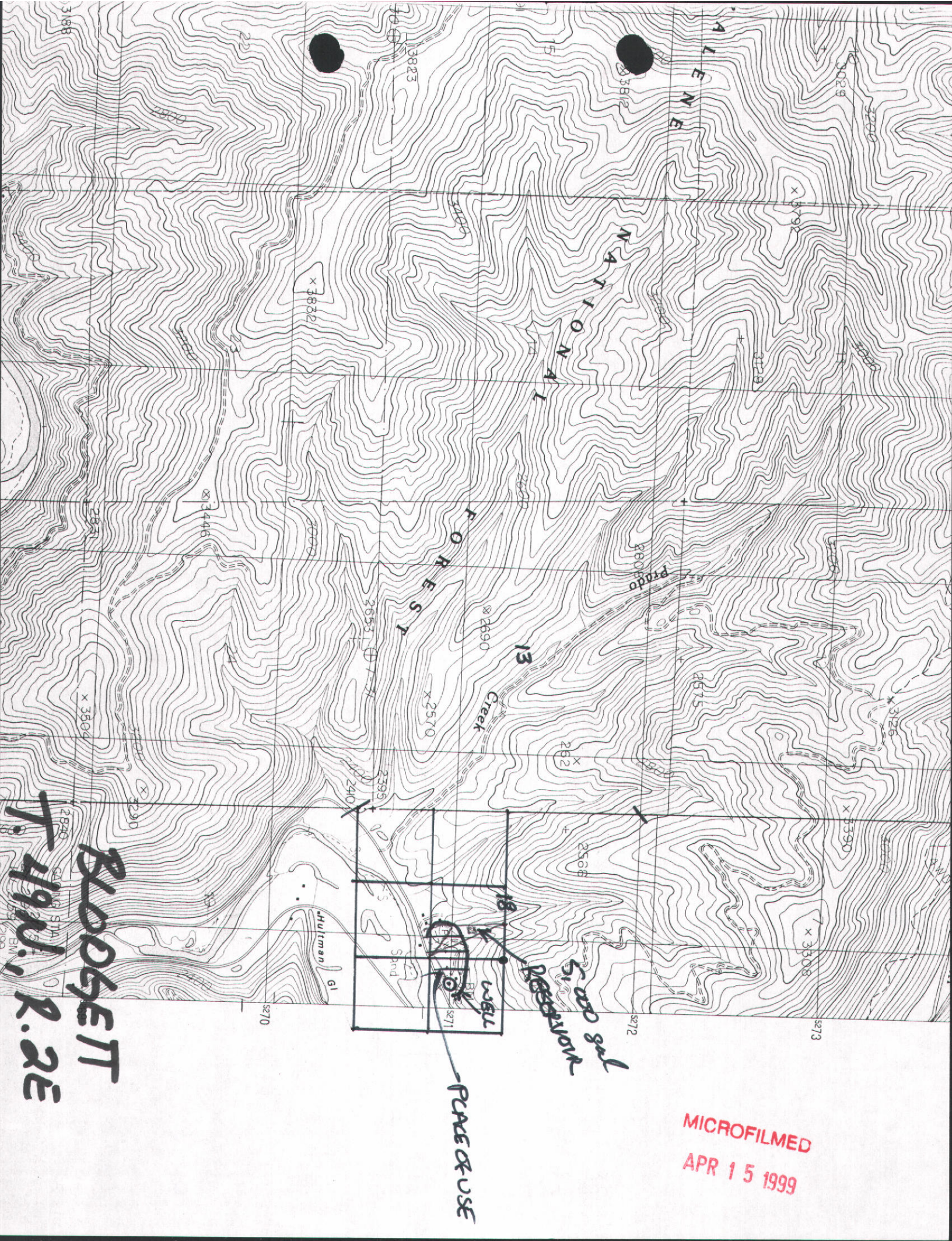




MICROFILMED
APR 15 1999

BODGETT
T. 49N., R. 2E

PLATE & USE

Good gal
RADIO

USE

Sand

Hultman

Prado

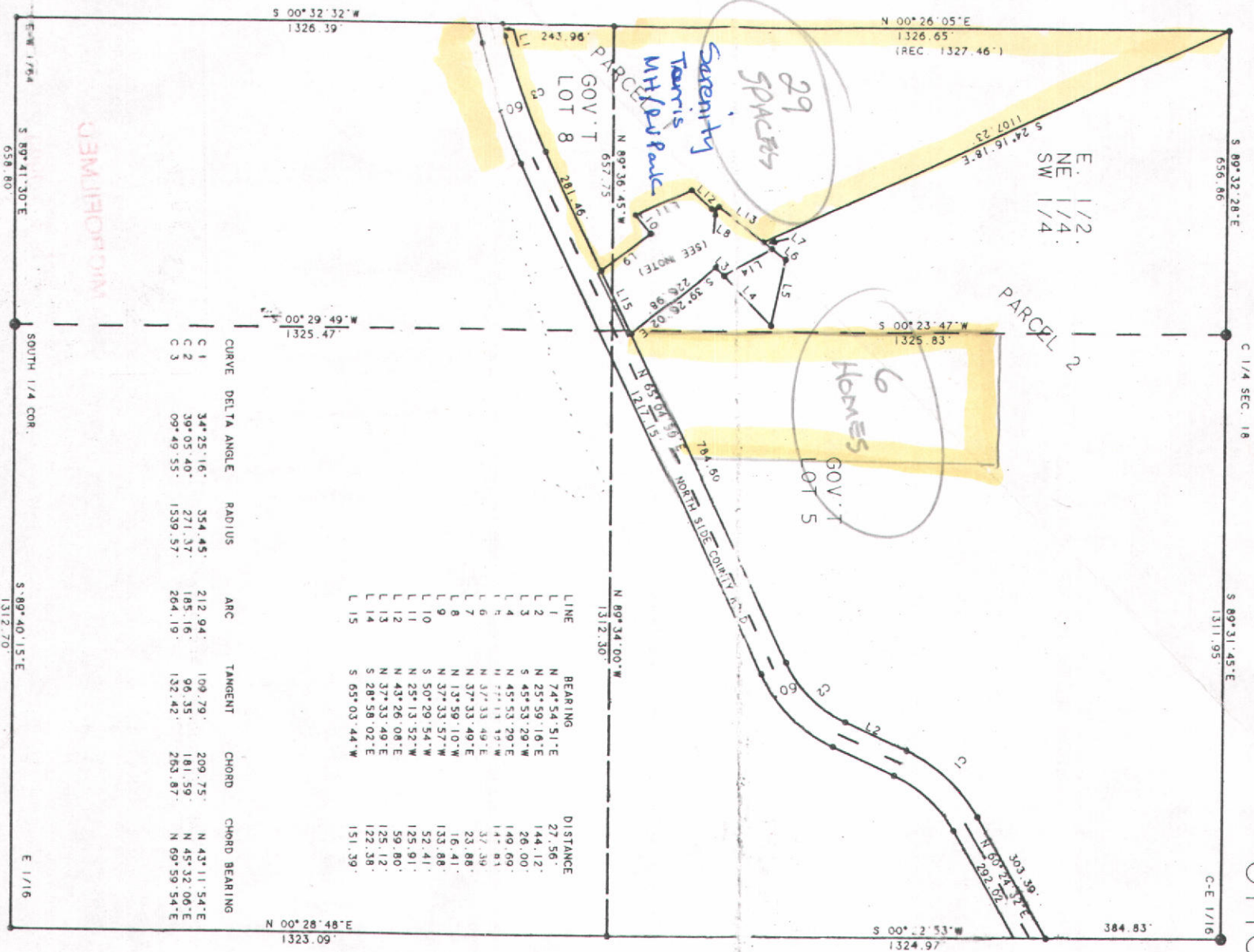
Creek

FOREST

NATION

ALENE

SHOSHONE Co., IDAHO



A SANITARY RESTRICTION ACCORDING TO IDAHO CODE 50-1326 TO 50-1329 IS IMPOSED ON THIS PLAT. NO BUILDING, DWELLING, OR SHELTER SHALL BE ERRECTED UNTIL SANITARY RESTRICTION REQUIREMENTS ARE SATISFIED AND LIFTED.

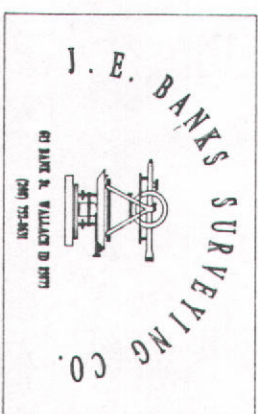
I, MIKE MONGELLI, ADMINISTRATOR FOR THE SHOShONE COUNTY PLANNING AND ZONING COMMISSION, HEREBY CERTIFY THAT THIS PLAN CONFORMS WITH THE COMMISSION'S POLICIES.

MIKE MONGELLI

- SET CAPPED REBAR
- NOTHING SET
- FOUND MONUMENT - CP&F ON FILE

BASIS OF BEARING AND SECTIONAL BREAKDOWN - REFER TO
INST. No. 340877 - SHOSHONE COUNTY RECORDS.

THIS PLAT ACCOMPANIES SHORT PLAT No. SP-40-93, WHICH IS A DIVISION OF PROPERTY SOUTH AND EAST OF NORTH SIDE COUNTY ROAD



RECEIVED

DEC 18 2000

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.00

Receipt No. 0051627

Receipt By: J. Barrow

Date Received: 12/19/00

STATE OF IDAHO Department of Water Resources
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 94-07378 Telephone No. (208) 664-4360

2. Name of Permit Holder(s):
Blodgett-Director

3. Mailing Address: P O Box 1300

City Coeur d'Alene State ID Zip 83816

4. Source of Water: Well If **GROUNDWATER** (well), Date Drilled: mo. unk / yr. unk

Well Driller: unk Drilling Permit Number: unk

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 26 Stockwater (No. and type of stock):

Irrigation (No. of acres): none Other: unk

6. Total rate of diversion and/or volume for which proof is submitted: 20/26 cfs OR unk acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes unk or No x

Has the measuring device been installed?

Yes unk or No x

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Thom Lane Telephone Number: (208) 664-4360

Address: Box 1300 Coeur d'Alene ID 83860

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature] Date: 12-13-00

(include your title, if on behalf of company or organization)

DEC 18 2000

RECEIVED

DEC 9 1999

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEC 9 1999

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 7400038 94-07318

Name(s) of Permit Holder: Bledgett - DIRECTOR

Mailing Address: PO Box 1300 Carson 2. ALABAMA 38386-1300

Date Proof is Due: January 1, 2000 Telephone No. 664-4360

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Litigation notice may bring title
to water in question (see ltr dated 2-10-00)

Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

(See ltr dated 2-10-00)

Permit holder(s) request an extension to September 30, 2000

FEE: \$50.00

(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to January 1, 2001.

Signed this 15th day of February, 19 2000

MICROFILMED

APR 11 2001

J. Allen Saylor
Bureau Chief, Water Allocations Bureau

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 94-07378

Proposed Priority: August 7, 1998

Maximum Diversion Rate:

0.20 CFS

This is to certify, that **BLODGETT-DIRECTOR**
PO BOX 1300

COEUR D ALENE ID 83816-1300

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

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 18, Township 49N, Range 02E
SHOSHONE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

49N 02E 18

NESW

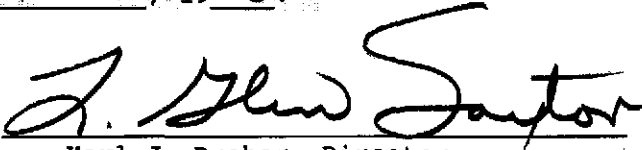
NWSE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 2000.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. Any irrigation occurring under this domestic right shall not exceed 1/2 acre.
6. Domestic use is for 29 mobile homes within Serenity Terrace Mobile Home & RV Park, and 6 homes.

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

29th day of December, 1998.


for Karl J. Dreher, Director

MICROFILMED

APR 15 1999

RECEIVED

SEP 28 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho, I, R.

Department of Water Resources

OFFICE: 664-4560

FAX:

1. Name of Applicant Blodgett-Director Phone (208) 664-4617Mailing address P.O. Box 1300 Caldwell ID 838162. Source of water supply GROUND WATER which is a tributary of _____3. Location of point of diversion is Township 49N Range R2E Sec. 18, in the NW 1/4, SE 1/4, _____ 1/4, Govt. Lot _____, B.M., SHOSHONE County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.20 for DOMESTIC purposes from 4/1 to 12/31 (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) 0.20 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

5,000 gal.

a. Describe type and size of devices used to divert water from the source WELL, RESERVOIR + DELIVERY SYSTEM

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet

c. Proposed well diameter is _____ inches; proposed depth of well is _____ 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 1 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. _____

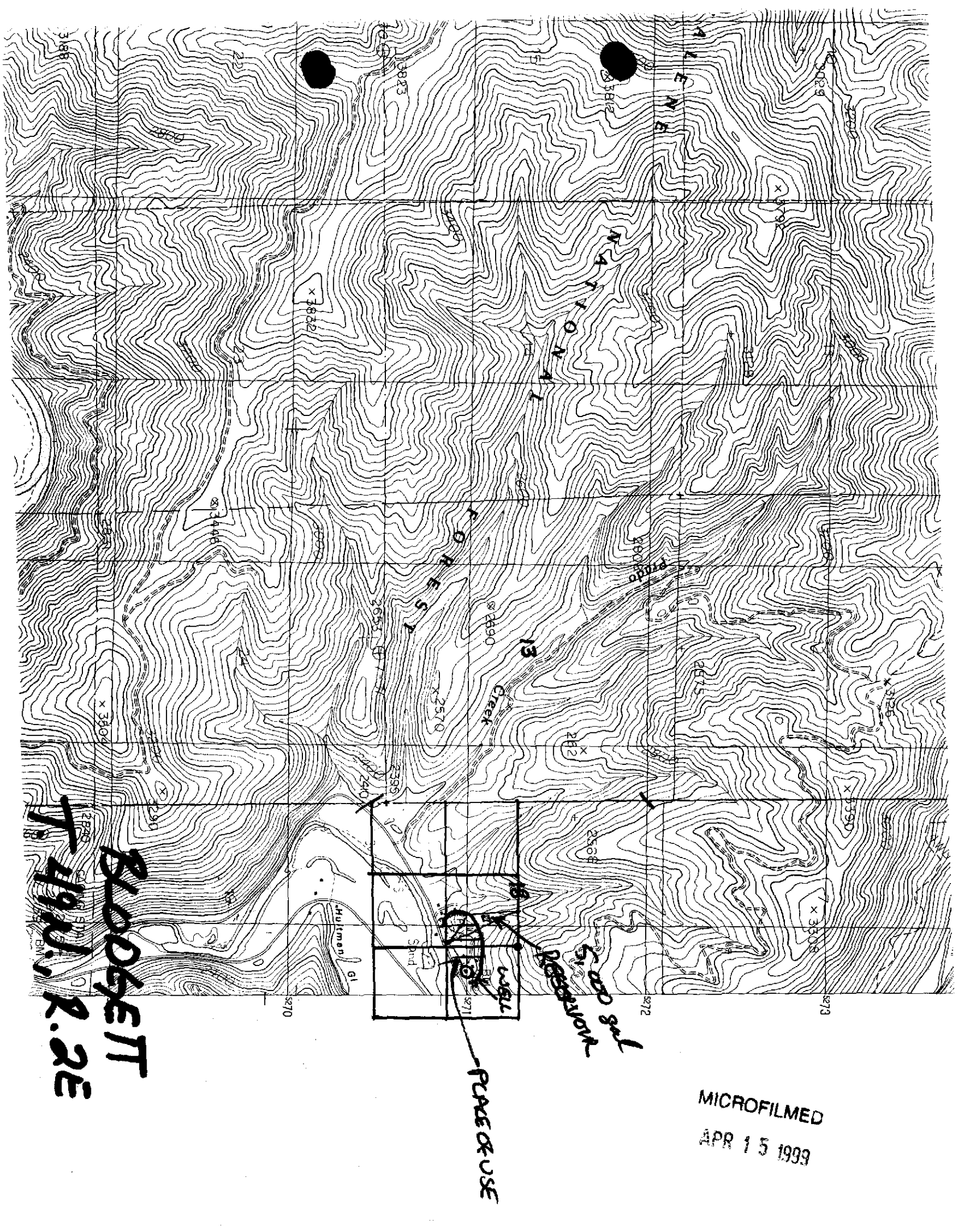
d. Domestic; show number of households. 35 HOMES 6 homes + 29 mobile homes *

e. Other; describe fully. _____

MICROFILMED

* per map. 12/16/98 cz.

APR 15 1999



MICROFILMED
APR 15 1993

PLEASE USE

5000 sq ft
RESERVATION

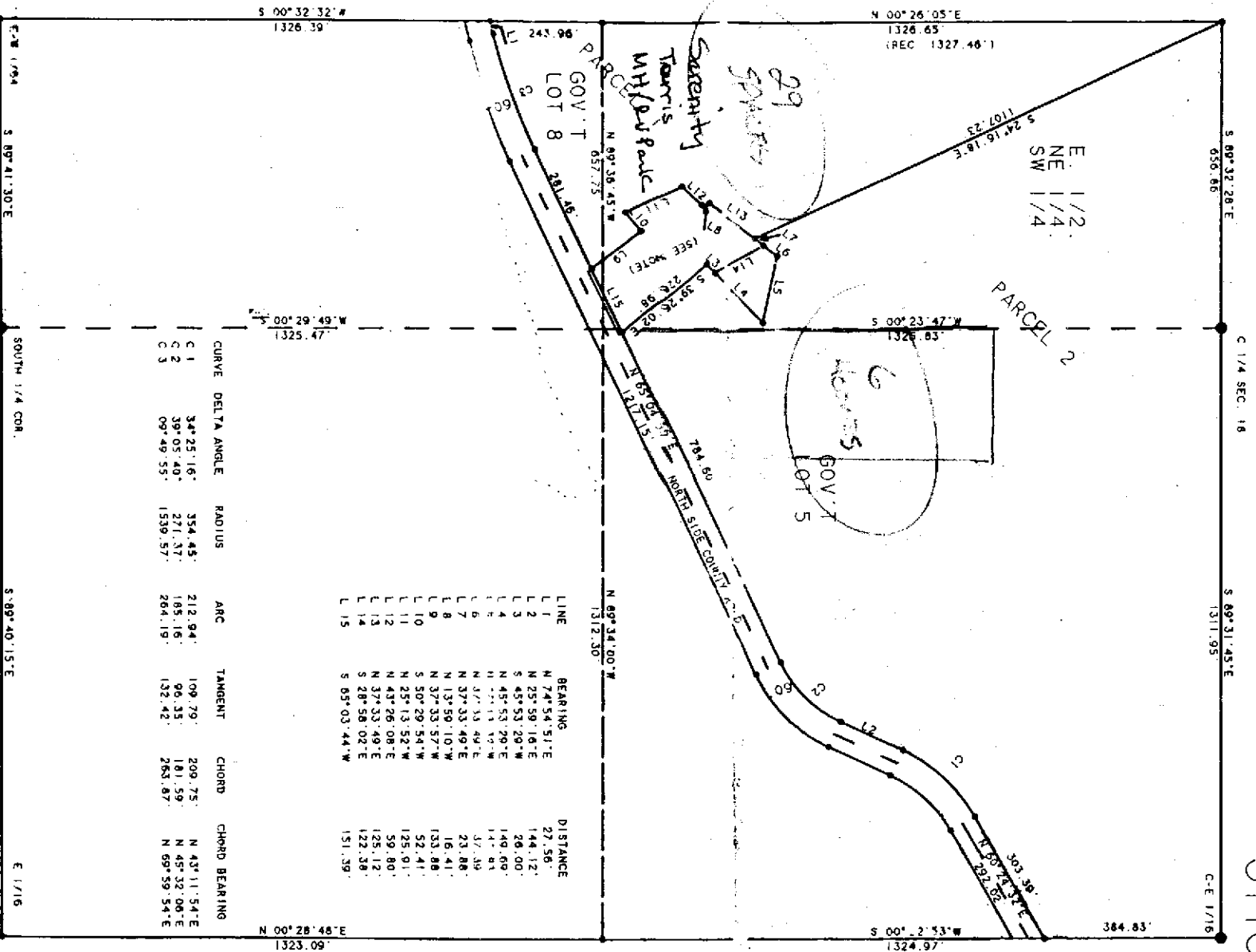
R0065T
T490, R.2E

BITTERLE SHORT PLAT No. SP - 30 - 03

GOV'T LOTS 5 and 8, AND THE SW 1/4, SEC. 18.

T. 49 N., R. 2 E., B.M.

SHOSHONE Co., IDAHO



CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	34°25'16"	354.45'	212.94'	109.79'	209.75'	N 43°11'54"E
C 2	39°05'40"	271.37'	165.16'	96.35'	181.59'	N 45°32'00"E
C 3	09°49'55"	1539.57'	264.19'	132.42'	263.67'	N 69°59'54"E

LINE	BEARING	DISTANCE
L 1	N 74°54'51"E	27.56'
L 2	N 25°59'16"E	144.12'
L 3	S 45°53'20"W	26.00'
L 4	N 45°53'20"E	149.60'
L 5	N 37°33'49"E	14.83'
L 6	N 37°33'49"E	37.39'
L 7	N 37°33'49"E	23.86'
L 8	N 37°33'49"E	16.41'
L 9	N 37°33'49"E	133.88'
L 10	S 50°29'54"W	52.41'
L 11	N 25°13'52"W	125.91'
L 12	N 43°26'08"E	59.80'
L 13	N 37°33'49"E	125.12'
L 14	S 28°56'02"E	123.38'
L 15	S 65°03'44"W	151.39'

A SANITARY RESTRICTION ACCORDING TO IDAHO CODE 50-1326 TO 50-1329 IS IMPOSED ON THIS PLAT. NO BUILDING, DWELLING, OR SHELTER SHALL BE ERRECTED UNTIL SANITARY RESTRICTION REQUIREMENTS ARE SATISFIED AND LIFTED.

I, MIKE MONGELLI, ADMINISTRATOR FOR THE SHOSHONE COUNTY PLANNING AND ZONING COMMISSION, HEREBY CERTIFY THAT THIS PLAT CONFORMS WITH THE COMMISSION'S POLICIES.

MIKE MONGELLI

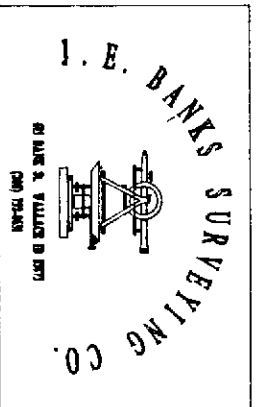
I, JAMES T. BANKS, PLS ASSO. STATE OF IDAHO, HEREBY CERTIFY THAT THIS PLAT CONFORMS WITH THE PLANNING AND ZONING COMMISSION'S POLICIES, UNDER THE AUTHORITY OF IDAHO CODE 31-2709 AND ACCEPTED METHODS AND PROCEDURES OF SURVEYING.



BASIS OF BEARING AND SECTIONAL BREAKDOWN - REFER TO INST. No. 340877 - SHOSHONE COUNTY RECORDS.

THIS PLAT ACCOMPANIES SHORT PLAT No. SP-40-93, WHICH IS A DIVISION OF PROPERTY SOUTH AND EAST OF NORTH SIDE COUNTY ROAD

NOTE: PRE-EXISTING PARCELS. NOT A PART OF SHORT PLAT.





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

January 22, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

BLODGETT-DIRECTOR
PO BOX 1300
COEUR D'ALENE ID 83816

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 94-07378

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Northern** Regional Office of the department in Coeur d'Alene at (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.
c: IDWR - Regional Office

MICROFILMED

APR 11 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 94-7378

Reviewed By: dgibson

Date: January 22, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		C051527	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		12/18/2000
Date proof due	-	01/01/2001
No. of days late	=	0
Holiday allowance	+	
Priority date	+	08/07/1998
New priority date	=	08/07/1998

Deficiencies of Actions Items

Acknowledge proof.

Idaho Department of Water Resources Receipt

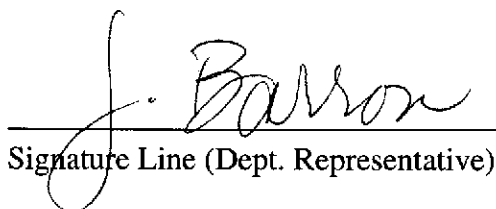
Receipt ID C051529

Payment Amount	\$50.00	Date Received	12/19/00 9:42:14 AM	Region	State	Status
Payment Type	Check	Check Number	1473			

Payer	SILVERHORN ASSOCIATES, INC.
Comment	#94-07378

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	BENEFICIAL USE	0229	21	56104	1155


Signature Line (Dept. Representative)

MICROFILMED

APR 11 2001

October 31, 2000

BLODGETT-DIRECTOR
PO BOX 1300
COEUR D ALENE ID 838161300

PROOF DUE NOTICE

RE: PERMIT NO. 94-07378

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 2001.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

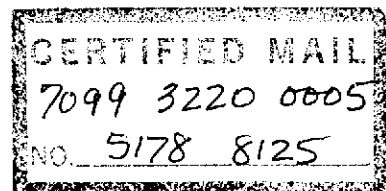
SINCERELY,

DEBORAH GIBSON
Administrative Assistant

Enclosures

MICROFILMED

APR 11 2001





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

February 15, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BLODGETT DIRECTOR CO
PO BOX 1300
COEUR D ALENE ID 83816-1300

RE: PERMIT NO. 94-07378

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use to **January 1, 2001**. Please note that the department granted the extension based on due diligence. It is important that you work diligently towards completion of the project since the department **will not** be able to grant future extension requests based on due diligence.

Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact this office or any regional office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact the department, if you have any questions regarding this matter.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

APR 11 2000

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 94-07378 Reviewed by WJH Date 1-19-00

BASIC INFORMATION

yes Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
NO Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

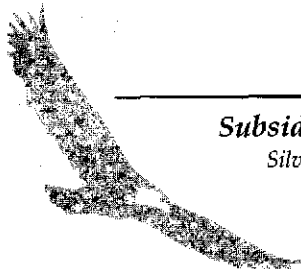
~~need to ask how much work has been done & evidence & explanation of litigation~~ Extend proof due to 1-1-2001 w/o advancement in priority. based on due diligence

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address _____
Change Proof Due Date 1-1-2001
Change Priority Date _____



Silver Mt. Resort Company

Subsidiaries:

Silverhorn Alpine Village Inc. McConnell Hotel Corp. Lincoln Center Corp. McKinley St. Corp. Bear Claw LLC

10 February, 2000

RECEIVED

FEB 14 2000

Department of Water Resources

L. Glen Saxton, Chief
Water Allocation Bureau
State of Idaho
Department of Water Resources
1301 North Orchard Street
PO Box 83720
Boise, Idaho 83720-0098

Ref: Permit No. 94-07378

Dear Mr. Saxton:

In November, 1998 we purchased an RV/Mobilehome Park in Shoshone County. Within the following year, we improved the Park and raised the quality of life for its tenants, and provided safer and approved utility systems.

By following principles and codes of the State & County, we installed new roads; planted 20 trees; installed new left-station pumps with back-up emergency systems; cleaned in, around and repaired the reservoir, installing new overflow drains; demand fill system; repaired well structure and instituted a service and testing program to satisfy PHD requirements.

When we purchase an investment property, we usually find it a property suffering from neglect and/or poor management. With due diligence, we shall approach all government agencies to determine the correctional work necessary to bring the subject property to at least minimum standards, where none exist.

While in pursuit of obtaining all necessary zoning, sewage and water standards, together with permits and registrations for our recently purchased RV/Mobilehome Park, we appear to have run afoul of a Panhandle Health District inspector and his supervisor.

In the past 12 months PHD has threatened to sue and then actually filed a spurious lawsuit against us for our differing opinions and points-of-view regarding "a citizens Rights to Repair or Replace sewage disposal drain fields; we successfully defended ourselves and, in fact, prevailed in all fronts.

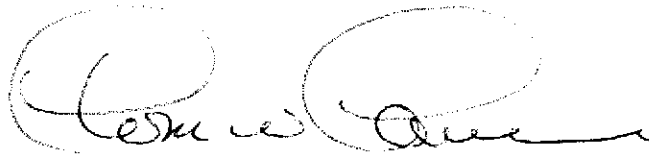
MICROFILMED

APR 11 2001

However, since having asserted our rights in the "sewage" arena of PHD, the following week they attacked our water system and our ability to operate the water system; threatening closure of the RV/Mobilehome Park. *Clearly such a threat involves litigation.*

In light of the contentiousness of Panhandle Health District, I believe, therefor, that such an extension of time would be reasonable and prudent.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Thom W. Lane". The signature is written in dark ink on a light background.

Thom W. Lane
for: Blodgett-Director Co.

MICROFILMED

APR 11 2001



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 19, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BLODGETT - DIRECTOR
PO BOX 1300
COEUR D ALENE ID 83816

RE: PERMIT NO. 94-07378

Dear Permit Holder:

The Department acknowledges receipt of the request for extension of time which you submitted to the department for the above referenced permit. The request does not show whether any work has been undertaken toward development of a water right and states that litigation may bring title to the water in question. In order to further consider the extension request, please provide information on the work you have accomplished during the last two years. If none, provide the reason why. You also need to describe the potential litigation, since the department can grant additional time for delays which have occurred due to litigation but not for delays which might occur in the future.

Please provide the requested information and appropriate documentation within **thirty (30) days** of the date of this mailing and address your correspondence to my attention.

If you have any question regarding this matter, please contact me at (208)327-7955.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

APR 11 2001

October 31, 1999

BLODGETT-DIRECTOR
PO BOX 1300
COEUR D ALENE ID 838161300

PROOF DUE NOTICE

RE: PERMIT NO. 94-07378

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 2000.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

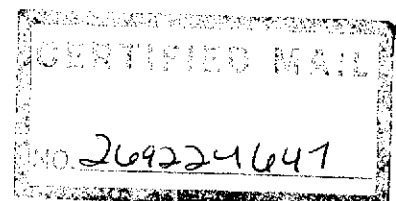
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

APR 11 2001





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

December 30, 1998

PHILIP E. BATT
GOVERNOR

BLODGETT-DIRECTOR
PO BOX 1300
COEUR D ALENE ID 83816

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 94-07378

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.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

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

SK:klt
Enclosures

MICROFILMED

APR 15 1999

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of **December, 1998**, 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. 94-07378

**BLODGETT-DIRECTOR
PO BOX 1300
COEUR D ALENE ID 83816-1300**


Kari Lynn Townsend
Secretary

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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.

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy*No.: 94-1378 Name: Blodgett-Director Date: 12/16/98 Ad OK? - / Gvmt Lts: -

AREA OF CONCERN:

- No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED:

- 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year

- 26A-P17

≤ 1 year/no proof

- P16

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- North / East / West

≤ 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

WMD Supplemental use

- No MD

> 0.24 cfs/5 acres

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

≤ 0.24 cfs/5 acres

- 01M (report when notified)

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046-P23

In Basin 34?

- 085

Irr. within WD

- P05 (new well location)

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

FISH & GAME CONTACTED:

- Yes / No; RESPONSE: _____

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9 _____

WD (✓ MAP & LISTING)

- R04 (WD # _____)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 cfs

- 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22 -P04, NA

(02/03-irr)

- 007 (w/ remark *WB9 if above Weiser), NA

Payette R(65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's)

- 029 (fish screens), NA

Weiser R (67)

- 086, 087

USE:

Domestic surface

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area

- 071-070

Fire Protection

- 077

Fish Propagation

- 029(70's only)-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Mining

- 054(req)-081-P10

Municipal

- 022, 075, 004 (+memo?), NA (not in restricted area)

Power

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

Stockwater

- R37 (BLM/USFS); NA

Storage (✓3 compo.)

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

~~LOCATION:~~

42-248 area

- P84 (in 20/30/40/50/60/70/80 (87) basin)

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Mitigation

- 120

SWAN FALLS FLAG (See Code Chart)

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU) _____~~OTHER CONDITIONS:~~

STANDARD REMARKS:

- 01W01/6H829MH 02W60 03070

BENEFICIAL USE DUE:

- 12/1/2000

COMMENTS:

INTER-DEPARTMENT MEMO — 1

DATE

12/22/98

FROM Cindy Zimmerman

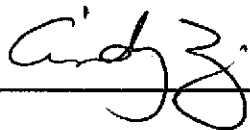
TO File #94-07378

SUBJECT Telephone Conversation

Per telecon today w/Tom Lane, the irrigation occurring under this domestic use is about 25 trees; no lawns are intended. Mr. Lane agreed that total irrigation use under this domestic right could be limited to $\frac{1}{2}$ acre.

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SIGNATURE

Zimmerman, Cindy

From: Beardslee, Allen
Sent: Friday, December 18, 1998 4:44 PM
To: Zimmerman, Cindy
Subject: RE: Application for Permit 94-07378

Hi Cindy,

It seems as though that issue was raised when the Application for Permit was submitted.....But, I can't be sure of it from memory. Would you mind giving them a call, just to make sure... In the future, I will document when irrigation is provided by some other means. Sorry for the extra work at this point.

If we don't talk before, have a nice Christmas!

Al

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

From: Zimmerman, Cindy
Sent: Friday, December 18, 1998 3:41 PM
To: Beardslee, Allen
Subject: Application for Permit 94-07378

Hi, Al,

I am reviewing Blodgett Director application for 29 mobile homes and 6 houses (35 homes). The only use identified is domestic for 0.33 cfs. Do you know if they intend to irrigate lawns under this domestic use? If so, shouldn't it be identified under irrigation use? Or, is this application for in-house use only? Please let me know as soon as you can so I can get this one permitted.

Thanks,

Cindy Zimmerman

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APR 15 1999



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

December 16, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Marilyn J. Lane
Tom Lane
Blodgett-Director
PO Box 1300
Coeur d'Alene ID 83816-0130

SENT VIA FAX

Re: Application for Permit No. 94-07378

Dear Marilyn or Tom,

I received the map I requested in the mail today. I have some questions to ask you. I called the telephone number on the application but I only get fax tones.

Please call me as soon as you can to prevent any further delay in processing your application. My office hours are 7:30 to 4:30, Mountain Standard Time. My direct telephone number is (208) 327-7944.

Sincerely,

Cindy Zimmerman
Water Resource Agent

Post-it® Fax Note	7671	Date	12/16/98	# of pages	1
To	Marilyn or Tom Lane	From	Cindy Zimmerman		
Co./Dept.	Blodgett-Director	Co.	Id. Dept. of Water Resources		
Phone #		Phone #	327-7944		
Fax #	664-4617	Fax #	327-7866		

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APR 15 1999

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#
DEC-16	05:18 PM	6-912086644617--8093	29"	1	SEND	OK	

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APR 15 1994

INTER-DEPARTMENT MEMO — 1

FROM *Cindy Zimmerman*

DATE *12/14/98*

TO *File 94-07378*

SUBJECT *Telecon*

Tom Lane called regarding my 12/10/98 letter. He will mail a survey plat of mobile home park this week.

Plat received 12/16/98. cz.

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APR 15 1999

Cz.

SIGNATURE



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

December 10, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Marily J. Lane
Blodgett Director
PO Box 1300
Coeur d'Alene ID 83816-130

RE: Application for Permit No. 94-07378

Dear Ms. Lane,

The above referenced application has been sent to the State Office for final review and processing; however, before the application process can continue, I will need some additional information.

A subdivision plat identifying the location of the 35 homes listed on the application was not included with the application. I need the subdivision plat to clarify where water will be diverted. Please provide a subdivision plat identifying the location of the point of diversion, the location of any common or non-domestic areas, as well as the size of each lot. A preliminary plat would suffice.

I will hold processing on your application for 30 days pending your response. If I do not receive the requested additional information or a response from you within the 30-day period, I will start proceedings to void this application.

If you have any questions, you may contact me directly at (208) 327-7944 or by electronic mail at czimmerm@idwr.state.id.us.

Sincerely,

A handwritten signature in cursive script that reads 'Cindy Zimmerman'.

Cindy Zimmerman
Water Resource Agent

MICROFILMED
APR 15 1999

INTER-DEPARTMENT MEMO — 1

DATE 11/2/98

FROM CINDY ZIMMERMAN

TO FILE 94-7378

SUBJECT Telephone Info Request

Left 2nd message on answering machine. Need subd. plat
to process application. Asked to call me ASAP or write to me @ S.O address.

MICROFILMED

APR 15 1999



SIGNATURE

INTER-DEPARTMENT MEMO — 1

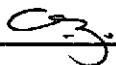
DATE 10/2/98

FROM Cindy Zimmerman
TO File 94-7378
SUBJECT Information Request

Left msg on answering machine to call me because
I needed additional info to process permit.

MICROFILMED

APR 15 1999


SIGNATURE

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

WR1
BCA1
WRA

APPLICATION # 94-07378

INITIAL REVIEW

APPLICANT: BLODGETT

BY: AB

DATE: 8/7/98

ITEM REQUIRED INFORMATION

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

PROCESSING

- (Yes) (No) PRIORITY DATE: 8/7/98
- ☒ (Include Moratorium Remark)
 - ☒ Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

NP/Thurs/ok

ADVERTISE IN: S HOSHONE County

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

GROUNDWATER SECTION

D Permit No.'s:	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			Remarks: _____
☒	Critical ground water area			_____
☒	Well Drilling Permit required			_____
☒	Well Drilling Application and Fees received			_____
☒	Well Drilling Application approved?			_____

FINAL REGIONAL PROCESSING/REVIEW

- Yes) (No)
- ☒ Notice of pending void order issued. Final order response date: 9/24/98
 - ☒ Further information required from applicant
 - ☒ Affidavit of publication received
 - ☒ Application published correctly. If not, record action taken: _____
 - ☒ Publication dates and paper recorded on application | Sr. Agent initial AB
 - ☒ Protests received, Final protest date: 9/8/98
 - ☒ Measuring device required
 - ☒ Measuring port required
 - ☒ Special conditions:
 - ☒ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AB

Date: 9/24/98

PROOF OF PUBLICATION

RECEIVED
SEP 23 1998
NORTHERN REGION
IDWA

NOTICE OF APPLICATION FOR WATER RIGHT

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

94-07378

BLODGETT - DIRECTOR

PO BOX 1300

COEUR D'ALENE, ID 83816

Source: GROUNDWATER

Diversion Pt: NWSE Sec 18 T 49N R

02E in SHOSHONE County.

Use: DOMESTIC (0.200 CFS)

Total Diversion: (0.200 CFS)

Date Filed: 8/7/1998

In: SHOSHONE County

T49N R02E S18 NESW NWSE

94-07379

TOPE, KENNETH J

TOPE, LORRAINE I

664 DUFORT ROAD

SAGLE, ID 83860

Source: GOLD RUN CREEK Tributary:

PRICHARD CREEK

Diversion Pt: NENW Sec 5 T 49N R

05E in SHOSHONE County.

Use: DOMESTIC (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 8/7/1998

In: FREMONT County

T49N R05E S05 SENW

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 SEPTEMBER 8, 1998.

KARL J. DREHER, Director

LEGAL #SHO 508

2 X 8-20/27/1998

) Idaho Department of Water Resources
) Northern Region, Suite #210
) 1910 NW Boulevard
) Coeur d'Alene, Idaho 83814-2615

s/ Daniel C. Drewry, being first duly sworn deposes and says:
SHOSHONE NEWS-PRESS, a daily newspaper of general circulation in said county, published in the city of Kellogg, in the County of Shoshone and the State of Idaho, and which has been published continuously in said county for a period of 78 weeks immediately prior to the publication of this notice hereinafter described, and that the

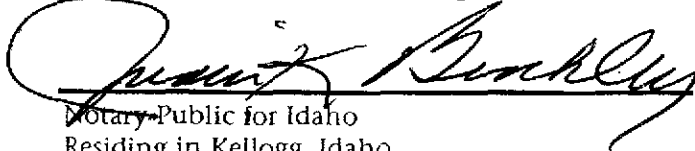
LEGAL NOTICE

of which the annexed is a true copy, was published in each regular weekly/daily issue of said newspaper, and not in supplement thereto, for a period of two (2) consecutive weeks/days, the first publication thereof being in the issue dated 8/20/98-8/27/98

STATE OF IDAHO

COUNTY OF Shoshone

On this 21st day of September in the year of 1998, before me a Notary Public, personally appeared Daniel C. Drewry 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.


Notary Public for Idaho
Residing in Kellogg, Idaho
My Commission expires:
10/17/2000

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94-07378

BLODGETT - DIRECTOR
PO BOX 1300
COEUR D ALENE, ID 83816

Source: GROUNDWATER

Diversion Pt: NWSE Sec 18 T 49N R 02E in SHOSHONE County.

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

Date Filed: 8/ 7/1998

In: SHOSHONE County
T49N R02E S18 NESW NWSE

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APR 15 1999

August 12, 1998

Blodgett-Director
PO Box 1300
Coeur d Alene ID 83816

Re: Water Appropriation Application No. 94-07378

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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APR 15 1999

OWNER		PRIORITY	USE PERIOD		DIVERSION	DIVERSION	
CODE	NAME & ADDRESS	DATE	WATER USE	FROM	TO	RATE	VOLUME
C	BLODGETT - DIRECTOR PO BOX 1300 COEUR D ALENE ID 83816 (208) 664-4617	08/07/1998	DOMESTIC	01/01	12/31	0.200 CFS	
					TOTAL DIVERSION:	0.200 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: APPLICATION

Point(s) of Diversion: T49N R02E S18 NWSE SHOSHONE County

Place of use Legal Description for: DOMESTIC

NE

NW

SW

SE

NENE NWNE SWNE SENE

: NENW NWNW SWNW SENW

: NESW NWSW SWSW SESW

: NESE NWSE SWSE SESE

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49N 02E 18

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Pou County: SHOSHONE

Remarks: GEN Domestic use is for 35 homes.

Dates: App. Received: 08/07/1998 Priority Date: 08/07/1998

Proof Due Date: Proof Made Date:

Exam Made Date: Exam Sent to S.O.:

Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 08/10/1998 User-ID: DBALL Subject: Examiner's notes.

Place of use owned by applicant and homeowners.

Point of diversion owned by Douglas Bitterly, covered by easement agreement.

Well, 5000 gal reservoir and delivery system.

Time required 1 year.

Audit: 08/10/98 DBALL