

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09290

Priority: September 02, 2005

Maximum Diversion Rate: 0.50 CFS

This is to certify, that BIG ROCK TIMBER & DEVELOPMENT LLC
PO BOX 3053
COEUR D ALENE ID 83816

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	0.50 CFS

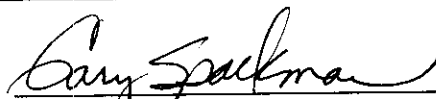
LOCATION OF POINTS OF DIVERSION:

GROUND WATER SW¼ NE¼ Sec. 18, Twp 49N, Rge 03W, B.M. KOOTENAI County
GROUND WATER SW¼ NE¼ Sec. 18, Twp 49N, Rge 03W, B.M. KOOTENAI County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2008**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. 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.
5. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
6. Place of use is within the area served by the public water supply system of Gotham Bay Estates. The place of use is generally located within Township 49N, Range 3W, Sections 18 and 19.
7. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 1st day of November, 2005.

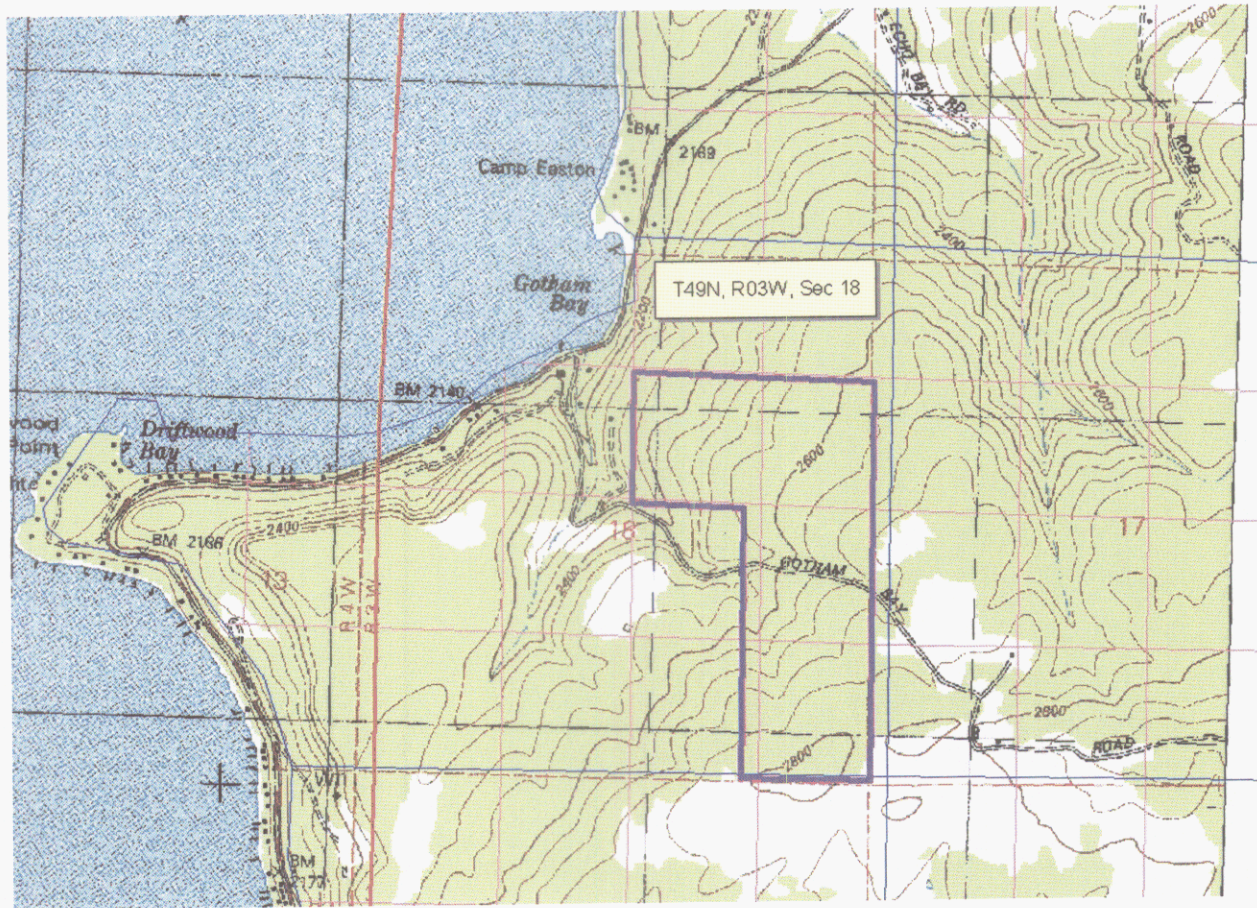

FOR KARL J DREHER, Director

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09290

Digital Boundary for Big Rock Timber and Development, LLC

November 1, 2005



-  Permit 95-09290.shp
-  Township/Range
-  Sections
-  QQ

1000 0 1000 2000 3000 Feet



RECEIVED

SEP 02 2005

Ident. No. _____

RECEIVED
AUG 23 2005
IDWR/North

RECEIVED
OCT 27 2005
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

RECEIVED
JUL 14 2005
IDWR/North

1. Name of Applicant BIG ROCK TIMBER & DEVELOPMENT, LLC Phone (208) 661-2635

Mailing address P.O. BOX 3053 COEUR D'ALENE, ID 83816

2. Source of water supply GROUNDWATER which is a tributary of SPOKANE RIVER

3. Location of point of diversion is Township 49 N Range 3 W Sec. 18, in the SW 1/4, SW 1/4, NE 1/4, Govt. Lot 1, B.M., KOTTENAI County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount .50 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) 0.50 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 PRODUCTION WELLS

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

c. Proposed well diameter is 8-10 inches; proposed depth of well is 200-250 feet

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

e. If well is already drilled, when? _____; Drilling firm TO BE DETERMINED
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 3 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in kW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. ASSOCIATION TO BE CREATED BY PROPERTY OWNERS
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
41N	3W	18			M	M									M	M	M	M	

Total number of acres to be irrigated = _____

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

11. a. Who owns the property at the point of diversion? Big Rock Timber & Development LLC
- b. Who owns the land to be irrigated or place of use? PROPERTY OWNERS ASSOCIATION
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: NA

12. Remarks: ATTACHED MAP SHOWS LOCATION OF SUBDIVISION AND POINT OF DIVERSION.

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.

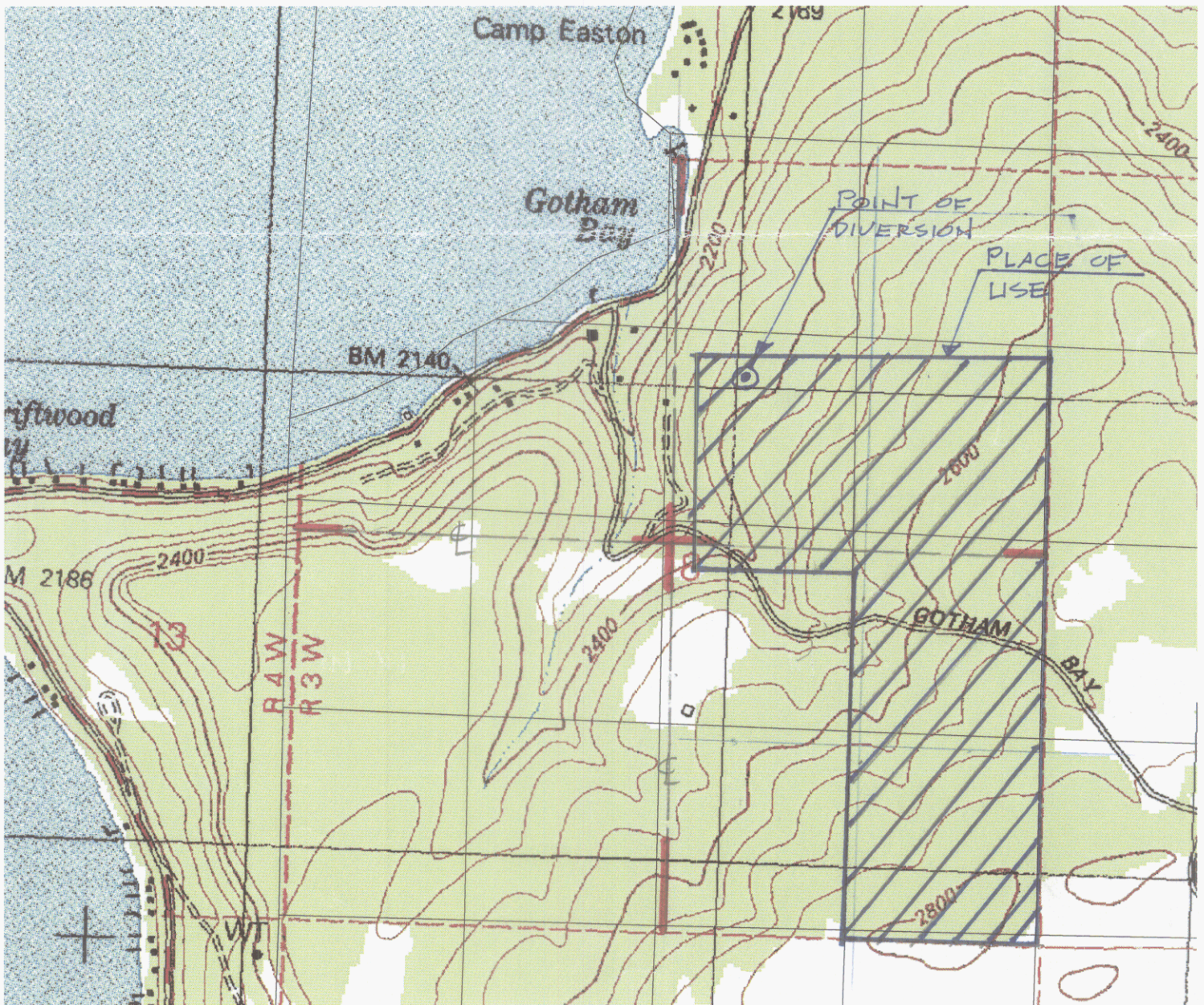
Laurel D. Anderson President
Signature of Applicant (and title, if applicable)

Received by [Signature] Date 7/14/05 Time 3:55p Preliminary check by [Signature] Date 7/14/05
Fee \$ 250.00 Receipted by [Signature] # NOM 041
Publication prepared by [Signature] Date 9/28/05 Published in Cda Press 10/6 + 13/05
Publication approved [Signature] Date 10/17/05

T49N R3W Section 18

RECEIVED
SEP 02 2005
IDWR/North

-  Place of Use
-  Point of Diversion

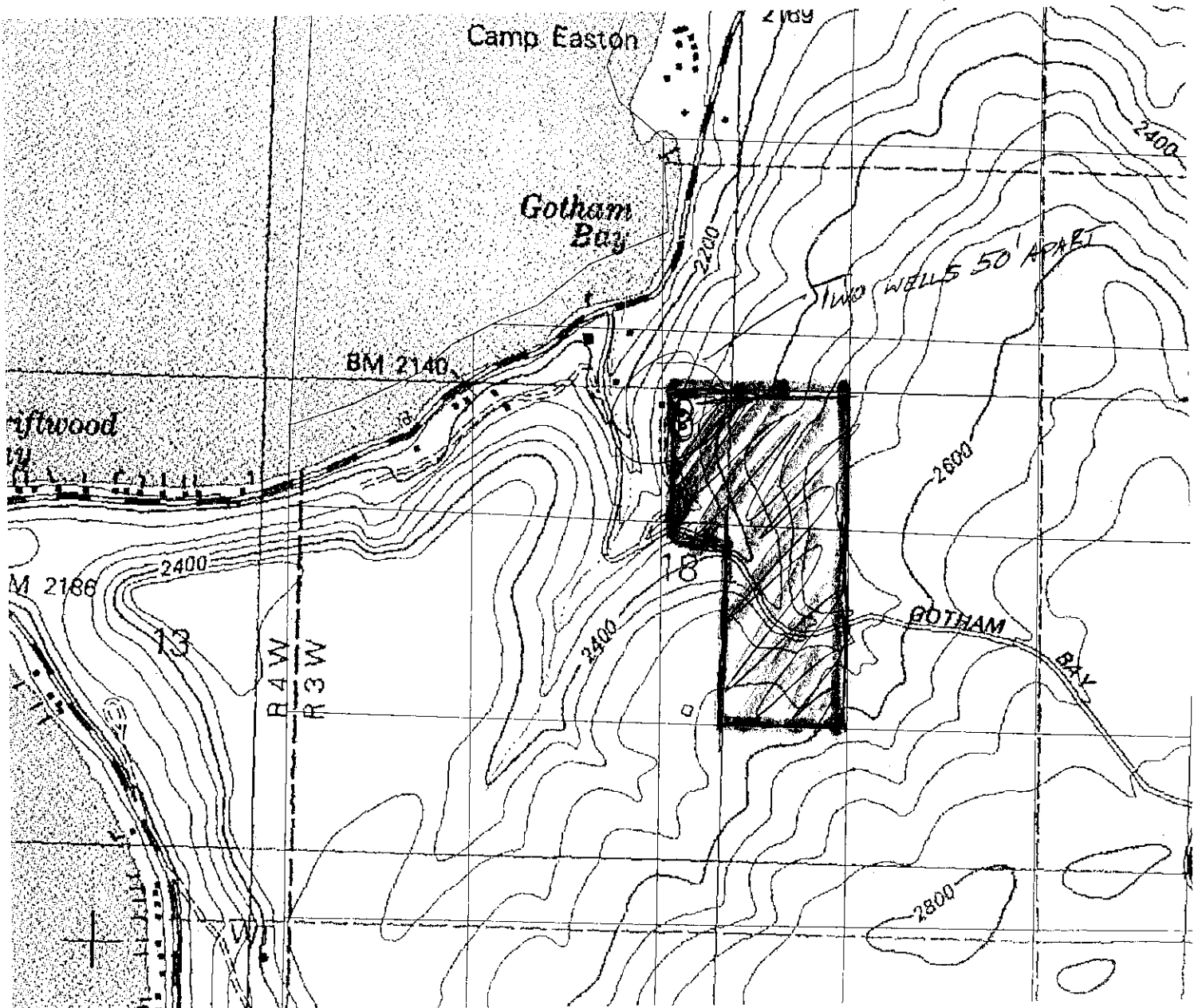
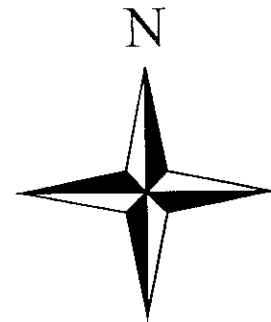


RECEIVED
AUG 23 2005
IDWR/North

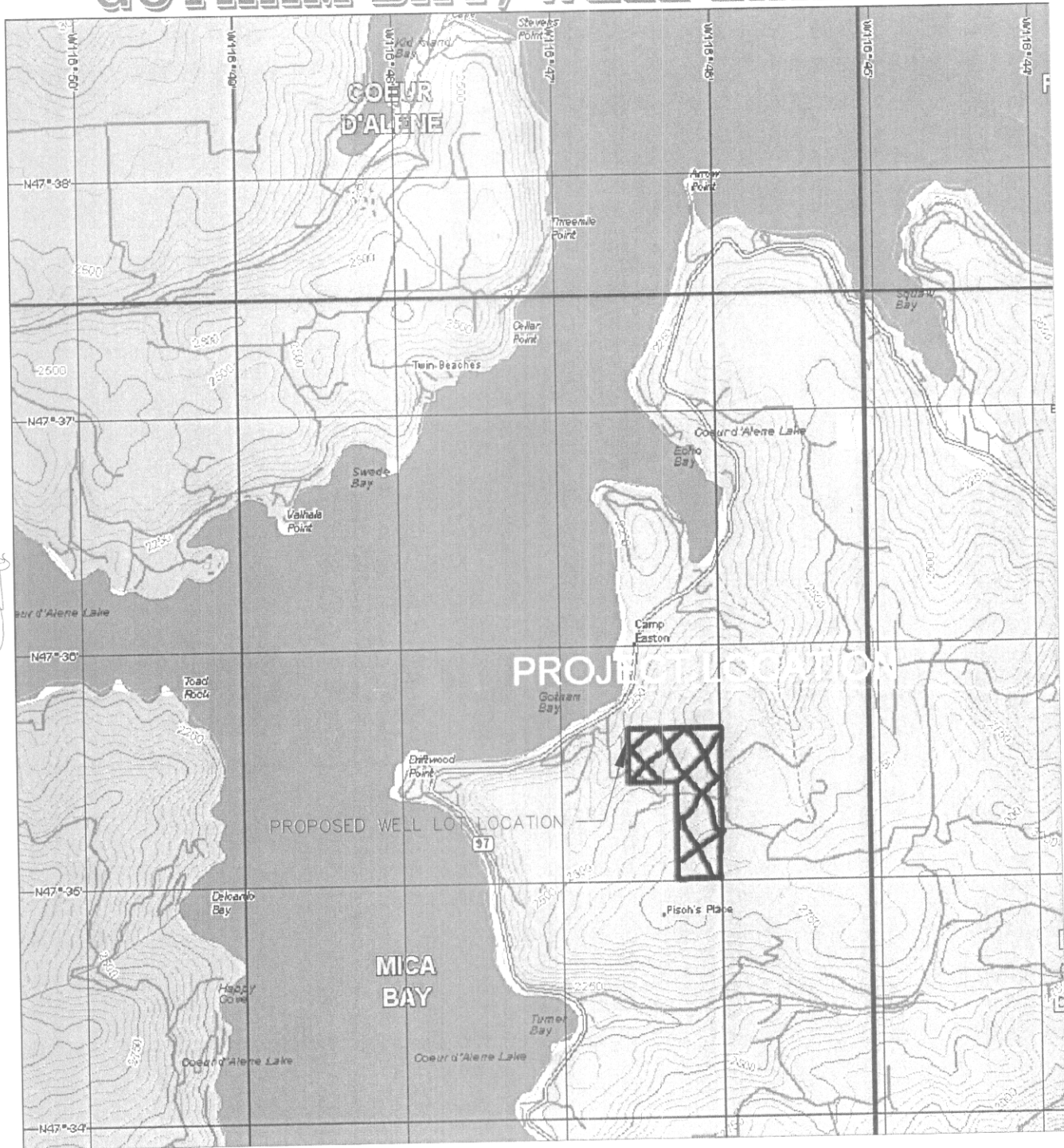
T49N R3W Section 18

Place of Use

⊙ Point of Diversion



GOTHAM BAY, WELL EXHIBIT



ISSUE DATE: 7/14/05	DRAWN BY: RNF
DWG FILE: WELL EXHIBIT	SCALE: 1"=4000'
PROJ. # 04-161	

SHEET TITLE:
WELL LOT EXHIBIT FOR
GOTHAM BAY



ENGINEERS • SURVEYORS • PLANNERS

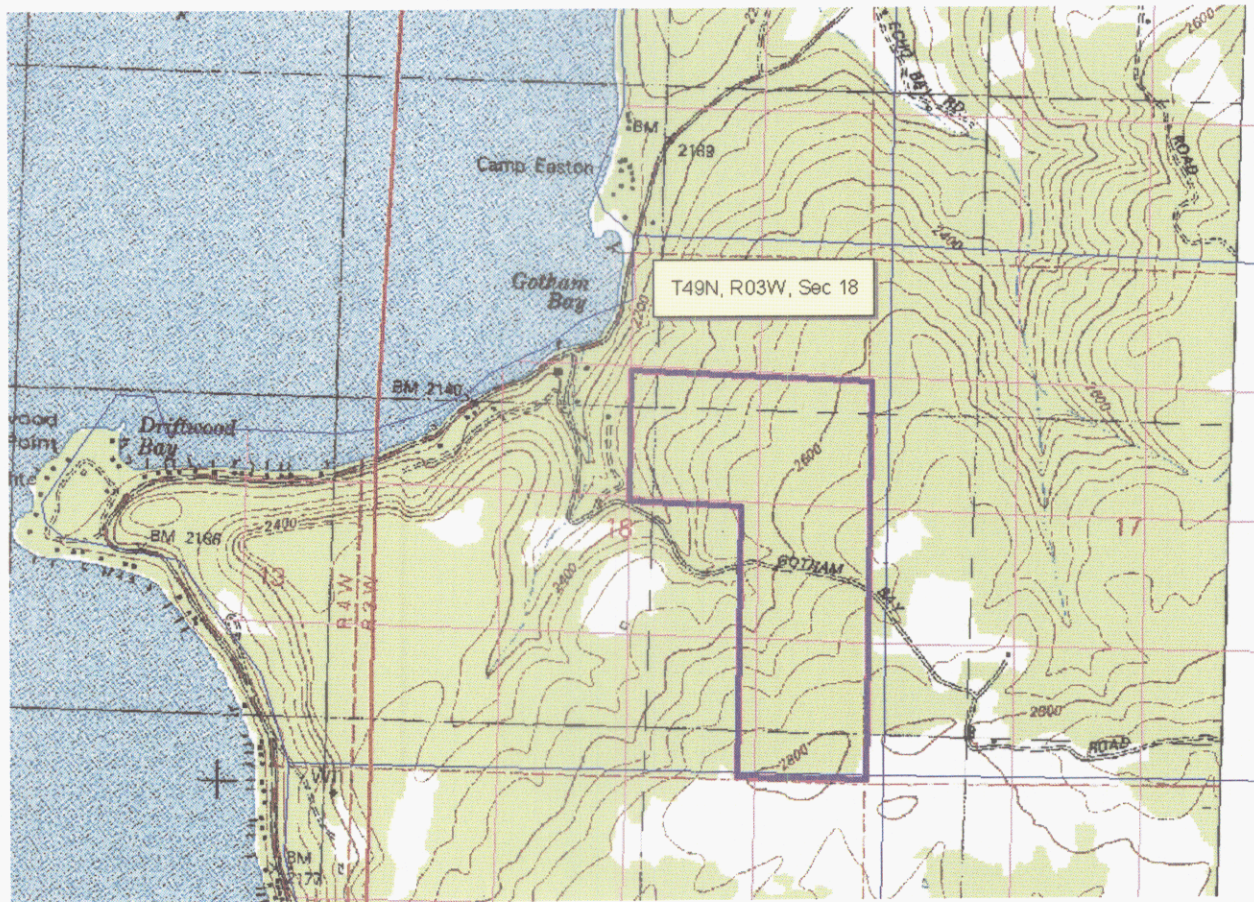
1296 Polston Ave., Suite B, Post Falls, Idaho 83854
PHONE (208) 773-8370 www.incnorthwest.com FAX (208) 777-2128

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09290

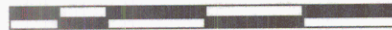
Digital Boundary for Big Rock Timber and Development, LLC

November 1, 2005



-  Permit 95-09290.shp
-  Township/Range
-  Sections
-  QQ

1000 0 1000 2000 3000 Feet



**NOW
STARTING
RIGHT
SIDE OF
FILE**

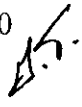
RECEIVED

NOV 07 2005

DEPARTMENT OF
WATER RESOURCES

Date: 11/2/2005

To: File #95-9290

From: Greg Taylor 

RE: Letter from Steve Syrcle dated 10/31/05

I called Steve after receiving his letter dated October 31, 2005 and told him we had already sent the file to Boise for approval and Gary Spackman had signed it. Steve said to go ahead and disregard his letter but put it in the file. We will send a letter to KEA explaining the circumstances that took place concerning the letter and the fact that the Permit had already been approved.



INLAND NORTHWEST CONSULTANTS
ENGINEERS • SURVEYORS • PLANNERS

October 31, 2005

State of Idaho Department of Water Resources
Northern Region, Suite 210
1910 Northwest Blvd.
Coeur d'Alene, ID 83814-2615

RECEIVED
NOV 02 2005
IDWR/North

ATTN: Mr. Greg Taylor

RE: Water Right Permit No. #95-9290

Dear Greg:

This letter is to formally request that the IDWR modify our Application for Permit #95-9290 as follows:

Item #4

cfs per T.C. w/ Steve Syrcle
~~0.45 Acre Feet per annual year~~

We have based our modification request on a meeting held with Mr. Barry Rosenberg of the Kootenai Environmental Alliance. Mr. Rosenberg with KEA had concerns with our original quantity request. We have mutually agreed upon our revised amount as shown above and KEA is in support of our application.

Thank you in advance for your time with our request and if you have any questions or need any additional information, please don't hesitate to contact me at your earliest convenience.

Sincerely yours,
Inland Northwest Consultants

Steven W. Syrcle, P.E.
V.P. Engineering

Cc: Mr. Barry Rosenberg, File



Gary
Spackman
Erin
Retelle

*Hard copy
follows*

Date: 11/2/2005

To: File #95-9290

From: Greg Taylor *GT*

RE: Letter from Steve Syrcle dated 10/31/05

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INLAND NORTHWEST CONSULTANTS
ENGINEERS • SURVEYORS • PLANNERS

October 31, 2005

State of Idaho Department of Water Resources
Northern Region, Suite 210
1910 Northwest Blvd.
Coeur d'Alene, ID 83814-2615

RECEIVED
NOV 02 2005
IDWR/North

ATTN: Mr. Greg Taylor

RE: Water Right Permit No. #95-9290

Dear Greg:

This letter is to formally request that the IDWR modify our Application for Permit #95-9290 as follows:

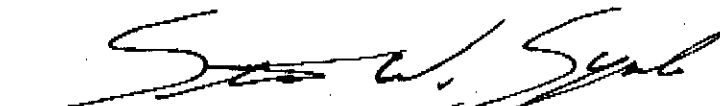
Item #4

cfs per T.C. w/ State cycle
0.45 Acre Feet per annual year

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Thank you in advance for your time with our request and if you have any questions or need any additional information, please don't hesitate to contact me at your earliest convenience.

Sincerely yours,
Inland Northwest Consultants


Steven W. Syrcle, P.E.
V.P. Engineering

Cc: Mr. Barry Rosenberg, File





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 3, 2005

BIG ROCK TIMBER & DEVELOPMENT LLC
PO BOX 3053
COEUR D ALENE ID 83816

RE: Permit No. 95-9290

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

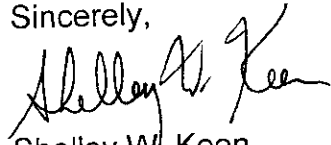
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4947.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" and last name "Keen" being the most prominent parts.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

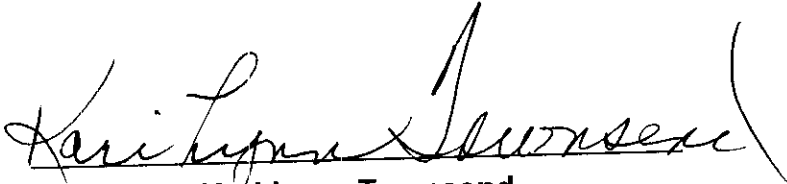
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on November 3, 2005 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. 95-9290

**BIG ROCK TIMBER & DEVELOPMENT LLC
PO BOX 3053
COEUR D ALENE ID 83816**


**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

|

M E M O R A N D U M

Date: October 31, 2005
To: Water Right File 95-9290
From: eretelle
Re: permit review

No WD or moratorium.

No overlap or protest

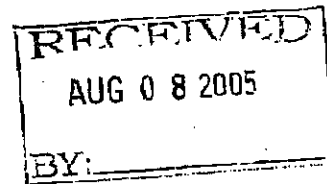
Information regarding PWS number from DEQ received.

Recommend approval as suggested by IDWR Northern.



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

COPY



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

Dirk Kempthorne, Governor
Toni Hardesty, Director

August 4, 2005

Mr. H. James Magnuson
Big Rock Timber and Development, LLC
PO Box 3053
Coeur d'Alene, ID 83816

Re 95-9290

RECEIVED
OCT 31 2005
Department of Water Resources

RE: Gotham Bay Subdivision, Case No. S-816P-05, Kootenai County & Well Drilling Approvals, Gotham Bay Estates Water System

Dear Mr. Magnuson:

This office is in receipt of two recent submittals as referenced above pertaining to your proposal to subdivide about 160 acres of property located near Gotham Bay on Lake Coeur d'Alene into 46 residential lots.

Gotham Bay Subdivision, Case No. S-816P-05, Kootenai County: We have reviewed the information submitted to this office by Mark Mussman with the Kootenai County Building and Planning Department on April 21, 2005 as prepared by Inland Northwest Consultants, Inc. The preliminary plat drawing indicated that lots in the subdivision would be served by "individual sanitary septic systems" and a "community water system to be designed upon preliminary plat approval."

The suitability of this development for 46 individual septic systems on lots ranging from one to three acres in size will be individually determined by the Panhandle Health District in compliance with the Idaho Individual/Subsurface Sewage Disposal Rules (IDAPA 58.01.03). Since the proliferation and density of septic systems in this subdivision might create ground water quality impacts, DEQ will need to review the hydrogeologic evaluation of the predicted impact of these sewage disposal systems on ground water quality. This is to ensure the development can be done in compliance with the Idaho Ground Water Quality Rule (IDAPA 58.01.11).

It appears that three test wells were drilled on this property to assist in locating a potential ground water supply for the proposed public drinking water system. The results from Test Well #3 suggested further well drilling to establish the two production wells required of this system by the Idaho Rules for Public Drinking Water Systems (IDAPA 58.01.08). Whether or not there is a sufficient quantity of ground water with an acceptable quality for drinking water purposes will need to await completion of these two wells.

At this point, DEQ recommends that a final county decision on the preliminary plat for Gotham Bay Estates await PHD on-site sewage system approvals, evidence that ground water impacts from the septic systems are acceptable, and a demonstration that two sources of water with an acceptable quality and quantity of water are available to supply the public drinking water system.

RE: **Gotham Bay Subdivision, Case No. S-816P-05, Kootenai County & Well Drilling Approvals, Gotham Bay Estates Water System**

August 4, 2005
Page 2

Well Drilling Approvals, Gotham Bay Estates Water System: Technical Specifications for New Well Construction for Gotham Bay Estates were submitted on June 24, 2005 by James DeSmet, P.E. of Quantum Engineering and Geologic Engineering. The submittal calls for drilling two 8-inch diameter, 230-foot deep, public drinking water supply wells 50 feet apart and within a 150-foot by 100-foot well lot located near the northwest corner of the property. The well drilling site was approved by DEQ on July 6, 2005.

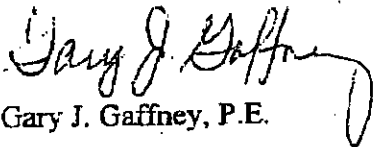
The submitted plans and specifications for drilling these two wells have been reviewed and are hereby approved for construction purposes in accordance with the Idaho Rules for Public Drinking Water Systems and Section 39-118 of Idaho Code.

Inspection of well drilling activities approved herein must be done by an Idaho licensed Professional Engineer (P.E.) or by someone under the direct supervision of a P.E. Unless notified to the contrary, we will assume Jim De Smet will be providing these services.

Upon completion of the well drillings approved herein, the following items need to be submitted to DEQ:

1. A copy of the test pumping results for each well and the engineer's opinion of the available yield from the well. Test pumping must be done in accordance with the Idaho Rules for Public Drinking Water Systems. When test pumping the second well, the drawdown in the first well needs to be recorded and reported.
2. A copy of water quality testing done on water from the well as identified in the July 6, 2005 well site approval letter from DEQ.
3. A copy of the well log for the completed well as filed with the Idaho Department of Water Resources (DWR). Abandonment of the three test wells needs to be done in accordance with DWR well drilling rules.
4. A copy of the final well lot description showing compliance with the minimum 50 foot distance from the well to property lines and other minimum setback distances as identified in the well site approval letter.
5. Plans and specifications for equipping the wells with pumps and control systems and for construction of the public drinking water systems intended to serve the 46 lots in Gotham Bay Estates.

Sincerely,



Gary J. Gaffney, P.E.

c: Anthony Davis, DEQ-CdA
Steve Syrcle, INC, Post Falls
Jim De Smet, Quantum Engr. & Geo. Consulting
Mark Mussman, Kootenai County Planning Department, PO Box 9000, CdA, ID 83816-9000
Jason Peppin, Panhandle Health District, CdA
Douglas Anderson, Big Rock Timber and Development, LLC, P.O. Box 2288, Coeur D'Alene
(#8731 & 8630 filed with Gotham Bay PWS file)

10/12/2000 (ldt)

Drilling Permit No. _____
Drilling Permit I.D. Tag No. _____
Water Right No. 95-9290 (if applicable)

State of Idaho
Department of Water Resources

REQUEST FOR ISSUANCE OF DOMESTIC DRILLING PERMIT
WITH CASING SIZE EXCEEDING SIX (6) INCHES

1. Owner's Name Big Rock Timber & Development
2. Owner's Mailing Address P.O. Box 3053
3. The owner requests the issuance of Drilling Permit for domestic (exempt) purposes as defined in Idaho Code Section 42-111, which authorizes construction of a well with casing size exceeding six (6) inches in diameter. The Idaho Code states, in part:

"the phrase 'domestic purposes' or 'domestic uses' means:

- a. *The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day, or*
- b. *Any other uses, if the total use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500) gallons per day.*

For purposes of these sections, domestic purposes or domestic uses shall not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use meets the diversion rate and volume limitations set forth in subsection B. of this section."

The request is made to drill a 8" inch diameter well for the following reason(s):

- ☐ A larger diameter is required because of expected limited productivity of formations anticipated to be encountered, or difficulties in drilling that have been experienced.
- ☐ The pumping equipment available requires a larger well diameter and will be valved to prevent excessive diversion.
- ☒ Other Public Water Source; Production Well #1

4. Who owns the property at the point of diversion? Big Rock Timber & Development
5. Who owns the land to be irrigated or place of use? Big Rock Timber & Development
6. If a person other than the applicant owns the property, describe the arrangement enabling the applicant to make this filing in behalf of the well owner: _____
7. Anticipated Well Driller: United Drilling Inc Driller's License No. 414
8. I acknowledge that use of this well for any other purpose than domestic use as defined under Idaho Code Section 42-111 requires approval by the Idaho Department of Water Resources and that failure to comply is a violation of Sections 42-351 and 43-352, Idaho Code.

United Drilling Inc

Well Owner or Authorized Agent



Signature

President

Title

10/26/05

Date

10/12/2000 (ldt)

Drilling Permit No. _____
Drilling Permit I.D. Tag No. _____
Water Right No. _____ (if applicable)State of Idaho
Department of Water ResourcesREQUEST FOR ISSUANCE OF DOMESTIC DRILLING PERMIT
WITH CASING SIZE EXCEEDING SIX (6) INCHES

1. Owner's Name Big Rock Timber & Development
2. Owner's Mailing Address P.O. Box 3053
3. The owner requests the issuance of Drilling Permit for domestic (exempt) purposes as defined in Idaho Code Section 42-111, which authorizes construction of a well with casing size exceeding six (6) inches in diameter. The Idaho Code states, in part:

"the phrase 'domestic purposes' or 'domestic uses' means:

- a. *The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day, or*
- b. *Any other uses, if the total use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500) gallons per day.*

*For purposes of these sections, domestic purposes or domestic uses shall not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use meets the diversion rate and volume limitations set forth in subsection B. of this section."*The request is made to drill a 8" inch diameter well for the following reason(s):

- ☐ A larger diameter is required because of expected limited productivity of formations anticipated to be encountered, or difficulties in drilling that have been experienced.
- ☐ The pumping equipment available requires a larger well diameter and will be valved to prevent excessive diversion.
- ☒ Other Public Water Source; Production Well #2

4. Who owns the property at the point of diversion? Big Rock Timber & Development
5. Who owns the land to be irrigated or place of use? Big Rock Timer & Development
6. If a person other than the applicant owns the property, describe the arrangement enabling the applicant to make this filing in behalf of the well owner: _____
7. Anticipated Well Driller: United Drilling Inc Driller's License No. 414
8. I acknowledge that use of this well for any other purpose than domestic use as defined under Idaho Code Section 42-111 requires approval by the Idaho Department of Water Resources and that failure to comply is a violation of Sections 42-351 and 43-352, Idaho Code.

United Drilling Inc

Well Owner or Authorized Agent



Signature

President

Title

10/26/05

Date

Taylor, Greg

From: Steve [steves@incnorthwest.com]
Sent: Thursday, October 06, 2005 9:51 AM
To: Marcia.Babcock@deq.idaho.gov; Gary.Gaffney@deq.idaho.gov; Anthony.Davis@deq.idaho.gov
Cc: 'Taylor, Greg'; Greg Frohn
Subject: RE: Gotham Bay water system PWS #

Thank you Marcia. Mr. Taylor, as discussed, our number is 1280311. If you need anything else, please don't hesitate to contact me at your earliest convenience.

Steven W. Syrcle, P.E.

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

From: Marcia.Babcock@deq.idaho.gov [mailto:Marcia.Babcock@deq.idaho.gov]
Sent: Thursday, October 06, 2005 9:29 AM
To: Gary.Gaffney@deq.idaho.gov; Anthony.Davis@deq.idaho.gov
Cc: steves@incnorthwest.com
Subject: RE: Gotham Bay water system PWS #

→ We have a number for Gotham Bay Estates. It is 1280311.
I have it under DEQ jurisdiction, inactive, Kootenai County.
Please let me know if you need anything else. Thank you.
M

From: Gary Gaffney
Sent: Wednesday, October 05, 2005 10:28 AM
To: Marcia Babcock; Anthony Davis
Cc: Steve Syrcle
Subject: Gotham Bay water system PWS #

Marcia/Tony,

Steve Syrcle called asking for the PWS # of this proposed system. I approved well drilling August 4th but have received no as-builts yet. They need a PWS # for IDWR water rights application purposes. The system is near Gotham Bay on Lake CdA and will develop 160 acres into 49 lots.

Can one of you secure this number from Boise and email it to Steve Syrcle?

Gary J. Gaffney, P.E.
Idaho Department of Environmental Quality
2110 Ironwood Parkway
Coeur d'Alene, ID 83814-2648
Tel: (208) 769-1422
Fax: (208) 769-1404
E-mail: ggaffney@deq.idaho.gov

Greg:

Gotham Bay Estates
Water System
(per DEQ)

10/17/05

10/6/2005

Chw/Bab: looks like we'll
need a name change
from one to another -
they need to decide which way, I guess

Big Rock Timber & Development, L.L.C.

P. O. Box 3053
Coeur d' Alene, Idaho 83816
208-665-2045 Fax 208-665-5968

October 4, 2005

Fax- 208-769-1454

Gregory J. Taylor
Senior Water Resource Agent
State of Idaho Department of Water Resources
1910 Northwest Blvd.
Suite 210
Coeur d' Allen, Idaho 83814-2615

Dear Greg,

RE: Application for permit number 95-9290

I am in receipt of your letter requesting the Public water system number and the names of the officers of Big Rock Timber & Development, LLC.

Inland Northwest Consultants Inc., 1296 E. Polston Ave., Suite B., Post Falls, ID. 83854 is the engineering firm doing our Gotham Bay Estates Project. Steve Syrcle, PE, is the engineer submitting this application, his phone number is 208-773-8370

They are authorized to act in our behalf to obtain all necessary documentation and permits for our water system.

In answer to your request for information on the application: Big Rock Timber & Development, LLC. Douglas D. Anderson is the Original Managing Member, Elizabeth S. Anderson is an initial Member 4902 S. Fishhawk Court, Harrison, ID. 83833.

I asked Steve Syrcle of Inland Northwest Consultants Inc. what our Public Water Supply number is and he is not familiar with it, could you help us out with this?

Please call me at 208-661-2635 at your convenience.



Douglas D. Anderson
Original Managing Member



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

September 28, 2005

DIRK KEMPTHORNE

Governor

KARL J. DREHER

Director

BIG ROCK TIMBER & DEVELOPMENT LLC
PO BOX 3053
COEUR D ALENE ID 83816

RE: Application for Permit No 95-9290

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Coeur d'Alene Press on October 6 and 13, 2005. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

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

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

Preliminary review of the application indicates that additional information is required.

1. Public Water Supply number.
2. Listing of the officers of Big Rock Timber & Development, LLC

The information must be submitted within 30 days of the date of this letter. Failure to submit the required information within the time period allowed may be cause for the Department to void the application. The Department may grant an extension of time to submit the information upon written request and a showing of good cause.>

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

Sincerely,

Gregory J. Taylor
Senior Water Resource Agent

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

RECEIVED
OCT 17 2005
IDWR/North

Kattie Hay

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

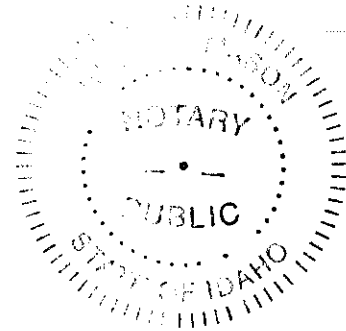
of which the annexed is a printed copy, was published in the regular *Thursday* issue of said newspaper for *2* consecutive *weeks* commencing on the *16* day of *October* 2005, and ending on the *13* day of *October* 2005, and such publication was made as often during said period as said *Daily* newspaper 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 *Kattie Hay*. On this *13* day of *October* in the year of *2005*, before me, a Notary Public, personally appeared *Kattie Hay*, 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.

Regina Mason

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

MY COMMISSION EXPIRES 6/18/09



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

95-9290

BIG ROCK TIMBER & DEVELOPMENT LLC
PO BOX 3053
COEUR D ALENE ID 83816
Point(s) of Diversion(2) SWNE S18 T49N R03W KOOTENAI County
Source GROUND WATER
Use: MUNICIPAL 01/01 To 12/31 0.5 CFS
Total Diversion: 0.5 CFS
Date Filed: 09/02/2005
Place Of Use: MUNICIPAL
Remark: Municipal use is within service area of applicant.
95-9299

GARY SCHMIDT
1474 E LANCASTER RD
HAYDEN ID 83835
Point(s) of Diversion L4 (SWSWSE) S9 T51N R03W KOOTENAI County
Source HAYDEN LAKE Tributary To SINKS
Use: DOMESTIC 01/01 To 12/31 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 09/08/2005
Place Of Use: DOMESTIC
T51N R03W S9 SWSE Lot 4
Remark: Domestic use is for 1 two-family home.
95-9300

GARY SCHMIDT
1474 E LANCASTER RD
HAYDEN ID 83835
Point(s) of Diversion L4 (SWSWSE) S9 T51N R03W KOOTENAI County
Source HAYDEN LAKE Tributary To SINKS
Use: DOMESTIC 01/01 To 12/31 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 09/08/2005
Place Of Use: DOMESTIC
T51N R03W S9 SWSE Lot 4
Remark: Domestic use is for 1 two family home.
95-9301

GARY SCHMIDT
1474 E LANCASTER RD
HAYDEN ID 83835
Point(s) of Diversion L4 (SWSWSE) S9 T51N R03W KOOTENAI County
Source HAYDEN LAKE Tributary To SINKS
Use: DOMESTIC 01/01 To 12/31 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 09/08/2005
Place Of Use: DOMESTIC
T51N R03W S9 SWSE Lot 4
Remark: Domestic use is for 1 two family home.
95-9302

GARY SCHMIDT
1474 E LANCASTER RD
HAYDEN ID 83835
Point(s) of Diversion L4 (SWSWSE) S9 T51N R03W KOOTENAI County
Source HAYDEN LAKE Tributary To SINKS
Use: DOMESTIC 01/01 To 12/31 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 09/08/2005
Place Of Use: DOMESTIC
T51N R03W S9 SWSE Lot 4
Remark: Domestic use is for 1 two family home.
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.
Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur d'Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 10/24/2005. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director
Legal 8024
October 6, 13, 2005

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

95-9290

BIG ROCK TIMBER & DEVELOPMENT LLC
PO BOX 3053
COEUR D'ALENE ID 83816

Point(s) of Diversion(2) SWNE S18 T49N R03W KOOTENAI County
Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 0.5 CFS
Total Diversion: 0.5 CFS

Date Filed: 09/02/2005

Place Of Use: MUNICIPAL

Remark: Municipal use is within service area of applicant.

95-9299

GARY SCHMIDT
1474 E LANCASTER RD
HAYDEN ID 83835

Point(s) of Diversion L4 (SWSWSE) S9 T51N R03W KOOTENAI County
Source HAYDEN LAKE Tributary To SINKS

Use: DOMESTIC 01/01 To 12/31 0.03 CFS
Total Diversion: 0.03 CFS

Date Filed: 09/08/2005

Place Of Use: DOMESTIC

T51N R03W S9 SWSE Lot 4

Remark: Domestic use is for 1 two-family home.

95-9300

GARY SCHMIDT
1474 E LANCASTER RD
HAYDEN ID 83835

Point(s) of Diversion L4 (SWSWSE) S9 T51N R03W KOOTENAI County
Source HAYDEN LAKE Tributary To SINKS

Use: DOMESTIC 01/01 To 12/31 0.03 CFS
Total Diversion: 0.03 CFS

Date Filed: 09/08/2005

Place Of Use: DOMESTIC

T51N R03W S9 SWSE Lot 4

Remark: Domestic use is for 1 two family home.

95-9301

GARY SCHMIDT
1474 E LANCASTER RD
HAYDEN ID 83835

Point(s) of Diversion L4 (SWSWSE) S9 T51N R03W KOOTENAI County
Source HAYDEN LAKE Tributary To SINKS

Use: DOMESTIC 01/01 To 12/31 0.03 CFS
Total Diversion: 0.03 CFS

Date Filed: 09/08/2005

Place Of Use: DOMESTIC

T51N R03W S9 SWSE Lot 4

Remark: Domestic use is for 1 two family home.

95-9302

GARY SCHMIDT
1474 E LANCASTER RD
HAYDEN ID 83835

Point(s) of Diversion L4 (SWSWSE) S9 T51N R03W KOOTENAI County
Source HAYDEN LAKE Tributary To SINKS

Use: DOMESTIC 01/01 To 12/31 0.03 CFS
Total Diversion: 0.03 CFS

Date Filed: 09/08/2005

Place Of Use: DOMESTIC

T51N R03W S9 SWSE Lot 4

Remark: Domestic use is for 1 two family home.

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

Any protest against the approval of this application must be filed with the
Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd,
Suite 210, Coeur D'Alene ID 83814 together with a protest fee of \$25.00 for
each application on or before 10/24/2005. The protestant must also send a
copy of the protest to the applicant.

KARL J DREHER, Director Published October 6 and 13, 2005



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

September 28, 2005

KATTIE HOY & KATHIE SHOEMAKER
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

Please FAX proof copy before publication, to 208-769-1454
Thanks, Dianne

RE: Application for Permit No. 95-9290, 95-9299, 95-9300, 95-9301 and 95-9302

Dear Kattie & Kathie:

Enclosed you will find **the first of two legal notices** which we wish to have published in your newspaper on the dates indicated, October 6 and 13, 2005, (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 10/24/2005. Your cooperation is appreciated.

Thanks for all your help. It is a pleasure to work with you.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, September 28, 2005 11:13 AM
To: Legal Notices-CdA Press (E-mail); Legal Notices-CDAPress-Kathie Shoemaker (E-mail)
Subject: First of 2 legal notices for publication on October 6 and 13, 2005

Good morning to you,

This is the first of two legal notices - the second will follow later today - both for publication on October 6 and 13, 2005.

Attached cover letter requestS publication of a legal notice on the dates specified above. The legal notice is also attached.

If you have ANY questions PLEASE call me at 769-1450

PLEASE FAX A PROOF COPY BEFORE PUBLICATION.

This is a long one, and the next one will be also, so I trust that you will be able to copy and paste with minor adjustments.

Thanks for all your help.

Dianne

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



CoverLetter
9-28-05 CdA e-mai.



LegalNotice
9-28-05 CDA1 e-ma.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 28, 2005

BIG ROCK TIMBER & DEVELOPMENT LLC
PO BOX 3053
COEUR D ALENE ID 83816

RE: Application for Permit No 95-9290

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Coeur d'Alene Press on October 6 and 13, 2005. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

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

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

Preliminary review of the application indicates that additional information is required.

1. Public Water Supply number.
2. Listing of the officers of Big Rock Timber & Development, LLC

The information must be submitted within 30 days of the date of this letter. Failure to submit the required information within the time period allowed may be cause for the Department to void the application. The Department may grant an extension of time to submit the information upon written request and a showing of good cause.>

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

Sincerely,

Gregory J. Taylor
Senior Water Resource Agent



INLAND NORTHWEST CONSULTANTS

ENGINEERS • SURVEYORS • PLANNERS

Transmittal

RECEIVED
SEP 23 2005
IDWR/North

Date: September 23, 2005

To: Greg Taylor
IDWR

From: Steve Syrcle, PE *SWJ*
Project Manager

Re: Gotham Bay

Please find for your review and approval, our revised water right application as requested.
Please feel free to contact me with any questions or comments that you might have. Thanks

1296 E. Polston Avenue, Suite B
Post Falls, Idaho 83854
Phone: (208)773-8370
Fax: (208)777-2128



ENGINEERS • SURVEYORS • PLANNERS

Transmittal

RECEIVED
AUG 23 2005
IDWR/North

Date: August 23, 2005
To: Gregory Taylor
Dept. of Water Services
From: Steve Syrcle
INC
Re: Revised Application

Enclosed per our meeting you will find one copy of the revised application for permit to appropriate the public waters of the State of Idaho.

Should you require additional assistance, please feel free to contact our office.

1296 E. Polston Avenue, Suite B
Post Falls, Idaho 83854
Phone: (208)773-8370
Fax: (208)777-2128



ENGINEERS • SURVEYORS • PLANNERS

RECEIVED
AUG 23 2005
IDWR/North

Transmittal

RECEIVED
JUL 29 2005
IDWR/North

Date: July 28, 2005
To: Greg Taylor
IDWR
From: Steve Syrcle, PE
Project Manager
Re: Gotham Bay

Enclosed for submittal please find the following

- revised application
- well lot exhibit

for the above referenced project. The board members of Big Rock Timber & Development, LLC are ~~Greg~~ Anderson and Greg Frohn. Should you require additional assistance, please feel free to contact our office.

1296 E. Polston Avenue, Suite B
Post Falls, Idaho 83854
Phone: (208)773-8370
Fax: (208)777-2128

RECEIVED
AUG 23 2005
IDWR/North

RECEIVED

SEP 02 2005

Ident. No. _____

IDWR/North
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
JUL 14 2005
IDWR/North

1. Name of Applicant BIG ROCK TIMBER & DEVELOPMENT, LLC Phone (208) 661-2635

Mailing address P.O. BOX 3053 COEUR D'ALENE, ID 83816

2. Source of water supply GROUNDWATER which is a tributary of SPOKANE RIVER

20 3. Location of point of diversion is Township 49 N Range 3 W Sec. 18, in the SW SW NE 1 SW NE 1 Govt. Lot 1, B.M., KOOTENAI County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount .50 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) 0.50 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works: _____

a. Describe type and size of devices used to divert water from the source PRODUCTION WELLS

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

c. Proposed well diameter is 8-10 inches; proposed depth of well is 200-250 feet

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

e. If well is already drilled, when? _____; Drilling firm TO BE DETERMINED

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. ASSOCIATION TO BE CREATED BY PROPERTY OWNERS

d. Domestic; show number of households. _____

e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
41N	3W	18			M	M									D	M	M	M	

Total number of acres to be irrigated = _____

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

11. a. Who owns the property at the point of diversion? Big Rock Timber & Development LLC
- b. Who owns the land to be irrigated or place of use? PROPERTY OWNERS ASSOCIATION
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: NA

12. Remarks: ATTACHED MAP SHOWS LOCATION OF SUBDIVISION AND POINT OF DIVERSION

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.

Laurel D. Anderson, President
Signature of Applicant (and title, if applicable)

Received by *[Signature]* Date 7/14/05 Time 3:55p Preliminary check by _____
 Fee \$ 250.00 Received by *[Signature]* # NO17041 Date 7/14/05
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____



Tel (208) 729-2920
Fax (208) 729-7998
Toll Free (800) 667-0773

P.O. Box 3440
Post Falls, ID 83877-3440

STRAIGHT BILL OF LADING SHORT FORM

No 273443

SHIPPER INC	PHONE 773-8370	DATE 08/23/05
CITY & STATE Post Falls		C.O.D. Check # \$ ☐ Check ☐ Cash ☐
RECEIVER Greiner Taylor Oil & Water Resources	PHONE	PREPAID
CITY & STATE 1910 Northwest Blvd Ste 210 CDI		FT. COLLECT

NO.	DESCRIPTION	*WEIGHT SUB TO CORR	CLASS OR RATE	CHARGES
1	Envelope 04761 Application			

DOC/ENV	SAME DAY	RESIDENTIAL
RUSH	Insurance over \$100 YES ☐ NO ☐	

Declared Value: \$

Pick-up Driver: **Kana**

Delivery Driver: **Kana**

Receiver signature: **C. Moniz**

TIME: Date:

Misc.	
Delivery Charge	
C.O.D. Charge	
TOTAL	

Shipper signature: **[Signature]**

TIME: Date: **08/23/05**

AmWest Courier Inc. is not responsible for lost or damaged freight after 5 days.
WHITE : AmWest copy
YELLOW : Shipper copy
PINK : Receiver copy

INLAND NORTHWEST CONSULTANTS

8386

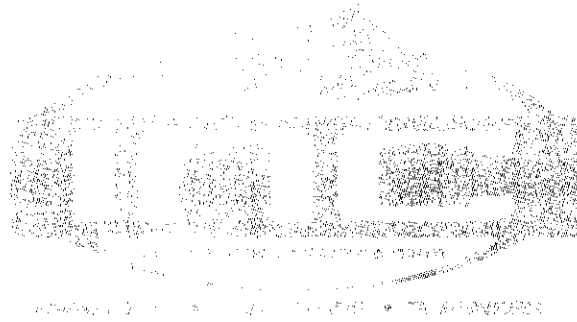
IDWR

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Idaho Department of Water Resources - Water Right

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PAYMENT
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Idaho Department of Water Resources Receipt

Receipt ID N017041

Payment Amount	\$250.00	Date Received	7/14/2005 4:54:43 PM	Region	Northern	Status	
Payment Type	Check	Check Number	8386				

Payer INLAND NORTHWEST CONSULTANTS FOR BIG R

Comment WR Permit App Fee for Big Rock Timber & Development LLC

Fee Detail

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Amount	Description	Fund	FD	PCA	SO
\$250.00	PERMITS	0229	21	65103	1155

_____
Signature Line (Dept. Representative)

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95-9290

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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 BIG ROCK TIMBER & DEVELOPMENT, LLC Phone (208) 661-2635
Mailing address P.O. BOX 3053 COEUR D'ALENE, ID 83816
2. Source of water supply GROUNDWATER which is a tributary of SPOKANE RIVER SW
3. Location of point of diversion is Township 49 N Range 3 N Sec. 18, in the NE 1/4,
SW 1/4, NE 1/4, Govt. Lot 1, B.M., KOSTENAI County;
additional points of diversion if any:
4. Water will be used for the following purposes:
- | | |
|---|--|
| Amount <u>.50</u> for <u>MUNICIPAL</u> purposes from <u>JAN 1</u> to <u>DEC 31</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) | |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum) | |
5. Total quantity to be appropriated is (a) 0.50 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 PRODUCTION WELLS
- b. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
- c. Proposed well diameter is 8-10 inches; proposed depth of well is 200-250 feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? _____; Drilling firm TO BE DETERMINED
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. ASSOCIATION TO BE CREATED BY PROPERTY OWNERS
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
44N	3W	18	0.5	2.5	2	1.0	2.5	2	1	2					3	2		3.5	23.0
			M	M	M	M	M	M	M	M					M	M		M	

Total number of acres to be irrigated 23.0

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

11. a. Who owns the property at the point of diversion? BIG ROCK TIMBER & DEVELOPMENT LLC
- b. Who owns the land to be irrigated or place of use? PROPERTY OWNERS ASSOCIATION
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: NA

12. Remarks: ATTACHED MAP SHOWS LOCATION OF SUBDIVISION AND POINT OF DIVERSION

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.

Laurel D. Anderson President
Signature of Applicant (and title, if applicable)

Received by [Signature] Date 7/14/05 Time 4:30P Preliminary check by _____
 Fee \$ 250.00 Received by [Signature] # N017041 Date 7/14/05
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 19, 2005

Steve Syrcle
Inland Northwest Consultants
1296 Polston Ave
Post Falls ID 83854

RECEIVED
JUL 20 2005

BY:.....

RECEIVED
AUG 23 2005
IDWR/North

RE: Application for Permit to appropriate the public waters of the State of Idaho.

Dear Steve:

Please find enclosed the Application for Permit you recently submitted to the department. We are returning the application because of insufficient information. Please see the following items that need to be completed before we can process your application:

Item Numbers 3., 9., & 13. Pt of Diversion, Place of Use & Map

Please clearly mark the enclosed map where the location of your diversion will be and where the water uses are located. The map should be sent back to this office with your filing. The point of diversion needs to be listed to the nearest 40-acre ($\frac{1}{4}$ $\frac{1}{4}$) tract in Item 3. Currently the point of diversion is only listed to a 160-acre tract. This application, when approved, will allow one well to be drilled. If you wish to have more than one well, they should also be listed to the nearest 40-acre tract in Item 3, and clearly marked on the map. If you are applying for municipal use, the number of acres irrigated do not need to be listed in Item 9. However, we do require that the symbol for municipal use be entered in all of the quarter-quarters where the water will be used.

Item 7. Time Required

Please list the time it will take you to finish developing the system and begin using the water for all of the uses applied for. This time can be from 1-5 years.

Although we can advertise the application when the above items are completed, we will require a public water supply number and a list of the board members of Big Rock Timber & Development, LLC before we can finalize processing of the application.

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

Sincerely,

Gregory J. Taylor
Sr. Water Resource Agent

*Please keep the receipt for
your records.*



INLAND NORTHWEST CONSULTANTS

ENGINEERS • SURVEYORS • PLANNERS

Transmittal

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AUG 23 2005
IDWR/North

RECEIVED
SEP 02 2005
IDWR/North

Date: July 14, 2005

To: Greg Taylor
IDWR

From: Steve Syrcle, PE
Project Manager

Re: Gotham Bay

Enclosed for submittal please find the following

- completed application
- well lot exhibit
- check #8386 in the amount of \$250.00

for the above referenced project. Should you require additional assistance, please feel free to contact our office.

1296 E. Polston Avenue, Suite B
Post Falls, Idaho 83854
Phone: (208)773-8370
Fax: (208)777-2128

IDWR

7/14/2005

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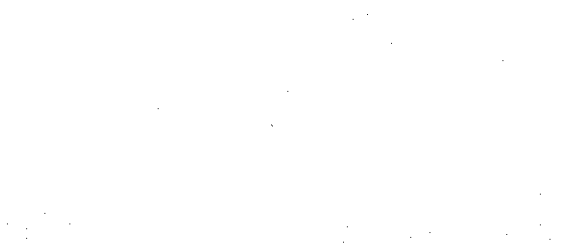
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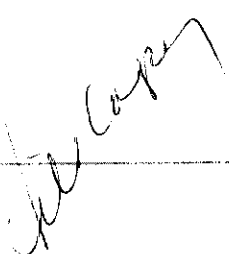
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