

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09248

Priority: October 25, 2004

Maximum Diversion Rate: 0.25 CFS

This is to certify, that THE RIDGE AT BLACKROCK BAY HOMES INC
10636 N GOVERNMENT WAY
HAYDEN ID 83835

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	0.25 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L1 (NE¼ NE¼) Sec. 9, Twp 48N, Rge 04W, B.M. KOOTENAI County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2010**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Prior to or in connection with the proof of beneficial use statement to be submitted for municipal water use under this right, the right holder shall provide the department with documentation showing that the water supply system is being regulated by the Idaho Department of Environmental Quality as a public water supply and that it has been issued a public water supply number.
6. Place of use is within the area served by the public water supply system of The Ridge at Blackrock Bay Homes, Inc. The place of use is generally located within Government Lot Numbers 1, 2, and 3 of Section 9, Township 48N, Range 4W.
7. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 9th day of March, 20 05.


for KARL J DREHER, Director

71601

Ident. No. 95-9248

RECEIVED

FEB 25 2005

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

JUN 09 2004

IDWR/North

To appropriate the public waters of the State of Idaho

1. Name of Applicant The Ridge at Blackrock Bay Homes Inc Phone 772-5121
Mailing address 10636 N. Govt Way Hayden ID 83835
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 48N Range 4W Sec. 9, in the _____ 1/4,
NE 1/4, NE 1/4, Govt. Lot 1, B.M., KOOTENAI County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount .25 cfs for Municipal 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) .25 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works: Well and Pump

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? NO

e. If well is already drilled, when? 10-30; Drilling firm MCCARTY

Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)

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

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. Applicant

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	
46W	4W	9	m	m			m												

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Applicant

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

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

12. Remarks: _____

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 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.

Todd Ham Manager

Signature of Applicant (and title, if applicable)

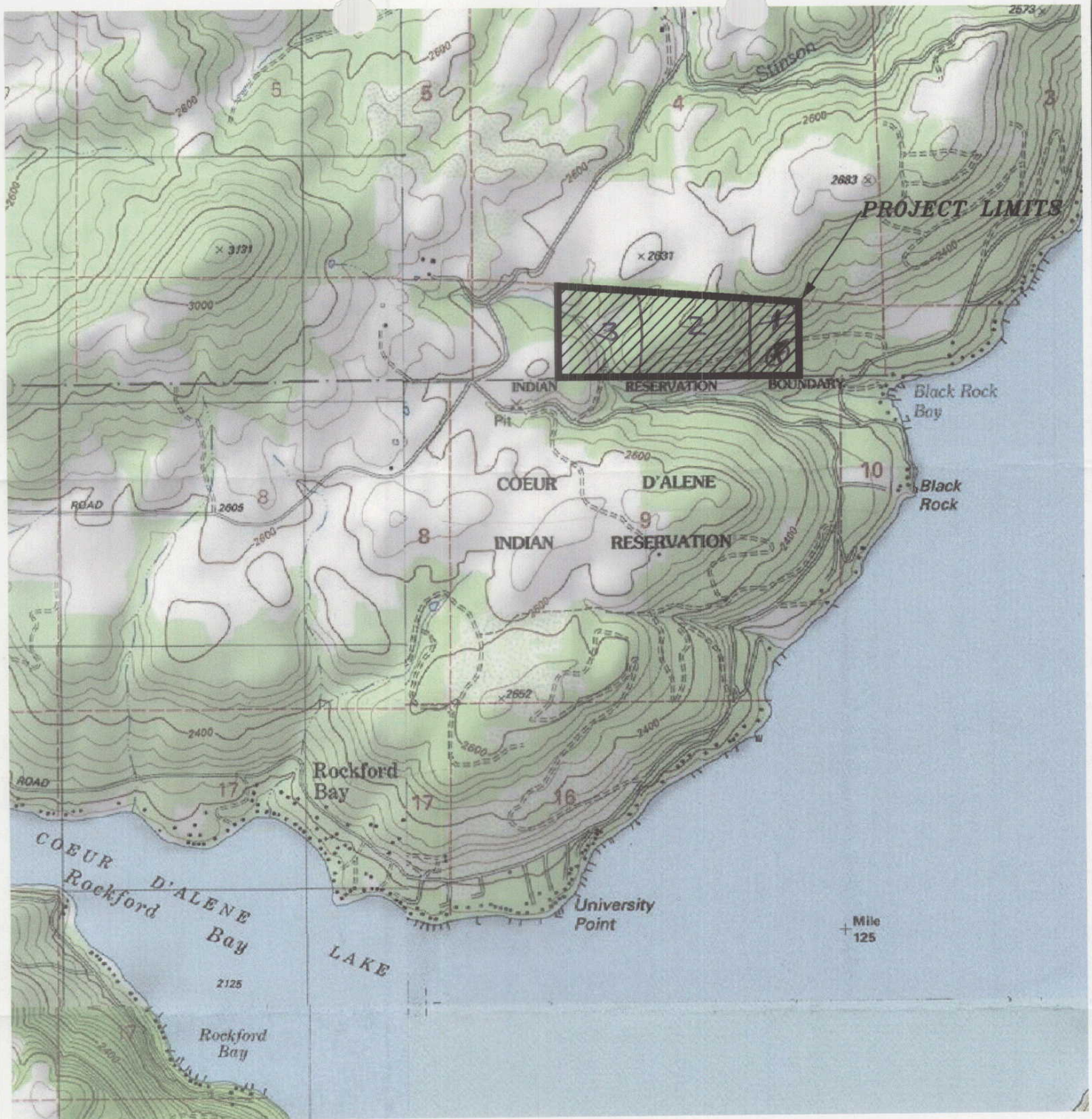
Received by AS Date 6/9/04 Time 2:30 PM Preliminary check by AS
 Fee \$ 250.00 (100 + 150) Receipted by AS # N016340 & N016602 Date 6/9/04 10/25/04
 Publication prepared by AS Date 1/13/05 Published in Cda Press 1/20 + 27/05
 Publication approved AS Date 1/31/05

Ridge at Black Rock Bay Homes LLC

President

Todd R. Stam
10636 N. Goot Way
Hayden, ID 83835

Jamie L. Peterson - Secretary-Treasurer
15607 N. Sycamore
Mead, WA 99021



**SEC. 9, T48N, R4W
ROCKFORD QUAD**

FIGURE 1

HAHN ENGINEERING, INC. 606 E. HOLLAND AVE., SUITE 112 SPOKANE, WA. 99216 PHONE: (509) 467-1550 FAX: (509) 467-8189 www.hahnengr.com	DRAWN:	DATE	BLUE DIAMOND DEVELOPMENTS BLACK ROCK ESTATES		MAP
	PM	4/6/04			SHEET NO.
	DESIGNED:		PROJECT LOCATION MAP		1
	PM	4/6/04			1
	APPROVED:				
	RGH				

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

March 10, 2005

THE RIDGE AT BLACKROCK BAY HOMES INC
10636 N GOVERNMENT WAY
HAYDEN ID 83835

RE: Permit No. 95-9248

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.

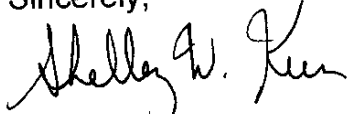
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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 being the most prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

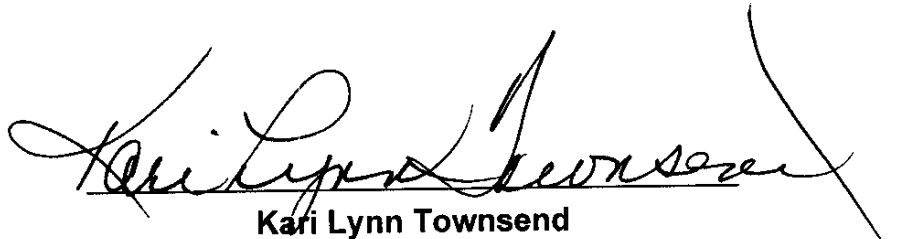
CERTIFICATE OF SERVICE

I hereby certify that on March 10, 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.

95-9248

**THE RIDGE AT BLACKROCK BAY HOMES INC
10636 N GOVERNMENT WAY
HAYDEN ID 83835**



**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.

MEMORANDUM

Date: March 09, 2005
To: Water Right File 95-9248
From: eretelle
Re: permit review

no moratorium
no overlap

no info. from DEQ

Recommend approval as suggested by IDWR Northern.

AFFIDAVIT OF PUBLICATION

RECEIVED

JAN 28 2005

IDWF/North

STATE OF IDAHO,
County of Kootenai,

} ss.

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 *20* day of *January* 2005, and ending on the *27* day of *January* 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 *27* day of *January* 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:

95-9248

THE RIDGE AT BLACKROCK BAY HOMES INC
10636 N. GOVERNMENT WAY
HAYDEN ID 83835
Point(s) of Diversion L1 (NENE) S9 T48N R04W KOOTENAI County
Source GROUND WATER
Use: MUNICIPAL 01/01 To 12/31 0.25 CFS
Total Diversion: 0.25 CFS
Date Filed: 10/25/2004
Place Of Use: MUNICIPAL
Remarks: Municipal use is within service area of applicant.

95-9249

WILLIAM TARNASKY
MYRNA TARNASKY
752 DUNDEE
POST FALLS ID 83854
Point(s) of Diversion L2 (SENE) S9 T51N R03W KOOTENAI County
Source HAYDEN LAKE Tributary To SINKS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 11/17/2004
Place Of Use: DOMESTIC T51N R03W S9 SENE Lot 2

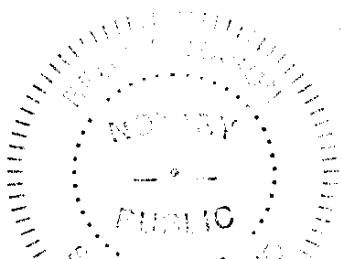
96-9207

RICHARD HANSEN
PO BOX 8
BAYVIEW ID 83803
Point(s) of Diversion NENW S27 T54N R02W KOOTENAI County
Source BAYVIEW CREEK Tributary To LAKE PEND OREILLE
Use: WILDLIFE STORAGE 01/01 To 12/31 0.6 AFA
Use: DIVERSION TO STORAGE 01/01 To 12/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 08/06/2004
Place Of Use: WILDLIFE STORAGE T54N R02W S27 NWNW NENW
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 02/07/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,

Legal 6565
January 20, 27, 2005



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

95-9248

THE RIDGE AT BLACKROCK BAY HOMES INC
10636 N. GOVERNMENT WAY
HAYDEN ID 83835

Point(s) of Diversion L1 (NENE) S9 T48N R04W KOOTENAI County

Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 0.25 CFS

Total Diversion: 0.25 CFS

Date Filed: 06/09/2004

Place Of Use: MUNICIPAL

Remarks: Municipal use is within service area of applicant.

95-9249

WILLIAM TARNASKY
MYRNA TARNASKY
752 DUNDEE
POST FALLS ID 83854

Point(s) of Diversion L2 (SENE) S9 T51N R03W KOOTENAI County

Source HAYDEN LAKE Tributary To SINKS

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 11/17/2004

Place Of Use: DOMESTIC T51N R03W S9SENE Lot 2

96-9207

RICHARD HANSEN
PO BOX 8
BAYVIEW ID 83803

Point(s) of Diversion NENW S27 T54N R02W KOOTENAI County

Source BAYVIEW CREEK Tributary To LAKE PEND OREILLE

Use: WILDLIFE STORAGE 01/01 To 12/31 0.6 AFA

Use: DIVERSION TO STORAGE 01/01 To 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 08/06/2004

Place Of Use: WILDLIFE STORAGE T54N R02W S27 NWNE NENW

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 02/07/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on January 20 and 27, 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

January 13, 2005

**PLEASE FAX PROOF COPIES ON BOTH OF THESE TWO SEPARATE
LEGALS PRIOR TO PUBLICATION - TO 769-1454.**

**KATTIE HOY &/OR KRISTY PEAK
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814**

RE: Application for Water Right Permit Nos. 95-9248, 95-9249, and 96-9207
ALSO NOTICE OF DRAFT PERMITS for Injection Wells #95W001001 and 95W002001

Dear Kattie &/or Kristy:

I'm back after 2+ months on medical leave and trust that you are still handling legal notices for the "Press".

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, January 20 and 27, 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 02/07/2005. Your cooperation is GREATLY appreciated, as always

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, January 13, 2005 4:19 PM
To: Legal Notices-CdA Press (E-mail); Kristy Peak (E-mail)
Cc: Grimm, Angie; Lepard, Dave
Subject: Legal notices (2) for publication on January 20 and 27, 2005

Greetings, ladies,

I'm back from 2+ months of medical leave and have a couple of legal notices that need to be advertised on January 20 and 27, 2005.

I have attached a cover letter and the two (2) legal notices below.

If you have ANY questions, please call me at 769-1450, and PLEASE FAX A PROOF ON BOTH OF THESE PRIOR TO PUBLICATION.

Thanks very much. Stay warm and have a great day.

 *Dianne*

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

1/13/2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

(208) 769-1450

Fax (208) 769-1454

January 13, 2005

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

THE RIDGE AT BLACKROCK BAY HOMES INC
10636 N. GOVERNMENT WAY
HAYDEN ID 83835

RE: Application for Permit No 95-9248

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 January 20 and 27, 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,

Robert G. Haynes, P.E.
Regional Manager

Enclosure(s) - Receipt N016602 and computerized copy of Receipt N016340

RECEIVED
OCT 25 2004
IDWR/North

THE RIDGE AT BLACK ROCK BAY HOMES, INC.
C/O 10636 N. GOVERNMENT WAY
HAYDEN, ID 83835
208-772-5121 PHONE
208-772-6987 FAX

State of Idaho
Department of Water Resources
Attn: Robert G. Haynes, P>E> - Regional Manager
1910 Northwest Blvd., Suite No. 210
Coeur d'Alene, ID 83814-2615

Re: Application for Permit

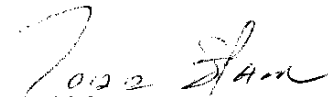
Dear Mr. Haynes:

Please find the attached check in the amount of \$150.00 which we have had ready for your department since 08-19-04.

We though we had to wait for an additional sign of prior to sending the check, but were mistaken.

Therefore please find the attached check. If you need further information on the application, please call Todd Stam – 755-1859.

Thank you,



Todd Stam

The Ridge at Black Rock Bay Homes, Inc.

For ^{municipal} well on one lot(?)

RECEIVED

OCT 25 2004

IDWR/North

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, October 20, 2004 11:23 AM
To: Haynes, Bob
Subject: The Ridge at Blackrock Bay Homes - call-up for November 22, 2004

Bob -

Please call up for review, on or about November 22, 2004.

A letter went out today 10/20/04 - requesting additional funds of \$150.00 and other additional information needed to complete application - to be received by 11/22/04. The file is in the New Water Right Applications folder in Al's drawer, filed under the October 20th date. (Most recent dates at back of folder).

We requested that someone from "The Ridge at Blackrock Bay Homes" call you to discuss the application process and make arrangements for payment of additional funds.

Dianne

1/3/2005



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 20, 2004

THE RIDGE AT BLACKROCK BAY HOMES INC
10636 N GOVERNMENT WAY
HAYDEN ID 83835

RE: Application for Permit

Gentlemen:

We have been holding your application for permit to appropriate the public waters of the State of Idaho for receipt of additional funds, before we can process the application. . The filing fee is \$250.00. As a result, there is an additional \$150.00 required to complete this filing. There is also still other information missing from the application.

Our records indicate that Mr. Kenley S. Dolliver issued his check No. 1083 in the amount of \$100.00 on June 6, 2004, for a water right permit application filed under the name of Blue Diamond Investment LLC, for domestic, irrigation and fire protection uses. This was later changed to The Ridge at Blackrock Bay Homes Inc., and the water usage was changed to municipal use.

If we don't receive the additional \$150.00 by November 22, 2004, we will void this application. Please contact me at **208-769-1450** to discuss the application process, and make arrangements for the additional funds to be paid.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert G. Haynes'.

Robert G. Haynes, P.E.
Regional Manager

db

Printed 02/07/2005
Drilling Permit No. 825783
Well Tag No. D0039673
Well ID # 396412
Water Right No. 95-9248
Receipt # N016607
Approved Date 10/28/2004

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
DRILLING PERMIT**

Relationship: Owner/Operator
Name: THE RIDGE @ BLACK ROCK BAY HOMES
Address: 10636 N GOVERNMENT WAY
HAYDEN ID 83835

Phone:

Proposed Well Location: Township 48N, Range 04W, Section 9, NE, NE
COUNTY KOOTENAI

Street Address of Well Site: ROCKFORD BAY RD .5 MI
COEUR D ALENE ID

Proposed Use of Well: Municipal

Well Construction Information:

- A. New Well
- B. Proposed Surface Diameter: 8 Inches. Proposed Depth 300 Feet.
- C. Anticipated Bottom Hole Temperature: 85F and less

Construction Start Date: Nov 05 2004

Anticipated Well Drilling Company: MC CARTY DRILLING & PUMP INC (No. 586)

Applicant's Signature: _____ Date _____

Title: _____

Well ID # 396412

Well Tag No. D0039673

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is Approved on Thursday, October 28, 2004.

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the local Health District or the Idaho Department of Environmental Quality which may be required prior to construction of this well. The local Health District should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100 ft. from any drainfield and 50 ft. from any septic tank. Public Water Supply wells must not be drilled closer than 100 ft. from any drainfield or septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals that may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho. If the well being drilled is associated with approved water rights(s) use of the well must comply with conditions of said water right(s).
7. If a bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department of Water Resources immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or its contractors to contact "Dig-line" (Dig-Line is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig-Line " Number for this location is 1-800-428-4950
9. Please be advised that this drilling permit should be considered and treated as a preliminary permit. If you are in disagreement with this preliminary permit you have fourteen (14) days of the service date of this permit to petition the Idaho Department of Water Resources for reconsideration, pursuant to Section 67-5243, Idaho Code.
10. The well tag for the drilling permit/start card shall be securely and permanently attached to the well casing through welding or by the use of four closed end domed stainless steel pop rivets. The tag attachment will be done at the time of completion of the well, and prior to removing the drill rig from the drill site.

Signature of Authorized Dept. Representative

Title

Receipt Details for ID N016340

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
6/9/2004 2:30:05 PM	6/14/2004 1:33:43 PM	NORTHERN	\$100.00	Check
Payer		KENLEY S DOLLIVER		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1083			
Card Expiration Date	Credit Card Transaction #		

Comment WR Permit App Fee for Blue Diamond Investment LLC

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$100.00	PERMITS	65103	0229	21		1155

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Ident. No. _____
RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

JUN 09 2004

IDWR/North

To appropriate the public waters of the State of Idaho

Kenley 208 691-3829

1. Name of Applicant Blue Diamond Irrigation LLC Phone (569) 868-8984
Mailing address N 15607 Sycamore Road, WA 99021

2. Source of water supply Groundwater which is a tributary of NA

3. Location of point of diversion is Township 48N Range 4W Sec. 9, in the NW 1/4,
NE 1/4, Govt. Lot 3, B.M., Kootenai County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 2 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 2 for Fire purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 2 for irrigation 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)

5. Total quantity to be appropriated is (a) 0.6 cfs and/or (b) NA
cubic feet per second acre feet per annum

6. Proposed diverting works: encased well w/ pump & housing

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

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

c. Proposed well diameter is 8" inches; proposed depth of well is 450' feet

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

e. If well is already drilled, when? No; Drilling firm McCarty Drilling
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. NA
b. Stockwatering; list number and kind of livestock. NA
c. Municipal; show name of municipality. NA
d. Domestic; show number of households. 20 lots
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	
48N	4W	9	D	D			D												

Total number of acres to be irrigated NA

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

11. a. Who owns the property at the point of diversion? Blue Diamond Investments, LLC

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: LLC MEMBERS

12. Remarks: KENLEY DOLLIVER - 2900 N. GUNT WAY - #221 CD'A DO 8385
JAMIE PEDERSON - N. 15607 Sycamore Mead, WA. 99021

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.

Kyle Dolliver member LLC
 Signature of Applicant (and title, if applicable)

Received by db Date 6/9/04 Time 2:30 p Preliminary check by _____
 Fee \$ 100.00 Received by db # N016340 Date _____
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____

NOTICE OF PUBLIC HEARING

The Kootenai County Hearing Examiner will hold a public hearing to consider any and all comments on the following:

Case No. S-772P-04, Estates at Black Rock Bay, a request by Blue Diamond Investments, LLC, N 15607 Sycamore, Mead, Washington for preliminary subdivision of approximately 102 acres in the Rural zone to create 20 residential lots and associated open space; **AND Case No. PUD-046-04**, a request by Blue Diamond Investments, LLC, N 15607 Sycamore, Mead, Washington to reduce the minimum lot size, while maintaining the density of the Rural zone and creating open space. The site is located north side of Rockford Bay Road (previously known as Black Rock Road), approximately ¼ mile east of the intersection of Rockford Bay Road and Loff's Bay Road, east of the development known as Club at Black Rock. It is described as the west ½ of Government Lot 1 and all of Government Lots 2 and 3 of Section 09, Township 48 North, Range 4 West B.M., Kootenai County, Idaho. If you require special accommodations, please contact the Kootenai County Building and Planning Department seven (7) days prior to the public hearing. Further information may be obtained from the Kootenai County Planning Department located at 451 Government Way, P.O. Box 9000, Coeur d'Alene, Idaho 83816-9000, (208) 446-1070.

(PLEASE SEE MAP ON BACK)

Additional information may be found in the case file located in the Kootenai County Building and Planning Office.

**The public hearing will begin at 6:00 p.m., Thursday, July 15, 2004
in Room 1A of the Kootenai County Administration Building located at 451 Government
Way, Coeur d'Alene, Idaho.**

-
1. Check the appropriate boxes and return to the Building and Planning Department before 5:00 p.m. on July 14, 2004.

- ☐ Neutral;
- ☐ Comments (over);
- ☐ Support the Applicant's request;
- ☐ Do not support the Applicant's request.

CASE NUMBER: S-772P-04 & PUD-046-04
FILE NAME: Estates at Black Rock Bay

- &/or 2. Phone or visit our office (208-446-1070) with your comments.

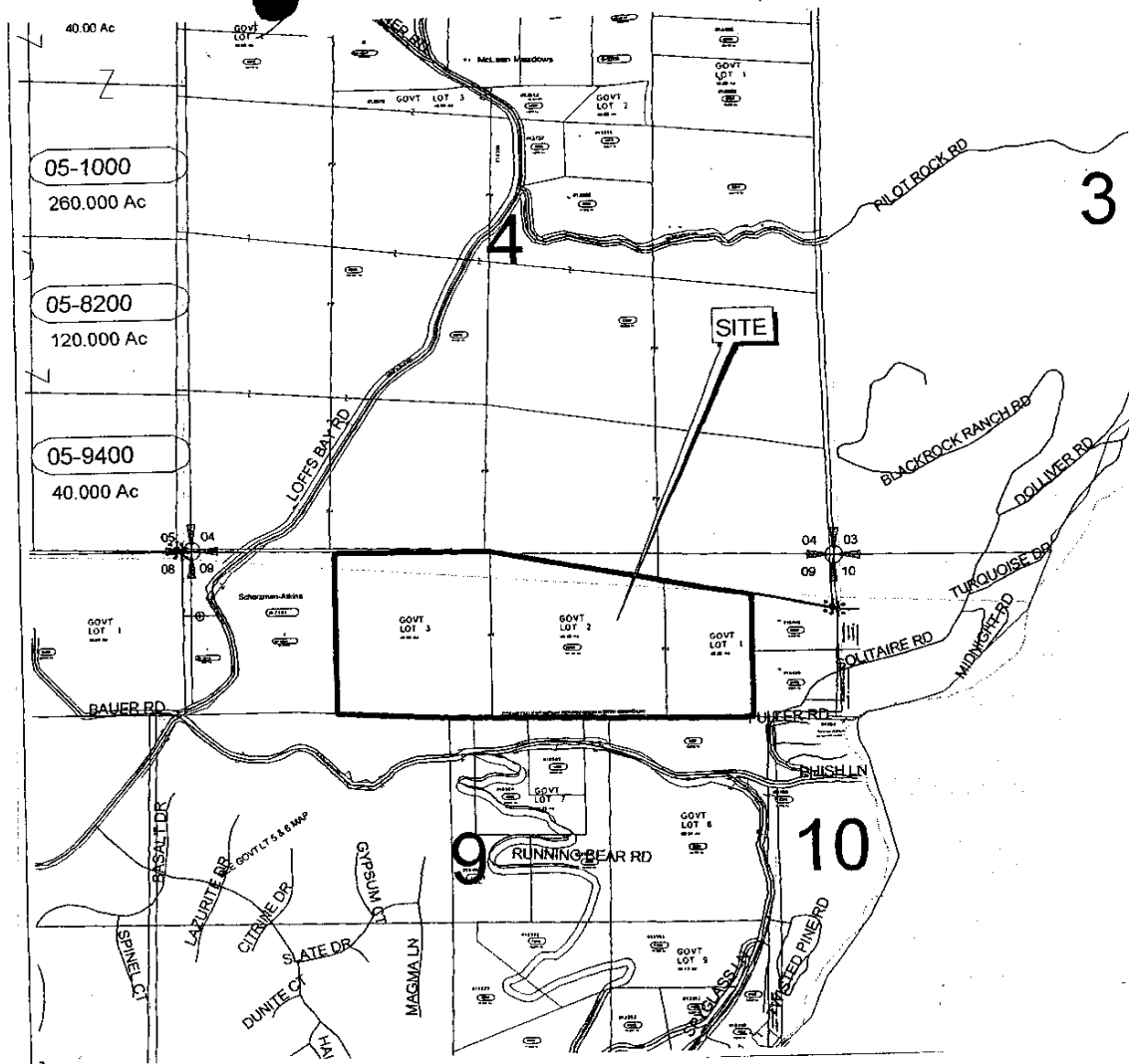
Name and Address:

- &/or 3. E-mail jbowes@kcgov.us

- &/or 4. Fax your comments to 208-446-1071.

- &/or 5. Attend the public hearing.

510



Comments:

KOOTENAI COUNTY BUILDING
AND PLANNING DEPARTMENT
P. O. BOX 9000
COEUR D'ALENE, ID 83816-9000



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

August 6, 2004

Blue Diamond Investment LLC
N. 15607 Sycamore
Mead, WA 99021

Mr. Hahn

RE: Application for Permit Filing

Gentlemen:

We received your application for permit to appropriate ground water for domestic and fire protection purposes. The application is being returned to you because the map you attached to the application indicates the place of use in about three $\frac{1}{4}$ $\frac{1}{4}$'s. If the place of use covers more than the $N\frac{1}{2}NW\frac{1}{4}$, the place of use under Item 9 should be adjusted accordingly.

Please return the application to us after you have made the above mentioned corrections so that we can continue processing. Please call if you have questions.

Sincerely,

Sharla Curtis

for Al Beardslee
Sr. Water Resource Agent

Enclosure