

RECEIVED

FORM 202 Rev. 09/16

OCT 13 2020  
Department of Water Resources  
Eastern RegionSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**  
To appropriate the public waters of the State of Idaho

Ident. No. \_\_\_\_\_

1. Name of applicant(s) Barking Bass Equities, L.L.C. Phone \_\_\_\_\_  
 Name connector (check one): ☐ and ☐ or ☐ and/or  
 Mailing address c/o Rick Egan, P.O. Box 3442 City Island Park  
 State Idaho ZIP 83429 Email \_\_\_\_\_
2. Name of representative, if any Robert L. Harris, Holden, Kidwell, Hahn & Crapo Phone 208-523-0620  
 Mailing address PO Box 50130 City Idaho Falls  
 State Idaho ZIP 83405 Email rharris@holdenlegal.com
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR  
☒ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR  
☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Ground water which is a tributary of \_\_\_\_\_
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
13N	43E	15			SE	SE	FREMONT	GROUND WATER	D0011499

5. Water will be used for the following purposes:
- Amount 0.30 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)  
 (cfs or acre-feet per year)
- Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per year)
- Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per year)
- Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.30 cubic feet per second (cfs) and/or (b) \_\_\_\_\_ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Well and pump into culinary water system.
- b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
- c. Proposed well diameter is 8 inches; proposed depth of well is 143 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? 1941; repl. 1999, drilling firm Andrew Well Drilling Services, Inc.;  
 well was drilled for (well owner) Rick Egan - The Pines at Island Park; Drilling Permit No. 21-99-e-0078-200

## For Department Use

Received by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ Preliminary check by \_\_\_\_\_  
 Fee \$ 250.- Receipted by JB Receipt No. E0416354 Date 10/13/20

21-13281

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. \_\_\_\_\_
  - Stockwatering; list number and kind of livestock. \_\_\_\_\_
  - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
  - Domestic; show number of households Up to 40 households.
  - Other; describe fully. \_\_\_\_\_
9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
  - 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	
13N	43E	15																D	

Total number of acres to be irrigated: N/A

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? WR 21-4127. The domestic water sought under this application will NOT be used for irrigation purposes (no irrigation is authorized by the owner of this water system).
11. a. Who owns the property at the point of diversion? Applicant.
- b. Who owns the land to be irrigated or place of use? Cabin, condominium owners, and homeowners.
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Water is provided under an Amenities Use Agreement.
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Applicant believed that WR 21-4127 authorized all uses from the water system. WR 21-4127 covers commercial use at the The Phillips Lodge Restaurant and several cabins on the same parcel. This application is necessary to cover other existing buildings within Division 1-2 of Phillips Lodge Subdivision, the cabin lots at Division No. 3 of the Phillips Lodge Subdivision, and a couple of possible new cabins on the restaurant parcel.
13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

**The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.**

Robert L. Harris  
 Signature of Applicant  
 Robert L. Harris, Attorney  
 Print Name (and title, if applicable)

\_\_\_\_\_  
 Signature of Applicant  
 \_\_\_\_\_  
 Print Name (and title, if applicable)



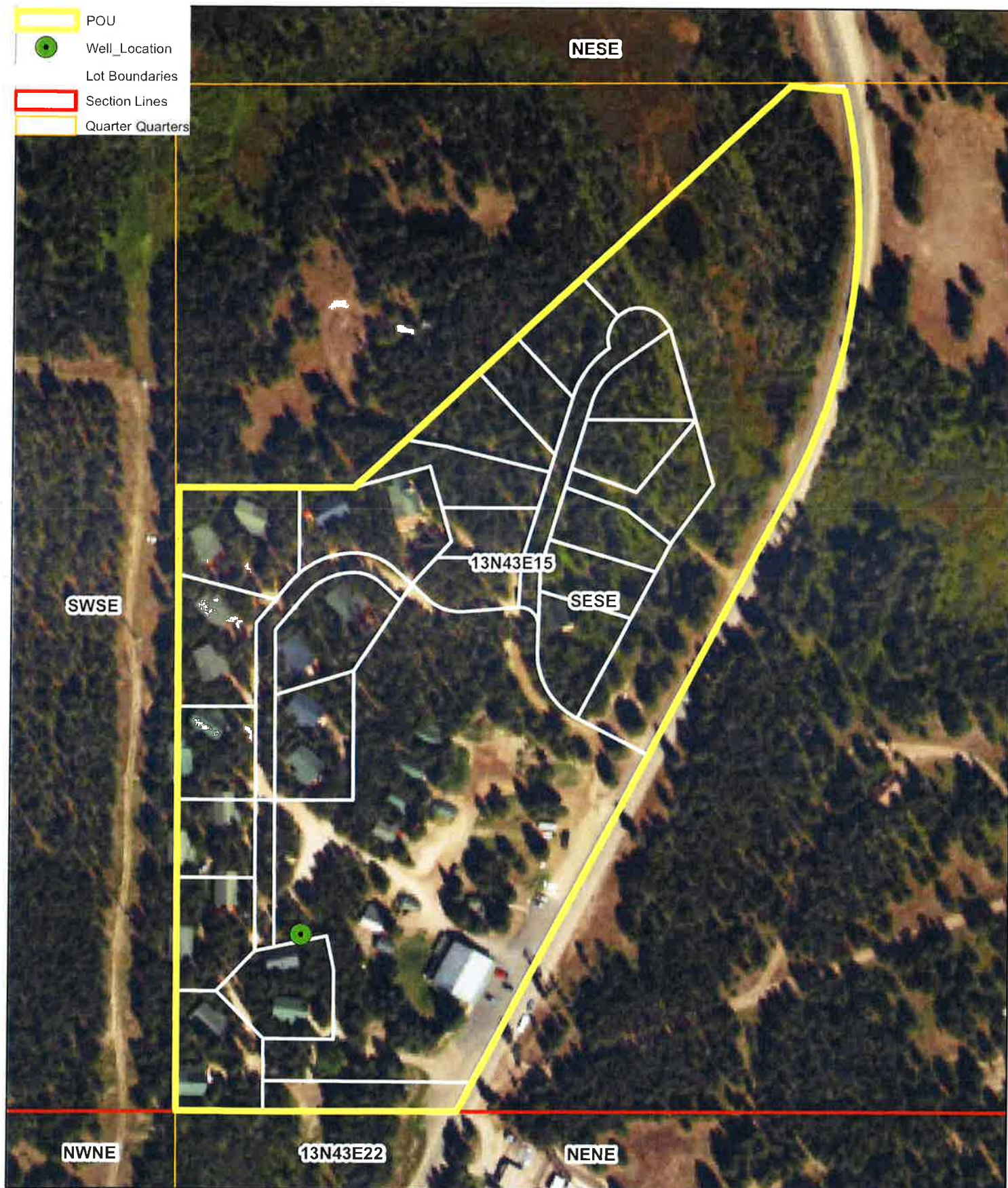


# THE PROPERTY



## Legend

- POU
- Well\_Location
- Lot Boundaries
- Section Lines
- Quarter Quarters



0 0.045 0.09 0.18 Miles

21-13281

**Olson, Aaron**

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**From:** Rob Harris <rharris@holdenlegal.com>  
**Sent:** Thursday, October 29, 2020 10:25 AM  
**To:** Olson, Aaron  
**Cc:** Barg, Jonie  
**Subject:** RE: Barking Bass Equities, L.L.C. Water Right Application For Permit  
**Attachments:** Reinstatement Annual Report 2020.pdf

Aaron and Jonie:

I am emailing both of you because you are each working on a matter for Barking Bass Equities, L.L.C.

First, I received clarification from my client that Barking Bass's correct mailing address is P.O. Box 421, not 342. 342 is Rick Egan's P.O. Box. If you could use P.O. Box 421 on the notice of change of water right ownership and with the water right permit application, that would be great. I apologize for the confusion on this. The address for Barking Bass is correctly shown on the attached reinstatement notice.

Additionally, if response to Aaron's question, Barking Bass has been reinstated as of yesterday as evidenced by the attached document.

Please let me know if you need anything else.

Thanks,



Robert L. Harris  
HOLDEN, KIDWELL, HAHN & CRAPO, PLLC  
1000 Riverwalk Drive, Suite 200  
P.O. Box 50130  
Idaho Falls, ID 83405-0130  
Phone: (208) 523-0620  
Fax: (208) 523-9518  
E-Mail: [rharris@holdenlegal.com](mailto:rharris@holdenlegal.com)

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**From:** Olson, Aaron <Aaron.Olson@idwr.idaho.gov>  
**Sent:** Friday, October 23, 2020 4:46 PM  
**To:** Rob Harris <rharris@holdenlegal.com>  
**Subject:** Barking Bass Equities, L.L.C. Water Right Application For Permit



0004043661

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***REINSTATEMENT ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$30.00

*For Office Use Only***-FILED-**

File #: 0004043661

Date Filed: 10/28/2020 3:16:44 PM

B0546-9077 10/28/2020 3:16 PM Received by ID Secretary of State Lawrence Denney

## Reinstatement Annual Report Form

Select one: Standard, Expedited or Same Day Service (see descriptions below)

Expedited (+\$40; filing fee \$70)

Current Entity Name

BARKING BASS EQUITIES, L.L.C.

The file number of this entity on the records of the Idaho Secretary of State is:

0000026286

Organized under the laws of:

IDAHO

Entity Type:

Limited Liability Company (D)

Entity Subtype:

Limited Liability Company Subtype

Limited Liability Company

Limited Liability Company Name:

Limited Liability Company name

BARKING BASS EQUITIES, L.L.C.

The registered agent on record is:

Registered Agent

RICK E EGAN

Registered Agent

Physical Address

3907 PHILLIPS LOOP RD

ISLAND PARK, ID 83429

Mailing Address

The mailing address of the corporation is:

PO BOX 421

ISLAND PARK, ID 83429-0421

## Limited Liability Company Managers and Members

Name	Title	Address
+ Rick E Egan	Member	PO BOX 342 ISLAND PARK, ID 83429
+ Shelia B Egan	Member	PO BOX 342 ISLAND PARK, ID 83429

The Application for Reinstatement must be signed by at least one governor.

*Rick E Egan*

Sign Here

*10/28/2020*

Date

Job Title:

Member





State of Idaho

## DEPARTMENT OF WATER RESOURCES

EASTERN Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

November 12, 2020

BARKING BASS EQUITIES LLC  
PO BOX 421  
ISLAND PARK, ID 83429-0421

RE: Application for Permit No. 21-13281

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the REXBURG STANDARD JOURNAL on 11/20/2020 and 11/27/2020. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. 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, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

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

Sincerely,

Christina Henman  
Administrative Assistant

**Henman, Christina**

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**From:** Henman, Christina  
**Sent:** Thursday, November 12, 2020 3:55 PM  
**To:** STANDARD JOURNAL (legalnotices@postregister.com)  
**Subject:** Legal Notice for Rexburg Standard Journal  
**Attachments:** 21-13281 Rexburg Standard Journal.docx

LEGAL NOTICE DEPARTMENT  
REXBURG STANDARD JOURNAL  
PO BOX 10  
REXBURG, ID 83440

RE: Application for Permit No. 21-13281

Dear Legal Notice Department:

Please publish the enclosed legal notice 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 12/7/2020. Your cooperation is appreciated.

Thank You,

Christina Henman  
Administrative Assistant  
Idaho Dept. of Water Resources, Eastern Region  
900 N Skyline Ste. A  
Idaho Falls, ID 83402  
Phone: (208) 497-3793



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

21-13281

BARKING BASS EQUITIES LLC

PO BOX 421

ISLAND PARK, ID 83429-0421

Point of Diversion SESE S15 T13N R43E FREMONT County

Source GROUND WATER Tributary

Use: DOMESTIC

01/01 to 12/31

0.3 CFS

Total Diversion:

Date Filed: 10-13-2020

Place Of Use: DOMESTIC

T13N R43E S15

SESE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Eastern office at (208)525-7161; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 12/7/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/20/2020 and 11/27/2020



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**EASTERN Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718**

**Phone: (208)525-7161 • Fax: (208)525-7177 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)**

**Brad Little**  
Governor

**Gary Spackman**  
Director

November 12, 2020

STATE OF IDAHO  
DEPT OF ENVIRONMENTAL QUALITY  
900 N SKYLINE DR STE B  
IDAHO FALLS, ID 83402

RE: Application for Permit No. 21-13281

Dear Interested Party:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at:  
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'CH', followed by a stylized flourish.

Christina Henman  
Administrative Asst. I

Enclosure(s)