

JUN 08 2018

JUN 19 2018

WATER RESOURCES
WESTERN REGIONWATER RESOURCES
WESTERN REGIONIdent. No. 51-13129

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

1. Name of applicant(s) Ace Black Ranches Phone 208-845-2601
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 28892 Hot Springs Road City Bruneau
 State ID ZIP 83604 Email _____
2. Name of representative, if any Terry Black - Managing Partner Phone Same As Above
 Mailing address _____ 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 wastewater unnamed Drain which is a tributary of Bruneau River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
~~6S~~	~~6E~~	~~30~~			NE	SE	Owyhee	Unnamed drain	
~~6S~~	~~5E~~								
<u>6S</u>	<u>5E</u>	<u>25</u>							

5. Water will be used for the following purposes:
- Amount .02 for Stockwater 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) .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. Unnamed drain to stockwater trough
- 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. _____

For Department Use

Received by DN+CP+CT Date 6/18/18 + 6/19/18 Time _____ Preliminary check by CP
 Fee \$ 100.00 Received by AL Receipt No. 4105218 Date 6-8-18

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. 1,000 cattle/horses
 - 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	
~~06S~~	~~08E~~	~~30~~													X				
<u>6S</u>	<u>5E</u>	<u>25</u>																	

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? Existing stockwater use from the Bruneau River
11. a. Who owns the property at the point of diversion? Applicant
- 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: _____
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Water is obtained from an unnamed drain to a stockwater trough.
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.

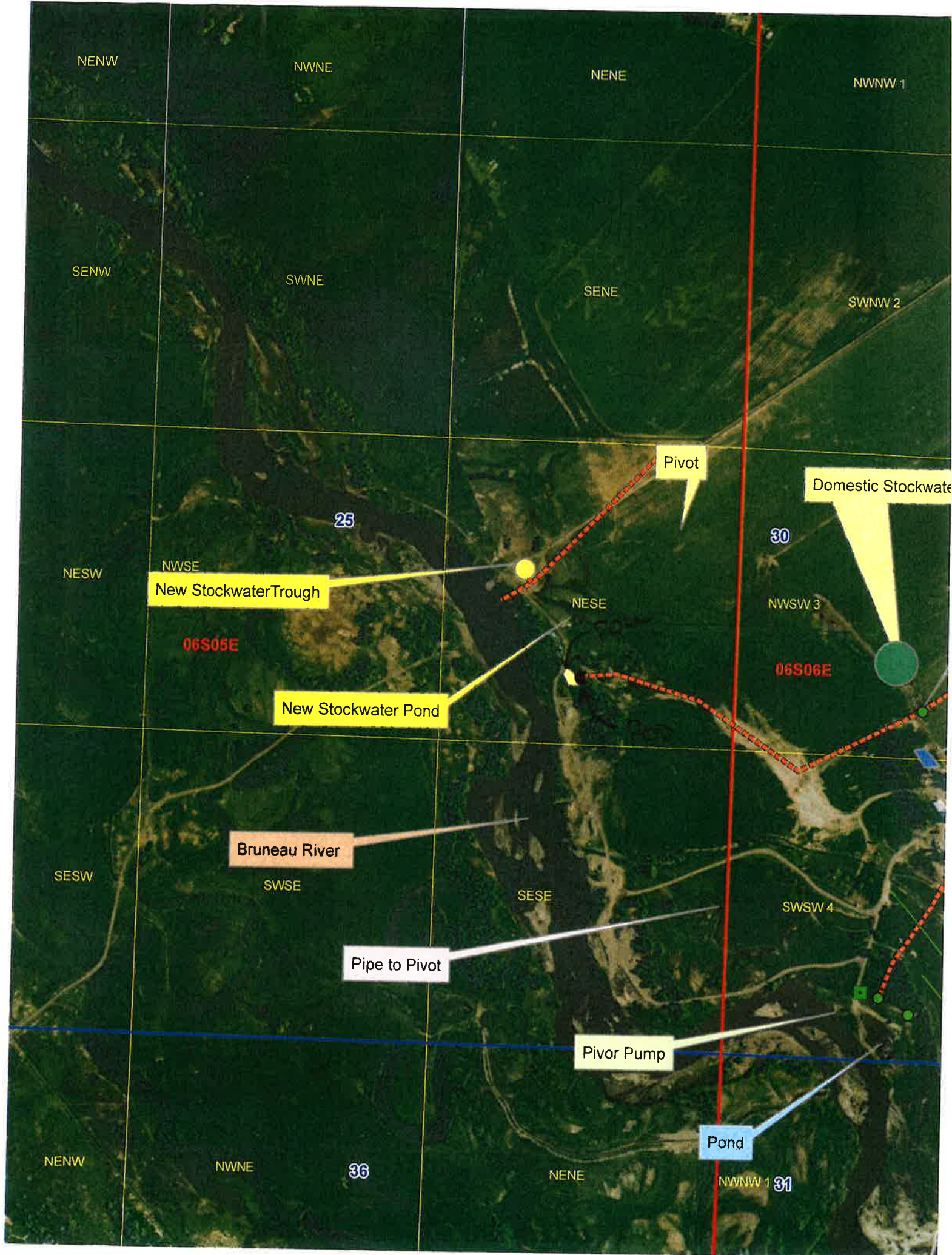
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Terry Black
Signature of Applicant

Signature of Applicant

Print Name (and title, if applicable)

Print Name (and title, if applicable)



No. J 1687	Due no later than Jan 31, 2018 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. ACE BLACK RANCHES, LLP TERRY L BLACK 28892 HOT SPRINGS RD BRUNEAU ID 83604		TERRY L BLACK 28892 HOT SPRINGS RD BRUNEAU ID 83604			
			3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Partnerships: Enter Names and Business Addresses of two (2) or more partners.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
PARTNER	TERRY L BLACK	28892 HOT SPRINGS RD	BRUNEAU	ID	USA	83604
PARTNER	ANTHONY C BLACK	28892 HOT SPRINGS RD	BRUNEAU	ID	USA	83604
5. Organized Under the Laws of: ID J 1687		6. Annual Report must be signed.* Signature: Terry Black Name (type or print): Terry Black Date: 01/09/2018 Title: Partner				
Processed 01/09/2018		* Electronically provided signatures are accepted as original signatures.				

CANCELLATION OR AMENDMENT OF CERTIFICATE OF ASSUMED BUSINESS NAME

(Please type or print legibly)

To the SECRETARY OF STATE, STATE OF IDAHO

Pursuant to Section 53-507 and 53-508, Idaho Code, the undersigned gives notice of the action(s) indicated below:

1. The assumed business name is: ACE BLACK RANCHES, A PARTNERSHIP
2. The assumed business name was filed with the Secretary of State's Office on 2/20/1998 as file number D12320.
3. ☐ Cancellation. The persons who filed the certificate no longer claim an interest in the above assumed business name and cancel the certificate in its entirety.
4. ☒ The assumed business name is amended to: ACE BLACK RANCHES
5. ☒ The true names and business addresses of the entity or individuals doing business under the assumed business name are amended as follow:

Add:	Delete:	Name:	Address:
☒	☐	TL Ranch, LLC <u>W70653</u>	<u>28892 Hot Springs Road, Bruneau, ID 83604</u>
☒	☐	Ace Black Ranches, LLP <u>J1687</u>	<u>28892 Hot Springs Road, Bruneau, ID 83604</u>
☐	☐	_____	_____

6. ☐ The type of business is amended to read:

☐ Retail Trade	☐ Manufacturing	☐ Transportation and Public Utilities
☐ Wholesale Trade	☐ Agriculture	☐ Finance, Insurance, and Real Estate
☐ Services	☐ Construction	☐ Mining
7. ☒ The name and address to which future correspondence should be addressed is changed to read:

28892 Hot Springs Road, Bruneau, Idaho 83604

8. Name and address for this acknowledgment copy is:

Victoria Meier C/O Eberle Berlin

1111 W Jefferson Street, Suite 530

Boise, Idaho 83701

Signature: Terry Black

Printed Name: Terry Black

Capacity: Partner

(see instruction # 9 on back of form)

Secretary of State use only

Scanned from original document
Revised 04/2008

IDAHO SECRETARY OF STATE
06/09/2009 05:00
CK: 3005 CT: 223649 BH: 1172919
1 @ 10.00 = 10.00 ASSUM AMEN # 3

D12320



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 26, 2018

ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007

Application for Permit No. 51-13127, 51-13128, & 51-13129

Dear Applicant(s):

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 each application has been prepared and is scheduled for publication in the OWYHEE AVALANCHE on 8/1/2018 and 8/8/2018. Protests to any of these applications may be submitted for a period ending ten (10) days after the second publication.

If any of the applications are 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 any of the applications are 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 applications.

Sincerely,

Rachel Neely
Administrative Assistant

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, July 26, 2018 11:13 AM
To: 'Kara Morris'
Subject: Owyhee Legal Ads
Attachments: Owyhee Cover Letter.docx; Owyhee Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 8/1/2018 & /8/2018.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

July 26, 2018

LEGAL NOTICE DEPARTMENT
OWYHEE AVALANCHE
PO BOX 97
HOMEDALE, ID 83628

RE: Application for Permit No. 51-13127
 Application for Permit No. 51-13128
 Application for Permit No. 51-13129

Dear Legal Notice Department:

Please publish the enclosed legal notices on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices 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 8/20/2018. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following applications have been filed to appropriate the public waters of the State of Idaho:

51-13127

ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-500

(3) Points of Diversion NENW S31 T06S R06E OWYHEE County Source WASTE WATER Tributary BRUNEAU RIVER
Points of Diversion NWNE L1(NWNW) S31 T06S R06E OWYHEE County Source WASTE WATER Tributary BRUNEAU RIVER
Points of Diversion SESE L4(SWSW) SWSE S30 T06S R06E OWYHEE County Source UNNAMED DRAIN Tributary BRUNEAU RIVER
Point of Diversion L4(SWSW) S30 T06S R06E OWYHEE County Source WASTE WATER Tributary UNNAMED DRAIN
Use: IRRIGATION 03/01 to 11/15 2.26 CFS

Total Diversion: 2.26 CFS

Date Filed: 6/8/2018

Place of Use: IRRIGATION

T06S R06E S25 NESE SESE

T06S R06E S30 NWSW SWSW SESW

T06S R06E S31 NWNE NENW NWNW

Total Acres: 113

Waste water source is locally known as the Jones Wasteway.

51-13128

ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007

Point of Diversion NESE S25 T06S R05E OWYHEE County Source UNNAMED DRAIN Tributary BRUNEAU RIVER

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 6/19/2018

Place of Use: STOCKWATER

T06S R05E S25 NESE

51-13129

ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007

Point of Diversion NESE S25 T06S R05E OWYHEE County Source UNNAMED DRAIN Tributary BRUNEAU RIVER

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 6/19/2018

Place of Use: STOCKWATER

T06S R05E S25 NESE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s), please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 8/20/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/1/2018 and 8/8/2018



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 26, 2018

BRUNEAU BUCKAROO COOP DITCH CO
C/O CHARLES HONSINGER
HONSINGER LAW PLLC
PO BOX 517
BOISE ID 83701

Re: Applications for Permit Nos. 51-13127, 51-13128, & 51-13129

Dear Interested Party:

The above referenced applications may be of interest to you. I would like to inform you that the applications have been submitted to the *Owyhee Avalanche* for advertising. I have enclosed copies of the applications for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25.00 protest fee must be received in this office by **August 20, 2018**. A copy of the protest must also be sent to the applicant.

If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 12, 2018

COPY

ACE BLACK RANCHES
C/O TERRY BLACK
28892 HOT SPRINGS RD
BRUNEAU, ID 83604

Re: Water Right Application Incomplete - Returned

Dear Applicant:

This office received your application on 06/08/2018. The application cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following items are addressed:

- 4 - Description of the Diverting Works
 - Location of point(s) of diversion
 - The application identifies a point of diversion in 06S06E Sec. 30 of the NESE as the point of diversion. The map that accompanied the application identifies the point of diversion as 06N05E Sec. 25 of the NESE. Please update the application with the correct legal description and verify if the map correctly depicts the project proposals.
- 9 - Description of Proposed Use
 - 9b – Legal Description
 - The application identifies the place of use in 06S06E Sec. 30 of the NESE. The map that accompanied the application identifies the place of use as 06N05E Sec. 25 of the NESE. Please update the application with the correct legal description and verify if the map correctly depicts the project proposals.

The original incomplete application is enclosed. Please make the necessary amendments to the original form and re-submit it within the next thirty (30) days. This letter is an attempt to ensure that your application is complete in order to establish a priority date. You may receive future correspondence regarding more specific details of your application. IDWR forms and other information are available on the internet at www.idwr.idaho.gov. Please consult the IDWR website or contact this office at 208-334-2190 and ask for the "office day person" if you have any questions about the necessary information.

Sincerely,

Western Region Water Rights Staff

Enclosure: Original Application
Map

RECEIVED
FORM 202 Rev. 09/16
JUN 08 2018
DEPARTMENT OF
WATER RESOURCES

RECEIVED

JUN 08 2018

WATER RESOURCES
WESTERN REGION AHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

COPY

Ident. No. _____

1. Name of applicant(s) Ace Black Ranches Phone 208-845-2601
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address 28892 Hot Springs Road City Bruneau
State ID ZIP 83604 Email _____
2. Name of representative, if any Terry Black - Managing Partner Phone Same As Above
Mailing address _____ 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 wastewater unnamed drain which is a tributary of Bruneau River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
6S	6E	30			NE	SE	Owyhee	Unnamed drain	

5. Water will be used for the following purposes:
- Amount .02 for Stockwater 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) .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. Unnamed drain to stockwater trough
- 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. _____

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ 100.00 Received by AL Receipt No. 4105218 Date 6-8-18

COPY

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. 1,000 cattle/horses
 - c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - 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				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	06E	30													X				

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? Existing stockwater use from the Bruneau River
11. a. Who owns the property at the point of diversion? Applicant
- 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: _____
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Water is obtained from an unnamed drain to a stockwater trough.
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.

Terry Black
Signature of Applicant

Signature of Applicant

Print Name (and title, if applicable)

Print Name (and title, if applicable)

