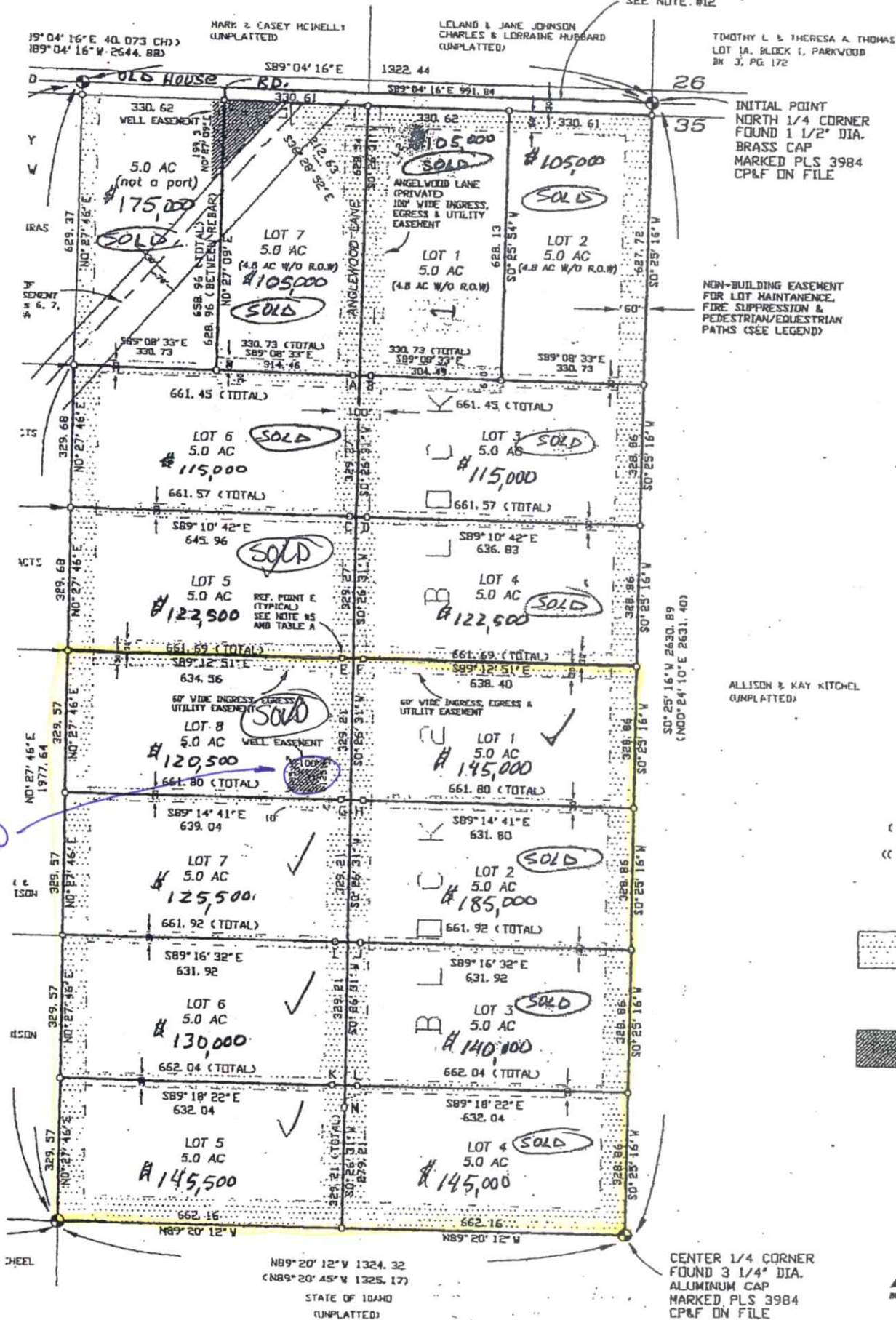
Publication approved [Signature] Date 8/25/06

**LODGE HAVEN RANCH**  
ARTER OF SECTION 35, TOWNSHIP 54 NORTH,  
BONNER COUNTY, IDAHO.

30' WIDE STRIP IS HEREBY  
DEDICATED TO THE PUBLIC  
FOR RIGHT OF WAY PURPOSES  
SEE NOTE #12



SCALE 1" = 200  
TRUE NORTH  
200 100 0 20



## BASIS OF BEARING

THE BEARINGS AS SHOWN HERE  
UPON S89°04'16\"E BETWEEN  
AND THE 1/4 CORNER COMMO  
AND 26 AS SHOWN ON A SURV  
RECORDED JUNE 29, 1999 AT  
RECORDS OF BONNER COUNTY

TABLE A: ON-LINE REFERENCE

| DESIGNATION | DISTANCE<br>LOT COR |
|-------------|---------------------|
| A           | 16.27               |
| B           | 26.24               |
| C           | 15.61               |
| D           | 24.74               |
| E           | 27.12               |
| F           | 23.29               |
| G           | 22.76               |
| H           | 30.00               |
| I           | 30.00               |
| J           | 30.00               |
| K           | 30.00               |
| L           | 30.00               |
| N           | 30.00               |

TABLE B: EASEMENT LINE

| LINE | DISTANCE |      |
|------|----------|------|
| L1   | 50.00    | 30'  |
| L2   | 145.38   | 534' |

## LEGEND

○ SET 5/8\" DIA. X 30\" LONG  
YELLOW PLASTIC CAP MARK

⊙ MONUMENTATION AS NOTED

( ) BEARING & DISTANCE PER R

(( )) BEARING & DISTANCE PER R

EXTENT OF 60' WIDE EASEMENT  
EGRESS AND UTILITIES DISC  
NO. 620199, SEE NOTE #13D.

NON-BUILDING EASEMENT FOR  
FIRE SUPPRESSION & PEDES  
PATHS AS DESCRIBED IN TH  
AT INST. NO.  
OTHERWISE NOTED ARE IN A  
USES.

WELL EASEMENT  
IN FAVOR OF SUPERIOR  
DEVELOPMENT INC. AND  
KENNETH BURCH

OWNER:  
KEN BURCH  
612 OLD HOUSE ROAD  
ATHOL, ID 83801

## PROJECT REPRESENTATIVE

**W**  
BURCH PLATING  
NORTHWEST  
P.O. BOX 580 PO  
(208) 265-5511

CENTER 1/4 CORNER  
FOUND 3 1/4\" DIA.  
ALUMINUM CAP  
MARKED PLS 3984  
CP&F ON FILE

# 96-9295



-  Bonner taxlots
-  GCDB54N03W GCDB
-  GCDB53N03W GCDB
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp



**NOW  
STARTING  
RIGHT  
SIDE OF  
FILE**



State of Idaho

## DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

JAMES E. RISCH  
Governor

KARL J. DREHER  
Director

September 26, 2006

LODGE HAVEN WATER CO LLC  
612 OLD HOUSE RD  
ATHOL ID 83801

RE: Permit No. 96-9295

### 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.

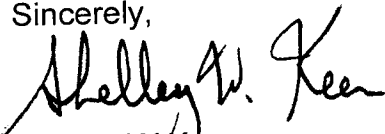
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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 a 208-287-4947.

Sincerely,



Shelley W Keen  
Water Rights Supervisor

SWK:ka

Enclosure(s)

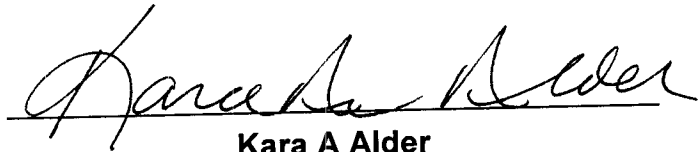
## **CERTIFICATE OF SERVICE**

I hereby certify that on September 28, 2006 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

**RE: WATER RIGHT NO.**

**96-9295**

**LODGE HAVEN WATER CO LLC  
612 OLD HOUSE RD  
ATHOL ID 83801**

A handwritten signature in black ink, appearing to read "Kara A Alder", is written over a horizontal line.

**Kara A Alder  
Secretary**

**EXPLANATORY INFORMATION  
TO ACCOMPANY A  
PRELIMINARY ORDER**

(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. 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.

AFFIDAVIT OF PUBLICATION

RECEIVED  
AUG 25 2006  
IDWR/North

STATE OF IDAHO )  
 ) ss.  
County of Bonner )

Sheryl Jones, being first duly sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached Notice of App  
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the Bookkeeper of the Bonner County Daily Bee, a newspaper of general publication in Bonner County, Idaho;

3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 2 consecutive weeks, commencing on the 17 day of Aug, 2006 and ending on the 24 day of Aug, 2006.

Sheryl Jones

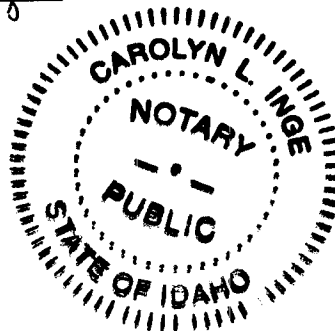
SUBSCRIBED AND SWORN to before me, the undersigned Notary Public, this 24 day of Aug, 2006.

Carolyn L. Inge

Notary Public

Residing at: Sandpoint

Comm. Exp.: 8/12



RECEIVED  
AUG 25 2006  
IDWR/North

**LEGAL NOTICE**

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

96-9295

LODGE HAVEN WATER CO LLC

612 OLD HOUSE RD

ATHOL ID 83801

Point(s) of Diversion NWSNW S35 T54N R03W BONNER County

Source GROUND WATER

Use:IRRIGATION 04/01 To 10/31 0.1 CFS

Use:DOMESTIC 01/01 To 12/31 0.1 CFS

Total Diversion: 0.1 CFS

Date Filed: 07/20/2006

Place Of Use: DOMESTIC - T54N R03W S35 SENW

Place Of Use: IRRIGATION same as DOMESTIC

Number of Acres 8

Remark: Domestic use is for 8 homes

96-9296

LODGE HAVEN WATER CO LLC

612 OLD HOUSE RD

ATHOL ID 83801

Point(s) of Diversion NWNENW S35 T54N R03W BONNER County

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Place Of Use: IRRIGATION same as DOMESTIC

Number of Acres 8

Remark: Domestic use is for 8 homes.

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

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 09/05/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Legal SNP# 8037

August 17 and 24, 2006

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

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Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 09/05/2006.

The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published on August 17 and 24, 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450 FAX: (208) 769-1454 [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

JAMES E. RISCH  
Governor

KARL J. DREHER  
Director

August 10, 2006

SHERI JONES  
LEGAL NOTICE DEPARTMENT  
BONNER COUNTY DAILY BEE  
PO BOX 159  
SANDPOINT ID 83864

RE: Application for Permit No. 96-9295 and 96-9296

*Please FAX proof copy before this goes to press, to 769-1454  
Thanks, Dianne*

**Dear Sheri:**

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, August 17 and 24, 2006, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 09/05/2006. Your cooperation is always greatly appreciated.

Thank you,

Sincerely

*Dianne*

Dianne Ball  
Administrative Assistant

**Ball, Dianne**

---

**From:** Ball, Dianne  
**Sent:** Thursday, August 10, 2006 11:38 AM  
**To:** Legal Notices-Bonner Co Daily Bee (E-mail)  
**Subject:** Legal notice for publication on 8/17 and 8/24/06

Good morning, Sheri,

I'm attaching my cover letter requesting publication of a legal notice - on August 17 and 24, 2006. The legal notice is also attached.

If you have ANY questions, please call me at 208-769-1450.

PLEASE FAX A PROOF BEFORE THIS GOES TO PRESS to 208-769-1454.

Thanks very much for ALL your good help. It's always super to work with you.

Have a wonderful day,

*Love is the holding of memories only the heart can see. Dianne*

Dianne Ball  
Administrative Assistant  
Idaho Dept of Water Resources  
1910 Northwest Blvd., Suite 210  
Coeur d'Alene, ID 83814  
Phone (208)769-1450 FAX (208)769-1454



CoverLetter  
8-10-06 BCDB 96-9.



LegalNotice  
8-10-06 BCDB 96-9.



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

August 10, 2006

JAMES E. RISCH  
Governor

KARL J. DREHER  
Director

LODGE HAVEN WATER CO LLC  
612 OLD HOUSE RD  
ATHOL ID 83801

RE: Applications for Permits No 96-9295 and 96-9296

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 Bonner County Daily Bee on August 17 and 24, 2006. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

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

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

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

Sincerely,

Keith E. Franklin  
Water Resource Agent

IDAHO DEPARTMENT OF WATER RESOURCES  
**WELL DRILLER'S REPORT**

| Office Use Only |     |       |   |
|-----------------|-----|-------|---|
| Well ID No.     |     |       |   |
| Inspected by    |     |       |   |
| Twp             | Rge | Sec   |   |
| 1/4             | 1/4 | 1/4   |   |
| Lat:            | :   | Long: | : |

1. WELL TAG NO. D 40725  
 DRILLING PERMIT NO. 839006  
 Water Right or Injection Well No. \_\_\_\_\_

2. OWNER:  
 Name KEN BURCH  
 Address 602 Old House Rd  
 City ATHOL State \_\_\_\_\_ Zip 83858

3. LOCATION OF WELL by legal description:

You must provide address or Lot, Blk, Sub. or Directions to well.

Twp. 54 North ☒ or South ☐  
 Rge. 3 East ☒ or West ☒  
 Sec. 35 NE 1/4 NW 1/4 SE 1/4 SW 1/4  
 Gov't Lot \_\_\_\_\_ County BANNER  
 Lat: \_\_\_\_\_ Long: \_\_\_\_\_  
 Address of Well Site SAME AS ABOVE  
 City ATHOL  
 (Give at least name of road - Distance to Road or Landmark)  
 Lt. \_\_\_\_\_ Blk. \_\_\_\_\_ Sub. Name \_\_\_\_\_

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation  
☐ Thermal ☐ Injection ☐ Other \_\_\_\_\_

5. TYPE OF WORK check all that apply (Replacement etc.)  
☒ New Well ☐ Modify ☐ Abandonment ☐ Other \_\_\_\_\_

6. DRILL METHOD:

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other \_\_\_\_\_

7. SEALING PROCEDURES

| Seal Material | From | To | Weight / Volume | Seal Placement Method |
|---------------|------|----|-----------------|-----------------------|
| BENTONITE     | 0    | 24 | 350 LBS         | TEMP 8"               |

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 259  
 Was drive shoe seal tested? ☐ Y ☒ N How? \_\_\_\_\_

8. CASING/LINER:

| Diameter | From | To  | Gauge | Material | Casing                              | Liner                    | Welded                              | Threaded                 |
|----------|------|-----|-------|----------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| 6"       | 1    | 259 | 250   | STEEL    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Length of Headpipe ✓ Length of Tailpipe ✓  
 Packer ☐ Y ☒ N Type \_\_\_\_\_

9. PERFORATIONS/SCREENS PACKER TYPE

Perforation Method FACTORY AIR PERFORATOR  
 Screen Type & Method of Installation NONE

| From | To  | Slot Size | Number | Diameter | Material | Casing                              | Liner                    |
|------|-----|-----------|--------|----------|----------|-------------------------------------|--------------------------|
| 223  | 238 | 1" x 3/8" | 100    | 6        | STEEL    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 241  | 251 | 1" x 3/8" | 130    | 6        | "        | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

10. FILTER PACK

| Filter Material | From | To | Weight / Volume | Placement Method |
|-----------------|------|----|-----------------|------------------|
| <u>X</u>        |      |    |                 |                  |

11. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

216 ft. below ground 216 Artesian pressure 0 lb.  
 Depth flow encountered 260 ft. Describe access port or control devices:  
STEEL PLATE

12. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

| Yield gal./min. | Drawdown | Pumping Level | Time  |
|-----------------|----------|---------------|-------|
| 147             | UNKNOWN  | 260           | 8 HRS |

Water Temp. COLD Bottom hole temp. COLD  
 Water Quality test or comments: good

Depth first Water Encounter 216

13. LITHOLOGIC LOG: (Describe repairs or abandonment)

| Bore Dia. | From | To  | Remarks: Lithology, Water Quality & Temperature | Water |
|-----------|------|-----|-------------------------------------------------|-------|
| 8         | 0    | 6   | CLAY                                            |       |
|           | 6    | 14  | " + GRAVEL                                      |       |
|           | 14   | 21  | BOULDER                                         |       |
| 6         | 21   | 135 | CLAY + GRAVEL DAMP                              |       |
|           | 135  | 201 | GRAVEL + COARSE SAND                            |       |
|           | 201  | 216 | " + CLAY                                        |       |
|           | 216  | 256 | GRAVEL - WATER                                  | X     |
|           | 256  | 260 | GRANITE BOULDERS                                | X     |
|           | 260  | 302 | "                                               | X     |

RECEIVED

MAY 16 2006

IDWR/North

Completed Depth 270 + (Measurable)  
 Date: Started 4/19/06 Completed 5/5/06

14. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name BRAND X WATER WELLS Firm No. 189  
 Principal Driller Linden Cowden Date 5/2/06  
 and  
 Driller or Operator II \_\_\_\_\_ Date \_\_\_\_\_  
 Operator I \_\_\_\_\_ Date \_\_\_\_\_  
 Principal Driller and Rig Operator Required.  
 Operator I must have signature of Driller/Operator II.

FORWARD WHITE COPY TO WATER RESOURCES



# ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

FILED EFFECTIVE  
RECEIVED

2005 DEC 23 AM 8:55  
DOL. S. G. RAEON

1. The name of the limited liability company is:

Lodge Haven Water Company LLC

SECRETARY OF STATE  
STATE OF IDAHO

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

612 Old House Rd., Athol, Idaho 83801

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

Kenneth R. Burch

3. The mailing address for future correspondence is:

612 Old House Rd., Athol, Idaho 83801

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

Kenneth R. Burch

612 Old House Rd., Athol, Idaho 83801

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

Signature: Kenneth R. Burch

Typed Name: Kenneth R. Burch

Capacity: Manager

Signature \_\_\_\_\_

Typed Name: \_\_\_\_\_

Capacity: \_\_\_\_\_

Secretary of State use only

W45778

IDAHO SECRETARY OF STATE  
12/23/2005 05:00  
CK: 4368 CT: 195256 BH: 928367  
1 @ 100.00 = 100.00 ORGAN LLC # 2



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

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**JAMES E. RISCH**  
Governor

**KARL J. DREHER**  
Director

July 24, 2006

LODGE HAVEN WATE CO LLC  
612 OLD HOUSE RD  
ATHOL IDAHO 83801

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

Gentlemen:

The Idaho State Department of Water Resources is in receipt of your applications and need some additional information before processing can begin. Please supply the Department with a copy of Lodge Haven Water Company, LLC's articles of formation that lists the officers, their titles, addresses and telephone numbers. Also, on the application you omitted the part that asked for a "time required for completion of works and application of water to proposed beneficial use". You have one to five years by which to have your system in place and working. Let me know how many years it will take to complete your proposal so I can enter it on the applications.

The two wells you have designated as the points of diversions were originally permitted for domestic use only, which generally is for a single-family residence. For your proposal, the permitting fee for each well will need to be upgraded. Fees of \$150.00 have already been paid and the additional upgrade fee for each well will be \$125.00, making a grand total owing the Department of \$250.00. Please make checks out to the Idaho Department of Water Resources or IDWR.

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

Thank you.

Sincerely,

Keith E. Franklin  
Water Resources Agent

**C O P Y**