

State of Idaho  
 Department of Water Resources  
**Permit to Appropriate Water**  
 NO. 65-23617

Priority: March 29, 2016

Maximum Diversion Rate: 6.00 CFS

This is to certify, that BIG WILLOW RANCH LLC  
 1 DIXIE LN  
 PAYETTE ID 83661

And

NORTHWEST FARM CREDIT SERVICES FLCA  
 308 SE 10TH ST  
 ONTARIO OR 97914

has applied for a permit to appropriate water from:

**Source:** BIG WILLOW CREEK      **Tributary:** PAYETTE RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		1,900.0 AF
DIVERSION TO STORAGE	11/01 to 04/01	6.00 CFS	
IRRIGATION FROM STORAGE	03/01 to 11/15		1,900.0 AF
IRRIGATION	03/01 to 06/15	6.00 CFS	

**LOCATION OF POINT(S) OF DIVERSION:**

BIG WILLOW CREEK SE¼NW¼ Sec. 1, Twp 08N, Rge 02W, B.M. PAYETTE County

**PLACE OF USE:** IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N 02W 27									X	X		X		X	X		

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**  
NO. 65-23617

**PLACE OF USE:** IRRIGATION FROM STORAGE, IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	02W	3			12.0		4.0			15.0		32.0	36.0	33.0	37.0	24.0	8.0	201.0	
							L4												
08N	02W	4		2.0	24.0					22.0	23.0	38.0	38.0	32.0	23.0	21.0	27.0	250.0	
08N	02W	5									18.0	21.0			27.0	36.0		102.0	
08N	02W	7	19.0		18.0	25.0				10.0	1.0	3.0	2.0	6.0	25.0			109.0	
											L3	L4							
08N	02W	8	23.0	29.0	16.0	19.0	18.0	30.0	27.0	39.0	13.0	2.0			1.0			217.0	
08N	02W	9	14.0	14.0	16.0	7.0	29.0	24.0	13.0	3.0								120.0	
08N	02W	10		24.0	2.0		25.0	30.0	19.0	24.0								124.0	
08N	03W	11								1.0		29.0	38.0	2.0	1.0	34.0	40.0	145.0	
08N	03W	12								14.0	10.0	40.0	39.0	2.0	19.0	30.0	3.0	157.0	
08N	03W	13				1.0	14.0											15.0	
08N	03W	14	19.0	16.0		9.0												44.0	
09N	02W	34						12.0			14.0	10.0						36.0	

Total Acres: 1520

CONDITIONS OF APPROVAL


1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2019**.
2. Subject to all prior water rights.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. This right when combined with all other rights shall provide no more than 5.0 afa per acre for irrigation storage and irrigation from storage for the place of use.
5. The reservoir established by the storage of water under this right shall not exceed a total capacity of 1900 acre-feet or a total surface area of 160 acres.
6. This right authorizes the total annual storage volume of 1900 acre-feet to be used for the initial filling or carryover storage of the reservoirs.
7. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
8. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
9. The impoundment of water under this right is contingent upon the issuance of a certificate of approval per the dam safety provisions of Idaho Code and subsequent written authorization by the dam safety program administered by the Department.

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NO. 65-23617

10. This right does not grant any right-of-way or easement across the land of another.
11. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
12. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.

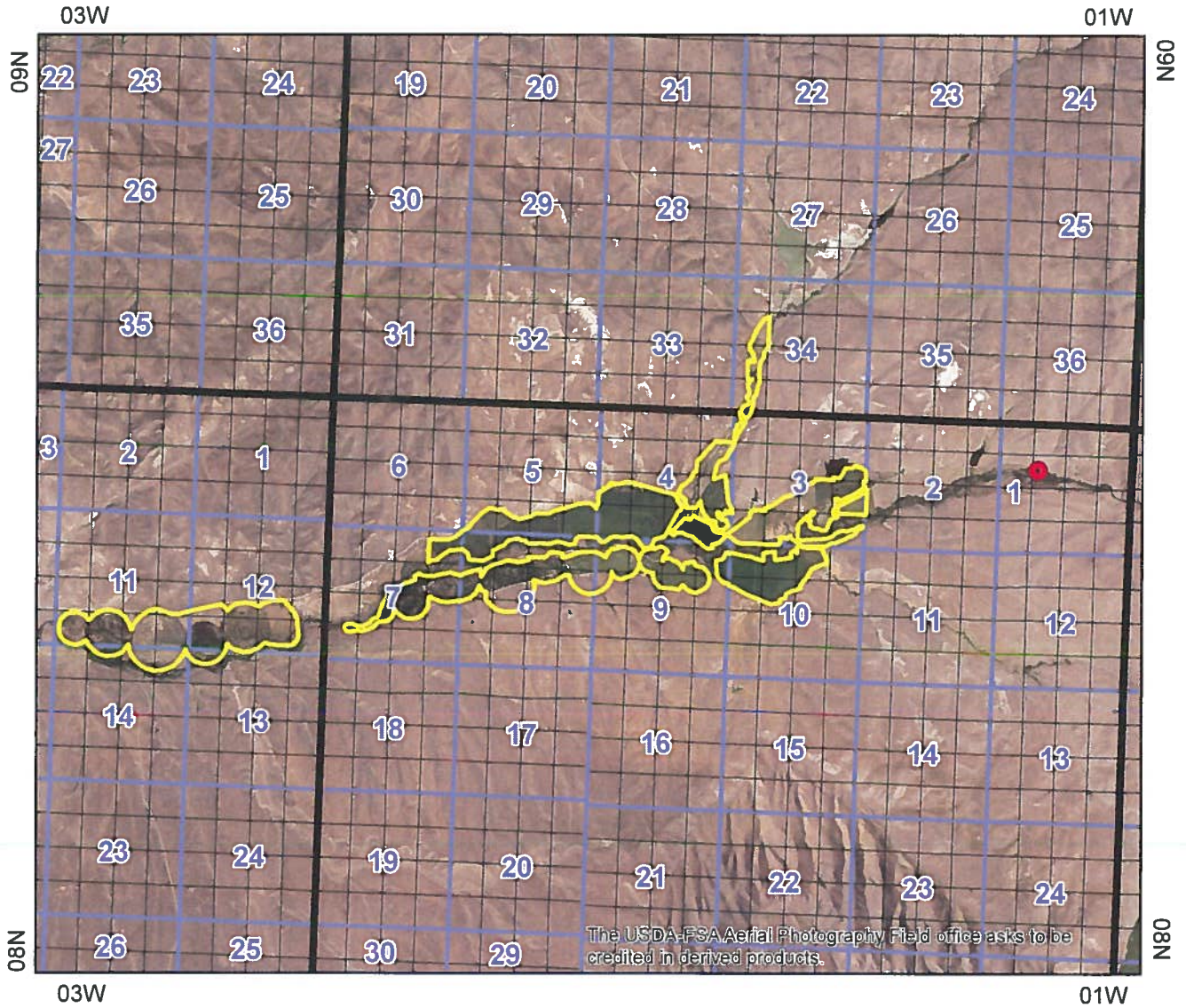
Signed this 22<sup>nd</sup> day of September, 2017.



Nick Miller  
Manager, IDWR Western Region

State of Idaho  
 Department of Water Resources  
**Attachment to Permit to Appropriate Water**  
 65-23617

This map depicts the IRRIGATION and IRRIGATION FROM STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

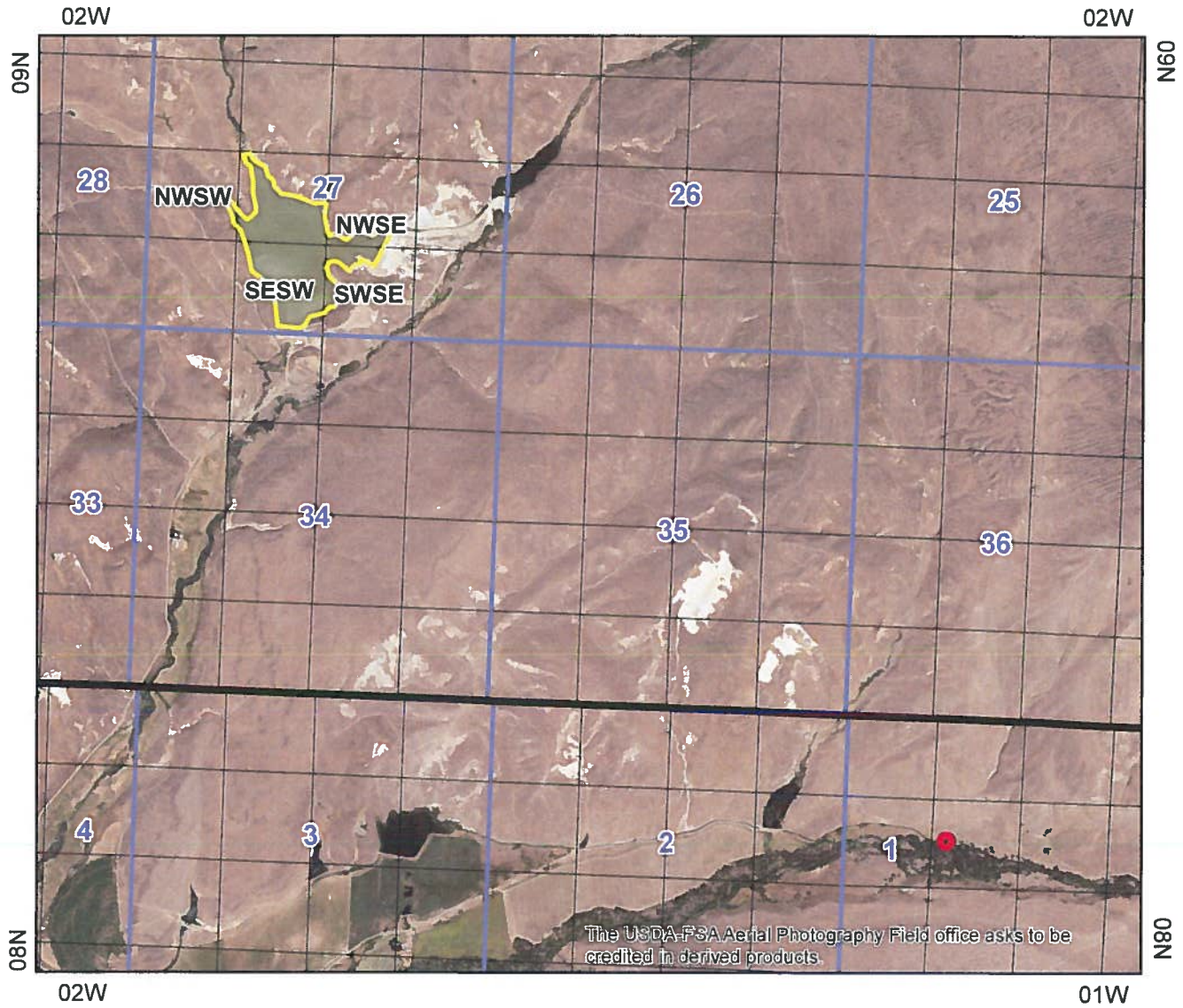


- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

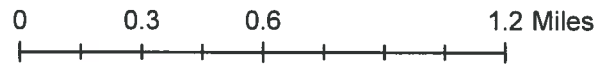


State of Idaho  
 Department of Water Resources  
**Attachment to Permit to Appropriate Water**  
 65-23617

This map depicts the IRRIGATION STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters





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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

September 22, 2017

BIG WILLOW RANCH LLC  
1 DIXIE LN  
PAYETTE ID 83661

NORTHWEST FARM CREDIT SERVICES FLCA  
308 SE 10TH ST  
ONTARIO OR 97914

RE: Permit No.65-23617

**Permit Approval Notice**

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208)334-2190.

Sincerely,

A handwritten signature in black ink that reads "Rachel Neely for". The signature is written in a cursive style with a large, stylized initial "R".

Nick Miller

Western Regional Manager

Enclosure(s)

## CERTIFICATE OF SERVICE

I hereby certify that on September 22, 2017 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

**RE: WATER RIGHT NO.                      65-23617**

**BIG WILLOW RANCH LLC  
1 DIXIE LN  
PAYETTE ID 83661**

**NORTHWEST FARM CREDIT SERVICES FLCA  
308 SE 10TH ST  
ONTARIO OR 97914**

**RON SHURTLEFF  
WATERMASTER OF DISTRICT 65  
102 N MAIN  
PAYETTE ID 83661**



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**Rachel Neely  
Administrative Assistant**

## EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

### PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

### EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

### REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

### ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

## CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

## FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

## APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held.
- ii. The final agency action was taken.
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

## MEMORANDUM

**DATE:** 06/27/2017  
**TO:** 65-23617  
**FROM:** Phill Hummer  
**RE:** Sufficiency of Supply

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On 05/02/2017 Aaron Skinner (IDWR water resource agent) and other western region staff conducted a field exam of permits no. 65-23479, 65-22979, and 65-13974. Since the diversion system and place of use for these permits are used for multiple water rights and the application I tagged along on the field exam to get a better understanding of the system.

The point of diversion for the application is an existing 24 in diameter pipe located at GPS. The applicant has modified the stream channel to create a split in Big Willow Creek. Water entering the split flows into a separate channel that contains the pipe that serves as the point of diversion. The pipe has no control mechanism or pump and diverts as much water as the size allows. Any water not diverted continues to flow in the separate channel until it reaches the confluence with the main channel of the creek. At the time of the site visit the separate channel was carrying more than enough water to supply the maximum amount the diversion pipe could divert and still returned a significant amount of water back to the main channel. No measurements were taken at this time since this diversion is not part of any of the permits to be licensed. If the flow conditions at the time of the site visit are representative of normal flow conditions than Big Willow Creek typically contains an adequate supply of water to fully support the proposed irrigation project.

A detailed pond analysis using the spreadsheet from App Memo #76 was not completed because the volume proposed for storage is the entire capacity of the reservoir and it is less than the maximum allowed for irrigation and irrigation from storage for the proposed number of acres set forth in section 42-202, Idaho Code.

TRIBUNE PUBLISHING COMPANY, INC  
The Lewiston Tribune  
505 C St., P.O.Box 957  
Lewiston, Idaho 83501  
(208) 743-9411

Date: 05/25/2017  
Account No. 964760  
Description 134310 The foll

INVOICE NO. 134310

LEGAL ADVERTISING  
INVOICE

Times 1 Lines 80  
Tab. lines  
\$ 168.00

RECEIVED

JUN 02 2017

WATER RESOURCES  
WESTERN REGION

PO# 63-34334

Sold To: DEPT OF WATER RESOURCES  
2735 AIRPORT WAY  
BOISE ID 83705

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month  
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

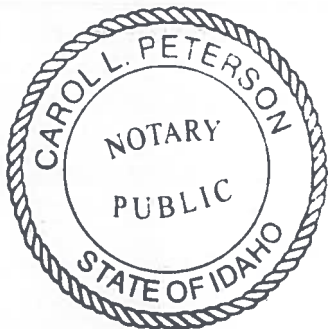
Karen J. Lewis , being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, publishers of the Lewiston Tribune, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 105 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 134310 The foll attached hereto and which is made a part of this affidavit was published in the said Lewiston Tribune, 1 time(s). Publication being on 05/25 , or once a Week for 1 consecutive Week , the first publication thereof being on the 05/25/2017 , and the last publication thereof being on the 05/25/2017 , and said 134310 The foll was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J. Lewis

State of Idaho  
S.S.  
County of Nez Perce

On this 30<sup>th</sup> day of May in the year of 2017 , before me, a Notary Public, personally appeared Karen J. Lewis , known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Carol Peterson  
Notary Public in and for the State of Idaho,  
residing at Lewiston, therein  
Commission Expires 9/1/2012



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

**63-34334**

THORPE FAMILY TRUST  
C/O RYAN THORPE  
28854 BOULDER RD  
PARMA, ID 83660

Point of Diversion SWSE S16 T05N R05W CANYON County Source BOISE RIVER Tributary  
SNAKE RIVER

Use: DIVERSION TO STORAGE 09/01 to 02/28 13.05 CFS  
Use: RECREATION 09/01 to 02/28 13.05 CFS  
Use: RECREATION STORAGE 09/01 to 02/28 1624.7 AF  
Use: WILDLIFE 09/01 to 02/28 13.05 CFS  
Use: WILDLIFE STORAGE 09/01 to 02/28 1624.7 AF  
Total Diversion: 13.05 CFS, 1624.7 AF

Date Filed: 1/26/2017

Place of Use: WILDLIFE, RECREATION, WILDLIFE STORAGE, RECREATION STORAGE  
T05N R05W S17 NENW NWNW L4(SWNW) L3(SENW)

**63-34335**

THORPE FAMILY TRUST  
C/O RYAN THORPE  
28854 BOULDER RD  
PARMA, ID 83660

Point of Diversion NESE S1 T04N R05W CANYON County Source DIXIE SLOUGH Tributary  
BOISE RIVER

Use: DIVERSION TO STORAGE 09/01 to 02/28 9.75 CFS  
Use: IRRIGATION 03/01 to 11/15 1.3 CFS  
Use: RECREATION 09/01 to 02/28 9.75 CFS  
Use: RECREATION STORAGE 09/01 to 02/28 1816.8 AF  
Use: WILDLIFE 09/01 to 02/28 9.75 CFS  
Use: WILDLIFE STORAGE 09/01 to 02/28 1816.8 AF  
Total Diversion: 9.75 CFS, 1816.8 AF

Date Filed: 1/26/2017

Places of Use: IRRIGATION, WILDLIFE, RECREATION, WILDLIFE STORAGE, RECREATION STORAGE  
T04N R05W S1 SWNE SENE NESE  
Total Acres: 65

**65-23617**

BIG WILLOW RANCH LLC  
1 DIXIE LN  
PAYETTE, ID 83661  
NORTHWEST FARM CREDIT SERVICES FLCA  
308 SE 10TH ST  
ONTARIO, OR 97914

Point of Diversion SENW S1 T08N R02W PAYETTE County Source BIG WILLOW CREEK  
Tributary PAYETTE RIVER

Use: DIVERSION TO STORAGE 11/01 to 04/01 6 CFS  
Use: IRRIGATION 03/01 to 06/15 6 CFS  
Use: IRRIGATION FROM STORAGE 03/01 to 11/15 1900 AF  
Use: IRRIGATION STORAGE 01/01 to 12/31 1900 AF  
Total Diversion: 6 CFS, 1900 AF

Date Filed: 6/17/2015

Place of Use: IRRIGATION STORAGE  
T09N R02W S27 NESW NWSW SESW NWSE SWSE  
Places of Use: IRRIGATION FROM STORAGE, IRRIGATION  
T08N R02W S3 SENE L4(NWNW) NESW SWSW SESW SE(ALL)  
T08N R02W S4 SWNE SENE SW(ALL) SE(ALL)  
T08N R02W S5 SWSW SESW SWSE SESE  
T08N R02W S7 NENE SWNE SENE NESW L3(NWSW) L4(SWSW) SESW NESE NWSE  
T08N R02W S8 NE(ALL) NW(ALL) NESW NWSW NWSE  
T08N R02W S9 NE(ALL) NW(ALL)  
T08N R02W S10 NWNE SWNE NW(ALL)  
T08N R03W S11 NESW SWSW SESW SE(ALL)  
T08N R03W S12 SW(ALL) SE(ALL)  
T08N R03W S13 NENW NWNW  
T08N R03W S14 NENE NWNE NENW  
T09N R02W S34 SWNW NWSW SWSW  
Total Acres: 1520

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](http://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 6/5/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/18/2017 and 5/25/2017

...

**AFFIDAVIT OF PUBLICATION**

RECEIVED  
MAY 30 2017  
WATER RESOURCES  
WESTERN REGION

The following application has been filed to appropriate the public waters of the State of Idaho:

**65-23617**  
BIG WILLOW RANCH LLC  
1 DIXIE LN  
PAYETTE, ID 83661  
NORTHWEST FARM CREDIT SERVICES  
FLCA  
308 SE 10TH ST  
ONTARIO, OR 97914  
Point of Diversion SENW S1 T08N R02W  
PAYETTE County Source BIG WILLOW  
CREEK Tributary PAYETTE RIVER  
Use: DIVERSION TO STORAGE 11/01 to  
04/01 6 CFS  
Use: IRRIGATION 03/01 to 06/15 6 CFS  
Use: IRRIGATION FROM STORAGE 03/01  
to 11/15 1900 AF  
Use: IRRIGATION STORAGE 01/01 to  
12/31 1900 AF  
Total Diversion: 6 CFS, 1900 AF  
Date Filed: 6/17/2015  
Place of Use: IRRIGATION STORAGE  
T09N R02W S27 NESW NWSW SESW  
NWSE SWSE  
Places of Use: IRRIGATION FROM STOR-  
AGE, IRRIGATION  
T08N R02W S3 SENE L4(NWNW) NESW  
SWSW SESW SE(ALL)  
T08N R02W S4 SWNE SENE SW(ALL)  
SE(ALL)  
T08N R02W S5 SWSW SESW SWSE SESE  
T08N R02W S7 NENE SWNE SENE NESW  
L3(NWSW) L4(SWSW) SESW NESE NWSE  
T08N R02W S8 NE(ALL) NW(ALL) NESW  
NWSW NWSE  
T08N R02W S9 NE(ALL) NW(ALL)  
T08N R02W S10 NWNE SWNE NW(ALL)  
T08N R03W S11 NESW SWSW SESW  
SE(ALL)  
T08N R03W S12 SW(ALL) SE(ALL)  
T08N R03W S13 NENW NWNW  
T08N R03W S14 NENE NWNE NENW  
T09N R02W S34 SWNW NWSW SWSW  
Total Acres: 1520

VOK  
RWS  
6/7/17

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](http://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 6/5/2017. The protestant must also send a copy of the protest to the applicant.  
GARY SPACKMAN, Director  
Published on 5/17/2017 and 5/24/2017

**Legal Number 94179 May 17, 24, 2017**

STATE OF IDAHO }  
County of Payette }

Jone B Hansen  
Of Payette, Payette County, Idaho, being  
First duly sworn, deposes and says:

- 1) That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not party to the above entitled action.
- 2) That I am the representative of the Independent Enterprise, a weekly newspaper published in the County of Payette and State of Idaho; that the said newspaper is in general circulation in the said Count of Payette, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
- 3) That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper and was printed in the newspaper proper, and not in a supplement.

That said notice was published the following:  
May 17, 24, 2017.

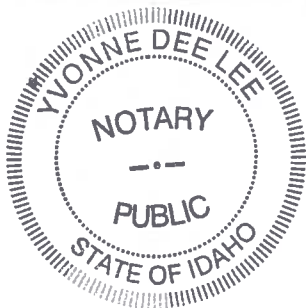
Legal # 94179  
Perm. 65-23617  
Department of Water Resources  
2735 Airport Way  
Boise, ID 83705

*Jone B Hansen*

State of Idaho }  
County of Payette }

On this 24th day of May in the year 2017  
Before me a Notary Public, personally appeared.  
Jone B Hansen, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

*Yvonne De Lee*  
Notary Public for Idaho  
Residing at Payette County  
My Commission expires November 4, 2019





Use: DOMESTIC 01/01 to 12/31 0.04  
Use: IRRIGATION 03/01 to 11/15 0.03  
Use: STOCKWATER 01/01 to 12/31 0.02 CFS  
Total Diversion: 0.09 CFS  
Date Filed: 4/3/2017  
Places of Use: STOCKWATER, DOMESTIC, IRRIGATION  
T03N R01W S34 SWNE  
Total Acres: 1  
Water bearing zone to be appropriated is from 75 to 222 feet.

**63-34334**

THORPE FAMILY TRUST  
C/O RYAN THORPE  
28854 BOULDER RD  
PARMA, ID 83660  
Point of Diversion SWSE S16 T05N R05W CANYON County Source  
BOISE RIVER Tributary SNAKE RIVER  
Use: DIVERSION TO STORAGE 09/01 to 02/28 13.05 CFS  
Use: RECREATION 09/01 to 02/28 13.05 CFS  
Use: RECREATION STORAGE 09/01 to 02/28 1624.7 AF  
Use: WILDLIFE 09/01 to 02/28 13.05 CFS  
Use: WILDLIFE STORAGE 09/01 to 02/28 1624.7 AF  
Total Diversion: 13.05 CFS, 1624.7 AF  
Date Filed: 1/26/2017  
Place of Use: WILDLIFE, RECREATION, WILDLIFE STORAGE, RECREATION STORAGE  
T05N R05W S17 NENW NWNW L4(SWNNW) L3(SENNW)

✓ OK RN 6/6/17

**63-34335**

THORPE FAMILY TRUST  
C/O RYAN THORPE  
28854 BOULDER RD  
PARMA, ID 83660  
Point of Diversion NESE S1 T04N R05W CANYON County Source  
DIXIE SLOUGH Tributary BOISE RIVER  
Use: DIVERSION TO STORAGE 09/01 to 02/28 9.75 CFS  
Use: IRRIGATION 03/01 to 11/15 1.3 CFS  
Use: RECREATION 09/01 to 02/28 9.75 CFS  
Use: RECREATION STORAGE 09/01 to 02/28 1816.8 AF  
Use: WILDLIFE 09/01 to 02/28 9.75 CFS  
Use: WILDLIFE STORAGE 09/01 to 02/28 1816.8 AF  
Total Diversion: 9.75 CFS, 1816.8 AF  
Date Filed: 1/26/2017  
Places of Use: IRRIGATION, WILDLIFE, RECREATION, WILDLIFE STORAGE, RECREATION STORAGE  
T04N R05W S1 SWNE SENE NESE  
Total Acres: 65

✓ OK RN 6/7/17

**65-23617**

BIG WILLOW RANCH LLC  
1 DIXIE LN  
PAYETTE, ID 83661  
NORTHWEST FARM CREDIT SERVICES FLCA  
308 SE 10TH ST  
ONTARIO, OR 97914  
Point of Diversion SENW S1 T08N R02W PAYETTE County Source  
BIG WILLOW CREEK Tributary PAYETTE RIVER  
Use: DIVERSION TO STORAGE 11/01 to 04/01 6 CFS  
Use: IRRIGATION 03/01 to 06/15 6 CFS  
Use: IRRIGATION FROM STORAGE 03/01 to 11/15 1900 AF  
Use: IRRIGATION STORAGE 01/01 to 12/31 1900 AF  
Total Diversion: 6 CFS, 1900 AF  
Date Filed: 6/17/2015  
Place of Use: IRRIGATION STORAGE  
T09N R02W S27 NESW NWSW SESW NWSE SWSE  
Places of Use: IRRIGATION FROM STORAGE, IRRIGATION  
T08N R02W S3 SENE L4(NWNW) NESW SWSW SESW SE(ALL)  
T08N R02W S4 SWNE SENE SW(ALL) SE(ALL)  
T08N R02W S5 SWSW SESW SWSE SESE  
T08N R02W S7 NENE SWNE SENE NESW L3(NWSW) L4(SWSW)  
SESW NESE NWSE  
T08N R02W S8 NE(ALL) NW(ALL) NESW NWSW NWSE  
T08N R02W S9 NE(ALL) NW(ALL)  
T08N R02W S10 NWNE SWNE NWNW  
T08N R03W S11 NESW SWSW SESW SE(ALL)  
T08N R03W S12 SW(ALL) SE(ALL)  
T08N R03W S13 NENW NWNW  
T08N R03W S14 NENE NWNE NENW  
T09N R02W S34 SWNW NWSW SWSW  
Total Acres: 1520

✓ OK RN 6/7/17

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](http://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 6/5/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Pub. May 18, 25, 2017

0003076601-01

# Proof of Publication The Post Register

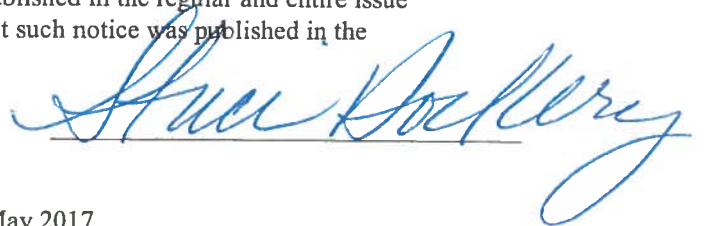
RECEIVED  
MAY 30 2017

WATER RESOURCES  
WESTERN REGION

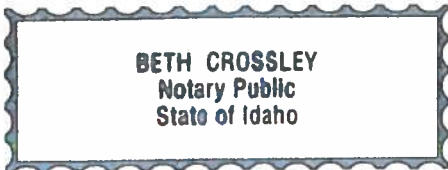
State of Idaho  
County of Bonneville

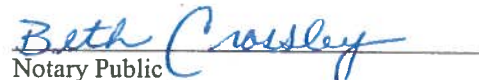
I, ~~Dawn Giannini~~ or Staci Dockery, first being duly sworn, depose and say: That I am the ~~Classified Manager~~, or Legal Notice Representative of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published Tuesday through Sunday at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880, and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidations up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register under ad number: 33391 for 2 consecutive (days) weeks, between 05/18/2017 and 05/25/2017, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.



Subscribed and sworn to before me, this 25th day of May 2017



  
Notary Public  
My commission expires: 07/28/2022

\_\_\_\_\_ attached jurat \_\_\_\_\_

STATE OF IDAHO


ss.

COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 25th day of May 2017, before me, the undersigned, a Notary public for said state, personally appeared ~~Dawn Giannini~~ or Staci Dockery, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



  
Notary Public for The Post Company  
Residing: Idaho Falls, Idaho  
Commission expires: 07/28/2022

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

**63-34334**  
THORPE FAMILY TRUST  
C/O RYAN THORPE  
28854 BOULDER RD  
PARMA, ID 83660  
Point of Diversion SWSE S16 T05N R05W  
CANYON County Source BOISE RIVER Tributary  
SNAKE RIVER  
Use: DIVERSION TO STORAGE 09/01 to 02/28  
13.05 CFS  
Use: RECREATION 09/01 to 02/28 13.05 CFS  
Use: RECREATION STORAGE 09/01 to 02/28  
1624.7 AF  
Use: WILDLIFE 09/01 to 02/28 13.05 CFS  
Use: WILDLIFE STORAGE 09/01 to 02/28 1624.7  
AF

*VOK RW  
6/17/17*

Total Diversion: 13.05 CFS, 1624.7 AF  
Date Filed: 1/26/2017  
Place of Use: WILDLIFE, RECREATION,  
WILDLIFE STORAGE, RECREATION STORAGE  
T05N R05W S17 NENW NWNW L4(SWNW) L3  
(SENE)

**63-34335**  
THORPE FAMILY TRUST  
C/O RYAN THORPE  
28854 BOULDER RD  
PARMA, ID 83660  
Point of Diversion NESE S1 T04N R05W  
CANYON County Source DIXIE SLOUGH Tributary  
BOISE RIVER  
Use: DIVERSION TO STORAGE 09/01 to 02/28  
9.75 CFS  
Use: IRRIGATION 03/01 to 11/15 1.3 CFS  
Use: RECREATION 09/01 to 02/28 9.75 CFS  
Use: RECREATION STORAGE 09/01 to 02/28  
1816.8 AF  
Use: WILDLIFE 09/01 to 02/28 9.75 CFS  
Use: WILDLIFE STORAGE 09/01 to 02/28 1816.8  
AF

*VOK RW  
6/17/17*

Total Diversion: 9.75 CFS, 1816.8 AF  
Date Filed: 1/26/2017  
Places of Use: IRRIGATION, WILDLIFE, RECRE-

ATION, WILDLIFE STORAGE RECREATION  
STORAGE

T04N R05W S1 SWNE SENE NESE  
Total Acres: 65  
**65-23617**  
BIG WILLOW RANCH LLC  
1 DIXIE LN  
PAYETTE, ID 83661  
NORTHWEST FARM CREDIT SERVICES FLCA  
308 SE 10TH ST  
ONTARIO, OR 97914  
Point of Diversion SENW S1 T08N R02W  
PAYETTE County Source BIG WILLOW CREEK  
Tributary PAYETTE RIVER  
Use: DIVERSION TO STORAGE 11/01 to 04/01 6  
CFS

*VOK RW  
6/17/17*

Use: IRRIGATION 03/01 to 06/15 6 CFS  
Use: IRRIGATION FROM STORAGE 03/01 to  
11/15 1900 AF  
Use: IRRIGATION STORAGE 01/01 to 12/31  
1900 AF

Total Diversion: 6 CFS, 1900 AF  
Date Filed: 6/17/2015  
Place of Use: IRRIGATION STORAGE  
T09N R02W S27 NESW NWSW SESW NWSE  
SWSE

Places of Use: IRRIGATION FROM STORAGE,  
IRRIGATION  
T08N R02W S3 SENE L4(NWNW) NESW SWSW  
SESW SE(ALL)  
T08N R02W S4 SWNE SENE SW(ALL) SE(ALL)  
T08N R02W S5 SWSW SESW SWSE SESE  
T08N R02W S7 NENE SWNE SENE NESW L3  
(NWSW) L4(SWSW) SESW NESE NWSE  
T08N R02W S8 NE(ALL) NW(ALL) NESW NWSW  
NWSE

T08N R02W S9 NE(ALL) NW(ALL)  
T08N R02W S10 NWNW SWNE NW(ALL)  
T08N R03W S11 NESW SWSW SESW SE(ALL)  
T08N R03W S12 SW(ALL) SE(ALL)  
T08N R03W S13 NENW NWNW  
T08N R03W S14 NENE NWNE NENW  
T09N R02W S34 SWNW NWSW SWSW  
Total Acres: 1520

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](http://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 6/5/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director  
Published: 5/18/2017 and 5/25/2017 (33391)

\*\* Proof of Publication \*\*

Twin Falls Times-News  
132 Fairfield St W, Twin Falls, Idaho 83301

RUBY AUFDERHEIDE, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

RECEIVED  
MAY 30 2017  
WATER RESOURCES  
WESTERN REGION

2 Insertions

IDAHO DEPT OF WATER RESOURCES  
2735 AIRPORT WAY  
BOISE, ID 83705

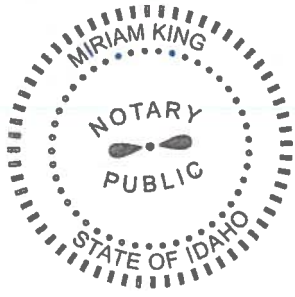
ORDER NUMBER 46575

Ruby Aufderheide  
(Legals Clerk)

STATE OF IDAHO )  
.SS  
COUNTY OF TWIN FALLS )

On this 25 day of May in the year of 2017 before me, a Notary Public, personally appeared before me Ruby Aufderheide known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Miriam King  
Notary Public FOR Idaho  
Residing at: Twin Falls, Idaho  
My Commission expires: 5-10-22



PUBLISHED ON: 05/18/2017, 05/25/2017

TOTAL AD COST: 250.53  
FILED ON: 5/25/2017

**\*\* Proof of Publication \*\***

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63-34334

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C/O RYAN THORPE  
28854 BOULDER RD  
PARMA, ID 83660

*✓ OK RND 6/7/17*

Point of Diversion SWSE S16 T05N R05W CANYON County  
Source BOISE RIVER Tributary SNAKE RIVER  
Use: DIVERSION TO STORAGE 09/01 to 02/28 13.05 CFS  
Use: RECREATION 09/01 to 02/28 13.05 CFS  
Use: RECREATION STORAGE 09/01 to 02/28 1624.7 AF  
Use: WILDLIFE 09/01 to 02/28 13.05 CFS  
Use: WILDLIFE STORAGE 09/01 to 02/28 1624.7 AF  
Total Diversion: 13.05 CFS, 1624.7 AF  
Date Filed: 1/26/2017

Place of Use: WILDLIFE, RECREATION, WILDLIFE STORAGE,  
RECREATION STORAGE  
T05N R05W S17 NENW NWNW L4(SWNW) L3(SENW)

63-34335

**THORPE FAMILY TRUST**  
C/O RYAN THORPE  
28854 BOULDER RD  
PARMA, ID 83660

*✓ OK RND 6/7/17*

Point of Diversion NESE S1 T04N R05W CANYON County  
Source DIXIE SLOUGH Tributary BOISE RIVER  
Use: DIVERSION TO STORAGE 09/01 to 02/28 9.75 CFS  
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Use: RECREATION STORAGE 09/01 to 02/28 1816.8 AF  
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Use: WILDLIFE STORAGE 09/01 to 02/28 1816.8 AF  
Total Diversion: 9.75 CFS, 1816.8 AF  
Date Filed: 1/26/2017

Places of Use: IRRIGATION, WILDLIFE, RECREATION,  
WILDLIFE STORAGE, RECREATION STORAGE  
T04N R05W S1 SWNE SENE NESE

Total Acres: 65

65-23617

**BIG WILLOW RANCH LLC**  
1 DIXIE LN  
PAYETTE, ID 83661

*✓ OK RND 6/7/17*

NORTHWEST FARM CREDIT SERVICES FLCA  
308 SE 10TH ST  
ONTARIO, OR 97914

Point of Diversion SENW S1 T08N R02W PAYETTE County  
Source BIG WILLOW CREEK Tributary PAYETTE RIVER  
Use: DIVERSION TO STORAGE 11/01 to 04/01 6 CFS  
Use: IRRIGATION 03/01 to 06/15 6 CFS  
Use: IRRIGATION FROM STORAGE 03/01 to 11/15 1900 AF  
Use: IRRIGATION STORAGE 01/01 to 12/31 1900 AF  
Total Diversion: 6 CFS, 1900 AF  
Date Filed: 6/17/2015

Place of Use: IRRIGATION STORAGE

T09N R02W S27 NESW NWSW SESW NWSE SWSE

Places of Use: IRRIGATION FROM STORAGE, IRRIGATION  
T08N R02W S3 SENE L4(NWNW) NESW SWSW SESW  
SE(ALL)

T08N R02W S4 SWNE SENE SW(ALL) SE(ALL)

T08N R02W S5 SWSW SESW SWSE SESE

T08N R02W S7 NENE SWNE SENE NESW L3(NWSW)

L4(SWSW) SESW NESE NWSE

T08N R02W S8 NE(ALL) NW(ALL) NESW NWSW NWSE

T08N R02W S9 NE(ALL) NW(ALL)

T08N R02W S10 NWNE SWNE NW(ALL)

T08N R03W S11 NESW SWSW SESW SE(ALL)

T08N R03W S12 SW(ALL) SE(ALL)

T08N R03W S13 NENW NWNW

T08N R03W S14 NENE NWNE NENW

T09N R02W S34 SWNW NWSW SWSW

Total Acres: 1520

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GARY SPACKMAN, Director

PUBLISH: May 18 and 25 2017

RECEIVED

MAY 22 2017

State of Idaho

WATER RESOURCES  
WESTERN REGION

Department Of Water Resources

**WATERMASTER RECOMMENDATION FORM**

**Water District #** Water District No. 65

**Application #** 65-23617

**Applicant Name** Big Willow Ranch LLC

Watermaster 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:  
Under Control of Water District No. 65, Watermaster,
- c)  I oppose approval of this application for the following reasons:
- d)  Additional comments:

Dated this 22 day of May, 2017

  
\_\_\_\_\_  
Watermaster Signature

Ron Shurtleff  
\_\_\_\_\_  
Printed Name