FORM 202 Rev. 09/16

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STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 22-14374

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a sanstan	To Bear	the Ball

1. Name of applicant (s) Love Family Ventures LLC Phone 435-632-0690 Mailing address 1845 W 90 S City St. George State Utah Zip 84770 Email johnsusanlove@gmail.com 2. Name of representative, if any Robert L. Harris Phone 208-523-0620 Mailing address HKHC, PO Box 50130 City Idaho Falls State Idaho Zip 83405 Email rharris@holdenlegal.com a	b c. d. e.	Amount Amount Cotal qua Propose A. Descr Heady Cotal Gams Gor Co C	(cfs or acre 1.0 (cfs or acre antity to d diverti ribe type gate on t of stor 10 feet sed well and wate is alread as drilled	e-feet per -feet per -feet per be app ng wor and s Moose age da acre or mor on or E diame er with dy drille d for (v	year) for year) for year) for year) propria ks: ize of (e Creel am e-feet. I re in he enlarge at temp ed, who	ted is device into a f the reight A ment peratu en?	s used ditch, t eservo ND have of a No	1.0 I to div hen to reet; ac ir will by ving a incorrecter	cubic feet per second purport cubic feet per second purport water from the second point, then to ditch cotive reservoir capa per filled more than one storage capacity of existing Dam. Applituhes; proposed depth than 85°F being so girlling firm	oses fromoses fromoses fromond (cfs) and/or (b) source, and back to Moos city nce each year, desc 50 acre-feet or mor cation required? [th of well is gught?	to to se Creek. acre-feet; cribe the rese, submit Yes [] No ermit No.	1 (both dates inclusive (both dates inclusive acre-feet per year (af total reservoir capacite fill plan in item 12. For a separate Application No feet.		
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Mailing address 1845 W 90 S State Utah ZIP 84770 And or and/or City St. George Email johnsusanlove@gmail.com		Mailing	addres	s HKH	IC, PO	Box 5	0130							
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	2.		addres	s 1845										
Department of Water Resources	2.										Phone 43	35-632-0690		

FORM 202 Rev. 09/16

RECEIVED

MAY 1 2 2020

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

Ident.	No.	
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APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

To appropriate the public waters of the State of Idaho

To appropriate the public waters of the State of Idaho

To appropriate the public waters of the State of Idaho

To appropriate the public waters of the State of Idaho

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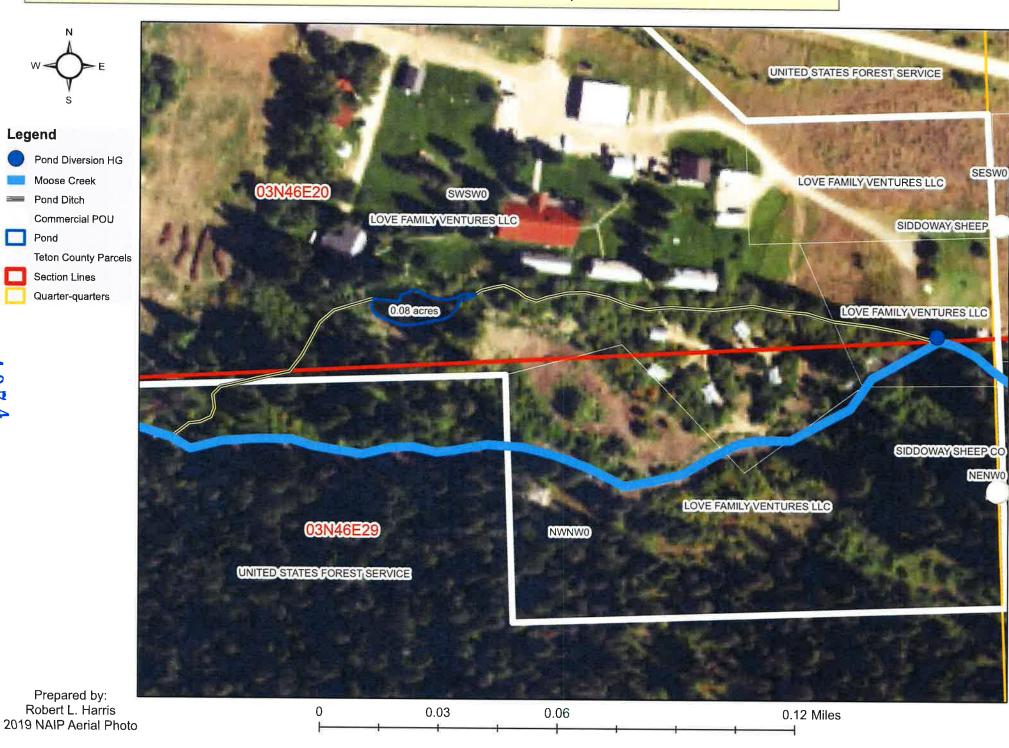
To appropriate the Ida

Dep	artment of	Water R	95 00KO94	5	10	арріо	priate	ile public waters or	the State ordina	S I Um					
1.	Name	n Region of appli	cant(s)	Love	amily	Ventu	res LL	C	-	Phone 43	5-632-0690				
	Name connector (check one): and or and/or Mailing address 1845 W 90 S City St. George														
	State L	Jtah			ZIP	84770		Email J	ohnsusanlove@gr	-					
2.	Name of representative, if any Robert L. Harris										Phone 208-523-0620				
	Mailing address HKHC, PO Box 50130														
	State Id	daho			ZIP	83405		Email	harris@holdenleg	al.com					
								on to the representa cant and copies to t		applicant C	DR				
	b. 🔽 T	he repr	esenta esenta	tive ma tive is a	y subr authori	nit info zed to	rmatio	n for the applicant b r the applicant. Atta	ut is not authorized ch a Power of Attor	to sign for	the applicant OR er documentation.				
3.	Source	of wate	r supp	ly Moo	se Cre	ek		whicl	n is a tributary of $\overline{\underline{T}}$	rail Creek					
4,	Locatio	n of poi	nt(s) of	f divers	ion:										
	Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source		Local name or tag #				
	03N	46E	20			SW	SW	Teton	Moose Cre	ek					
	1														
5.	Water v														
	Amount	(cfs or ac	.0 cfs	fo τ vear)	r Dive	rsion t	o Fire	Prot. Storage purp	oses from04/01	_ to10/3	(both dates inclusive)				
	Amount	0	.4 AF	fo	rF	ire Pr	otectio	n Storage purp	oses from <u>04/01</u>	_ to _ 10/3	1 (both dates inclusive)				
	Amount	(cfs or act			r						(both dates inclusive)				
		(cls or act	e-feet per	r year)											
	Amount	(cfs or acr	e-feet per	fo r year)	-			purp	oses from	_ to	(both dates inclusive)				
6.	Total qu	antity to	be ap	ргоргі	ated is	(a)	1.0	cubic feet per sec	ond (cfs) and/or (b	0.4 AF	_ acre-feet per year (af).				
	Propose								, ,		(4.,)				
	a. Desc	ribe typ	e and	size of	device	es use	d to div	vert water from the	source.						
								pond, then to ditch							
	b. Heig	ht of sto									; total reservoir capacity				
	dame	10 fee									refill plan in item 12. For				
								Existing Dam. Appl			t a separate <u>Application</u>				
								ches; proposed dep							
								than 85°F being s							
	e. If wel	l is alre	ady dri	lled, w	hen?_			; drilling firm							
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	290			eipted b		4	1	Receipt No. [045896	Da	te 5/12/2020				
,	\$40	Ceron	The state of	HUESS	HED.	SIC.	MS02		4374						

8.	Descri	ption o	of prop	osed	uses (if irrig	ation	only, (go to	item 9	9):									
	a. Hyd	dropow	er; sh	ow tot	al fee	t of he	ead ar	nd pro	pose	d capa	acity i	n kW.								
	b. Sto																			
	c. Mu	nicipal;	must	comp	lete a	nd att	ach th	ne <u>Mu</u>	nicipa	al Wat	er Rig	ht Ap	plicati	on Cl	necklis	st.				
	d. Dor	nestic;	show	numb	er of	house	eholds	·												
	d. Dor e. Oth	er; des	scribe	fully	Fire	prote	ection	pond	requi	red by	/ Teto	n Cou	unty. I	Pond	holds	appro	oxima	tely 0.	4 AF	
	,																			
9.	Descri	ption o	f place	of us	se:															
	a. If w	ater is	for irri	gation	ı, indic	ate a	creag	e in e	ach s	ubdivi	sion i	n the	tabula	tion b	elow.					
	b. If w	ater is se bel	used f	or oth	er pu	rpose	s, plac	ce a s	ymbo	ol of th	e use	(exar	mple: I	D for	Dome	estic) i	n the	corres	spond	ing place
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	a. Who				-	-														
	b. Who	owns	the la	nd to	be irri	gated	or pla	ace of	use?	Appli	cant									
	c. If the	e prope	erty is o	owned	by a	perso	n othe	er than	the a	applica	ant, de	escrib	e the a	arranç	gemer	nt enal	bling t	he ap _l	plican	t to make
	this	filing:																		
12.	Describ	e your	propo	sal in	narra	tive fo	orm, a	nd pro	vide	additio	onal e	xplan	ation f	or an	y of th	e item	s abo	ve. At	tach a	additional
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13.	Time re	quired	for co	mplet	ion of	work	s and	applio	cation	of wa	ater to	prop	osed b	enef	icial u	se is	1 _V	ears (r	ninimu	ım 1 year).
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mis	represe	ntatio	ns ma	ıde in	this a	applic	ation	may	resul	t in re	jectio	on of t	he ap	plica	tion o	rcan	cellat	ion of	f an a	pproval.
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7 Sign:	ature of	Applica	int	an	ms	4					Sign	nature	of App	licant						
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	Name (∋)						Prin	t Nam	e (and	title, i	f appli	cable)				

LOVE FAMILY VENTURES LLC (MOOSE CREEK RANCH) FIRE POND APPLICATION

3





1000 Riverwalk Drive, Suite 200 PO Box 50130 Idaho Falls, Idaho 83405

> Tel: (208) 523-0620 Fax: (208) 523-9518 www.holdenlegal.com

Email: rharris@holdenlegal.com

May 12, 2020

James Cefalo
Eastern Region Office
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RE: Applications for Permit Associated with Moose Creek Ranch.

Dear James:

Enclosed for processing are three (3) Applications for Permit associated with Moose Creek Ranch. We previously visited briefly about these, but wish to briefly remind you of the situation. Moose Creek Ranch has been in existence for approximately fifty years, and it was only recently discovered that despite the existence of existing wells on the property, no water rights have been appropriated to cover various uses on the property. The enclosed applications address three of the four water issues that need to be resolved. The first is an Application for Permit for the commercial use associated with the property. This use will be non-consumptive and will not include any authorization for irrigation. There is a single well on the property that we have been told is approximately 170 feet deep, which provides the culinary water for the property. Because the property is used more heavily during the summer months, we are requesting the ability for a water right to divert 0.3 cfs as a peak rate and for a volumetric cap of 22.4 acre-feet per year based on an estimate of the average demand in the summertime. As is typical with other water rights, we do not anticipate that the full amounts will be exercised each day of the year, but we do need to describe the maximum amount that could be diverted under the water right.

In addition to the commercial water right, we are also submitting an *Application for Permit* for a small stock water right that is adjacent to a barn that is used to water stock. The amount that we have requested is a standard amount of 0.02 cfs for approximately for approximately 20 head of horses.

The final application addresses a long-established existing pond that is located on the property that is used for fire protection. This was a requirement of Teton County and as is unfortunately the case in prior instances we have been involved in, the landowner put in the pond at the request of the County without realizing that a water right was also necessary from the State of Idaho. The pond is filled via a diversion on Moose Creek that goes through a ditch, into a pond,

James Cefalo May 12, 2020 Page 2 of 2

which then exits the pond as depicted in the map enclosed with the application. When water is not diverted into the pond, there is still standing water in it, and therefore, we do not believe that any mitigation is required given the high water table, early season fill to top off the pond, as well as the small surface area of the pond (which is only 0.08 acres).

Finally, we are in the process of filing a transfer application to move ground water rights to cover the outside irrigation associated with the ranch. We anticipate submitting that application within the next seven days.

If you have any questions concerning any of these applications, please do not hesitate to give me a call. I anticipate that this will be assigned to other agents in your office, but I wanted to provide it to you first. Thanks for your attention to this matter.

Best regards,

Robert L. Harris

Edust L. famis

HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

g:\wpdata\rlh_moose creek\2020.05.12 cefalo.docx

Holliday, Michael

From:

Rob Harris <rharris@holdenlegal.com>

Sent:

Thursday, May 21, 2020 1:18 PM

To:

Holliday, Michael

Subject:

Amended Page for Love Family Ventures LLC Application

Attachments:

Amended Page Commercial.pdf

Michael:

As discussed, please substitute this page for the first page of the Love Family Ventures LLC application for water right for the fire protection pond. Thank you for your assistance on this application.



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

Confidentiality Notice: The information contained in this electronic e-mail and any accompanying attachments, all of which may be confidential and/or privileged, is intended only fi are not the intended recipient, any unauthorized use, disclosure or copying of this e-mail and its contents is strictly prohibited and may be unlawful. If you are not the intended recipied delete the original message and all copies from your system. Thank you.



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

Gary Spackman Director

May 28, 2020

LOVE FAMILY VENTURES LLC 1845 W 90 S ST GEORGE, UT 84770-1837

RE: Application for Permit Nos. 22-14374, 22-14375, 22-14376

Dear Applicant:

The Department of Water Resources has received your water right applications. Please refer to the numbers referenced above in all future correspondence regarding these applications.

A legal notice of the applications has been prepared and is scheduled for publication in the TETON VALLEY NEWS on 6/3/2020 and 6/10/2020. Protests to these applications may be submitted for a period ending ten (10) days after the second publication.

If the applications are protested, you will be sent a copy of each protest. All protests must be resolved before the applications 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 applications are not protested, the Department will process your applications and notify you of any action taken on the applications. If your applications are approved, the Department will send you a copy of the permits.

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

Sincerely,

Christina Henman Administrative Assistant

CC:

ROBERT L HARRIS PO BOX 50130 IDAHO FALLS, ID 83405-0130

U.S. FOREST SERVICE 1405 HOLLIPARK DRIVE IDAHO FALLS, ID 83401 IDAHO DEPARTMENT OF FISH & GAME UPPER SNAKE REGIONAL OFFICE C/O JACOB GRAY 4279 COMMERCE CIRCLE IDAHO FALLS, ID 83401

Henman, Christina

From: Henman, Christina

Sent: Thursday, May 28, 2020 4:06 PM

To: TETON VALLEY NEWS (office@tetonvalleynews.net)

Subject: Legal Notice for Teton Valley News

Attachments: 22-14374, 22-14375, 22-17376 Teton Valley News.doc

Hello,

Please see attached document regarding a legal notice for your paper.

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 May 28, 2020

Legal Notice Department

TETON VALLEY NEWS 80 E LITTLE AVE DRIGGS ID 83422

RE: Application for Permit No. 22-14374, 22-14375, 22-14376

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 6/22/2020. Your cooperation is appreciated.

Sincerely,

0.02 CFS Total Diversion:

Christina Henman Administrative Assistant Dept of Water Resources 900 N Skyline Dr Ste A Idaho Falls ID 83402 208-525-7161 208-525-7177 – fax

PLEASE PUT IN NORMAL COLUMN AND NO BORDERS. THANK YOU.

The following application(s) have been filed to appropriate the public waters of the State of Idaho: 22-14374 LOVE FAMILY VENTURES LLC, 1845 W 90 S, ST GEORGE, UT 84770-1837 Point of Diversion SWSW S20 T03N R46E TETON County Source MOOSE CREEK Tributary TRAIL CREEK Use: FIRE PROTECTION STORAGE 01/01 to 12/31 0.4 AF Use: FIRE PROTECTION 01/01 to 12/31 1 CFS Use: DIVERSION TO STORAGE 01/01 to 12/31 1 CFS Total Diversion: 1 CFS Date Filed: 05-12-2020 Place Of Use: FIRE PROTECTION, FIRE PROTECTION STORAGE T03N R46E S20 **SWSW** 22-14375 LOVE FAMILY VENTURES LLC, 1845 W 90 S, ST GEORGE, UT 84770-1837 Point of Diversion SWSW S20 T03N R46E TETON County Source GROUND WATER Tributary Use: STOCKWATER 01/01 to 12/31

0.02 CFS Date Filed: 05-12-2020 Place Of Use: STOCKWATER T03N R46E S20 SWSW 22-14376

LOVE FAMILY VENTURES LLC, 1845 W 90 S, ST GEORGE, UT 84770-1837

Point of Diversion SWSW S20 T03N R46E TETON County

Source GROUND WATER Tributary

Use: COMMERCIAL 01/01 to 12/31 0.3 CFS 22.4 AF Total Diversion:

0.3 CFS 22.4 AF

Date Filed: 05-12-2020 Place Of Use: COMMERCIAL T03N R46E S20

SWSW

Place Of Use: COMMERCIAL

T03N R46E S29

NWNW

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/WRApplicationResults/. 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 6/22/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director Published on 6/3/2020 and 6/10/2020

Henman, Christina

From: Henman, Christina

Sent: Friday, May 29, 2020 9:19 AM

To: Olenichak, Tony

Subject: Application for Permit of 22-14374

Attachments: RecommendationForm New Appropriation8.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you 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, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

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

Henman, Christina

From:

Henman, Christina

Sent:

Thursday, May 21, 2020 4:17 PM

To:

IdwrPayable

Subject:

Refund Request: Love Family Ventures

Attachments:

Receipt.pdf

Hello,

We need a refund for the following:

Amount: \$40.00 Receipt: E045896

Reason: Overpayment of Permit Application

Recipient:

Holden Kidwell Hahn & Crapo

PO Box 50130

Idaho Falls, ID 83405

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