

SECTION 17
SECTION 16

DRILL ZONE
GOVT LOT 2

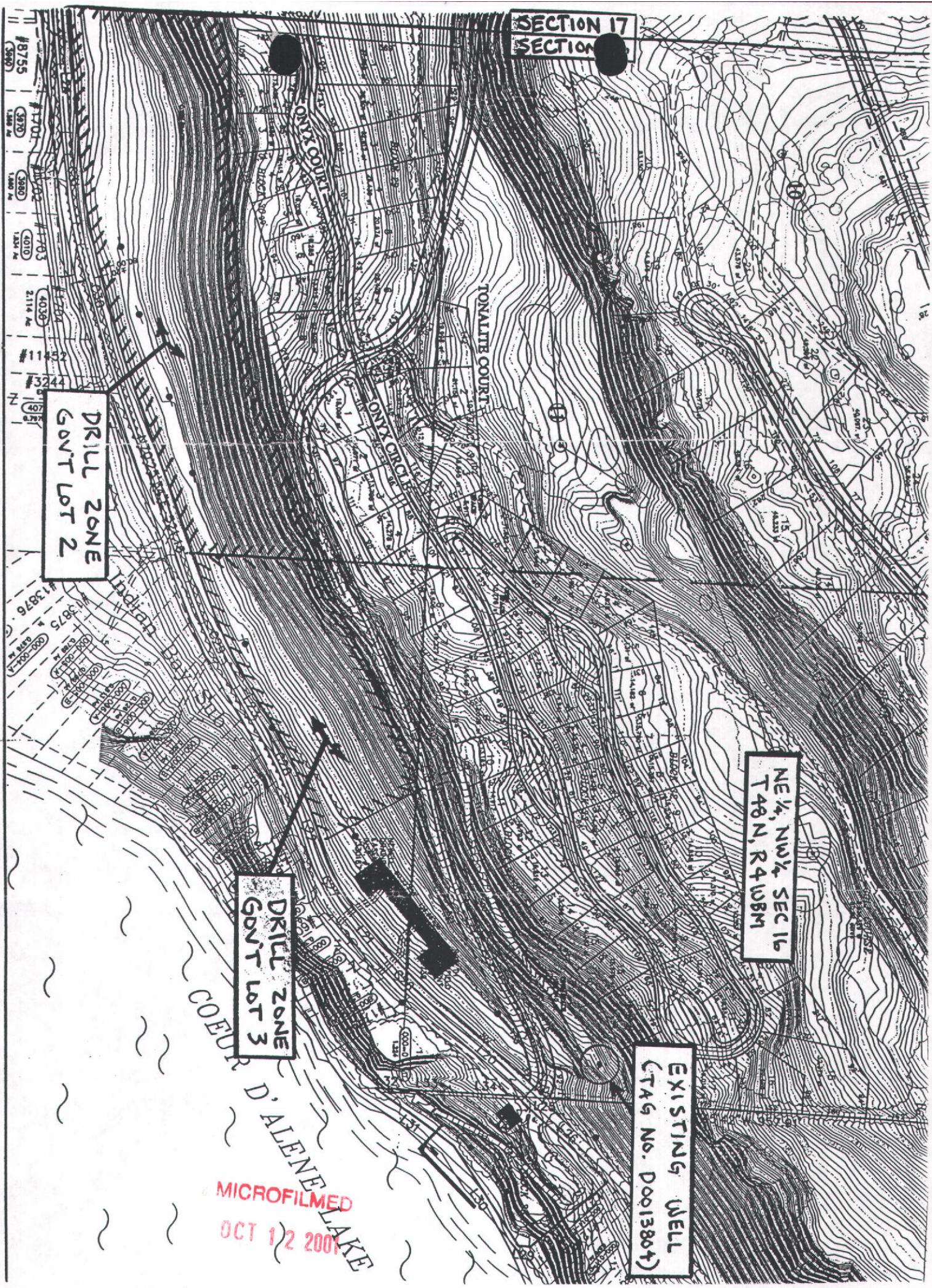
DRILL ZONE
GOVT LOT 3

NE 1/4, NW 1/4 SEC 16
T40N, R40BM

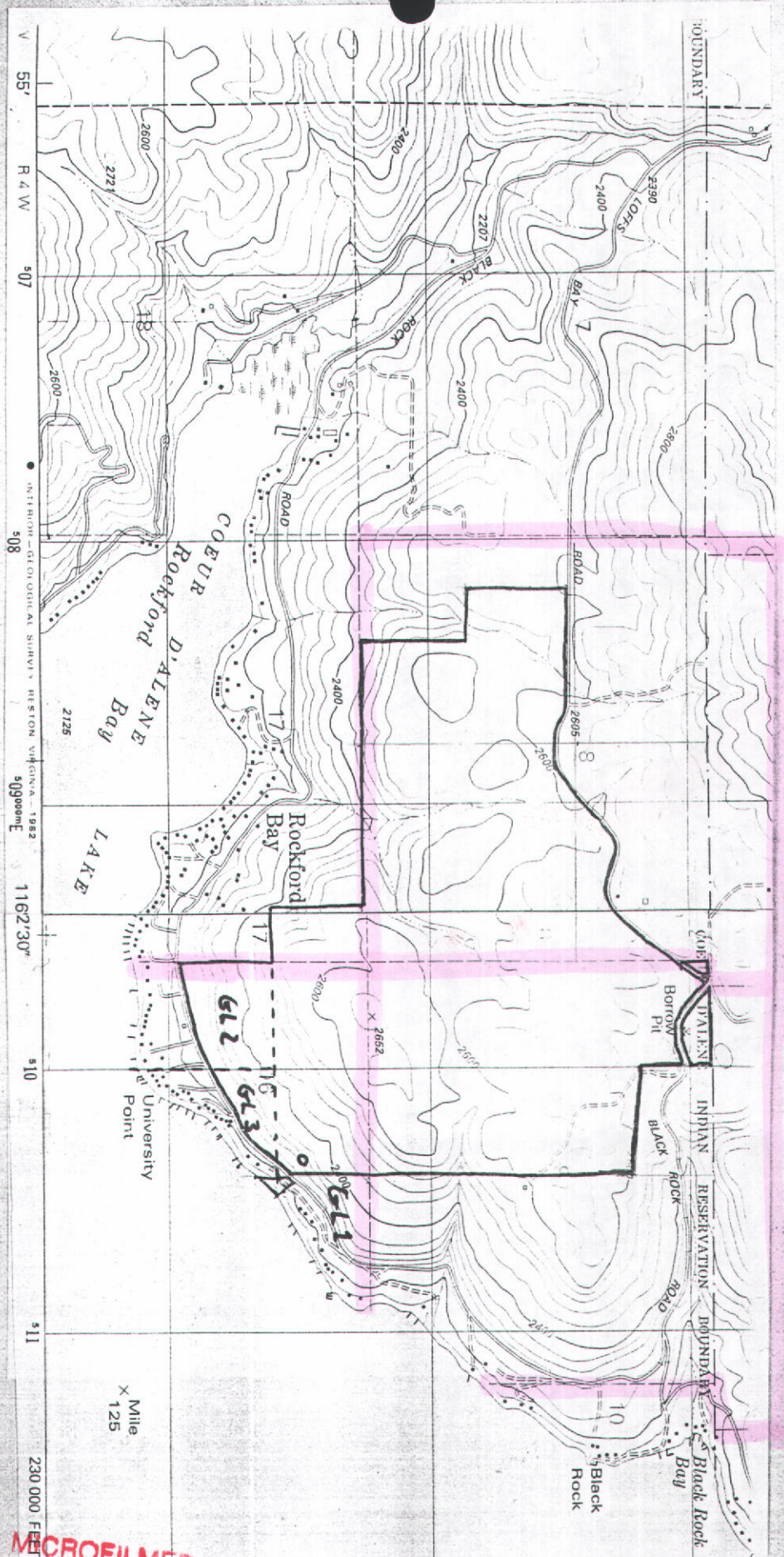
EXISTING WELL
(TAG No. D0013804)

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OCT 12 2001

COEUR D'ALENE LAKE

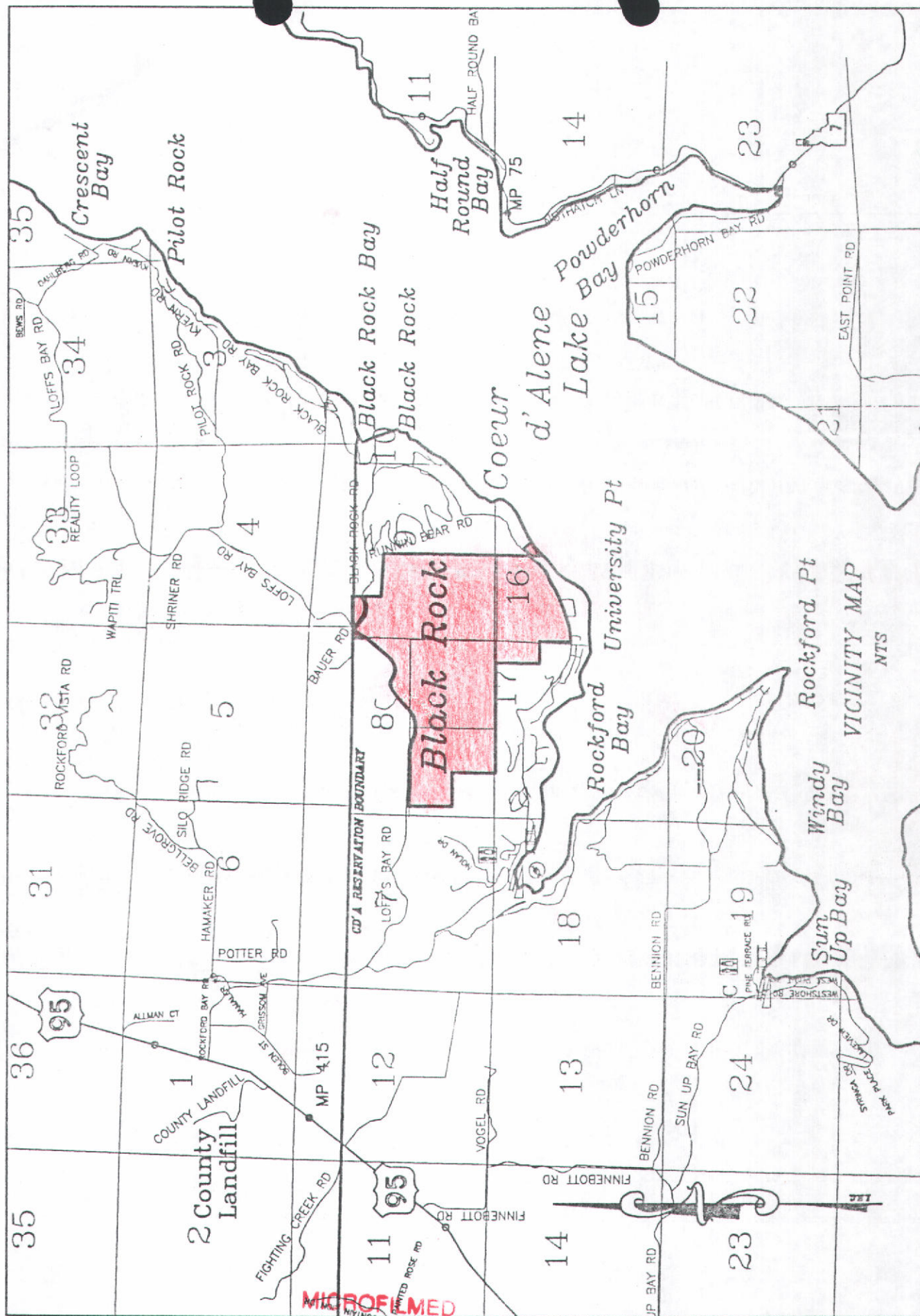


CAG INVESTMENT
 Portions of Sections 8, 9, 16 + 17,
 T. 48 N., R. 4 W., B. M.,
 Kootenai County, Idaho



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OCT 12 2001



OCT 12 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09055

Priority: 11/13/2000

Maximum Diversion Rate: 1.00 CFS

This is to certify, that CAG INVESTMENTS LLC
210 SHERMAN AVE STE 117
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>
MUNICIPAL	01/01 to 12/31	1.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 16, Twp 48N, Rge 04W, B.M.	KOOTENAI County
GROUND WATER	L2 SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 16, Twp 48N, Rge 04W, B.M.	KOOTENAI County
GROUND WATER	L2 SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 16, Twp 48N, Rge 04W, B.M.	KOOTENAI County
GROUND WATER	L2 SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 16, Twp 48N, Rge 04W, B.M.	KOOTENAI County
GROUND WATER	L3 SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 16, Twp 48N, Rge 04W, B.M.	KOOTENAI County
GROUND WATER	L3 SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 16, Twp 48N, Rge 04W, B.M.	KOOTENAI County
GROUND WATER	L3 SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 16, Twp 48N, Rge 04W, B.M.	KOOTENAI County

PLACE OF USE: MUNICIPAL

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 04W 8			X	X					X	X		X	X	X	X	X	
48N 04W 9					X	X	X	X	X	X	X	X					
48N 04W 16		X			X	X	X	X									
48N 04W 17	X																

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 1, 2006**.
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 permit holder had no control.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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Scan from this point down.

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09055

CONDITIONS OF APPROVAL

7. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 8th day of August, 2001.

Karl J. Dreher
for
KARL J DREHER, Director

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant CAG Investments, LLC Phone 208-676-8696
Mailing address 210 Sherman Ave, Suite 117, 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 48N Range 4W Sec. 16, in the NE 1/4, NW 1/4, Gov't Lot , B.M., Kootenai County;
additional points of diversion if any: T48N, R4W, S1/4, Sec. 16 in Gov't lot 2
T48N, R4W, S1/4, Sec. 16 in Gov't Lot 3
4. Water will be used for the following purposes:
Amount 1cfs for municipal purposes from Jan 1 to Dec 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)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 1.0 cfs and/or (b)
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source groundwater wells in
up to seven locations to be pumped
 - b. Height of storage dam 8 feet; active reservoir capacity 1 acre-feet; total
reservoir capacity 1 acre-feet
 - c. Proposed well diameter is 10 inches; proposed depth of well is 400 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? Sept 00; Drilling firm United Drilling
Well was drilled for (well owner) CAG Investment, LLC; Drilling Permit No. Tag #D0013804
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. Club at Black Rock (PWS #1280290)
 - d. Domestic; show number of households. 381
 - e. Other; describe fully. Golf Course Clubhouse, Potable Service to Course Restrooms,
Potable service to equestrian center, potable service to maintenance
building, sales office, potable service to fire station, subdivision
recreation areas.

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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
48N	4W	8	D	D	D	D					D	D	D	D	D	D	D	D	
48N	4W	9					D	D	D	D									
48N	4W	16	D				D	D	D	D									
48N	4W	17	D																

Place of use is -
w/in the river
area of the
applicant

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. IDWR Permit #95-09045

11. a. Who owns the property at the point of diversion? CAG Investment, LLC (applicant)

b. Who owns the land to be irrigated or place of use? CAG Investment, LLC (applicant)

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 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.

Signature of Applicant (and title, if applicable)

AUTHORIZED AGENT

Preliminary check by

Time 2:40p

Date 11/13/00

Received by

Fee \$ 250.00

Publication prepared by

Date 1/10/01

Date 1/26/01

Published in CPA 11/18-35/01

Publication approved by

D

Date 11/13/00

NO14040

INLAND NORTHWEST CONSULTANTS

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OCT 12 2001

LIMITED POWER OF ATTORNEY

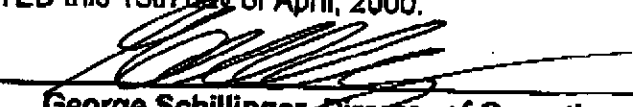
KNOW ALL MEN by these presents that I, **George Schillinger, Director of Operations for CAG Investments, L.L.C.**, the undersigned, hereby make constitute and appoint **Inland Northwest Consultants, P.A.**, to act for me in my name, place and stead, for the purpose of:

Application and permitting processes dealing with water appropriation and the Idaho Department of Water Resources.

Subject to the foregoing limitations, I hereby grant full power and authority to **Inland Northwest Consultants, P.A.**, as my attorney in fact to sign all necessary documents pertaining to the IDWR application and permitting processes made in and by **CAG Investments, L.L.C.**

This Limited Power of Attorney shall terminate on 4-10-2002

DATED this 13th day of April, 2000.

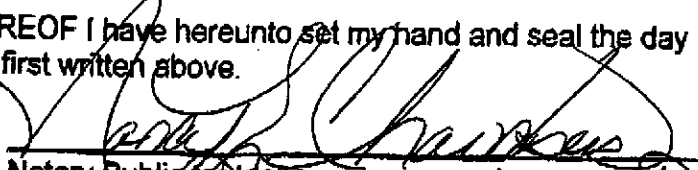

George Schillinger, Director of Operations/CAG Investments, L.L.C.

STATE OF IDAHO)
 : ss.
County of Kootenai)

On this 13th day of April, 2000, before me, Nancy E. Chambers, a Notary Public for the State of Idaho, personally appeared George Schillinger, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and seal the day and year in this certificate first written above.

◆◆◆◆◆
◆ NANCY E. CHAMBERS ◆
◆ NOTARY PUBLIC ◆
◆ STATE OF IDAHO ◆
◆◆◆◆◆


Notary Public for Idaho
Residing in: Edward's Fork, ID
Commission Expires: 10-31-2003

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SECTION 17
SECTION 16

DRILL ZONE
GOVT LOT 2

NE 1/4, NW 1/4, SEC 16
T40N, R41W

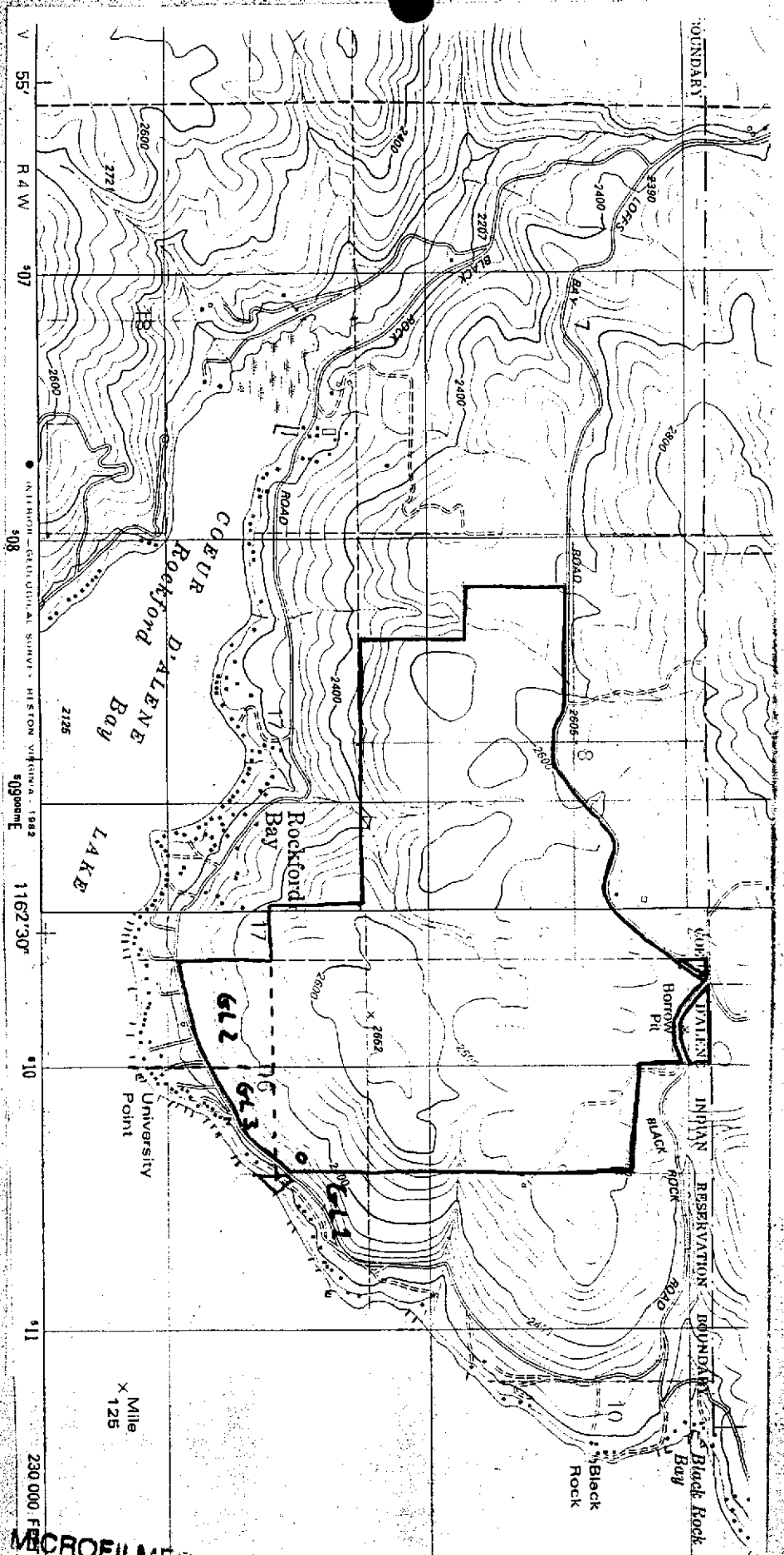
EXISTING WELL
(TAG NO. D0013804)

DRILL ZONE
GOVT LOT 3

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OCT 12 2001

COEUR D'ALENE LAKE

CAG INVESTMENT
 Portions of Sections 8, 9, 16 + 17,
 T. 48 N., R. 4 W., B. M.,
 Kootenai County, Idaho



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OCT 12 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 9, 2001

CAG INVESTMENTS LLC
210 SHERMAN AVE STE 117
COEUR D ALENE ID 83814

RE: Permit No. 95-9055

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.

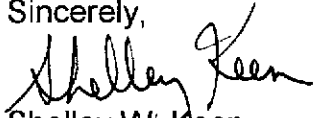
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*Scan from
the permit doc.*

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 208-327-7946.

Sincerely,



Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

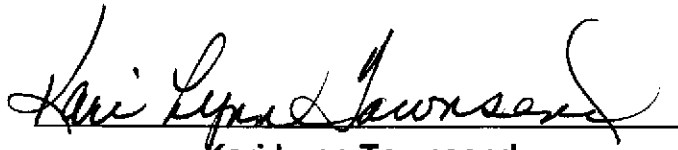
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CERTIFICATE OF MAILING

I hereby certify that on August 9, 2001 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. 95-9055

**CAG INVESTMENTS LLC
210 SHERMAN AVE STE 117
COEUR D ALENE ID 83814**


Kari Lynn Townsend
Secretary

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OCT 12 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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 Idaho Water Resource Board (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).

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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

To: File 95-9055

From: Sharla

Date: July 25, 2001

Re: Points of Diversion

On this date, I spoke with Al Beardslee concerning the points of diversion listed on this application. Three $\frac{1}{4}\frac{1}{4}$ descriptions are given, however, under item 6A, seven wells are mentioned. Al confirmed that seven wells are proposed and it was decided that three points of diversion within each of the two "drill zones" highlighted on the map attached to the application should be permitted. Al does not feel the application needs to be re-advertised.

The applicant is a development company which does not serve as a typical water provider with a service area. This application is for a specific development and the place of use to be covered by the municipal permit was listed by $\frac{1}{4}\frac{1}{4}$. Therefore, the permit will be issued with the place of use spelled out like the application instead of with a general remark allowing the use within a service area.

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APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS
Reviewed by Sharla Curtis on 7/24/01

No. 95-9055 Name: CAG Corp. Officers ☒ Ad ok ☒ Govt Lots

AREA OF CONCERN: No/Yes ☐ ~~Moratorium~~ ☒ ~~GWMA~~ ☒ ~~TRUST/NON-TRUST~~

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMB~~
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
Trust - 051 (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

BENEFICIAL USE DUE: 8, 01, 2006

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
> 1 yr - 26A
Owners tip - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WB

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL

Restricted area - 022,075 95-9045
Irr., GW supp to SW - 102
Future needs - 007,109
FISH PROP - 029 (70's only)-007-042-106
DOMESTIC
Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
>1 in restricted area - 070-071-075 (no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON _____ (Per updated map)

IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS M/ within service area of CAG Investments, LLC.

COMMENTS _____

**IDHO DEPARTMENT OF WATER RESOURCES
APPROXIMATION APPLICATION ANALYSIS SHEET**

WRB
BCA

APPLICATION # 95-9055

..... INITIAL REVIEW

APPLICANT: CAG Investment

BY: TR

DATE: 11/13/00

ITEM REQUIRED INFORMATION

PROCESSING

(Yes) (No) PRIORITY DATE: 11/13/00

X (Include Moratorium Remark)

X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: ROOSEVELT County

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: N/A

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: N/A

1. (X) Name and Address
2. (X) Source
3. (X) Point of Diversion & County
4. (X) Quantity
- (X) Nature of Proposed Use
- (X) Period of Use
5. (X) Total Quantity
6. (X) Description of diverting works
7. (X) Time required for b/u
8. (X) Proposed use
9. (X) Place of use or acres irrigated
10. (X) Other water Rights
11. (X) Ownership
12. (X) Map
- (X) Signature
- (X) Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y() N()

ADDITIONAL INFORMATION

(Yes) (No)

- X Field check: by _____
- Field report attached _____
- Analysis Supp. attached(>5cfs/500af) _____
- Water delivered by water master? _____
- Water District # _____

GROUNDWATER SECTION

WD Permit No.'s:	TAG #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()

- _____ Groundwater management area
- _____ Critical ground water area
- _____ Well Drilling Permit required
- _____ Well Drilling Application and Fees received
- _____ Well Drilling Application approved?

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- ✓ Notice of pending void order issued. Final order response date: 1/1/01
- ✓ Further information required from applicant
- 1/26 Affidavit of publication received
- 1/26 Application published correctly. If not, record action taken: _____
- 1/10/01 Publication dates and paper recorded on application | Sr. Agent initial _____
- ✓ Protests received, Final protest date: 2/5/01
- ✓ Measuring device required
- ✓ Measuring port required
- ✓ Special conditions:
- ✓ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: RMA

Date: 5/24/01

AFFIDAVIT OF PUBLICATION

RECEIVED
JAN 26 2001
IDWR/North

STATE OF IDAHO,
County of Kootenai

ss,

Jennifer Standridge

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 *18* day of *January*, 2001, and ending on the *25* day of *January*, 2001, 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.

Subscribed and sworn to before me this

25 day of *January*, 2001

Regina Mason

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/03

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:
95-9055

CAG INVESTMENT'S LLC

210 SHERMAN AVE., SUITE 117

COEUR D'ALENE ID 83814

Source & Diversion Pt.

NENW

Sec 16

T 48N

R 04W

in KOOTENAI County

Source GROUND WATER

Source & Diversion Pt.

SWNW

Sec 16

T 48N

R 04W

in KOOTENAI County

Source GROUND WATER

Source & Diversion Pt.

SENW

Sec 16

T 48N

R 04W

in KOOTENAI County

Source GROUND WATER

Use: MUNICIPAL (

01/01 To 12/31

1 CFS

)

Total Diversion: (1 CFS)

Date Filed: 11/13/2000

PLACE OF USE: MUNICIPAL use is within the service area of the applicant.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 12-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, 1910 Northwest Blvd., Suite 210, Coeur d'Alene ID 83814, together with a protest fee of \$25.00 for each application on or before 02/05/2001. The protestant must also send a copy of the protest to the applicant.

The Following applicant(s) have been filed to appropriate the public waters of the State of Idaho:
95-9056

RON GITTEL

3004 5th

Coeur d'Alene ID 83815

Source & Diversion Pt.

SENE

Sec 18

T 49N

R 04W

in KOOTENAI County

Source COEUR D'ALENE LAKE

Use: DOMESTIC (

01/01 To 12/31

0.04 CFS

)

Total Diversion: (

004 CFS

)

Date Filed: 01/12/2001

PLACE OF USE: DOMESTIC

Twp 49N Rge 04W Sec 18 SENE

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 12-203A, 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 02/05/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER

Director

Legal 364

Jan 18, 25, 2001

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

01/10/2001

Coeur D Alene Press
Legal Notices Department
201 N Second
Coeur d'Alene ID 83814

RE: Application for Permit No 95-9055

Dear Legal Notice Department:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (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 February 5, 2001. Your cooperation is appreciated.

Sincerely,

Dianne Ball
Administrative Assistant

MICROFILMED
OCT 12 2001

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

95-9055

CAG INVESTMENTS LLC
210 SHERMAN AVE., SUITE 117
COEUR D ALENE ID 83814

Source & Diversion Pt	NENW	Sec 16	T 48N	R 04W	in KOOTENAI County	Source GROUND WATER
Source & Diversion Pt	SWNW	Sec 16	T 48N	R 04W	in KOOTENAI County	Source GROUND WATER
Source & Diversion Pt	SENW	Sec 16	T 48N	R 04W	in KOOTENAI County	Source GROUND WATER
Use: MUNICIPAL	(	01/01 To 12/31		1 CFS	)	
Total Diversion: (1 CFS)						
Date Filed:	11/13/2000					

PLACE OF USE: MUNICIPAL use is within the service area of the applicant.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 12-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, 1910 Northwest Blvd., Suite 210, Coeur d'Alene ID 83814, together with a protest fee of \$25.00 for each application on or before 02/05/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

Published on January 18 and 25, 2001

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OCT 12 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 10, 2001

CAG INVESTMENTS LLC
210 SHERMAN AVE, SUITE 117
COEUR D ALENE ID 83814

RE: Application for Permit No 95-9055

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. Enclosed is Receipt No. N014040 in the amount of \$250.00, for your records.

A legal notice of the application has been prepared and is scheduled for publication in the Coeur d'Alene Press on January 18 and 25, 2001. 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 ten weeks.

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

Sincerely,

Allen Beardslee
Senior Water Resource Agent

Enclosure - Receipt in amount of \$250.00

cc: Inland Northwest Consultants, 620 N Post, Post Falls ID 83854

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OCT 12 2001

Inland Northwest Consultants
ENGINEERS • SURVEYORS • PLANNERS

November 9, 2000

RECEIVED
NOV 13 2000
IDWR/North

Allen Beardslee
Sr. Water Resource Agent
Idaho Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur D' Alene, ID 83814

Re: Water Appropriation Permit – CAG Investments, LLC

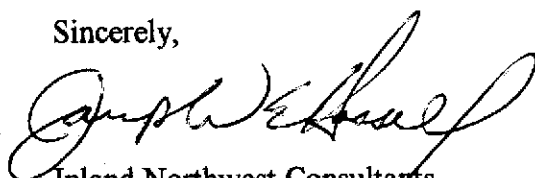
Dear Allen,

Re-transmitted is an application for permit for groundwater source development for the above referenced project. We have included the information you requested in your letter dated October 24, 2000 including a \$250 check for the application fee.

CAG Investments, LLC is a limited liability company and therefore has no "Corporate Officers". Marshall Chesrown is the sole "Managing Member". Inquiries to Marshall regarding the application should be directed through our office, as we are his authorized representatives for this submittal.

Thank you for your further consideration of this application.

Sincerely,



Inland Northwest Consultants
Joseph E. Hassell, PE/PLS

Enclosure

Cc: CAG Investments, LLC
File

JEH:bdn

MICROFILMED

OCT 12 2001

October 24, 2000

CAG Investment, LLC
PO Box 3070
Coeur d'Alene ID 83816

RE: Application for Permit

Dear CAG Investment, LLC:

We are returning your Application for Permit for more information, as it is not acceptable at this time.

The maps that were submitted with the Application for Permit do not clearly show section lines and corners. Please mark the enclosed USGS topographical map both where the wells will be located and outline where the water will be used.

In order for us to accept this filing as "municipal use", we will need your Public Water Supply Number from the Idaho Department of Health and Welfare, Division of Environmental Quality.

We will also need a list of the Corporate Officers and the Application for Permit needs to be signed.

If you have any questions, or if I can be of further assistance, please feel free to contact me at this office.

Sincerely,

Allen Beardslee
Sr. Water Resource Agent

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OCT 12 2001