

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 37-22940

Priority: April 13, 2015

Maximum Diversion Rate: 0.06 CFS

This is to certify, that SWIFTSURE RANCH THERAPEUTIC EQUESTRIAN CENTER INC
114 CALYPSO LN
BELLEVUE ID 83313

has applied for a permit to appropriate water from:

Source: GROUND WATER

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>
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE1/4SE1/4NW1/4 Sec. 12, Twp 01N, Rge 18E, B.M.
BLAINE County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 18E 12								X								X	

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 18E 12								X	X								

CONDITIONS OF APPROVAL

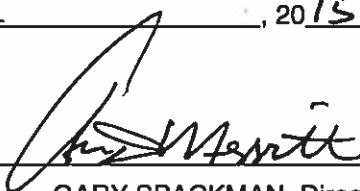
1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2020**.
2. Subject to all prior water rights.
3. Domestic use is for 2 bathrooms & 1 kitchen in each of 2 administrative buildings.
4. Stockwater use is for 45 horses.
5. Domestic use is for 2 administrative buildings and does not include lawn, garden, landscape, or other types of irrigation.

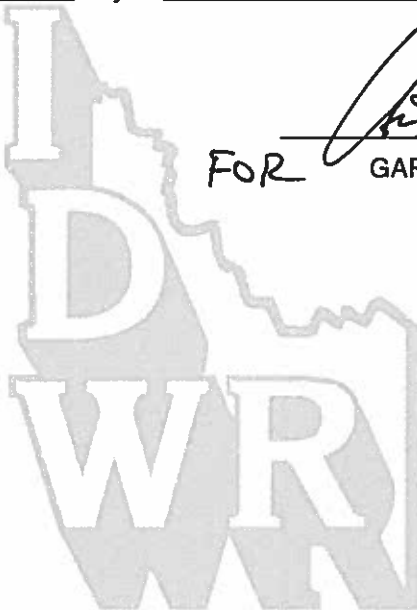
State of Idaho
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NO. 37-22940

6. Rights 37-8098 and 37-22940 when combined shall not exceed a total diversion rate of 0.06 cfs, and a volume of 13,000 gallons per day.
7. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review 5 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 10th day of June, 2015.

FOR


GARY SPACKMAN, Director



State of Idaho
Department of Water Resources

Attachment To Permit to Appropriate Water

37-22940

This map depicts the DOMESTIC 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.

18E



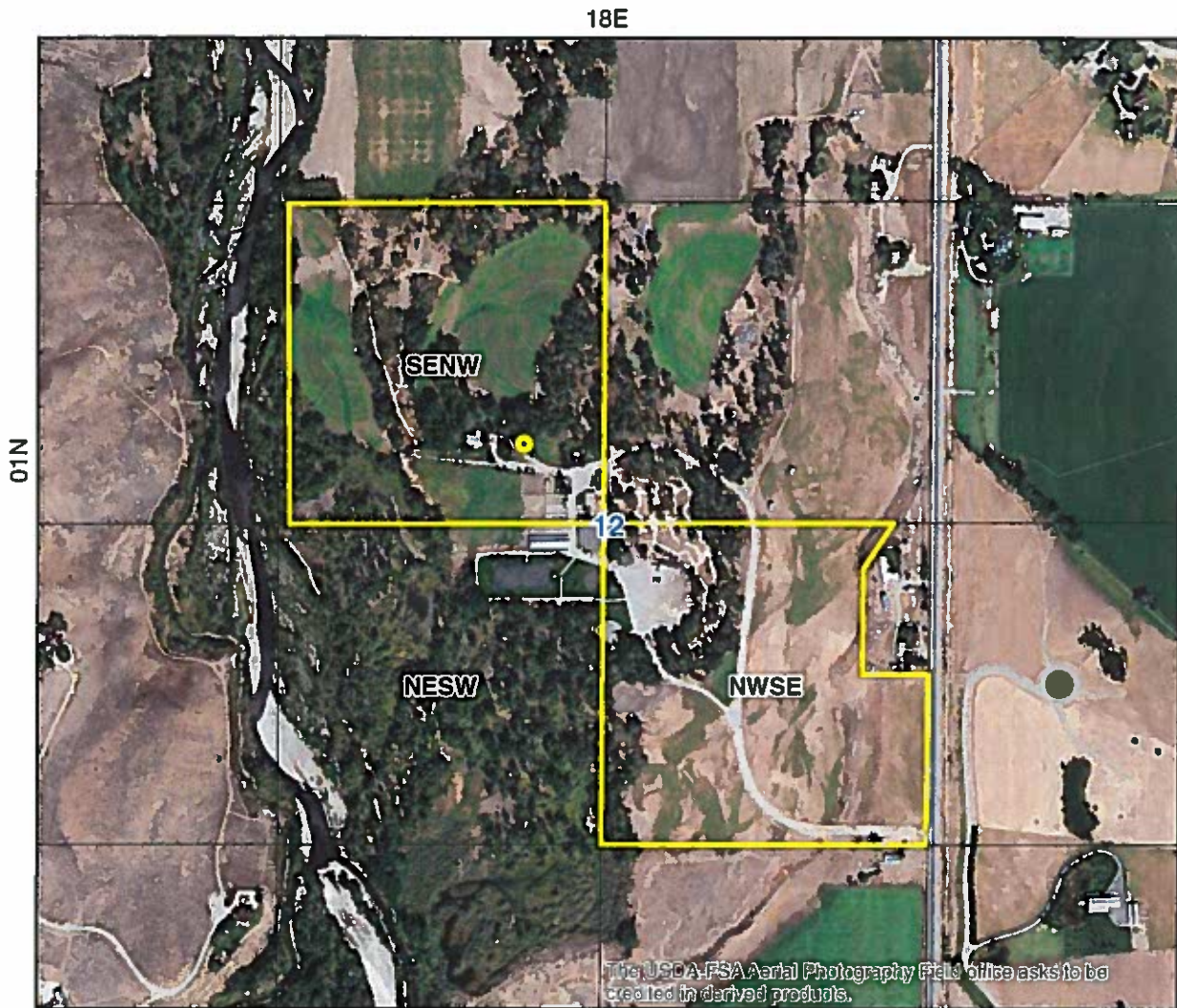
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.015 0.03 0.06 Miles



State of Idaho
Department of Water Resources
Attachment To Permit to Appropriate Water
37-22940

This map depicts the STOCKWATER 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

0 0.075 0.15 0.3 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 15, 2015

KEVIN LAKEY
WATER DISTRICT #37
107 W 1ST
SHOSHONE, ID 83352

Via e-mail

Re: **APPROVED Permit No. 37-22940 (Swiftsure Ranch Therapeutic Equestrian Center)**

Dear Kevin:

For your information and records, we have enclosed a copy of an APPROVED Application for Permit within your District.

If you have any questions, please contact this office, or the applicant.

Sincerely,

A handwritten signature in black ink that reads "Denise Maline". The signature is written in a cursive, flowing style.

Denise Maline
Administrative Assistant

Enclosure



State of Idaho

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 11, 2015

SWIFTSURE RANCH THERAPEUTIC EQUESTRIAN CENTER INC
114 CALYPSO LN
BELLEVUE ID 83313

RE: Permit No. 37-22940

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.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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 208-736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Merritt", written in a cursive style.

Allen Merritt
Southern Region Manager

Enclosure(s)

cc: SPECK & AANESTAD

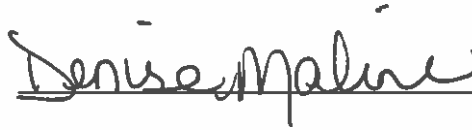
CERTIFICATE OF SERVICE

I hereby certify that on June 11, 2015 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. 37-22940

**SWIFTSURE RANCH THERAPEUTIC EQUESTRIAN CENTER INC
114 CALYPSO LN
BELLEVUE ID 83313**

**SPECK & AANESTAD
JAMES P SPECK
PO BOX 987
KETCHUM ID 83340**

A handwritten signature in cursive script, reading "Denise Maline", is written over a horizontal line.

**Denise Maline
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.

RECEIVED

AFFIDAVIT of PUBLICATION

MAY 18 2015

COPY OF NOTICE

State of Idaho
County of BlaineDEPT OF WATER RESOURCES
SOUTHERN REGION

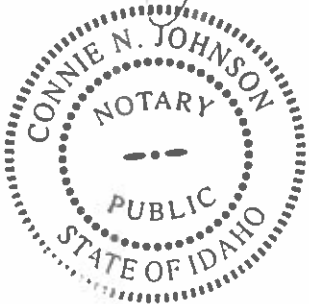
Pam Morris, being the first duly sworn, deposes and says that she is the printer (publisher) of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 6 day of May, 20 15, and the date of the last publication was on the 13 day of May, 20 15

Subscribed and sworn to before me this 13 day of May, 20 15.

Connie N. Johnson
NOTARY PUBLIC



RESIDING AT HAILEY, IDAHO
MY COMMISSION EXPIRES ON 7/10/2018

IDAHO MOUNTAIN EXPRESS
P.O. Box 1013
Ketchum, Idaho 83340
COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 82
Number of Insertions 2

82 Lines tabular at 9.0 cents/pica
82 Lines straight at 75.44 8.0 cents/pica
82 Subsequent lines at 66.01 7.0 cents/pica
TOTAL COST \$ 141.45

Legal Notice
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR
BILL TO

LEGAL NOTICE

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

37-22940
SWIFTSURE RANCH THERAPEUTIC
EQUESTRIAN CENTER INC
114 CALYPSO LN
BELLEVUE, ID 83313
Point of Diversion SESENW S12 T01N
R18E BLAINE County Source GROUND
WATER Tributary
Use: DOMESTIC 01/01 to 12/31 0.04
CFS
Use: STOCKWATER 01/01 to 12/31
0.02 CFS
Total Diversion: 0.06 CFS
Date Filed: 4/13/2015
Place Of Use: STOCKWATER
T01N R18E S12 SENW NWSE
Place Of Use: DOMESTIC
T01N R18E S12 SENW NESW
Application for permit proposes
diverting 0.04 cfs for domestic use and
0.02 cfs for stockwater use, for a total
diversion of 0.06 cfs of ground water from
an existing well located approximately
2.2 miles south and 0.2 miles east of the
intersection of Broadford Rd and Hwy 75
in Bellevue.

✓ OK DM 5/18/2015

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 79931**

WOOD RIVER PROPERTIES INC,
HARRY S RINKER, PO BOX 7250,
NEWPORT BEACH, CA 92658-7250;
has filed Application No. 79931 for
changes to the following water rights
within BLAINE County(s): Right No(s).
37-7847A. The purpose of the transfer
is to change a portion of the above rights
as follows: Transfer proposes splitting off
a portion of a ground water irrigation right
and creating a new 2.3 acre permissible
place of use located approximately 3.5
mi. south and 0.8 mi. east of the city of
Ketchum. An existing well and sprinkler
system will divert up to 0.0124 cfs and
4.9 AF for the irrigation of 1.4 acres in Lot
1 of the Gimlet Terrace Subdivision.

Permits will be subject to all prior water
rights. For additional information con-
cerning the property locations, contact
Southern Region office at (208) 736-3033;
or for a full description of the rights &/or
proposed transfer, please see [www.idwr.
idaho.gov/apps/wr/QueryNewTransfers/
QueryNewTransfers.aspx](http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx) . For additional
information on new permits, please see
[www.idwr.idaho.gov/WaterManagement/
WaterRights/#New Listings](http://www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings). Protests
may be submitted based on the crite-
ria of Sec 42-222 and 42-203A, Idaho
Code. Any protest against the approval
of this application(s) must be filed with
the Director, Dept. of Water Resources,
Southern Region, 650 Addison Ave W,
Ste 500, Twin Falls, ID 83301 together
with a protest fee of \$25.00 for each
application on or before May 26, 2015.
The protestant must also send a copy of
the protest to the applicant.

GARY SPACKMAN, Director

**PUBLISH
IDAHO MOUNTAIN EXPRESS
MAY 6 & 13, 2015**

✓ OK DM 5/18/2015