

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-09035

Priority: October 29, 1999

Maximum Diversion Rate:

0.20 CFS

This is to certify, that **MIDAS WATER ASSN**

822 GARFIELD BAY RD

SAGLE ID 83860

has applied for a permit to appropriate water from: **GROUNDWATER**

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	0.13 CFS
DOMESTIC	01/01 to 12/31	0.20 CFS
	Totals	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 21, Township 56N, Range 01W
BONNER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
56N	01W	21	NWNE 0.5	SWNE 4.0	SENE 0.5	
			NESE 1.0	NWSE 0.5		6.5

Total number of acres irrigated:

6.5

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before **February 1, 2005**.
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. 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.
6. The issuance of this right does not grant any right-of-way or easement across the land of another.

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JAN 31 2001

State of Idaho
Department of Water Resources

Permit To Appropriate Water

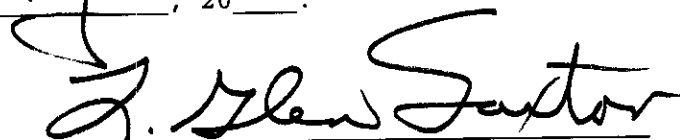
NO. 96-09035

CONDITIONS OF APPROVAL AND REMARKS

7. 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.
8. Domestic use is for 24 homes and does not include lawn, garden, landscape, or other types of irrigation.

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

24th day of January, 2000.


for Karl J. Dreher, Director

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JAN 31 2001

RECEIVED

JAN 18 2000

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 Midas Water Association Phone (208) 265-4609
Mailing address 822 Garfield Bay Road, Sagle, Idaho 83860
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 56N Range 1W Sec. 21, in the _____ 1/4,
SW 1/4, NE 1/4, Govt. Lot _____, B.M., Bonner County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | |
|---|
| Amount <u>0.20</u> for <u>Domestic</u> purposes from <u>Jan. 1</u> to <u>Dec. 31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount <u>0.13</u> for <u>IRRIGATION</u> purposes from <u>3/15</u> to <u>11/5</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) |
5. Total quantity to be appropriated is (a) 0.20 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 + Pump
- 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 60 feet
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. Midas Water Association
- d. Domestic; show number of households. 24 Households
- e. Other; describe fully. _____

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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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56	1W	21		D .5	D 40	D .5									D 1	D .5			

Total number of acres to be irrigated 6.5

10. Describe any other water rights used for the same purposes as described above. May be an existing water right on spring

11. a. Who owns the property at the point of diversion? Midas Water Association

b. Who owns the land to be irrigated or place of use? Individual H

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

12. Remarks: JERRY LUTASER - PRES.

DOROTHY SWENSEN SEC. / TRES.

MIKE SUTTON V.P.

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.

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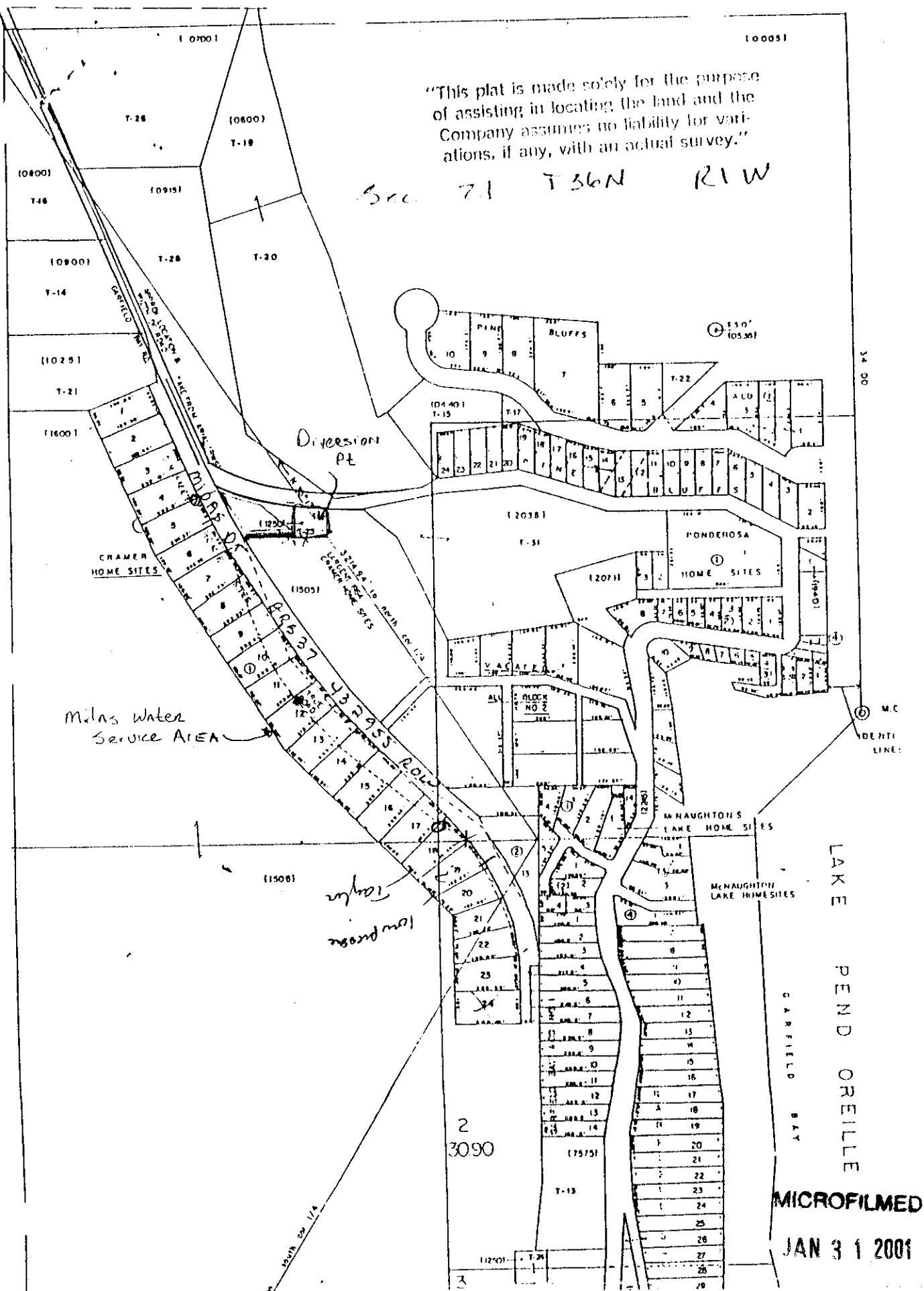
JAN 31 2001

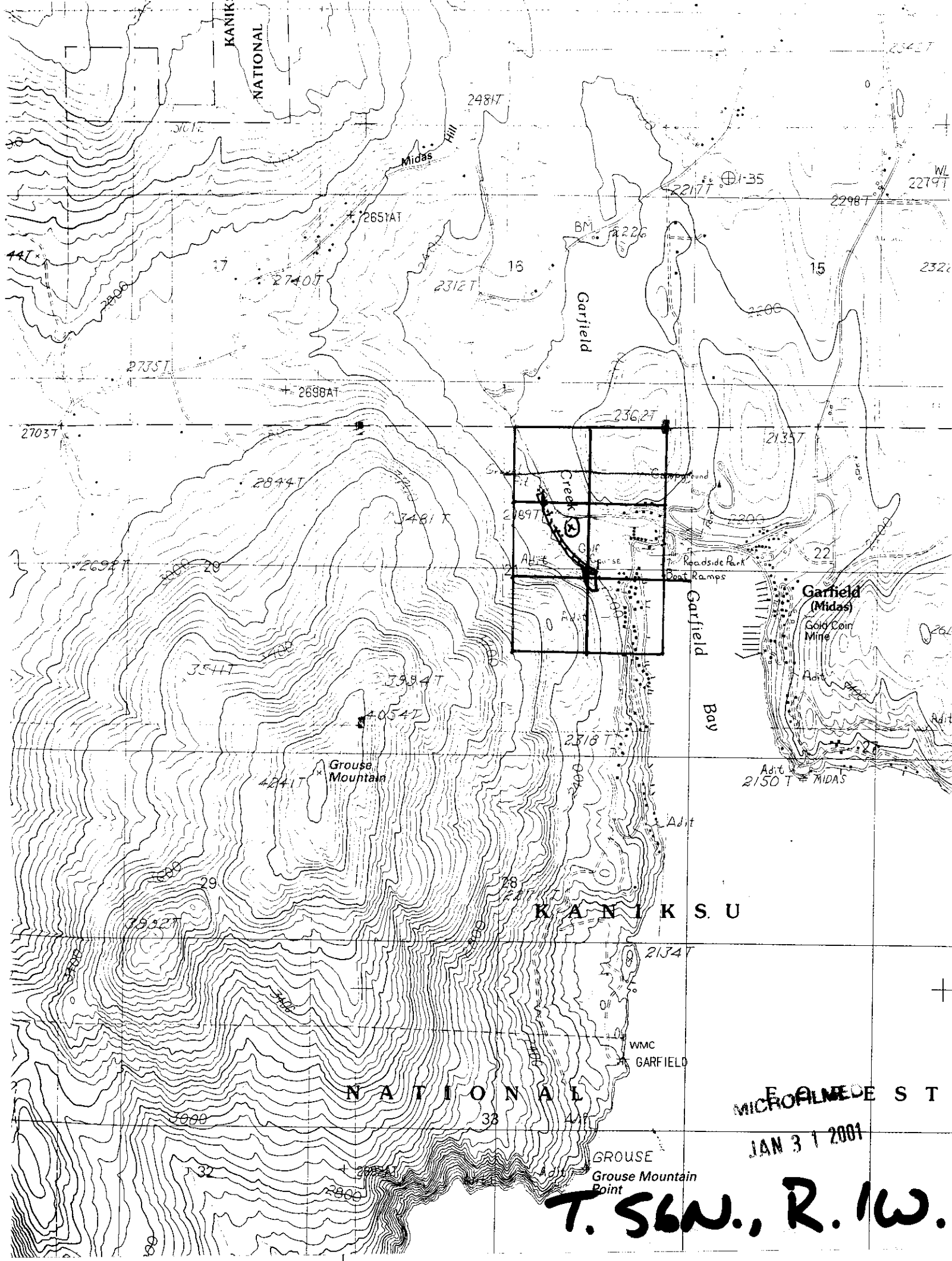
RB

Jerry D. Lutaser
Signature of Applicant (and title, if applicable)

Received by 10-29-99 Date 10-29-99 Time 9:45 Preliminary check by RB
Fee \$ 50 Received by RB # 2013321 Date 10-29-99
Publication prepared by RB Date 11/10/99 Published in Boise Co Daily Bee 11/18 + 25/99
Publication approved RB Date 12/3/99

Sec. 71 T 36N R1W





**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866

January 24, 2000

DIRK KEMPTHORNE
GOVERNOR

MIDAS WATER ASSN
822 GARFIELD BAY RD
SAGLE ID 83860

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-09035

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief 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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

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JAN 31 2001

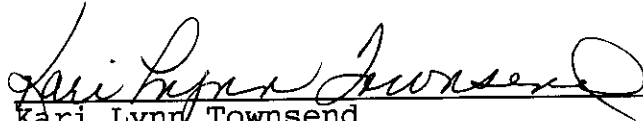
SK:klt

CERTIFICATE OF MAILING

I hereby certify that on the **24th** day of **January, 2000**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved Permit)** to the person(s) listed below:

Water Right No. 96-09035

MIDAS WATER ASSN
822 GARFIELD BAY RD
SAGLE ID 83860


Kari Lynn Townsend
Secretary

MICROFILMED
JAN 31 2001

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

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CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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.

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JAN 31 2001

Analysis of System Capacity for Subdivisions

Operator: S. Curtis

Date: 1/20/00

Right No.: 96-09035

Existing or Proposed System

Storage capacity in gallons	20000 gal	
Pump horsepower	5 hp	
Dynamic lift	50 ft	
Pump discharge pressure	40 psi	
Theoretical pumping capacity	0.22 cfs	97.1 gpm
Measured pumping capacity	0.20 cfs	89.8 gpm

Requirements

Number of homes	24 homes
Gallons per day per home	1000 gal
Area irrigated	6.5 acres
Peak demand period	60 min

Calculations

Peak instantaneous demand	0.35 cfs	157.4 gpm
Suggested pump capacity	0.11 cfs	47.2 gpm
Peak demand volume	12943 gal	
Max potential daily diversion vol.	129254 gal	
Total daily volume required	31001 gal	0.0951 af
Time required to pump daily vol.	5.8 hr	345 min
Time required to refill storage	2.4 hr	144 min

Key Questions

Does existing storage capacity exceed peak demand volume?	Yes
Does existing pumping capacity meet or exceed the suggested pumping capacity?	Yes
Can the system produce the required daily volume in under 24 hours?	Yes

Notes:

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JAN 31 2001

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

RECEIVED
DEC 03 1999
IDWR/North

Shirley Plunk being first duly sworn on oath

deposes and says that he/she is Bookkeeper

of the Bonner County Daily Bee, a newspaper printed and published at Sandpoint, Bonner County, Idaho; that the

said newspaper has been continuously and uninterruptedly

published in said Bonner County during a period of 12

months prior to the first publication of the hereto attached

notice of publication in the case of:

App for water Rights

as it was published in the regular and entire issue of the

said paper for a period of 2 consecutive weeks,

commencing on 18 day of Nov., 1999

and ending on the 25 day of Nov., 1999

and that said notice was published in said newspaper.

On this 25 day of Nov. in the year

of 1999, before me, a Notary Public, personally

appeared Shirley Plunk

known or identified to me to be the person whose name

subscribed to the within instrument, and being by me first

duly sworn, declared that the statements therein are true.

and acknowledged to me that he executed the same

Candace L. Inge
Notary Public for Idaho

Residing at Sandpoint

My commission expires 7/01

NOTICE OF APPLICATION
FOR WATER RIGHT

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

96-09034

AVERS, LARRY A
314 PINE HAVEN RD
SPIRIT LAKE, ID 83869
Source: THREE SISTERS CREEK
Tributary: COCOLALLA CREEK
Diversion Pt: NWSW Sec 4 T 54N
R 02W in BONNER County.
Use: DOMESTIC (0.040 CFS)
DOMESTIC STORAGE

(0.10 AF)

DOMESTIC FROM
STORAGE (0.10 AF)
DIVERSION TO STORAGE

(0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 10/25/1999

In: BONNER County

T54N R02W S04 NWSW

96-09035

MIDAS WATER ASSN
822 GARFIELD BAY RD
SAGLE, ID 83860
Source: GROUNDWATER
Diversion Pt: SWNE Sec 21 T 56N
R 01W in BONNER County
Use: IRRIGATION (0.130 CFS)
DOMESTIC (0.200 CFS)
Total Diversion: (0.200 CFS)

Date Filed: 10/29/1999

In: BONNER County

T56N R01W S21

NWNE SWNE SESE

NESE NWSE

96-09036

CLEMENTS, JON R
CLEMENTS, NANCY C
524 S LINCOLN AV
SANDPOINT, ID 83864
Source: GROUNDWATER
Diversion Pt: SESE Sec 20 T 57N R
02W in BONNER County.
Use: IRRIGATION (0.030 CFS)
DOMESTIC (0.070 CFS)
Total Diversion: (0.040 CFS)

In: BONNER County

T57N R02W S20 SESE

1.0 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights, protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before DECEMBER 6, 1999.

KARL J. DREHER, Director
SNP#1422
November 18, 25, 1999

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JAN 31 2001

96-09035

MIDAS WATER ASSN
822 GARFIELD BAY RD
SAGLE, ID 83860

Source: GROUNDWATER

Diversion Pt: SWNE Sec 21 T 56N R 01W in BONNER County.

Use: IRRIGATION	(	0.130 CFS)
DOMESTIC	(	0.200 CFS)
Total Diversion:	(	0.200 CFS)

Date Filed: 10/29/1999

In: BONNER County				
T56N R01W S21	NWNE	SWNE	SENE	NESE
	NWSE			

6.5 ACRES TOTAL

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JAN 31 2001

November 10, 1999

Midas Water Association
822 Garfield Bay Rd
Sagle ID 83860

Re: Water Appropriation Application No. 96-09035

Gentlemen:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If your source is groundwater, a Well Drilling Permit is required for all wells constructed after July 1, 1987.

A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$75.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. These Permits can be obtained by your driller, also. It is sometimes possible to upgrade an existing Domestic Drilling Permit by submitting a fee for the difference. This, however, depends on the individual well.

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

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

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JAN 31 2001

Ident. No. 96-99-N-0282-000
Well Tag No. D0010896

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: MIDAS WATER ASSOCIATION O 208-667-4638
Address: % ROB TATE
MECKEL ENGINEERING & SURVEYING
402 IDAHO AVENUE
COEUR D ALENE ID 83814

2. Proposed Well Location: Township 56N, Range 01W, Sec. 21, SWNE
BONNER County

Street Address of Well Site: GARFIELD BAY RD
SAGLE ID

3. Proposed Use of Well: Non-Domestic Non-Domestic

4. Well Construction Information:

- A. NEW WELL
B. Proposed Surface Diameter In. Proposed Maximum Depth Ft.
C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)
(NOTE: Construction diagrams and/or other information may be requested for
monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 11/ 1/1999

6. Anticipated Well Driller: H2O WELL SERVICE (No. 0448)
NOTE: The actual well driller must be identified to IDWR prior to drilling
commencement.

7. Applicant's Signature _____ Date _____
Title _____
(Owner, Firm Representative, Other)

Fee \$ _____ Receipted by _____ No. N013320 Date _____

(Continued)

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JAN 31 2001

Ident. No.
Well Tag No.

96-99-N-0282-000
D0010896

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is **APPROVED**

Date: 10/28/1999

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. **READ CAREFULLY!**

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig Line " Number for your area is 1-800-428-4950.
9. The well tag for the drilling permit/start card shall be securely and permanently attached to the well casing through welding or by the use of four closed end domed stainless steel pop rivets. The tag attachment will be done at the time of completion of the well, and prior to removing the drill rig from the drill site.
10. Applicant requests issuance of this Drilling Permit prior to approval of a Water Right or Transfer of a Water Right. Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the diversion of water from this well may not ultimately be approved for use.

(Continued)

MICROFILMED

JAN 31 2001

Ident. No. 96-99-N-0282-000
Well Tag No. D0010896

Signature of Authorized Dept. Representative

Title

EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____
Expires On: _____

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JAN 31 2001

Bob - here is the letter -
John Wheeler would like us
to FAX him the well drilling
permit number ASAP so
the crew can start drilling
tomorrow. He will contact
Midas Water people to ~~have~~
have them come in and
sign paper work.

/Ken

John called for an appt w/ Al wanting
to schedule for 8:15 tomorrow (Fri)

↓
MICROFILMED
JAN 31 2001



STATE OF IDAHO
DIVISION OF
ENVIRONMENTAL QUALITY

96-99-M-282
#20 well service

2110 Ironwood Parkway • Coeur d'Alene, Idaho 83814-2648 • (208) 769-1422

Dirk Kempthorne, Governor
C. Stephen Allred, Administrator

October 28, 1999

Frank Swenson
Midas Water System
822 Garfield Bay Rd.
Sagle, ID 83860

Post-It® Fax Note 7671		Date	# of pages 2
To Bob Haynes	From Garry Gaffney		
Co./Dept.	Co.		
Phone #	Phone #		
Fax #	Fax #		

RE: Midas Water Association - Groundwater System

Dear Mr. Swenson:

Plans and specifications submitted by Robert Tate, P.E., on July 14, 1999 for the above referenced project have been reviewed. The project consists of drilling a 6-inch diameter well, constructing a well house with three pressure tanks and all necessary discharge line appurtenances, and installing water line to connect the well to the existing distribution system. The plans were found to be in accordance with Idaho Rules for Public Drinking Water Systems and are approved for construction purposes in accordance with Section 39-118 of Idaho Code. This approval is contingent upon the following:

1. The Midas Water Association must either own or have a long term lease of the well lot.
2. The well casing vent must be down-turned and terminate at least 18 inches above the well house floor. This must be shown on the as-built plans.
3. A pressure relief valve must be installed on the discharge line from the well. This must be shown on the as-built plans.

Inspection of construction activities approved herein must be done by an Idaho registered Professional Engineer. If major modifications to this accepted design are necessary, approval by this office must be secured prior to implementation of the changes.

Section 39-118 of Idaho Code requires that as-built plans reflecting actual construction completed and certified by the inspecting engineer be submitted to this office for review and approval within thirty (30) days of completion of construction.

Upon completion of the well, the following information and data must be submitted to this office:

1. A copy of all well logs;
2. Test pumping data including sand production, static water level, yield, drawdown and duration of test pumping;
3. Results of all water quality testing performed. Please contact Mike Nelson of the Panhandle Health District for testing requirements.

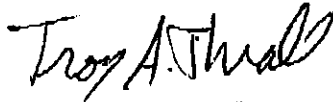
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JAN 31 2001

RE: Midas Water Association - Groundwater System
October 28, 1999
Page 2

If construction activities are not completed within one year of the date of this letter, this construction approval expires.

Sincerely,



Troy A. Thrall, EIT
Engineering Specialist

c: Robert Tate, Meckel Engineering & Surveying, Inc., 402 Idaho Avenue, Coeur d'Alene,
ID 83814
Mike Nelson, PIID-Sandpoint

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