

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09247

Priority: August 18, 2004

Maximum Diversion Rate: 0.20 CFS

This is to certify, that LONE MOUNTAIN WATER ASSOCIATION INC
689 W ROCKY RD
RATHDRUM ID 83858

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	0.20 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 2, Twp 52N, Rge 04W, B.M., KOOTENAI County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 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. Place of use is within the area served by the public water supply system of Lone Mountain Water Association Inc. The place of use is generally located within Section 2, Township 52N, Range 4W.
6. This right does not grant any right-of-way or easement across the land of another.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 11th day of February, 2005.


for KARL J DREHER, Director

FORM 202
12/89

Ident. No.

71602
95-9247

RECEIVED

AUG 18 2004

IDWR/North

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Name of Applicant LONE MOUNTAIN WATER ASSOCIATION, INC. Phone 208-687-2059Mailing address c/o 689 W. ROCKY RD., RATHDRUM, ID 838582. Source of water supply WELL GROUNDWATER which is a tributary of _____3. Location of point of diversion is Township 52 N Range 4W Sec. 2, in the NE 1/4,
SE 1/4, SW 1/4, Govt. Lot _____, B.M., KOOTENAI County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .20 for MUNICIPAL purposes from 1/01 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) .20 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source 8" GROUNDWATER WELLb. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feetc. Proposed well diameter is 8" inches; proposed depth of well is 600 feetd. Is ground water with a temperature of greater than 85°F being sought? NOe. If well is already drilled, when? N/A; Drilling firm _____

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

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

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

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

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

c. Municipal; show name of municipality. LONE MOUNTAIN WATER ASSOCIATION, INC.d. Domestic; show number of households. 12 Homes

e. Other; describe fully. _____

ID1280180 = PWS #

3. 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	
52N	4W	2											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? FRED CECIL

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: WELL EASEMENT TO LONE MOUNTAIN WATER ASSOCIATION.

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.

Fred Cecil PRESIDENT
Signature of Applicant (and title, if applicable)

Received by *JB* Date 8/18/04 Time 11:50a Preliminary check by *JB*
 Fee \$ 100.00 Received by *JB* # N016497 Date 8/18/04
 Publication prepared by RGH/AB Date 11/26/04 Published in CDA Press 12/2+9/04
 Publication approved *JB* Date 1/26/05



R4W

SCANNED
APR 22 2005

LOVE MOUNTAIN WATER ASSOCIATION, INC.

OFFICERS

PRESIDENT: FRED CECIL CECIL
1295 W. ROCKY ROAD
RATHDRUM, IDAHO 83858

VICE PRESIDENT: MELANIE BOULDIN
1350 W. ROCKY ROAD
RATHDRUM, IDAHO 83858

SEC/TREAS.: FRED EWANS
689 W. ROCKY ROAD
RATHDRUM, IDAHO 83858

ALL MEMBERS ARE DIRECTORS
6 TOTAL CURRENT MEMBERS

8/17/04

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

February 14, 2005

LONE MOUNTAIN WATER ASSOCIATION INC
689 W ROCKY RD
RATHDRUM ID 83858

RE: Permit No. 95-9247

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.

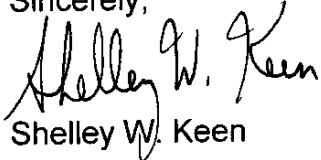
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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 that reads "Shelley W. Keen". The signature is written in a cursive style with a large, stylized "S" and "K".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

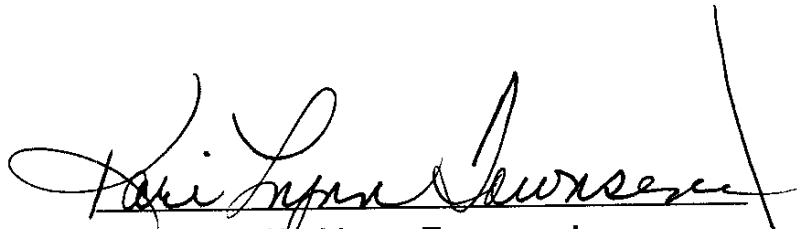
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on February 14, 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. 95-9247

**LONE MOUNTAIN WATER ASSOCIATION INC
689 W ROCKY RD
RATHDRUM ID 83858**



**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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 Idaho Water Resource Board (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.

Comment Report

95-9247

1. abeardsl 11/26/2004 Legal Notice Remarks

Comment: Municipal use is within service area of Lone Mountain Water Association Inc

2. kwalker 2/9/2005 Permit Review

Comment: Application does not fall within any problem areas, just north of Rathdrum Prairie GWMA so not a problem. Recommend approval.



Idaho Secretary of State Viewing Business Entity

[[New Search](#)] [[Back to Summary](#)]

[[Get a certificate of existence for LONE MOUNTAIN WATER ASSOCIATION, INC.](#)]

LONE MOUNTAIN WATER ASSOCIATION, INC.

689 W ROCKY RD
RATHDRUM, ID 83858

Type of Business: CORPORATION, WATER USERS ASSOCIATION

Status: GOODSTANDING, ANREPT SENT 01 Feb 2005

State of Origin: IDAHO

Date of Origination/Authorization: 24 Apr 1995

Current Registered Agent: FRED EVANS
689 W ROCKY RD
RATHDRUM, ID 83858

Organizational ID / Filing Number: C110346

Number of Authorized Stock Shares:

Date of Last Annual Report: 02 Apr 2004

Amendments:

Amendment filed 24 Apr 1995 INCORPORATION

[View Document Online](#)
[Download \(TIFF format\)](#)

Annual Reports:

Report for year 2004 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 2003 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 2002 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 2001 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 1999 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 1998 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 1997 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 1996 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 1995 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)



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

January 27, 2005

LONE MOUNTAIN WATER ASSOCIATION INC
689 W ROCKY RD
RATHDRUM ID 83858

RE: Application for Permit No 95-9247

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 was prepared and published in the Coeur d'Alene Press on December 2 and 10, 2004. Submittal of protests to this application was allowed for a period ending ten days after the second publication.

The application was not protested, and it is now being 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 ten weeks.

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

Sincerely,

A handwritten signature in cursive script that reads "Allen Beardslee".

Allen Beardslee
Senior Water Resource Agent

Enclosure(s) - Receipt No. N016497

WELL DRILLER: PLEASE COMPLETE FOR VERBAL

IDWR Employee Issuing Verbal: _____

Verbal Issued Date: _____ Time: _____

FAXED
3381
4PM - 1/31/05

State of Idaho
Department of Water Resources

**APPLICATION FOR DRILLING PERMIT
(FOR THE CONSTRUCTION OF A WELL)**



1. Applicant (please print): Lone Mountain Water Assoc
2. Mailing Address: 610 Welch Corner 1626 Lincoln Way
City & State COA, ID Zip Code 83814 Telephone 208-664-9382
☐ Well Owner ☐ Well Operator ☒ Contractor or Other, specify Welch Corner
3. Proposed Well Location: Twp. 52N, Rge. 04W, Sec. 02, 1/4 SE 1/4 SW 1/4;
Gov't Lot No. _____ County Kootenai Lat. _____ Long. _____
Street Address of Well Site Rocky Road City Arhol
Lot, block and subdivision _____
Give at least name of road + Distance to Road or Landmark

4. Proposed Use of Well:

- ☐ DOMESTIC: The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

- NON-DOMESTIC: ☐ Irrigation ☒ Municipal ☐ Industrial
☐ Stock ☐ Test ☐ Other _____
(Over 1,000 Head) (Describe)

☐ INJECTION

- ☐ MONITORING: A well bore schematic and map is required for each blanket permit.
No. of proposed wells: _____

5. Well Construction Information:

- A. ☒ New well ☐ Modify ☐ Replace
- B. Proposed Casing Diameter 8" Proposed Maximum Depth 400
- C. Anticipated bottom hole temperature:
☒ 85°F or less ☐ 85°F to 212°F ☐ 212° F. or more
(Cold Water Well) (Low Temp. Geo. Well) (Geothermal Well)

6. Construction Start Date: 01/06/05
7. Anticipated Well Driller: H2O Well Services Driller's Lic. No. 448
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's Signature Fred Culp Date 12-23-04
Title President
(Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is _____

APPROVED

Date _____

JAN -5 2005

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

GENERAL CONDITIONS:

1. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one(1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare, which may be required before construction of the well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum of 50 feet and 100 feet respectively from a septic tank.
3. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals, which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85 or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "DigLine" Number for your area is 1-800-342-1585.
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 Department 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.

SPECIFIC CONDITIONS:

Robert D. Haines

Signature of Authorized Department Representative

REGIONAL MANAGER

Title

Receipt No. N016697 Received by cm Fee \$200.00 Date 1-5-04

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension expires: _____

NOTICE TO PROCEED

COPY

DATED: DECEMBER 2, 2004

TO: H2O WELL SERVICE, INC.
(CONTRACTOR)ADDRESS: 582 W. HAYDEN AVENUE
HAYDEN, IDAHO 83835CONTRACT: LONE MOUNTAIN WATER ASSOCIATION - DRILLING OF NEW WATER WELL
(Insert name of Contract as it appears in the Contract Documents)

You are notified that the Contract Times under the above contract will commence to run on the 3rd day of JANUARY, 2005. By that date, you are to start performing your obligations under the Contract Documents. In accordance with Article 4 of the Agreement the date of Substantial Completion is 1-24-05 and the date of readiness for final payment is 2-3-05.

Before you may start any Work at the Site, paragraph 2.05.C of the General Conditions provides that you and Owner must each deliver to the other (with copies to Engineer and other identified additional insureds) certificates of insurance which each is required to purchase and maintain in accordance with the Contract Documents.

Also, before you may start any Work at the Site, you must

(add other requirements)

LONE MOUNTAIN WATER ASSOCIATION
(OWNER)By: [Signature]
(AUTHORIZED SIGNATURE)President
(TITLE)

ACCEPTANCE OF NOTICE

H2O WELL SERVICE, INC.
(CONTRACTOR)By: [Signature]
(AUTHORIZED SIGNATURE)President
(TITLE)12-28-04
(DATE)



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

ORIGINAL

2110 Ironwood Parkway • Coeur d'Alene, Idaho 83814-2040 • (208) 769-1422

Dirk Kempthorne, Governor
Toni Hardesty, Director

August 23, 2004

Fred Cecil, President
Lone Mountain Homeowners Association
689 West Rocky Road
Rathdrum, ID 83858

RE: **Drilling of New Water Well Approval, Lone Mountain Water Association (PWS#1280180)**

Dear Mr. Cecil:

Plans and specifications submitted on August 10, 2004 by Stephen Cordes, P.E. of Welch Corner and Associates for drilling of a new water supply well for the Lone Mountain public water system have been reviewed. The project involves drilling of an 8-inch diameter water supply well located on a 110-foot by 110-foot well lot located in Section 2, T52N, R4W in the southeast corner of Arthur Sherman property on the north side of Rocky Road. The well is projected to be about 400 feet deep with a target production rate of 50 gallons per minute.

The proposed well site was approved by DEQ on August 9, 2004 subject to observing the minimum setback distances stated in the well site approval letter specified for public water supply wells. DEQ records show that this water system currently serves a population of nineteen and is not yet being regulated as a public drinking water system.

The well drilling plans and specifications 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. We understand that Welch Corner and Associates will be providing engineering services to the association during the well drilling and subsequent activities.

Upon completion of the well drilling activity, the following items need to be submitted to DEQ:

1. A copy of the Well Driller's Report (well log) as filed with the Department of Water Resources (DWR).
2. As-built details for the completed well as certified by the inspecting engineer reflecting the final configuration of the completed well.
3. A copy of the test pumping data indicating discharge rate and water levels throughout the test pumping period and during recovery to near static level and the engineer's opinion of the sustained capacity of the well.

Please note that while the bid schedule estimated a 6-hour test pumping period, the specifications did not indicate how long the test pumping should go or what type of data would be taken or by whom. The current drinking water rules require that well be test pumped at the design rate for at least 24-hours or at 150% of the proposed design rate of flow for six hours both while drawdown stabilized.

RE: Drilling of New Water Well Approval, Lone Mountain Water Association (PWS#1280180)
August 23, 2004
Page 2

4. Evidence that this new drinking water well was sampled for all of the water quality parameters listed in the August 9, 2004 well site approval letter. These results have to show compliance with drinking water standards before the well is used to supply drinking water to the users or public.

5. Documentation that ownership of a properly sized well lot surrounding the well has been secured by the association or that a long-term lease for the same well lot has been executed between the property owner and association. A copy of the deed or lease is needed.

6. Plans and specifications prepared and stamped by an engineer for construction of the water system improvements needed to connect the new well into the existing water system.

Since we understand your existing water well is experiencing problems producing enough water to satisfy the demand from the existing users on the system, we have expedited review of this submittal.

Good luck with the new well.

Sincerely,


Gary J. Gaffney, P.E.

c: Steve Cordes, Welch Comer and Associates, CdA
Mike Nelson, PHD, Sandpoint
Anthony Davis, DEQ- CdA
Donna Coontz, E. 6650 Rocky Road, Rathdrum ID 83858
Mac Cavaas, USDA Rural Development, 7830 Meadowlark Way, Ste. C, CdA 83815
(#8212 at specs L-50; Lone Mtn. Pws file)

AFFIDAVIT OF PUBLICATION

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

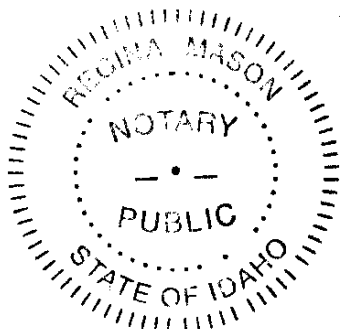
of which the annexed is a printed copy, was published in the regular *Thursday* issue of said newspaper for *2* consecutive *weeks* commencing on the *2* day of *December* 20*04*, and ending on the *9* day of *December* 20*04*, and such publication was made as often during said period as said *Daily* 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 *1* day of *December*, in the year of *2004*, 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:

95-9247

LONE MOUNTAIN WATER ASSOCIATION, INC
689 W. ROCKY RD

RATHDRUM ID 83858

Point of Diversion SESW S02 T52N R04W KOOTENAI County

Source GROUNDWATER

Use: MUNICIPAL

01/01 To 12/31

0.20 CFS

Total Diversion

0.20 CFS

Date Filed: 08/18/2004

Place of Use: Municipal T52N R04W S02 SWSW SESW SWSE

Remark: Municipal use is within the service area of Lone Mountain Water Association, Inc.

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 12/20/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Legal 6324

December 2, 9, 2004



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

November 26, 2004

Legal Notice Department
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

RE: Application for Permit No. 95-9247

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (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 12/20/2004. Your cooperation is appreciated.

Sincerely

Allen Beardslee
Sr. Water Resource Agent

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

95-9247

LONE MOUNTAIN WATER ASSOCIATION, INC
689 W. ROCKY RD
RATHDRUM ID 83858

Point of Diversion SESW S02 T52N R04W KOOTENAY County

Source GROUNDWATER
Use: MUNICIPAL 01/01 To 12/31 0.20 CFS
Total Diversion 0.20 CFS

Date Filed: 08/18/2004

Place of Use: Municipal T52N R04W S02 SWSW SESW SWSE

Remark: Municipal use is for 12 homes within the service area of Lone Mountain Water Association, Inc.

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 12/20/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on 12/2 and 12/9/2004

Tom

GETOWSKI

Summer Along

RES -

509
536
8165

43N

3W

35

WELCH COMER
* ASSOCIATES, INC.
ENGINEERS & SURVEYORS

1626 LINCOLN WAY
COEUR D'ALENE, IDAHO 83814
(208) 664-9382 • Fax: (208) 664-5946
E-mail: wc@welchcomer.com

F A X

TO: Al Beardsee FAX: 769-1454
COMPANY: ID. Dept. of Water Resources PAGES: 2
CC: _____ FAX: _____
FROM: Steve Cordes DATE 11/1/04
PROJECT: _____ PRJ. #: 11590
RE: Lone Mountain Water Right

Message