

\$100

RECEIVE

RECEIVED
FORM 202 Rev. 09/16
JAN 04 2019
DEPARTMENT OF
WATER RESOURCES

DEC 03 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 74-16208

1. Name of applicant(s) Leadore Deer Park Ranch, LLC Phone 208.768.2329
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address PO Box 21 City Leadore
State ID ZIP 83464 Email _____
2. Name of representative, if any Kathy McRea Phone 208.768.2329
Mailing address same City _____
State _____ ZIP _____ Email _____
- 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 unnamed stream which is a tributary of Big Eightmile Creek
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
15N	24E	23			NW	SW	LEMHI	unnamed stream	
15N	24E	23			SW	SW	LEMHI	unnamed stream	

5. Water will be used for the following purposes:
- Amount 0.02 for stockwater purposes from 01/01 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) 0.02 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. 2" pipeline in stream collecting water to portable stock trough on float
- 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 _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____;
well was drilled for (well owner) _____; Drilling Permit No. _____

Received by [Signature] Date 12-3-18 Time 2:19 Preliminary check by AD
Fee \$ 100 Receipted by [Signature] Receipt No. C105930 Date 12-3-18

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. 15 pair cattle
- Municipal; must complete and attach the Municipal Water Right Application Checklist.
- Domestic; show number of 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	
15N	24E	23											S	S					

Total number of acres to be irrigated: _____

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? none

11. a. Who owns the property at the point of diversion? Randy and Jeannie Peterson

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

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

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Small diversions to portable stock tanks - tanks are removed in winter. Both points of diversion may not be developed but we would like flexibility in location. Headbox in stream will be fitted with a debris screen.

13. Time required for completion of works and application of water to proposed beneficial use is 1 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.

Kathy L. McRea President
Signature of Applicant

Kathy L. McRea
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

\$100

RECEIVE

FORM 202 Rev. 09/16

DEC 03 2018

STATE OF IDAHO

Ident. No. 74-16208

DEPARTMENT OF
WATER RESOURCES

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APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Leadore Deer Park Ranch, LLC Phone 208.768.2329

Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address PO Box 21 City Leadore

State ID ZIP 83464 Email _____

2. Name of representative, if any Kathy McRea Phone 208.768.2329

Mailing address same City _____

State _____ ZIP _____ Email _____

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.

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(cfs or acre-feet per year)

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c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

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

e. If well is already drilled, when? _____; drilling firm _____;
well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by AS Date 12-3-18 Time 2:19 Preliminary check by _____

Fee \$ 100 Received by AS Receipt No. C105930 Date 12-3-18

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15N	24E	23											S						

Total number of acres to be irrigated: _____

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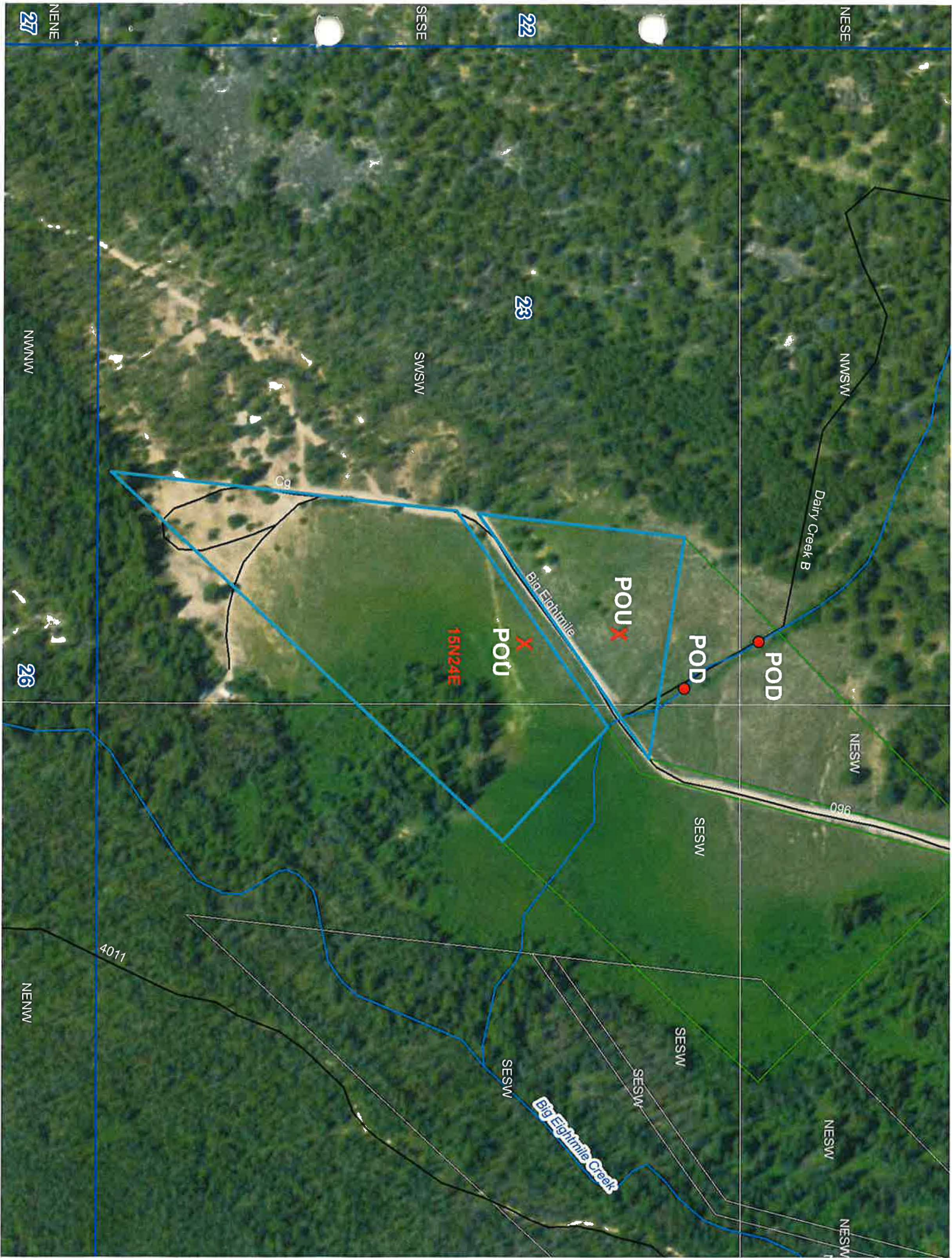
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Kathy L. McRea President
Signature of Applicant

Kathy L. McRea
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)



251



CERTIFICATE OF ORGANIZATION LIMITED LIABILITY COMPANY

Title 30, Chapters 21 and 25, Idaho Code

Base Filing fee: \$100.00 typed, \$120 not typed

Complete and submit the application in duplicate.

FILED EFFECTIVE

2018 MAY -4 AM 11:24

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is:

Leadore Deer Park Ranch, LLC

(Remember to include the words "Limited Liability Company," "Limited Company," or the abbreviations L.L.C., LLC, or LC)

2. The complete street and mailing addresses of the principal office is:

181 Anderson Road, Leadore, Idaho 83464

(Street Address)

P. O. Box 21, Leadore, Idaho 83464

(Mailing Address, if different)

3. The name and complete street address of the registered agent:

William Forsberg

49 Professional Plaza, Rexburg, Idaho 83440

(Name)

(Address)

4. The name and address of at least one governor of the limited liability company:

Kathern L. McRea

181 Anderson Road, P. O. Box 21, Leadore, Idaho 83464

(Name)

(Address)

Russell D. Anderson

3102 Good Street, Boise, Idaho 83703

(Name)

(Address)

Mary E. Hickey

11153 Seneca Drive, Boise, Idaho 83709

(Name)

(Address)

Albert D. Anderson

4363 N. Grenadier Avenue, Boise, Idaho 83713

(Name)

(Address)

5. Mailing address for future correspondence (annual report notices):

49 Professional Plaza, Rexburg, Idaho 83440

(Address)

Signature of organizer(s).

Printed Name: William Forsberg

Signature: William Forsberg

Printed Name: _____

Signature: _____

Secretary of State, use only

2018 MAY -4 AM 11:24

05/04/2018 05:00

CK: PREPAID CT: 202411 BH: 1641965

10 100.00 = 100.00 ORGAN LLC #2

10 20.00 = 20.00 EXPEDITE C #3

W201145

EXHIBIT "A"

The Southerly 1/2 of Tract "B", being and embracing a portion of Homestead Entry Survey (H.E.S.) No. 539 in the Southerly 1/2 of the tract described as follows:

Beginning for the description of Tract "B" at corner No. 6, from which Corner No. 2, of said Tract "A", bears south six degrees forty-five minutes west sixty-six links distant; thence north six degrees forty-five minutes east six and sixty-seven hundredths chain to corner No. 7; thence north forty-six degrees east thirteen and forty hundredths chains to corner No. 8; thence south fifteen degrees west eleven and one hundredths chains to corner No. 9; thence south fifty-five degrees west nine and twenty-two hundredths chains to corner No. 6, the place of beginning.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part, of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

TRUSTEE'S DEED

Kathern L. McRea a/k/a Kathy McRea, as Successor Trustee of the Dare R. Anderson and Emmeline Joyce Anderson Revocable Living Trust, does hereby bargain, sell and convey, without warranty, to Leadore Deer Park Ranch, LLC, an Idaho limited liability company, of 181 Anderson Road, P. O. Box 21, Leadore, Idaho 83464, all of the real property situated in Lemhi County, State of Idaho, described as follows:

See Attached Exhibit "A"

This conveyance is made pursuant to the powers conferred upon said Trustee by The Dare R. Anderson and Emmeline Joyce Anderson Revocable Living Trust dated April 10, 2003.

IN WITNESS WHEREOF, the Successor Trustee has subscribed her name hereto.

DATED this 16th day of November, 2018.

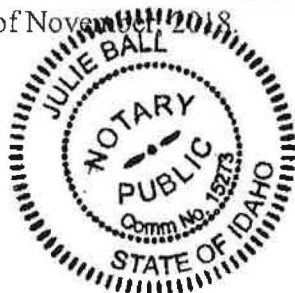
THE DARE R. ANDERSON AND
EMMELINE JOYCE ANDERSON
REVOCABLE LIVING TRUST

By: Kathy L. McRea
Kathern L. McRea a/k/a Kathy McRea
Successor Trustee

STATE OF IDAHO)
: ss.
County of Madison)

On this 16th day of November, 2018, before me, a notary public in and for the above state, personally appeared Kathern L. McRea a/k/a Kathy McRea, known or identified to me (or proved to me on oath) to be the Successor Trustee of The Dare R. Anderson and Emmeline Joyce Anderson Revocable Living Trust, that she executed the instrument on behalf of said trust, and acknowledged to me that such trust executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 16th day of November, 2018.



Julie Ball
Notary Public for Idaho
Residing at: Bozeman
Commission Expires: 11/16/2019

EXHIBIT "A"

That certain portion of Homestead Entry Survey (H.E.S.) No. 539 being and embracing a portion of approximately Section 23 in Township 15 N., Range 23 EBM, beginning for the description of Tract "A" at corner No. 1, from which U.S. Location Monument No. 1, bears south twenty degrees forty-two minutes east one hundred fifteen and fifty-four hundredths chains distance; thence, north six degrees forty-five minutes east ten and eighty-two hundredths chains to corner No. 2; thence North fifty-five degrees east nine and eighty-four hundredths chains to corner No. 3; thence north fifteen degrees east ten and eighty-nine hundredths chains to corner No. 4; thence south forty-four degrees one minute east nine and sixty-two hundredths chains to corner No. 5; thence south forty-three degrees nineteen minutes west twenty-seven and forty-seven hundredths chains to Corner No. 1, the place of beginning.

LESS: The N1/2, Tract A, H.E.S. 539, located in unsurveyed T. 15 N., R. 24 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows: Beginning at Corner No. 4 HES 539, run thence S. 44 deg 07' 50" E. a distance of 635.18 ft. to Corner No. 5, HES 539; thence S. 43 deg 10' 18" W along Line 5-1, HES 539, a distance of 712.45 ft.; thence N. 46 deg 49' 42" W. a distance of 316.13 ft. to a point on Line 2-3, HES 539; thence N. 54 deg 53' 26" E. along said line a distance of 111.32 ft. to Corner No. 3, HES 539; thence N. 14 deg 52' 32" E. a distance of 719.30 ft. to the POINT OF BEGINNING. PARCEL CONTAINS 7.29 ACRES.

Legal Notice Department

Recorder Herald

PO Box 310

Salmon ID 83467

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notices 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, PO Box 83720, Boise, Idaho, 83720-0098 before May 6, 2019. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

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

74-16208

LEADORE DEER PARK RANCH LLC
PO BOX 21
LEADORE, ID 83464-0021
Point of Diversion NWSW SWSW S23 T15N R24E LEMHI County
Source UNNAMED STREAM Tributary BIG EIGHTMILE CREEK
Use: STOCKWATER
01/01 to 12/31
0.02 CFS
Total Diversion:
0.02 CFS
Date Filed: 12/3/2018
Place Of Use: STOCKWATER
T15N R24E S23 SWSW SESW

This application proposes the diversion and use of water from a tributary to a federally designated Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for stockwater purposes.

74-16213

DEE ANN CROFOOT
128 SANDY CREEK RD
SALMON, ID 83467-5230
Point of Diversion NENW S17 T20N R24E LEMHI County
Source SANDY CREEK Tributary LEMHI RIVER
Use: STOCKWATER
01/01 to 12/31
0.05 CFS
Total Diversion:
0.05 CFS
Date Filed: 1/28/2019
Place Of Use: STOCKWATER
T20N R24E S17 NWNW SWNW
T20N R24E S18 NENE SENE

This application proposes the diversion and use of water from Sandy Creek which is a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for stockwater purposes.

74-16215

BRUCE L MULKEY

25 MULKEY LN

SALMON, ID 83467-5167

Point of Diversion SENE S11 T20N R23E LEMHI County

Source PRATT CREEK Tributary SANDY CREEK

Use: STOCKWATER

01/01 to 12/31

0.03 CFS

Total Diversion:

0.03 CFS

Date Filed: 2/5/2019

Place Of Use: STOCKWATER

T20N R23E S11 SENW

This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for stockwater purposes.

75-14923

RON DISHAW

31827 HWY 200

SANDPOINT, ID 83864

Point of Diversion SENE S16 T17N R21E LEMHI County

Source MC KIM CREEK Tributary SALMON RIVER

Use: AESTHETIC STORAGE

01/01 to 12/31

5 AF

Use: DIVERSION TO STORAGE

01/01 to 12/31

2 CFS

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Use: POWER

01/01 to 12/31

2 CFS

Total Diversion:

2 CFS

5 AF

Date Filed: 2/4/2019

Place Of Use: POWER DOMESTIC AESTHETIC STORAGE

T17N R21E S16 SENE

This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for power, domestic and aesthetic storage purposes.

75-14924

CASSIE DOLOUGHAN

898 LEMHI RD

SALMON, ID 83467

2 Points of Diversion L4(SWNE) S29 T22N R20E LEMHI County

Source UNNAMED STREAM Tributary NAPIAS CREEK

Point of Diversion SENE S29 T22N R20E LEMHI County

Source UNNAMED STREAM Tributary NAPIAS CREEK

Use: DIVERSION TO STORAGE

01/01 to 12/31

1 CFS

Use: MINING

01/01 to 12/31

1 CFS

Use: MINING FROM STORAGE

01/01 to 12/31

100 AF

Use: MINING STORAGE

01/01 to 12/31
100 AF
Total Diversion:
1 CFS
100 AF

Date Filed: 10/15/2018

Place Of Use: MINING MINING STORAGE MINING FROM STORAGE

T22N R20E S20 SENE SESE

T22N R20E S21 SWNE SENE NESW SWSW SESW NWSE SWSE SESE

T22N R20E S28 NENE NWNE SWNE SENE NESW SESW NWSE SWSE

T22N R20E S29 NENE L1(NWNE) L4(SWNE) SENE L6(NESW) L7(SESW) NESE L5(NWSE) SWSE SESE

This application proposes the diversion and use of water tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

75-14925

CASSIE DOLOUGHAN

898 LEMHI RD

SALMON, ID 83467-5147

Point of Diversion L7(SESW) S29 T22N R20E LEMHI County

Source RABBIT CREEK Tributary NAPIAS CREEK

Use: DIVERSION TO STORAGE

01/01 to 12/31

1 CFS

Use: MINING

01/01 to 12/31

1 CFS

Use: MINING FROM STORAGE

01/01 to 12/31

100 AF

Use: MINING STORAGE

01/01 to 12/31

100 AF

Total Diversion:

1 CFS

100 AF

Date Filed: 10/15/2018

Place Of Use: MINING MINING STORAGE MINING FROM STORAGE

T22N R20E S20 SENE SESE

T22N R20E S21 SWNE SENE NESW SWSW SESW NWSE SWSE SESE

T22N R20E S28 NENE NWNE SWNE SENE NESW SESW NWSE SWSE

T22N R20E S29 NENE L1(NWNE) L4(SWNE) SENE L6(NESW) L7(SESW) NESE L5(NWSE) SWSE SESE

This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

75-14930

LUKE EVANS

RENE EVANS

2576 N MINK CREEK RD

POCATELLO, ID 83204

Point of Diversion SESE S26 T26N R21E LEMHI County

Source NORTH FORK SALMON RIVER Tributary SALMON RIVER

Use: IRRIGATION

04/01 to 10/31

0.09 CFS

Total Diversion:

0.09 CFS

Date Filed: 11/16/2018

Place Of Use: IRRIGATION

T26N R21E S25 SWSW

T26N R21E S26 SESE

T26N R21E S35 NENE

T26N R21E S36 NWNW

Total Acres: 4.5

This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to

specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate 0.09 cfs and 4.5 acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; 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, State Office, 322 E Front St, PO Box 83720, Boise, ID 83720 together with a protest fee of \$25.00 for each application on or before 5/06/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/18/2019 and 4/25/2019

Hersley, Jean

From: Hersley, Jean
Sent: Friday, April 12, 2019 8:37 AM
To: rhlegals@custertel.net
Subject: Legal Notice for your paper
Attachments: Recorder Herald.doc

Please publish the attached legal notices on the dates indicated. Please let me know if you have any questions.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

April 12, 2019

LEADORE DEER PARK RANCH LLC
ATTN: KATHY MC REA
PO BOX 21
LEADORE, ID 83464-0021

Application For Permit No. 74-16208

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 RECORDER HERALD on 4/18/2019 and 4/25/2019. 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,

Jean Hersley
Technical Records Specialist

Hersley, Jean

From: Hersley, Jean
Sent: Friday, April 12, 2019 9:28 AM
To: Yenter, Cindy; Clark, Cynthia Bridge; Skoro, Emily; Cassel, Amy
Subject: Applications for Permit and Transfer

Applications for Permit 74-16208, 74-16213, 74-16215, 75-14923, 75-14924, 75-14925 & 75-14930 will be advertised on April 18 & 25 with the protest end date of May 6. Please let me know if you have any comment or concerns with the applications.

Application for Transfer 83014, water right 75-10031 is not being advertised. The physical location of the POU and POD are not changing, just the legal description. Please let me know if you have any comments or concerns with this transfer application.

All documents will be scanned by the end of the day.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

April 12, 2019

RANDY PETERSON
3561 E 100 N
RIGBY ID 83442

RE: Application for Permit 74-16208 in the name of Leadore Deer Park Ranch LLC

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced application for permit. A full description concerning property location may be found at: www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp.

Please note, you are receiving this notice because you own the property where the point of diversion is located. The Department has documented that the right holder obtained authorization from you to access the point of diversion or place of use or to convey water across private land.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If you desire 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,

Jean Hersley
Technical Records Specialist II



State of Idaho

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

April 12, 2019

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
900 NORTH SKYLINE SUITE B
IDAHO FALLS ID 83402

RE: Applications for Permit No. 74-16208, 74-16213, 74-16215, 75-14923, 75-14924,
75-14925, 75-14930
Application for Transfer No. 83014 Water right 75-10031

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. You can find copies of the applications at:

<http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency 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 applications.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jean Hersley', is written over a horizontal line.

Jean Hersley
Technical Records Specialist II

Hersley, Jean

From: Hersley, Jean
Sent: Friday, April 12, 2019 9:12 AM
To: Jeff Richards
Subject: Comment Letter to IDFG - Salmon
Attachments: Comment Letter to IDFG - Salmon.docx

Please see attached letter. Let me know if you have any questions. Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*



State of Idaho

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

April 12, 2019

IDAHO DEPT FISH AND GAME
ATTN: JEFF RICHARDS
99 HWY 93 N
SALMON ID 83467

RE: Applications for Permit No. 74-16208, 74-16213, 74-16215, 75-14923, 75-14924,
75-14925, 75-14930
Application for Transfer No. 83014 Water right 75-10031

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. You can find a copy of the applications at:

<http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the applications as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency 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 applications.

Sincerely,

Jean Hersley
Technical Records Specialist II



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

April 11, 2019

WATER DISTRICT #74Z
PAUL MAUGHAN
PO BOX 64
LEADORE ID 83464-0064

RE: Application for Permit: 74-16208 in the name of Leadore Deer Park Ranch, LLC

Dear Watermaster:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced water right application for permit. You can find a copy of the application at: <http://www.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's offices 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.

Sincerely,

Jean Hersley
Technical Records Specialist

Enclosure(s)

State of Idaho
Department of Water Resources
Application for Permit

RECOMMENDATION FORM

Application No.: 74-16208

Applicant's Name: LEADORE DEER PARK RANCH
PO BOX 21
LEADORE ID 83464

Watermaster's Recommendation:

- a) _____ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this _____ day of _____, 2019

Water District No. 74Z

Watermaster's Signature _____

Printed Name: _____

MEMORANDUM

Date: March 29, 2019
To: Application for Permit 74-16208
From: Alex Dalglish
Re: Application for Permit Review

Applicant: The Department received an application for permit from Leadore Deer Park Ranch, LLC on December 3, 2018. The application proposes stockwater use for 15 pairs of cattle. Kathy McRea, who is a President of Leadore Deer Park Ranch, LLC signed the application as the representative.

Source & POD: The application proposes to divert surface water from an unnamed tributary of Big Eightmile Creek in the NWSW and SWSW quarter-quarter of Section 23, Township 15N, Range 24E. Department records indicate the land at the POD is owned by Randy R Peterson. The application states that Randy and Jeannie Peterson own the property at the POD and there is personal consent of the property owners.

Water Use: The application proposes to use .02 cfs for stockwater from the unnamed stream from 01/01 to 12/31. According to the application, a 2 inch pipeline will be placed in the stream and will collect water in a portable stock trough.

POU: According to Department records, the POU is owned by Leadore Deer Park Ranch LLC. The application POU description did not match the map included with the application. The POU was only listed in the SWSW quarter-quarter of Section 23, Township 15N, Range 24E. A map included with the application included a POU in the SESW quarter-quarter of the same Section, Township and Range. I spoke with Kathy McRae on December 26, 2018 regarding this discrepancy. She requested a map showing what the application listed for the POU legal description as well as a map included with the application representing the POU. Kathy met with Cindy Yenter in the Salmon office to make corrections to the POU on the application. Cindy emailed me the corrected application on December 28, 2018.

POU/POD overlap analysis: The U.S. Government acting through the Forest Service owns two water rights that overlap the POU. Right 74-10549 uses .02 cfs for stockwater and overlaps the POU in the SESW quarter-quarter of Sec. 23, Township 15N, Range 24E. Right 74-7186 diverts .02 cfs from ground water has a POU in the entire SWSW quarter-quarter. This overlaps the proposed POD in that quarter-quarter as well. Right 74-14743 overlaps one of the proposed POD's on Eightmile Creek. This right uses .02 cfs for stockwater. There are no initial overlap concerns for the POD's or POU that this application proposes.

Additional Comments: The This application proposes the diversion and use of water from an unnamed stream tributary to Big Eightmile Creek which is tributary to Salmon Wild and Scenic River. Conditions pertinent to this will be added to the permit if approved. Standard water district, measuring device and overlap conditions are recommended if approved. The POU and POD are located within Water District 74Z.

MEMORANDUM

Date: March 29, 2019
To: Watermaster Comment
From: Alex Dalglish
Re: Application for Permit Review

I called Water District 74Z Watermaster Paul Maughan on 3/29/19 to discuss possible concerns/recommendations regarding application for permit 74-16208. He stated that he had no problems with the proposed stock water use by Leadore Deer Park Ranch, LLC. There was email listed on the Water District Contact list and I did not want to mail him since calling would be much more efficient.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 4, 2019

Leadore Deer Park Ranch, LLC
P.O. Box 21
Leadore, ID 83464

RE: Application to Appropriate Water in the Upper Salmon River Basin 75-16208

Dear Water Right Applicant:

The Department of Water Resources' (IDWR) records show you filed applications to establish new uses of water in the upper Salmon River basin. Idaho Code § 42-203A(5) requires IDWR to determine whether each water right application satisfies all the criteria necessary for appropriating water in Idaho. One statutory criterion requires IDWR to determine the local public interest relative to the proposed water use. Idaho Code § 42-202B(3) defines the local public interest as "the interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource." The local public interest has many facets, including the effects of a proposed water use on aquatic habitat for fish and wildlife resources.

The upper Salmon River basin is home to stocks of chinook salmon, sockeye salmon, steelhead trout, and bull trout, all of which are listed as threatened or endangered under the Endangered Species Act (ESA). Since the early 1990s, local water users, conservation districts, and federal and state agencies have cooperated to implement conservation measures intended to protect and restore habitat for ESA-listed species in the upper Salmon River watershed. For example, at the request of local water users the Idaho Legislature directed the Idaho Water Resource Board (IWRB) to establish a minimum stream flow in the lower Lemhi River for fish passage. The minimum stream flow is maintained through a water supply bank and temporary or permanent acquisition of additional water supplies by willing buyers from willing sellers.

Pursuant to the Snake River Water Rights Agreement of 2004, Idaho has been developing a long term conservation plan for the benefit of ESA-listed species in the Lemhi River basin. Improving conditions in flow-limited river reaches and streams is a fundamental component of the Lemhi plan. In addition to IDWR, numerous state agencies, including the Office of Species Conservation, Idaho Department of Fish and Game, Idaho Department of Environmental Quality, Idaho Soil and Water Conservation Commission, and Idaho Department of Lands, have committed and continue to commit significant resources toward this objective under the following programs:

- Columbia Basin Water Transactions Program
- National Marine Fisheries Service Pacific Coastal Salmon Recovery Fund

- U. S. Fish & Wildlife Service Aquatic Species Conservation Fund
- Salmon and Clearwater River Basins Habitat Fund
- 2008 Columbia Basin Fish Accords

Letter to Upper Salmon River Basin Water Right Applicants

Page 2

A myriad of habitat restoration projects are being constructed/implemented in other parts of the upper Salmon River basin. These projects have been coordinated with the local communities and water users through the Upper Salmon River Basin Watershed Program and predecessor programs, including the model watersheds. Furthermore, the Snake River Water Rights Agreement of 2004 contemplates the development of additional conservation plans for other upper Salmon River basin watersheds. Accordingly, the Comprehensive State Water Plan revised by the IWRB contains policies for the Salmon River basin that focus on the protection and restoration of instream habitat for ESA-listed species through voluntary participation in conservation programs.

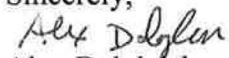
Because of the ESA-listed species recovery efforts in the upper Salmon River basin, IDWR must determine on a case-by-case basis whether it is in the local public interest to authorize proposed water uses that would further deplete flow-limited stream reaches.

Pursuant to Rule 40.04.c of the Water Appropriation Rules (IDAPA 37.03.08.040.04.c), the applicant has the ultimate burden of persuasion regarding the items that must be evaluated in connection with each water right application. Before proceeding further with your application, IDWR requests you submit additional information about how your proposal invokes any local public interest concerns for ESA species recovery.

Within 30 days, please submit any additional information you believe IDWR may need to evaluate and determine the local public interest in the water you propose to divert and use. If IDWR has not received a response from you within 30 days, IDWR will assume you have no comment regarding the local public interest, and processing of your application will resume with the information currently on file. Processing will include public notice and the potential for formal protests by other interested parties. Applications that are not in the local public interest will be denied. If you wish to withdraw your application before it is processed, please notify IDWR in writing.

If you have any questions, please call me at 208-287-4913, or email me at alex.dalgleish@idwr.idaho.gov.

Sincerely,



Alex Dalgleish

Water Resource Agent

Enclosure:



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 • PO BOX 83720 • BOISE ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 27, 2018

LEADORE DEER PARK RANCH, LLC
P.O. BOX 21
LEADORE, ID 83464

RE: Application for Permit No. 74-16208

Dear Applicants:

The Department of Water Resources has been reviewing your application for permit, and the description of the place of use in item 9 appears to be incorrect. The table in item 9 will need to be corrected in order to continue processing your application. The table below includes the corrections that correspond with property boundaries and the map submitted with the application. The map included with the application indicates the place of use in both the SW and SE quarter-quarters. However, your application only lists the place of use in the SW quarter-quarter.

Description of Place of Use:

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	24E	23											S	S					

Corrections can be made using a copy of the application. Line out any original entries in a manner that the original entry can still be read. Then insert the new information and initial and date the change. Mail the initialed changes, not a copy, to the Department.

Please submit any corrections within 30 days. If the requested information is not provided within 30 days, the Department is unable to complete the review, and the record of an application for permit will be voided.

If you have any questions, please call me at 208-287-4913, or email me at alex.dalgleish@idwr.idaho.gov.

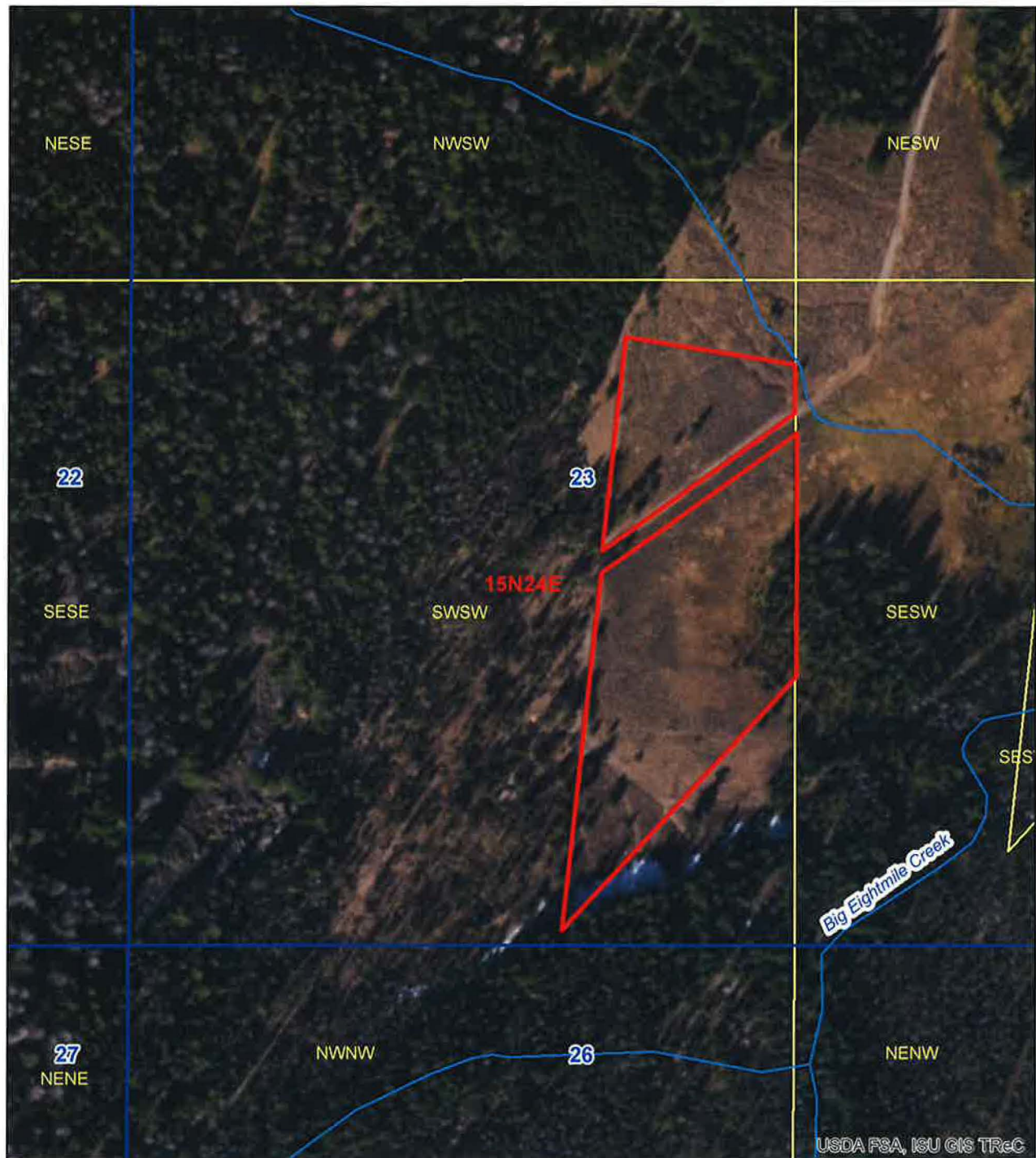
Sincerely,

Alex Dalgleish
Water Resource Agent
Idaho Department of Water Resources

Enclosure: Copy of Application, map of application description of POU, map of POU included with application, receipt

Application Place Of Use Map

(As Described in Application Place Of Use Item 9)



0 0.035 0.07 0.14 Miles

-  Township/Range
-  Sections
-  QQ
-  Application POU



Place Of Use Map

(As Included With Application For Permit 74-16208)



-  Townships
-  PLS Sections
-  Quarter Quarters
-  Application Map POU

0 0.035 0.07 0.14 Miles

