

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 95-09282

Priority: June 24, 2005

Maximum Diversion Volume: 15.0 AF

This is to certify, that BEST HILLS RANCH PROPERTY OWNERS ASSOCIATION
2162 E BEST AVE
COEUR D'ALENE ID 83814

has applied for a permit to appropriate water from:

Source: NETTLETON GULCH CREEK **Tributary:** SINKS

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31	15.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NETTLETON GULCH CREEK NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7, Twp 50N, Rge 03W, B.M. KOOTENAI County

PLACE OF USE: RECREATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
50N 03W 7					X	X											

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 1, 2006**.
2. Subject to all prior water rights.
3. 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.
4. Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
6. Recreation storage use is for swimming and boating in an excavated pond.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of

the Director, affixed at Boise, this 2nd day of September, 2005.


for KARL DREHER, Director

Ident. No. 95-9282

RECEIVED

SEP 02 2005

Department of Water Resources

72105
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JUN 24 2005

IDWR/North

1. Name of Applicant BEST HILLS RANCH PROPERTY OWNERS Phone 208-765-8670
Mailing address 2162 E. BEST AVE COEUR D'ALENE ASSOCIATION 83814
2. Source of water supply NETTLETON GULCH CREEK which is a tributary of SINKS NW
3. Location of point of diversion is Township 50 N Range 3 W Sec. 7, in the 1/4,
NW 1/4, Govt. Lot _____, B.M., Kootenai County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 15 AF for Recreation purposes from 1/1 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) _____ and/or (b) 15 AF
cubic feet per second acre feet per annum
6. Proposed diverting works: Excavated Pond
a. Describe type and size of devices used to divert water from the source _____

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. _____
e. Other; describe fully. Recreation Swim/boat

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	
50N	3W	7					R	R											

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? Association Members
- b. Who owns the land to be irrigated or place of use? _____
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

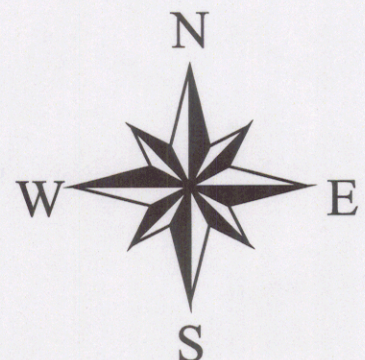
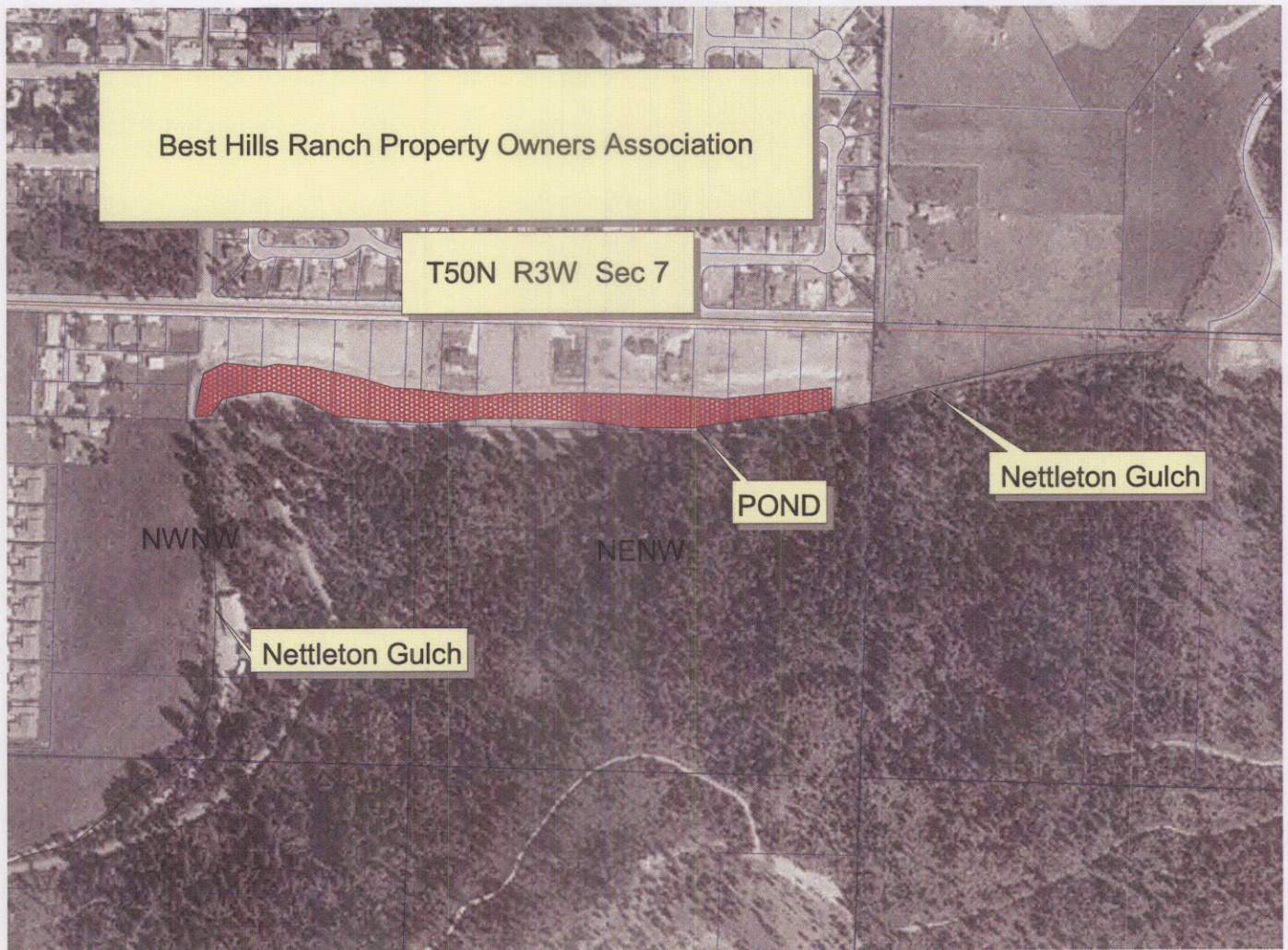
12. Remarks: BOARD MEMBERS RAY SPACKMAN, V.P.
LOUELLA STILLER, SECT.
JILL SATTERLY, TREES
ROBERT YUDITSKY
Merlin D (Butch) Taylor

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.

Merlin D "Butch" Taylor, Pres
 Signature of Applicant (and title if applicable)

Received by PJA Date 6/24/05 Time 11:30AM Preliminary check by _____
 Fee \$ 100.00 Receipted by PJA # N16993 Date 6/24/05
 Publication prepared by db Date 7/13/05 Published in IDA Press 7/28/05
 Publication approved db Date 8/1/05



Kootenai.shp
7.5 Minute Quad BoundariesQuad75.shp
PLSS Section LinesSections.shp
T50n03w.shp

**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 6, 2005

BEST HILLS RANCH PROPERTY OWNERS ASSOCIATION
2162 E BEST AVE
COEUR D ALENE ID 83814

RE: Permit No. 95-9282

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.

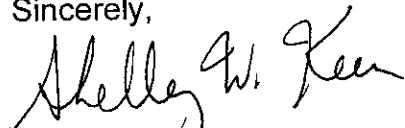
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should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

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

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" being the most prominent part.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

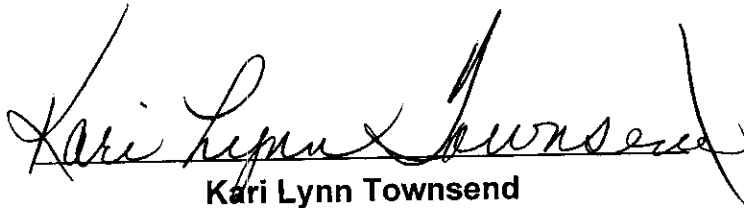
CERTIFICATE OF SERVICE

I hereby certify that on September 6, 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.

95-9282

**BEST HILLS RANCH PROPERTY OWNERS ASSOCIATION
2162 E BEST AVE
COEUR D ALENE ID 83814**

A handwritten signature in black ink, reading "Kari Lynn Townsend", written over a horizontal line.

**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.

SEARCHED
SERIALIZED
INDEXED
FILED

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.

MEMORANDUM

Date: September 02, 2005
To: Water Right File 95-9282
From: Shelley Keen *SK*
Re: Water Use

The water use is Recreation Storage. No diversion off-stream is anticipated or authorized.

Date: 8/31/2005

To: File #95-9282

From: Greg Taylor 

RE: F&G letter dated 7/26/05

Mary Terra-Berns called me today and said that she had discussed this application and pond with the applicant, Butch Taylor. The IDFG no longer has the concerns that were stated in their letter and do not have a problem with the IDWR issuing a permit for this application.



IDAHO FISH & GAME

PANHANDLE REGION
2750 Kathleen Avenue
Coeur d'Alene, Idaho 83815

Dirk Kempthorne / Governor
Steven M. Huffaker / Director

July 26, 2005

Ms. Dianne Ball
Idaho Department of Water Resources
Northern Region
1910 Northwest Blvd, S 210
Coeur d'Alene, ID 83814

RECEIVED

AUG 01 2005

IDWR/Nor...

Dear Dianne:

REFERENCE: BEST HILLS RANCH POND: 95-9282

*Spoke w/ Mary
8-31-05 OK to Permit*

We have reviewed the above-named application by Best Hills Ranch Property Owners Association to excavate a pond (15 acre-feet) and divert water from Nettleton Gulch Creek. The pond will be used for recreation.

Prior to issuing a permit we are requesting additional information concerning the proposed pond that was not included in the application:

- What is the size of the proposed pond? *15AF and approx. 3.4 acres surface area*
- Will the pond have a return channel to Nettleton Creek?
 - All inlets to the pond must be screened at the point of diversion as provided in Section 36-906(b), Idaho Code, to prevent the entrance of wild fish into the pond.
- What is the expected flow rate of the diversion from Nettleton Creek?
 - We recommend that water only be diverted during high flows.
 - We recommend that no more than 1/3 of the water volume be diverted at any time.

ON STREAM POND

If the proposed pond is permitted it must be excavated off of the stream channel because Nettleton Creek harbors cutthroat trout. *How long has it been there? 1998-1999*

If the applicant is intending to stock the pond with fish they should be aware that according to Section 36 (706), Idaho Code, no person shall establish and maintain a pond on premises owned or leased by him and obtain, possess, propagate and process for his own personal pleasure and use any fish approved by the Commission, unless he has first obtained a permit from the Director of the Idaho Department of Fish and Game. One of the stipulations that must be met before a permit may be issued by the Director is that the pond is not constructed in or across a natural stream bed containing wild fish. The pond must be located entirely on private property owned or leased by the applicant. Any dam constructed to divert water into the pond must meet all requirements in Section 36-906(a), Idaho Code. Before any fish are stocked into the pond it must be inspected by the IDFG to ensure it is properly screened to prevent stocked fish from

NO FISH?

**IDAHO FISH & GAME**

PANHANDLE REGION
2750 Kathleen Avenue
Coeur d'Alene, Idaho 83815

Dirk Kempthorne / Governor
Steven M. Huffaker / Director

July 26, 2005

Ms. Dianne Ball
Idaho Department of Water Resources
Northern Region
1910 Northwest Blvd, S 210
Coeur d'Alene, ID 83814

RECEIVED

AUG 01 2005

IDWR/Northern

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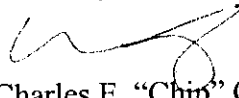
Ms. Dianne Ball – Page 2
July 26, 2005

escaping downstream and the pond must be posted in three (3) separate conspicuous places and all entrance roads. In addition, unless the fish to be stocked are delivered by a commercial hatchery (required for trout), the applicant must acquire a fish transport permit to bring fish to the pond. Both permits are available from Idaho Department of Fish and Game.

Please contact Mary Terra-Berns at this office to discuss potential design alternatives or if you have questions about our comments.

Thank you for the opportunity to comment.

Sincerely,



Charles E. "Chip" Corsi
Regional Supervisor

CEC:MTB:kh

C: Tracey Trent, IDFG Boise;
Gregg Raynor, COE CdA

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Kootenai, }
Katie 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.

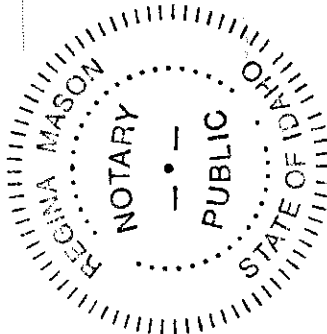
2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

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 21 day of July 2005 and ending on the 28 day of July 2005 and such publication was made as often during said period as said 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. Katie Hay On this 28 day of July 2005, before me, a Notary Public, personally appeared Katie 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



RECEIVED
AUG 01 2005
IDWR/North

The following application(s) have been filed to appropriate the public waters of the State of Idaho: 95-9281

DALE SCOTT
21463 NE 205H CT
SAMMAMISH WA 98074
Point(s) of Diversion: NWNESW S15 T49N R04W KOOTENAI County
Source: SPRING
Use: DOMESTIC 01/01 To 12/31 0.1 CFS
Total Diversion 0.1 CFS

Date Filed: 06/31/2005
Place Of Use: DOMESTIC-T49N R04W S15 NESW NWSW
Remark: Domestic use is for 1 home.

95-9282
BEST HILLS RANCH PROPERTY OWNERS ASSOCIATION

2162 E BEST AVE
COEUR D'ALENE ID 83814
Point(s) of Diversion: NWNW S7 T50N R03W KOOTENAI County
Source: NETTLETON GULCH CREEK Tributary To SINKS
Use: RECREATION 01/01 To 12/31 15 AFA
Total Diversion 15 AFA

Date Filed: 06/24/2005
Place Of Use: RECREATION-T50N R03W S7 NENW NWNW
Remark: Recreation use is for swimming and boating.

95-9283
BEST HILLS RANCH PROPERTY OWNERS ASSOCIATION

2162 E BEST AVE
COEUR D'ALENE ID 83814
Point(s) of Diversion: NWNW S7 T50N R03W KOOTENAI County
Source: GROUND WATER
Use: RECREATION STORAGE 01/01 To 12/31 15 AFA
DIVERSION TO STORAGE 05/01 To 11/01 0.04 CFS
Total Diversion 0.04 CFS

Date Filed: 06/24/2005
Place Of Use: RECREATION STORAGE-T50N R03W S7 NWNW
Remark: Recreation Storage use is for swimming and boating.

Permit will be subject to all prior water rights. Protests must 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 08/08/2005. The protestant must also send a copy of the protest to the applicant.
KARL J. DREHER, Director
Legal 7565
July 21, 28 2005

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

95-9281

DALE SCOTT
21463 NE 20TH CT
SAMMAMISH WA 98074

Point(s) of Diversion – NWNESW S15 T49N R04W KOOTENAI
County

Source SPRING

Use: DOMESTIC 01/01 To 12/31 0.01 CFS
Total Diversion: 0.01 CFS

Date Filed: 06/13/2005

Place Of Use: - DOMESTIC - T49N R04W S15 NESW NWSW

Remark: Domestic use is for 1 home.

95-9282

BEST HILLS RANCH PROPERTY OWNERS ASSOCIATION
2162 E BEST AVE
COEUR D ALENE ID 83814

Point(s) of Diversion – NWNW S7 T50N R03W KOOTENAI County

Source NETTLETON GULCH CREEK Tributary To SINKS

Use: RECREATION 01/01 To 12/31 15 AFA
Total Diversion: 15 AFA

Date Filed: 06/24/2005

Place Of Use: RECREATION - T50N R03W S7 NENW NWNW

Remark: Recreation use is for swimming and boating.

95-9283

BEST HILLS RANCH PROPERTY OWNERS ASSOCIATION
2162 E BEST AVE
COEUR D ALENE ID 83814

Point(s) of Diversion – NWNW S7 T50N R03W KOOTENAI County

Source GROUND WATER

Use: RECREATION STORAGE 01/01 To 12/31 15 AFA
Use: DIVERSION TO STORAGE 05/01 To 11/01 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 06/24/2005

Place Of Use: RECREATION STORAGE

T50N R03W S7 NENW NWNW

Remark: Recreation Storage use is for swimming and boating.

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 08/08/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published on July 21 & 28, 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

July 13, 2005

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

RE: Application for Permit No. 95-9281, 95-9282 and 95-9283

Dear Kattie and Sandy:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates Indicated, July 21 and 28, 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 08/08/2005. Your cooperation is GREATLY appreciated, as always. You're super!

Thank you,
Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, July 13, 2005 3:09 PM
To: Legal Notices-CdA Press (E-mail); Legal Notices-CdA Press-Sandy Kibler- (E-mail)
Subject: Legal notice for publication on July 21 and 28, 2005

Attached is our cover letter requesting publication of the attached legal notice on July 21 and 28, 2005

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

PLEASE FAX A PROOF COPY PRIOR TO PUBLICATION TO 769-1454.

Thanks very much - you two are super!

Dianne

Administrative Assistant
Idaho Dept of Water Resources



CoverLetter



LegalNotice

7-13-05 CDA e-mal.7-13-05 CDA e-mal.



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 13, 2005

BEST HILLS RANCH PROPERTY OWNERS ASSOCIATION
2162 E BEST AVE
COEUR D ALENE ID 83814

RE: Application for Permit No 95-9282 and 95-9283

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 July 21 and 28, 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.

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

Sincerely,

Gregory J. Taylor
Senior Water Resource Agent



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**

July 11, 2005

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARY TERRA-BERNS
IDAHO DEPARTMENT OF FISH AND GAME
2750 KATHLEEN AVE.
COEUR D'ALENE, ID 83815

FAXED TO MARY 7/11/05
4 pages total

Re: Water Permit Application No. 95-9282

Dear Mary:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application follows for your reference.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **July 29, 2005**. If we do not hear from you by that date, we will assume that no comment from you means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

You may send comments by regular mail to the address above, by FAX to 769-1454, or by e-mail to Dianne.Ball@idwr.idaho.gov.

Please contact this office if you have any questions regarding the application.

Sincerely,

Dianne Ball
Administrative Assistant

PS Recreation use is for swimming & boating.
D