State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 95-09221

Priority: March 23, 2004 Maximum Diversion Rate: 0.20 CFS

This is to certify, that UPPER TWIN LAKES WATER CO INC
C/O JOHN SALMON
SECRETARY-TREASURER
W 8899 TWIN LAKES 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:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
MUNICIPAL	01/01 to 12/31	0.20 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER L4 (SW¼SW¼) Sec. 36, Twp 53N, Rge 05W, B.M., KOOTENAI County
GROUND WATER L4 (SW¼SW¼) Sec. 36, Twp 53N, Rge 05W, B.M., KOOTENAI County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2009.**
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 Upper Twin Lakes Water Company. The place of use is generally located within the south half of Section 36, Township 53N, Range 5W.
6. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of any management plan approved by the director for the RPGWMA. If the director determines that the ground water supply in the RPGWMA is insufficient to meet the demands of prior water rights within the RPGWMA, the director may order the diversion and use of water under this right to be reduced or curtailed until the director determines that there is sufficient ground water available for this right.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 7 day of June, 2004.

Gary Spackman

for KARL J DREHER, Director

FORM 202
12/99

Ident. No. 95-9221

-71133

RECEIVED
MAY 10 2004
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
MAR 23 2004
IDWR/North

1. Name of Applicant Upper Twin Lakes Water Co. Inc Phone 687-0487
Mailing address 10 8899 Twin Lakes Road Rathdrum ID 83858
2. Source of water supply Ground water which is a tributary of _____
3. Location of point of diversion is Township 53N Range 5W Sec. 36, in the SW ¼, SW ¼, _____ ¼, Govt. Lot 4, B.M., Kootenai County;
additional points of diversion if any: - 2 PTS. OF DIVERSION
4. Water will be used for the following purposes:
Amount .20 (cfs or acre-feet per annum) for Municipal purposes from 1-1 to 12-31 (both dates inclusive)
Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated is (a) .20 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works: pump system to Res 3hp or 5hp
a. Describe type and size of devices used to divert water from the source 3hp to 5hp - submersible 90 GPM
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
c. Proposed well diameter is 6" inches; proposed depth of well is 200' feet
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? _____; Drilling firm BRONSON
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. 120 Hookups Household only
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 ¼ ¼				½ SE ¼				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	5W	36											M	M		M		M	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 95-2206 Springs for Domestic use

11. a. Who owns the property at the point of diversion? well - Upper Twin Lakes Water Ass.

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: _____

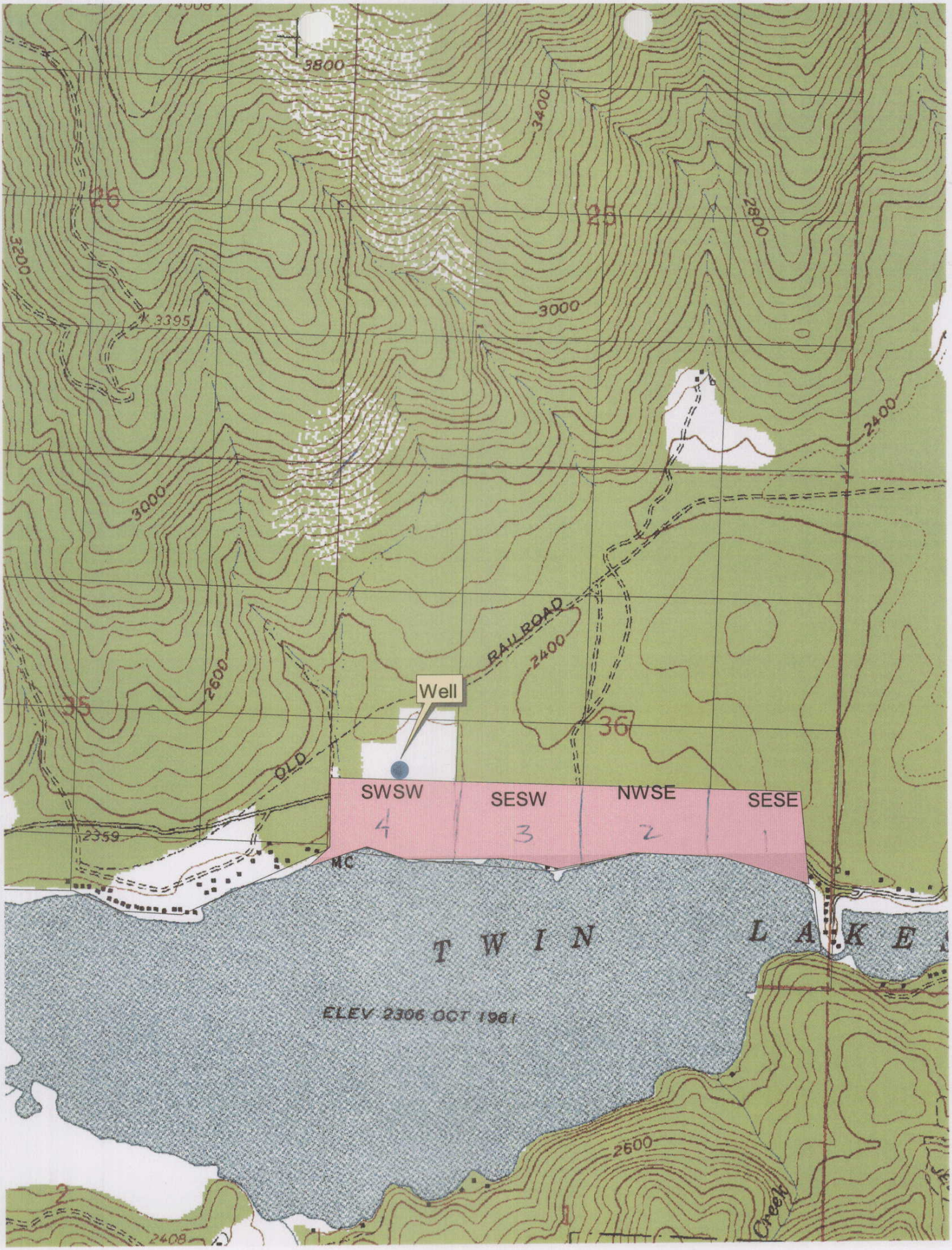
12. Remarks: PRES- MIKE WATKINS - 687-0487 CELL 509-939-6477
SEC/TRES- JOHN SALMON - 687-9327
DAN ROTH - BOARD MEMBER - 687-2714
R.C. STOVE " " 687-1099

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.

Michael D Watkins Pres.
Signature of Applicant (and title, if applicable)

Received by AB Date 03-23-04 Time 11:57 Preliminary check by AB
Fee $ 100 Receipted by AB # 0016130 Date 03-23-04
Publication prepared by ⌀ Date 4/7/04 Published in CdA Press 4/15 & 4/23/04
Publication approved ⌀ Date 4/23/04


Well
SWSW
SESW
NWSE
SESE
4
3
2
1
RAILROAD
OLD
TWIN
LAKE
ELEV 2306 OCT 1961
3800
3400
2800
3200
3000
2400
2600
2359
2408
26
25
35
36

Now
Starting
Right Side
of file.

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 7, 2004

UPPER TWIN LAKES WATER CO INC
C/O JOHN SALMON
SECRETARY-TREASURER
W 8899 TWIN LAKES RD
RATHDRUM ID 83858

RE: Permit No. 95-9221

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 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on June 7, 2004 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. 95-9221

UPPER TWIN LAKES WATER CO INC
C/O JOHN SALMON
SECRETARY-TREASURER
W 8899 TWIN LAKES RD
RATHDRUM ID 83858

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.

SCANNED

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

95-9221

1. dball 3/26/2004 Legal Notice Remarks
Comment: Municipal use is within service area of applicant.

2. kwalker 6/3/2004 Review of Permit
Comment: Recommend approval. Have copies of Sec. of State compliance and notice that DEQ is aware of this system.

Idaho Secretary of State
Viewing Business Entity

[New Search] [Back to Summary]
[Get a certificate of existence for UPPER TWIN LAKES WATER CO.]

UPPER TWIN LAKES WATER CO.

P O BOX 878
RATHDRUM, ID 83858

Type of Business: CORPORATION, WATER USERS ASSOCIATION
Status: GOODSTANDING 28 May 2004
State of Origin: IDAHO
Date of Origination/Authorization: 28 May 2004
Initial Registered Agent: JOHN SALMON
8891 W TWIN LAKES RD
RATHDRUM, ID 83858
Organizational ID / Filing Number: C154892
Number of Authorized Stock Shares:
Date of Last Annual Report:

Amendments:

Amendment filed 28 May 2004 INCORPORATION — View Document Online, Download (TIFF format)

Idaho Secretary of State's Main Page

State of Idaho Home Page

Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 12, 2004

UPPER TWIN LAKES WATER CO INC
W 8891 TWIN LAKES RD
RATHDRUM ID 83858

Re: Application for Permit No. 95-9221

Dear Applicants:

We are reviewing the above referenced application for final action and find we need to request additional information from you. In order for the department to issue a permit for municipal use the permit must be in the name of an association, a city or a corporation that is authorized to do business in the State of Idaho. We have looked at the Secretary of State's listing of businesses qualified and find no listing for Upper Twin Lakes Water Company. Following is a portion of Section 42-202B, *Idaho Code*, which describes the need for this documentation.

42-202B. DEFINITIONS. Whenever used in this title, the term:
(4) "Municipality" means a city incorporated under section 50-102, Idaho Code, a county, or the state of Idaho acting through a department or institution.
(5) "Municipal provider" means:
(a) A municipality that provides water for municipal purposes to its residents and other users within its service area;
(b) Any corporation or association holding a franchise to supply water for municipal purposes, or a political subdivision of the state of Idaho authorized to supply water for municipal purposes, and which does supply water, for municipal purposes to users within its service area; or
(c) A corporation or association which supplies water for municipal purposes through a water system regulated by the state of Idaho as a "public water supply" as described in section 39-103(10), Idaho Code.
(6) "Municipal purposes" refers to water for residential, commercial, industrial, irrigation of parks and open space, and related purposes, excluding use of water from geothermal sources for heating, which a municipal provider is entitled or obligated to supply tc all those users within a service area, including those located outside the boundaries of a municipality served by a municipal provider.

Please submit a copy of a current document showing that you are qualified to do business in Idaho **within 30 days of the date of this letter** and we will process the application for permit.

John Salmon called - has gotten his business qualified - check SOS website - or call him back for copy - KW 6/3/04

7 days-ha

The Department will hold further processing of this application for the 30-day period mentioned above. The Department may grant additional time if it is requested and you have sufficient justification for an extension of the 30-day period. After that time, if adequate information is not received, the Department will issue a preliminary order to reject or deny the application.

If you have any questions in regard to this matter, please feel free to contact me at (208)327-7944 or our office in Coeur d'Alene.

Sincerely,

Kay Walker

KAY WALKER
Sr. Water Resource Agent

KW:k

Cc: IDWR, Northern Region

Idaho Secretary of State
Viewing Business Entity

[New Search] [Back to Summary]

UPPER TWIN LAKES WATER COMPANY

Type of Business: CORPORATION, GENERAL NON PROFIT
Status: FORFEITED 01 Dec 1983
State of Origin: IDAHO
Date of Origination/Authorization: 27 Apr 1923
Registered Agent:

Organizational ID / Filing Number: C14246
Number of Authorized Stock Shares:
Date of Last Annual Report:

Amendments:

Amendment filed 26 Mar 1980 OTHER - RA
Amendment filed 24 Sep 1974 ARTICLES RESTATEMENT
Amendment filed 27 Sep 1932 OTHER - AMDT.
Amendment filed 27 Apr 1923 INCORPORATION

Idaho Secretary of State's Main Page

State of Idaho Home Page

Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

RECEIVED
MAY 04 2004
IDWR/North

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

Dirk Kempthorne, Governor
C. Stephen Allred, Director

April 30, 2004

CERTIFIED MAIL RETURN RECEIPT
7001 2510 0006 5850 3698

Mr. John Salmon
Upper Twin Lakes Water Co., Inc.
8215 W. Twin Lakes Road
Rathdrum, ID 83858

RE: **Well #4 for the Upper Twin Lakes Water System, PWS #1280194**

Dear Mr. Salmon:

It has come to our attention that the Upper Twin Lakes Water Company authorized Bronson Well Drilling to drill a ground water well at a site located near the community center and this well is intended to provide drinking water into your water system. Although an examination of the location of the new well has verified that it was drilled at or near the location approved by this office on June 26, 2003, you failed to secure DEQ approval of the well drilling plans and specifications as specified in the June 26, 2003 letter to you.

Drilling Well #4 without approval of the plans and specifications constitutes a violation of the Idaho Rules for Public Drinking Water Systems (Rules) and of Section 39-118 of Idaho Code. However, we are prepared to postpone any enforcement action caused by these violations if you will immediately retain the services of a Professional Engineer registered in Idaho and direct this engineer to take steps necessary to bring Well #4 into compliance. These steps will involve submittal of the following six items:

- A copy of the engineering services contract verifying you have retained an engineer.
- As-built plans certified by the engineer for the completed well showing details relative to the requirements for a public drinking water system well. A copy of the well log is also required.
- Results certified by the engineer indicating periodic discharge rate and drawdown from a 24-hour pump test of Well #4 and containing a conclusion on the sustained gpm capacity of the well.
- Results from the well for the drinking water monitoring parameters listed in the June 26, 2003 well site approval letter for Well #4.
- A copy of the well lot deed as recorded and showing ownership by Upper Twin Lakes Water Company and a property survey or well site map showing the location of the completed well in relation to property lines and nearby septic tanks, drainfields and other sources of contamination.
- Plans and specifications for installation of a pump in the new well, for connection of the well discharge into the existing water system, and for controls. This new well must have its own flow meter, a sample tap, a pump-to-waste discharge, and other items required by the Rules.

FAX

April 29, 2004

To: Dianne Ball - IDWR - Northern Regional Office / Fax # (208) 769-1454

From: Lin Buck - BLM - Idaho State Office / Fax # (208) 373-3839

Re: Application for Permit No. 95-09221 for Upper Twin Lakes Water Co. Inc.

Hi Dianne:

Our office reviewed the above water right application for permit from the IDWR New Water Rights filing report dated April 13, 2004 (copy attached).

Our MTP (copy attached) shows there may be missing lot numbers on the following:

POU: T53N R05W S36 SWSW (4) SESW (3) NWSE (2) SESE (1)

BLM does not have a problem with this claim; we are just providing this for your information.

Thank you.

Have a nice day!

Lin Buck

4/29/04

of Pages: 4 (includes cover sheet)

cc: Craig Johnson – Cottonwood FO / FAX: (208) 962-3275



SPRING IS HERE!!!!

IDAHO DEPARTMENT OF WATER RESOURCES
NEW WATER RIGHT FILINGS

DATE: 04/13/04

Application for Permit No. 95-9221

Name: UPPER TWIN LAKES WATER CO INC

Diversion Pt L4 SWSW Sec 36 T 53N R 05W KOOTENAI County Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 0.2 CFS

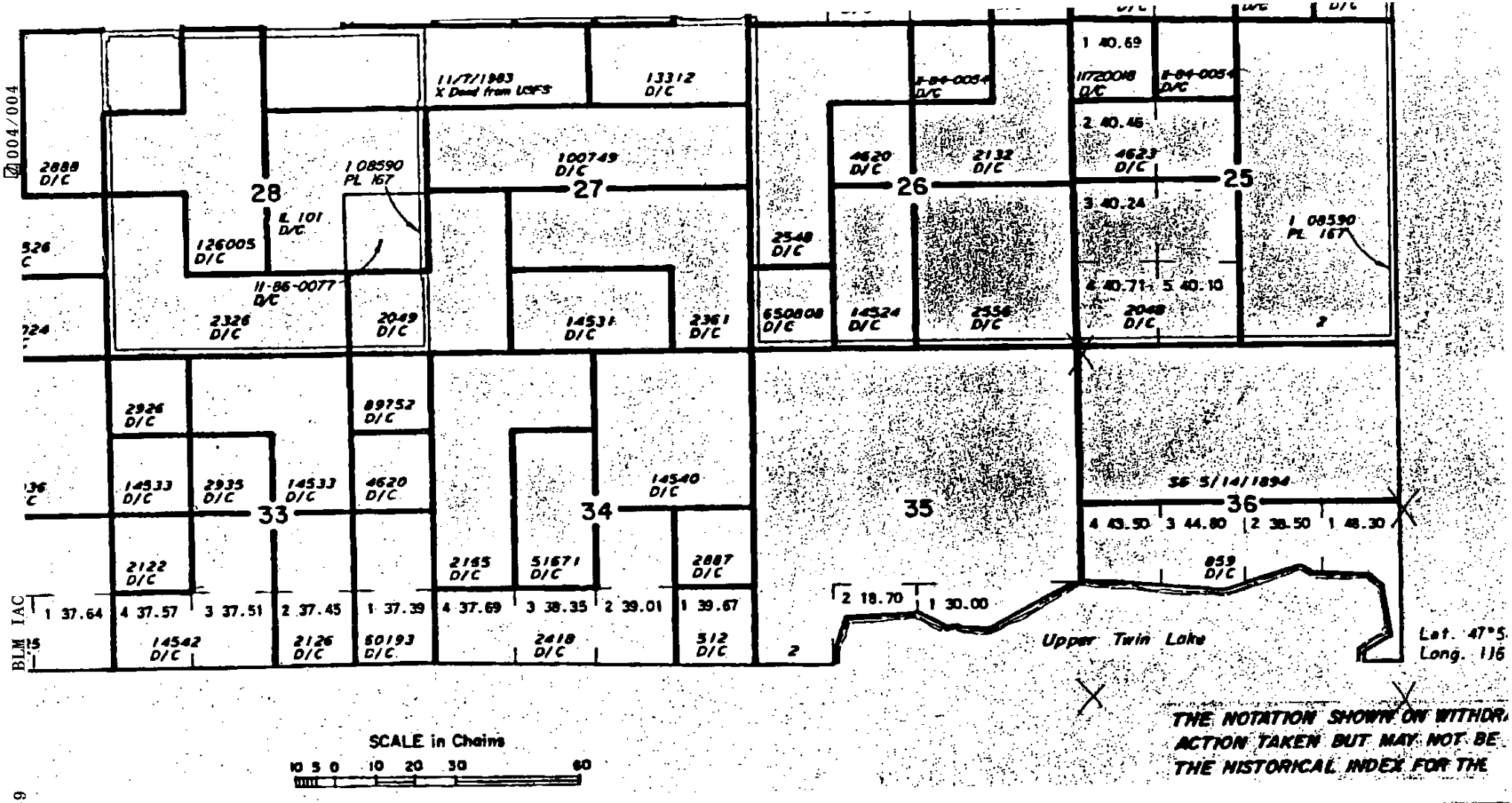
Total Diversion: 0.2 CFS

Date Filed: 03/23/2004

Place Of Use: MUNICIPAL L4 L3 L2 L1

T53N R05W S36 SWSW SESW NWSE SESE

Remarks: Municipal use is within service area of applicant.



THE NOTATION SHOWN ON WITHDR
ACTION TAKEN BUT MAY NOT BE
THE HISTORICAL INDEX FOR THE

BLM IAC

T53N
R05W
S36

04/29/04 14:02 FAX 2083733899 004/004

003/004
04/29/04 14:01 FAX 208373899
BLM IAC

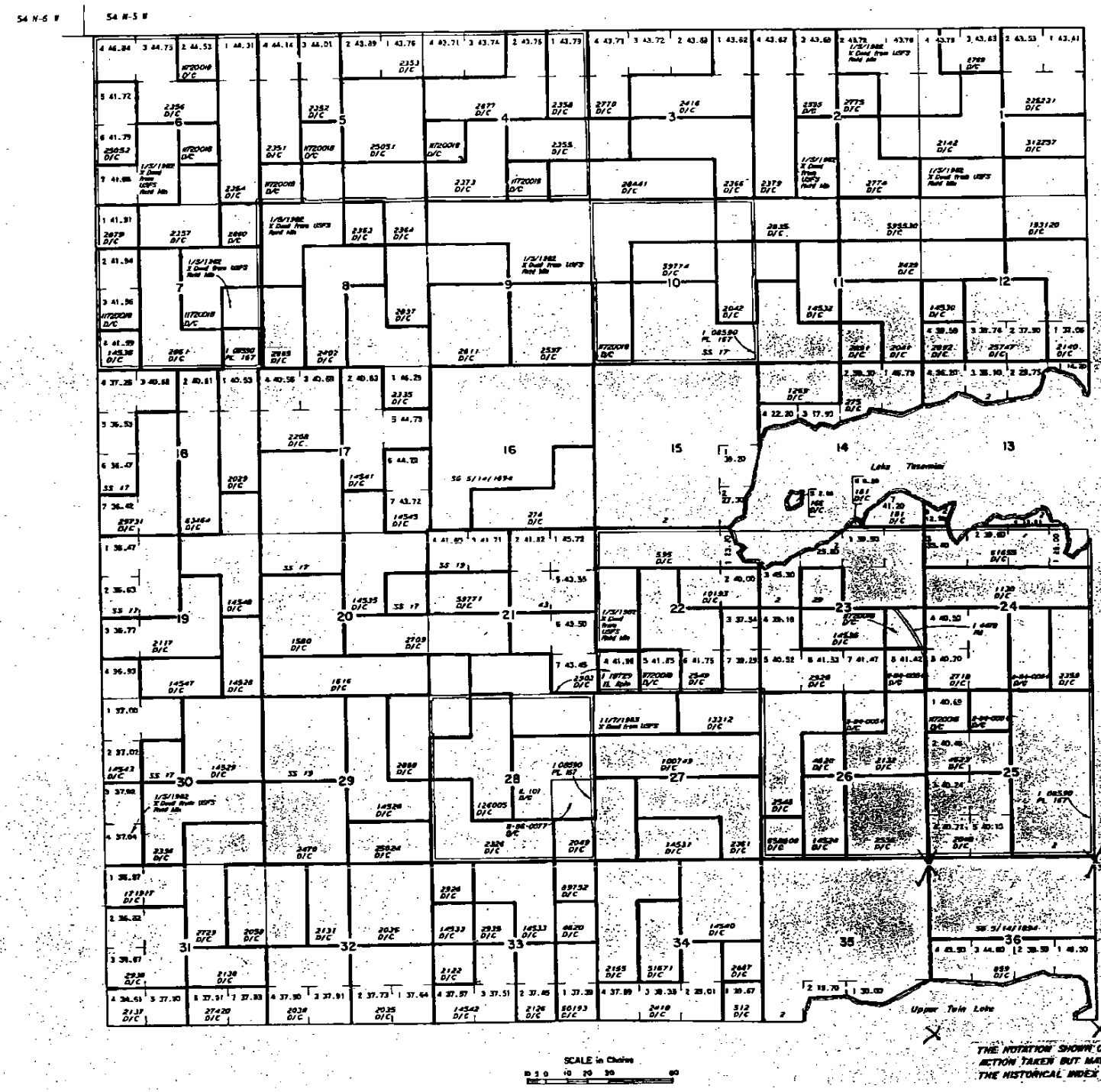
TOWNSHIP 53 NORTH RANGE 5 WEST OF THE BOISE MERIDIAN, IDAHO

KOOTENAI COUNTY 055

COEUR D'ALENE DISTRICT

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES AND ACQUIRED LANDS

MT PLAT



INDEX TO SEGREGATED TRACTS				
RESURVEY TRACT NO.	ORIGINAL SURVEY T	R	SEC	SUBDIVISION

Dept of Agri 9/13/1956, all lands Acq by I administered as part of Coeur d'Alene NF ex

Sec 1: W½ Lot 4, SW¼NW¼, S½SW¼
Sec 2: Lots 1,2; SE¼NE¼, E½SE¼
Sec 5: S½SW¼
Sec 6: Lot 7, E½SW¼
Sec 7: NE¼SE¼
Sec 8: N½NW¼, SW¼NW¼
Sec 9: NE¼, N½NW¼
Sec 10: W½NE¼, N½NW¼, SW¼NW¼
Sec 21: SE¼SW¼, SW¼SE¼
Sec 22: SW¼NW¼, W½SW¼
Sec 27: N½W¼
Sec 28: N½NE¼
Sec 30: Lots 3,4

I 08590 Pat PL 167 (Act of Cong 7/23/1955) completed 9/28/1960. All PD surface West by

FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

CLEARED TO	CURRENT TO
JUL 1 1980	

USE PLAT(S):

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH

AFFIDAVIT OF PUBLICATION

RECEIVED

APR 23 2004

IDWR/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 15 day of April 2004, and ending on the 22 day of April 2004, 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

Personally appeared before me this 22 day of April, 2004.

Regina Mason

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

REGINA MASON NOTARY PUBLIC STATE OF IDAHO

MY COMMISSION EXPIRES 6/18/09

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

95-9221

UPPER TWIN LAKES WATER CO INC
W 8891 TWIN LAKES RD
RATHDRUM ID 83858
Point(s) of Diversion L4 (SWSW) S36 T53N R05W KOOTENAI County
Source GROUND WATER
Use: MUNICIPAL 01/01 To 12/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 03/23/2004
Place Of Use: Municipal use is within service area of applicant.

95-9223

MARY L PAUPST
1807 E 63RD
SPOKANE WA 99223
Point(s) of Diversion L5 (SWNW) S17 T48N R04W KOOTENAI County
Source COEUR D ALENE LAKE Tributary To SPOKANE RIVER
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 03/31/2004
Place Of Use: DOMESTIC T48N R04W S17 SWNW Lot 5
Remark: Domestic use is for 1 home.

95-9224

JEFF BAKER
GLYNNIS BAKER
7756 E HAYDEN HAVEN RD
HAYDEN LAKE ID 83835

ROSS WELBURN
SHERYN WELBURN
1281 STRAHORN RD
HAYDEN LAKE ID 83835

BOB JOHNSON
SARAH JOHNSON
7510 E GEM SHORES RD
HAYDEN LAKE ID 83835

DUNCAN KOLER
AILEEN KOLER
7687 E GEM SHORES RD
HAYDEN LAKE ID 83835

TOM VAS DIAS
SANDY VAS DIAS
7418 E GEM SHORES RD
HAYDEN LAKE ID 83835

BILL WALKUP
KAY WALKUP
2207 KEMPTON ST
OLYMPIA WA 98501

DENNIS POFFENROTH
SHARON POFFENROTH
1010 MERCITA DR
WALLA WALLA WA 99362

Point(s) of Diversion L5 (SWNE) S10 T51N R03W KOOTENAI County
Source HAYDEN LAKE Tributary To SINKS
Use: IRRIGATION 03/15 To 11/15 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 08/11/2003
Place Of Use: IRRIGATION T51N R03W S10 SWNE Lot 5
Number of Acres 19.5

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 these applications 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 05/03/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published on April 15 and 22, 2004
Legal 4981
April 15, 22, 2004

State of Id ıo
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

April 07, 2004

--PLEASE FAX PROOF PRIOR TO PUBLICATION--

LEGAL NOTICE DEPARTMENT **e-mailed to Kattie & Kristy**
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

RE: Application for Permit No. 95-9221, 95-9223 and 95-9224

Dear Kattie and Kristy:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates Indicated, April 15 and 22, 2004, (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 05/03/2004. Your cooperation is GREATLY appreciated, as always.

Have a wonderful day.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, April 07, 2004 2:04 PM
To: Legal Notices-CdA Press (E-mail); Kristy Peak (E-mail)
Subject: Legal notice for publication on April 15 and 22, 2004

Good afternoon Kattie and Kristy,

Attached is a cover letter requesting publication of a legal notice (also attached) on April 15 and 22, 2004.

Again - please send fax of proof prior to publication - it helps me to double check my work.

If you have ANY questions, please call me (208-769-1450) or e-mail me.

Thanks ever so much, and have a marvelous 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

The following applicatio[illegible], have been filed to appropriate the public [illegible]ers of the State of Idaho:

95-9221

UPPER TWIN LAKES WATER CO INC
W 8891 TWIN LAKES RD
RATHDRUM ID 83858

Point(s) of Diversion L4 (SWSW) S36 T53N R05W KOOTENAI County
Source GROUND WATER
Use: MUNICIPAL 01/01 To 12/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 03/23/2004
Place Of Use: Municipal use is within service area of applicant.

95-9223

MARY L PAUPST
1807 E 63RD
SPOKANE WA 99223

Point(s) of Diversion L5 (SWNW) S17 T48N R04W KOOTENAI County
Source COEUR D ALENE LAKE Tributary To SPOKANE RIVER
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 03/31/2004
Place Of Use: DOMESTIC T48N R04W S17 SWNW Lot 5
Remark: Domestic use is for 1 home.

95-9224

JEFF BAKER
GLYNNIS BAKER
7756 E HAYDEN HAVEN RD
HAYDEN LAKE ID 83835

ROSS WELBURN
SHERYN WELBURN
1281 STRAHORN RD
HAYDEN LAKE ID 83835

BOB JOHNSON
SARAH JOHNSON
7510 E GEM SHORES RD
HAYDEN LAKE ID 83835

DUNCAN KOLER
AILEEN KOLER
7687 E GEM SHORES RD
HAYDEN LAKE ID 83835

TOM VAS DIAS
SANDY VAS DIAS
7418 E GEM SHORES RD
HAYDEN LAKE ID 83835

BILL WALKUP
KAY WALKUP
2207 KEMPTON ST
OLYMPIA WA 98501

DENNIS POFFENROTH
SHARON POFFENROTH
1010 MERCITA DR
WALLA WALLA WA 99362

Point(s) of Diversion L5 (SWNE) S10 T51N R03W KOOTENAI County
Source HAYDEN LAKE Tributary To SINKS
Use: IRRIGATION 03/15 To 11/15 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 08/11/2003
Place Of Use: IRRIGATION T51N R03W S10 SWNE Lot 5
Number of Acres 19.5

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KARL J DREHER, Director Published on April 15 and 22, 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 **Fax (208) 769-1454**

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 07, 2004

UPPER TWIN LAKES WATER CO INC
C/O JOHN SALMON
SECRETARY-TREASURER
W 8891 TWIN LAKES RD
RATHDRUM ID 83858

RE: Application for Permit No 95-9221

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 April 15 and 22, 2004. 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,

Allen Beardslee
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**

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 07, 2004

Wrong address
App completed
w/ wrong #
Changed +
resent 4/12
db

UPPER TWIN LAKES WATER CO INC
W 8899 TWIN LAKES RD
RATHDRUM ID 83858

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Sincerely,

Allen Beardslee

Allen Beardslee
Senior Water Resource Agent

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

Dirk Kempthorne, Governor
C. Stephen Allred, Director

June 26, 2003

John Salmon
Upper Twin Lakes Water Company
W 8899 Twin Lakes Road
Rathdrum, ID 83858

RE: **Well Site Approval, Well #4, Community Center Property**

Dear Mr. Salmon:

This letter is to confirm that the Idaho Department of Environmental Quality has inspected and approved the proposed new well site for the proposed well # 4 that will serve the Upper Twin Lakes water system. Please observe the following setbacks and restrictions when you drill the well. The well must be located in excess of:

50 feet from a sewer line,
100 feet from all septic tanks,
100 feet from all individual home septic tanks,
100 feet from all individual home seepage pits,
100 feet from all privies,
50 feet from all livestock,
50 feet from canals, streams, rivers, ditches, lakes, and ponds.
50 feet from all tanks used to store non-potable substances.

The water system must own or controls by lease (for a period that is equal to the useful life of the well) a 50-foot radius around the well site.

The monitoring requirements that must be met once the well is drilled are as follows:

Phase II and V Inorganic Contaminants.
Phase II and V Volatile Organic Compounds.
Phase II and V Synthetic Organic Compounds.
Radiological activity, quarterly for one year.
Nitrate/Nitrite
Arsenic

Sodium
Corosivity
Coliform bacteria test.

The well designs and specifications must be submitted to and approved by DEQ prior to drilling. The contact person at DEQ for this matter will be Mr. Alan Miller, PE.

As you know the primary contaminant Arsenic is found in ground water in this area and the approval of this well site in no ways guarantees that it will not be found in this location. The North Kootenai Water District has distribution mains immediately east of your water system and as an alternative to drilling this well you may wish to attempt to establish a connection to their system. Creating a wholesale account or annexation are two courses of action that the water system could pursue.

If you have any questions or comments on this matter please feel free to contact me at the Department of Environmental Quality in Coeur d'Alene. We are located at 2110 Ironwood Parkway, (208) 769-1422.

Sincerely,

Anthony P. Davis
Analyst

c: Steve Tanner/Alan Miller, DEQ-Coeur d'Alene
Gary Stevens, U of I