

RECEIVED

MAY 26 2015

Ident. No. 37-22926DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**AMENDED****APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) BLACK CANYON BLISS, LLC Phone (208) 870-4610
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 615 EAST 300 NORTH City RUPERT
 State ID _____ Zip 83350 Email chris.auxilium@gmail.com
2. Source of water supply UNNAMED STREAMS which is a tributary of SNAKE RIVER
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
* ~~6S~~	~~13E~~	~~17~~	~~1~~		~~SW~~	~~NW~~	~~GOODING~~	~~UNNAMED STREAMS~~	~~INJECTION~~
6S	13E	18	7		SE	NE	GOODING	UNNAMED STREAMS	

4. Water will be used for the following purposes:
- Amount 5 cfs for POWER 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)
5. Total quantity to be appropriated is (a) 5 cfs cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. The proposed diverting works are described in the attached Beneficial Use Field Report re Permit No. 37-7750 (see section 11 of this application for explanation).
- 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 11. For dams 10 feet or more in height OR reservoirs with a total 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. _____.
7. Description of proposed uses (if irrigation only, go to item 8):
- a. Hydropower; show total feet of head and proposed capacity in kW. 24.28 kW; under 120 feet of head
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households _____
- e. Other; describe fully. _____

* See attached email of 5-29-2015 requesting striking injection point from application. 6/1/2015 - Jone

8. 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	
6S	13E	18	P	P															
			L7	L7															

Total number of acres to be irrigated: _____

9. 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?

10. a. Who owns the property at the point of diversion? Black Canyon Bliss, LLC
- b. Who owns the land to be irrigated or place of use? Black Canyon Bliss, LLC (attached Record of Survey, Appendix B)
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

The water right sought is for the same use of water as previously licensed water right 37-7750. A copy of the Water Right License is attached (Appendix C). The proposed diversion and structure is described in the Beneficial Use Field Report of the examination done 6/17/2009 & 8/12/2009 for Permit No. 37-7750. The attached Field Report includes a description, photographs and map of the proposed project. Inadvertently, no claim for water right 37-7750 was filed in the SRBA and the water right was voided. This water right application is filed as a replacement for 37-7750.

12. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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.

David Coats
Signature of Applicant

Signature of Applicant

DAVID COATS, Member
Print Name (and title, if applicable)

Print Name (and title, if applicable)

For Department Use:

Received by DM Date 3-5-2015 Time 11:35AM Preliminary check by _____
Fee \$ 490 Received by DM Receipt No. 5034593 Date 3-5-2015

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

1. Name: BLACK CANYON BLISS LLC
615 E 300 N
RUPERT ID 83350
208-532-4119

2. Source: UNNAMED STREAM Tributary to: SNAKE RIVER

3. Location of Point of Diversion:

#1 UNNAMED STREAM L7 (SE1/4NE1/4) Sec. 18, Twp 06S, Rge 13E, B.M.
GOODING County

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
POWER	01/01	to 12/31	5.00 CFS	

5. Total quantity to be appropriated is: 5.00 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

- a. Type and size of devices used to divert water from the source:
b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;
c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85F being sought?
e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year(s).

- 8.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

PLACE OF USE: POWER

Tw	Rge	Sec	NE				NW				SW				SE				Totals
06S	13E	18	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X	X															
			L7	L7															

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

The water right sought is for the same use of water as previously licensed water right 37-7750. A copy of the license is attached. The proposed diversion and structure is described in the attached beneficial use field report of the examination done 6/17/2009 and 8/12/2009 for permit 37-7750. The attached report includes a description, photographs and map of the proposed project. Inadvertently, no claim for water right 47-7750 was filed in the SRBA and the water right was voided. This water right application is filed as a replacement for 37-7750.

11. Map of proposed point of diversion and place of use attached? ☐

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Applicant

Received by see original Date _____ Time _____ Preliminary check by _____
 Publication prepared by DM Date 6-11-2015 Published in Times News
 Publication approved _____ Date 6/18 & 25, 2015

Receipt No. S034593

Date: _____

Received by: _____

Jones, Doug

From: Rod Jentzsch [Rod@jfkfarms.com]
Sent: Friday, May 29, 2015 4:11 PM
To: Caroline Cortens; Yenter, Cindy; Jones, Doug
Cc: Christopher Capps; David Coats; David Jentzsch; Justin May
Subject: Re: Black Canyon Bliss Hydro Project, Amended W.R. Application 37-22926

>
> "Re: Amended Application for Permit No. 37-22926. Pursuant to the 5/29/2015 conversation between Cindy Yenter at IDWR and Caroline Cortens at May, Browning & May, the Point of Diversion listed as the "Injection" site can be stricken from Black Canyon Bliss, LLC's amended application, because we are no longer using that water."

>
>
> Rod Jentzsch
Black Canyon Bliss LLC
Member

APPENDIX A

RECEIVED

Form 205/208
03/11

MAR 05 2015

DEPT OF WATER RESOURCES
SOUTHERN REGIONIdent. No. 37-22926STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AFFIDAVIT FOR WATER RIGHTS TO BE USED FOR POWER PURPOSES

A. Establishment of Residency or Qualification to do Business in Idaho (complete either 1 or 2)

1. Individual Applicant:

I, _____ of _____
(name) (city)
 County of _____, State of Idaho, being duly sworn, do hereby certify that I am a
 bona fide resident of the State of Idaho.

2. Corporation or Partnership (complete part 2a or 2b):

a) ☒ Attached is a *Certificate of Existence* or a *Certificate of Authorization* or other documentation issued by the
 Idaho Secretary of State confirming _____'s authority to transact
(name of corporation or partnership)
 business in Idaho.

or
 b) I, David Coats of RUPERT, County
(name) (city)
 of MINIDOKA, State of IDAHO, being duly sworn, depose
 and say, that I am the MEMBER for BLACK CANYON BLISS, LLC;
(title) (name of corporation or partnership)
 that as such I have legal authority to sign this affidavit on behalf of BLACK CANYON BLISS, LLC
(name of corporation or partnership)
 and that BLACK CANYON BLISS, LLC is a corporation or partnership qualified to do business in
(name of corporation or partnership)
 the State of Idaho under the laws of the State of Idaho.

B. Ownership of Facilities

The hydropower facility to be developed pursuant to the attached Application for Permit (check one):

- ☐ Will not utilize existing man-made irrigation facilities such as a dam or a canal.
- ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and permission of the owner is documented in an affidavit attached hereto.
- ☒ Will utilize existing man-made irrigation facilities such as a dam or a canal, and the owner is the signee of this affidavit.

David Coats
 Signature

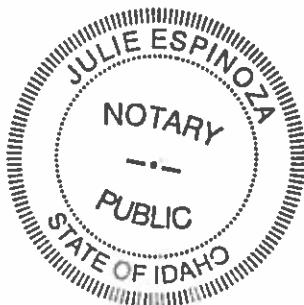
Member
 Print title if applicable

3-4-15
 Date

STATE OF IDAHO

County of Minidoka) ssSubscribed and sworn (or affirmed) before me this 4th day of March, 2015.

SEAL



Notary Public Julie Espinoza
 Residing at Minidoka
 My Commission Expires 3-29-19

37-22926

FILED-EFFECTIVE



ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

06 FEB 13 'PM 3:29

-SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is:

Black Canyon Bliss, LLC

2. The street address of the initial registered office is:

224 Read Avenue, Rupert, Idaho 83350

and the name of the initial registered agent at the above address is:

Dave Coats

3. The mailing address for future correspondence is:

P.O. Box 95, Rupert ID 83350

4. Management of the limited liability company will be vested in:

Manager(s) ☐ or Member(s) ☒ (please check the appropriate box)

5. If management is to be vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is to be vested in the member(s), list the name(s) and address(es) of at least one initial member.

Name	Address
<u>Rod Jentzsch</u>	<u>20106 5th St., Rupert, ID 83350</u>
<u>Dave Coats</u>	<u>615 E. 300 N., Rupert, ID 83350</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

6. Signature of at least one person responsible for forming the limited liability company:

Signature: [Signature]

Typed Name: J. Justin May

Capacity: Organizer

Signature:

Typed Name:

Capacity:

Secretary of State use only

g:\complett\LLC\template\llc-form-articles-1005
Rev-04-07-2002

IDAHO SECRETARY OF STATE
02/13/2006 05:00
CK: 726458 CT: 172099 DH: 937540
1 @ 100.00 = 100.00 ORGM LLC # 2
1 @ 20.00 = 20.00 EXPEDITE C # 3

W 47336

No. W 47336	Due no later than Feb 28, 2015 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. BLACK CANYON BLISS, LLC DAVID C COATS 615 EAST 300 NORTH RUPERT ID 83350 USA		DAVE COATS 615 EAST 300 NORTH RUPERT 83350			
			3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MEMBER	ROD JENTZSCH	20106 5TH ST	RUPERT	ID		83350
MEMBER	DAVE COATS	615 EAST 300 NORTH	RUPERT	ID		83350
5. Organized Under the Laws of: ID W 47336		6. Annual Report must be signed.* Signature: David Coats Name (type or print): David Coats Date: 12/19/2014 Title: member				
Processed 12/19/2014		* Electronically provided signatures are accepted as original signatures.				

APPENDIX B

Instrument # 214778

GOODING, GOODING, IDAHO

Recorded for: ENGEBRITSON LAND SURVEYS, INC.

HELEN EDWARDS

Ex-Officio Recorder Display

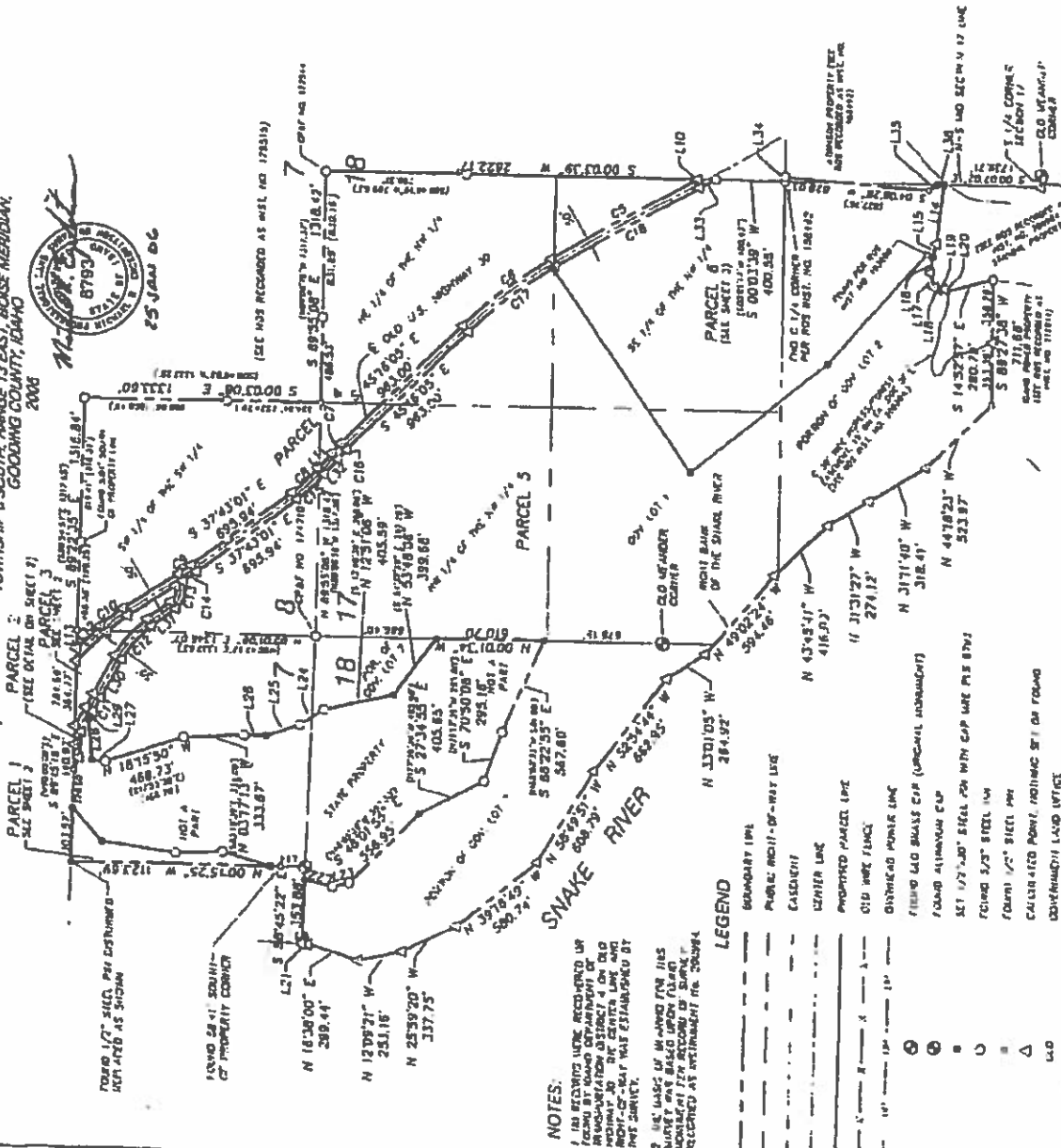
RECORD OF SURVEY

FOR
Rod Jentzsch & Dave Coals

SITUATED WITHIN PORTIONS OF SECTIONS 7, 8, 17 & 18
TOWNSHIP 8 SOUTH, RANGE 13 EAST, BOISE MERIDIAN,
GOODING COUNTY, IDAHO

2006

Parcel 1
Parcel 2
Parcel 3
Parcel 4
Parcel 5
Parcel 6
Parcel 7
Parcel 8
Parcel 9
Parcel 10
Parcel 11
Parcel 12
Parcel 13
Parcel 14
Parcel 15
Parcel 16
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Parcel 99
Parcel 100



NOTES:

1. ALL RECORDING INSTRUMENTS RECEIVED UP TO AND INCLUDING 1/1/2006 HAVE BEEN REVIEWED BY THE ENGINEER AND FOUND TO BE IN ACCORD WITH THE RECORD OF SURVEY. INSTRUMENT # 200944 IS NOT IN ACCORD WITH THE RECORD OF SURVEY.
2. THE LINES OF THE SNAKE RIVER SHOWN ON THIS MAP ARE BASED UPON THE RECORD OF SURVEY # 200944.

LEGEND

- BOUNDARY LINE
- PARCEL MONUMENT OR WAY LINE
- CASUALTY
- WATER LINE
- PROPOSED PARCEL LINE
- OLD HOLE FENCE
- OUTHEAD MONUMENT LINE
- FOUND OLD BRASS CAP (MONUMENT)
- FOUND ALUMINUM CAP
- SET 1/2" STEEL PIN WITH CAP MARK PLS 8793
- FOUND 1/2" STEEL PIN
- FOUND 1/2" STEEL PIN
- CALCULATED POINT, MONUMENT SET ON FOUND
- CONVENTIONAL LAND OFFICE

LINE	LENGTH	BEARING
1	14.78	N 83.01° E
2	12.00	S 89.00° E
3	14.78	S 89.00° E
4	14.78	S 89.00° E
5	14.78	S 89.00° E
6	14.78	S 89.00° E
7	14.78	S 89.00° E
8	14.78	S 89.00° E
9	14.78	S 89.00° E
10	14.78	S 89.00° E
11	14.78	S 89.00° E
12	14.78	S 89.00° E
13	14.78	S 89.00° E
14	14.78	S 89.00° E
15	14.78	S 89.00° E
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99	14.78	S 89.00° E
100	14.78	S 89.00° E

PARCEL AREAS

- PARCEL 1 - 103,139 Sq. Ft. 2.37 Acres
- PARCEL 2 - 4,874 Sq. Ft. 0.11 Acres
- PARCEL 3 - 91,022 Sq. Ft. 2.11 Acres
- PARCEL 4 - 2,774,048 Sq. Ft. 63.51 Acres
- PARCEL 5 - 7,754,818 Sq. Ft. 178.07 Acres
- PARCEL 6 - 3,178,774 Sq. Ft. 72.87 Acres

LINE	LENGTH	BEARING	CURVE LENGTH
1	14.78	N 83.01° E	14.78
2	12.00	S 89.00° E	12.00
3	14.78	S 89.00° E	14.78
4	14.78	S 89.00° E	14.78
5	14.78	S 89.00° E	14.78
6	14.78	S 89.00° E	14.78
7	14.78	S 89.00° E	14.78
8	14.78	S 89.00° E	14.78
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41	14.78	S 89.00° E	14.78
42	14.78	S 89.00° E	14.78
43	14.78	S 89.00° E	14.78
44	14.78	S 89.00° E	14.78
45	14.78	S 89.00° E	14.78
46	14.78	S 89.00° E	14.78
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58	14.78	S 89.00° E	14.78
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71	14.78	S 89.00° E	14.78
72	14.78	S 89.00° E	14.78
73	14.78	S 89.00° E	14.78
74	14.78	S 89.00° E	14.78
75	14.78	S 89.00° E	14.78
76	14.78	S 89.00° E	14.78
77	14.78	S 89.00° E	14.78
78	14.78	S 89.00° E	14.78
79	14.78	S 89.00° E	14.78
80	14.78	S 89.00° E	14.78
81	14.78	S 89.00° E	14.78
82	14.78	S 89.00° E	14.78
83	14.78	S 89.00° E	14.78
84	14.78	S 89.00° E	14.78
85	14.78	S 89.00° E	14.78
86	14.78	S 89.00° E	14.78
87	14.78	S 89.00° E	14.78
88	14.78	S 89.00° E	14.78
89	14.78	S 89.00° E	14.78
90	14.78	S 89.00° E	14.78
91	14.78	S 89.00° E	14.78
92	14.78	S 89.00° E	14.78
93	14.78	S 89.00° E	14.78
94	14.78	S 89.00° E	14.78
95	14.78	S 89.00° E	14.78
96	14.78	S 89.00° E	14.78
97	14.78	S 89.00° E	14.78
98	14.78	S 89.00° E	14.78
99	14.78	S 89.00° E	14.78
100	14.78	S 89.00° E	14.78

ENGEBRITSON LAND SURVEYS, INC.
2006-01-27
101 W. 1st Street
PO Box 1000
Gooding, ID 83439
Phone (208) 836-8012 Fax (208) 836-8022
www.engagebrison.com
8132-2412418
2006001

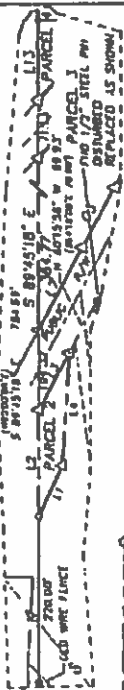
RECORD OF SURVEY

FOR
Rod Jentzsch & Dave Coals

SITUATED WITHIN PORTIONS OF SECTIONS 2, 8, 12 & 18
TOWNSHIP 8 SOUTH, RANGE 13 EAST, BOISE MERIDIAN,
GOODING COUNTY, IDAHO

DETAIL PARCEL 2'

SCALE: 1" = 100'



SCALE: 1" = 100'

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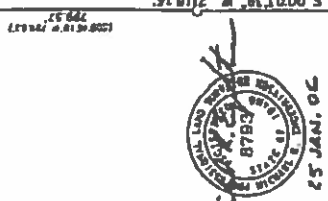
NOTE:

SEE LOCATING AND LINE / CURVE TABLES

ON SHEET 1 OF 3

SEE 40% REDUCED AS PER 100' (100' 100')

CP&F NO. 172344



25 JAN, 06
SEE SHEET 3

ENGINEERITSON LAND SURVEYS, INC.

201 E. BROAD STREET

BOISE, IDAHO 83702

PHONE (208) 858-8037 FAX (208) 382-0887

1111 W. Land Promenade, Suite 100, Boise, ID 83725

8122-25, 17449 2001021

SHEET 2 OF 3

SHEET 2 OF 3

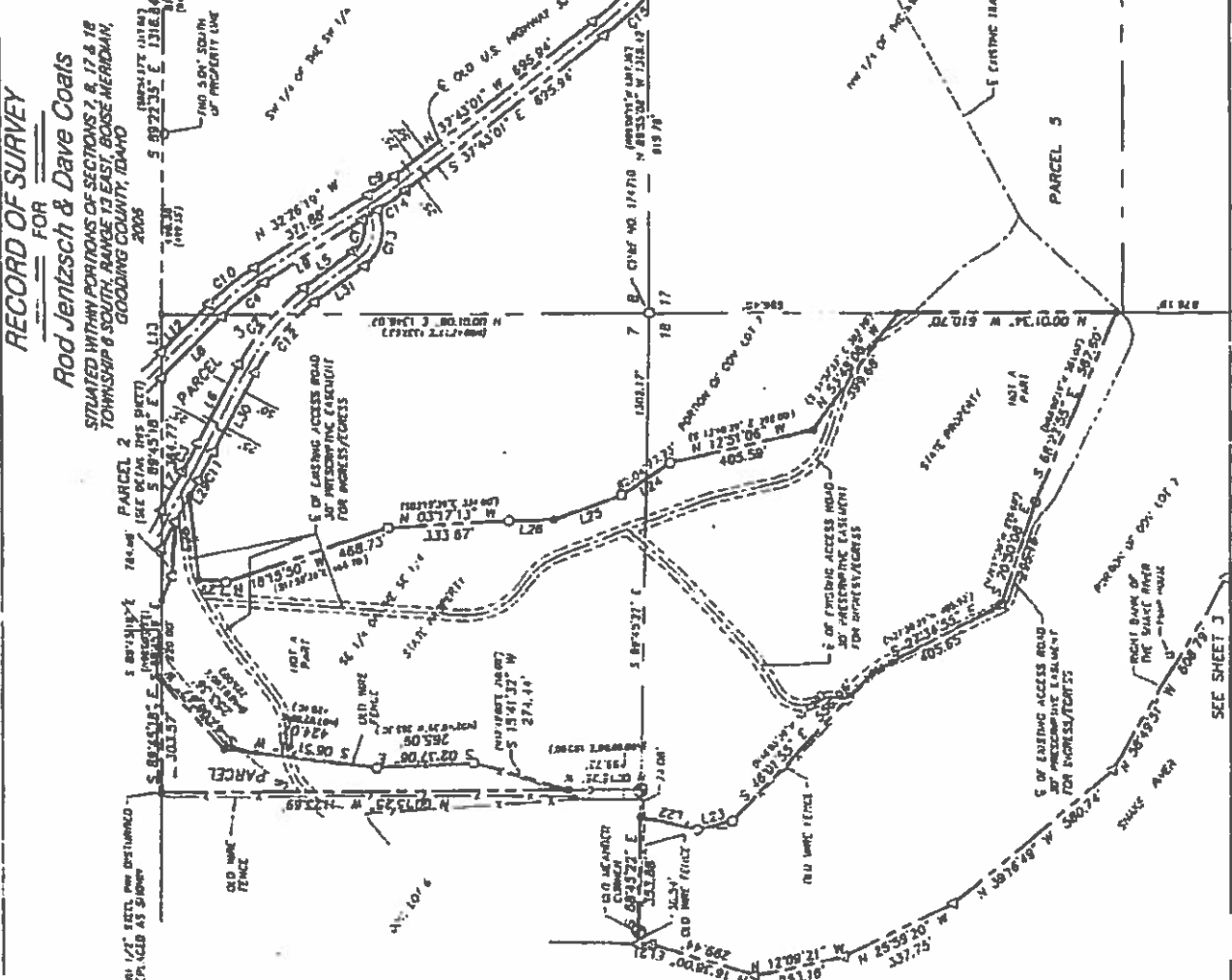
SHEET 2 OF 3

SHEET 2 OF 3

SHEET 2 OF 3

SHEET 2 OF 3

SHEET 2 OF 3



APPENDIX C

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-07750

Priority: November 29, 1978

Maximum Diversion Rate: 5.34 CFS
Maximum Diversion Volume: 3,866.0 AF

It is hereby certified that BLACK CANYON BLISS LLC
PO BOX 95
RUPERT ID 83350 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated November 29, 1978; and has
submitted Proof of Beneficial Use on December 13, 1983. An examination indicates that the works have
a diversion capacity of 9.30 cfs of water from:

SOURCE

SPRINGS

Tributary: SNAKE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
POWER	01/01 to 12/31	5.34 CFS	3,866.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRINGS GOODING County	SW1/4NE1/4NW1/4	Sec. 17, Twp 06S, Rge 13E, B.M.
SPRINGS GOODING County	NE1/4SE1/4SE1/4	Sec. 17, Twp 06S, Rge 13E, B.M.
SPRINGS GOODING County	SE1/4SW1/4SW1/4	Sec. 8, Twp 06S, Rge 13E, B.M.

PLACE OF USE: POWER

Twp Rge Sec	NE	NW	SW	SE	Totals
06S 13E 18	X	X			
	L7	L7			

CONDITIONS OF APPROVAL

1. The issuance of this right does not grant any right-of-way or easement across the land of another.
2. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
3. Use of water under this right shall be non-consumptive.

SRBA Disallowed
- Not Claimed

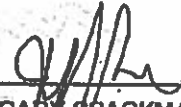
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-07750

4. The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.
5. Rights 37-7712, 37-7216, and 37-7750 when combined shall not exceed a total diversion rate of 9.3 cfs.
6. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after December 13, 2019. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 4th day of November, 2009.


For GARY SPACKMAN
Interim Director

OCT 30 2009

DEPARTMENT OF
WATER RESOURCES

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 37-07750

Date of Priority: November 29, 1978

Maximum Diversion Rate: 5.34 CFS
Maximum Diversion Volume: 3,866.0 AF

Comes now BLACK CANYON BLISS LLC
PO BOX 95
RUPERT ID 83350 and repr

RUPERT ID 83350 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 37-07750, and requests that the permit be changed as follows:

Source: SPRINGS

Tributary: SNAKE RIVER

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

POWER

01/01 to 12/31

5.34 CFS

3,866.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRINGS GOODING County SW1/4NE1/4NW1/4 Sec. 17, Twp 06S, Rge 13E, B.M.

SPRINGS GOODING County NE1/4SE1/4SE1/4 Sec. 17, Twp 06S, Rge 13E, B.M.

SPRINGS GOODING County. SE1/4SW1/4SW1/4 Sec. 8, Twp 06S, Rge 13E, B.M.

PLACE OF USE: POWER

[illegible]

Page 2

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 37-07760

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 29th day of October, 2009.


(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07750

.....
FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$50 Received by: SRF # C089501 Date: 10/26/2009

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, GARY SPACKMAN, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 37-07750 with the following:

CONDITIONS OF APPROVAL

1. The issuance of this right does not grant any right-of-way or easement across the land of another.
2. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
3. Use of water under this right shall be non-consumptive.
4. The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.
5. Rights 37-7712, 37-7216, and 37-7750 when combined shall not exceed a total diversion rate of 9.3 cfs.
6. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after December 13, 2019. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

Witness my hand this 4th day of November, 2009.


for GARY SPACKMAN
Interim Director

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT**

A. GENERAL INFORMATION

Permit No: 37-7760
Exam Date: 8/17/2009 &
8/12/2009

1. Current Owner: BLACK CANYON BLISS LLC
PO BOX 96
RUPERT ID 83350
208-632-4119
2. Accompanied by: Stan Standal (8/12/2009)
Phone No: (208) 637-4970 or cell (208) 639-4970
Address: 609 River Rd., Bliss, ID
Relationship to Permit Holder: was a partner with the original owner; has been a resident in the area for 60 yrs.

3. SOURCE TRIBUTARY
SPRINGS SNAKE RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE
 2. Other water rights with the same point of diversion: 37-721B, 37-782B, 37-7217, 37-4252, 37-793, 37-2131B, 37-21222, 37-7852, 37-782F, 37-7081, 37-782G, 37-782H, 37-10488A, 37-792E, 37-792G, 37-10498B, 37-21333, 37-21334, 37-21223, 37-21224, 37-21813, 37-21721, 37-21722, 37-7712, 37-7216, 37-10398B, 37-21763, 37-21764, 37-21721
- No other water rights are for POWER. (AT THE POINT WHERE FLOW IS DISCHARGED TO A 16" BURIED CONCRETE PIPE, IT IS AT THE END OF THE DITCH WITH NO OTHER WATER RIGHTS BELOW. THE OVERFLOW CONTINUES DOWN THE DITCH AND DISCHARGES TO THE SNAKE RIVER).

C. DIVERSION AND DELIVERY SYSTEM

1. LOCATION OF POINT(S) OF DIVERSION:

SPRINGS	SW1/4NE1/4NW1/4	Sec. 17, Twp 06S, Rge 18E, B.M.
GOODING County		
SPRINGS	NE1/4SE1/4SE1/4	Sec. 17, Twp 06S, Rge 13E, B.M.
GOODING County		
SPRINGS	SE1/4SW1/4SW1/4	Sec. 8, Twp 06S, Rge 13E, B.M.
GOODING County		

Method of Determination: GPS/Gemini, and utilizing established PODs that are shared and previously GPSd and tagged.

2.

PLACE OF USE: POWER

Twp	Rge	Sec	NE	NW	SW	SE	Total
06S	13E	18	NE X L7	NW X	SW X	SE X	

Method of Determination:

8. ☒ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
- ☒ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
- ☒ Aerial Photo Attached (required for irrigation of 10+ acres).
- ☒ Photo of Diversion and System Attached

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
NA					
Gravity-Flow System					

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Delta CR600 Datalogger for the springs flowing through the fish propagation ponds = 7.02 cfs

Rectangular Weir (6.6' X 0.56' = 9.3 cfs, Maximum Capacity of water from combined combined "springs" sources flowing through the weir, prior to being redirected through a 16" buried concrete pipe, with some flow continuing down the ditch to the Snake River)

*See attached calculations from U of I Water Measurement Bulletin #552.

Idaho Power Co. Cogeneration and Small Power Production charts verified KW Actual Generation from the Hydro plant.

*See attached Chart.

E. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

A 16" buried concrete pipe, after the last fish propagation pond, that goes through a concrete collection tank, then discharges to a 14" steel pipe = 6.34 cfs Maximum Capacity from a full pipe

*See Attached Pipe Flows Chart

F. VOLUME CALCULATIONS**1. Volume Calculations for Irrigation: N/A**

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{DL} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.4835 =$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{DL} =$$

2. Volume Calculations for Other Uses: Due to the hydro power plant not being available to obtain accurate volume, + since the flow meter from 2 of the sources consistently register 7.02 cfs year round or more, it was determined to use the rate of diversion (5.54 cfs) x 365 days to determine the volume.

$$5.54 \text{ cfs} \times 365 \text{ days} = 1949.1 \text{ af} \times 1.4835 =$$

$$\boxed{2866.0 \text{ AF}}$$

G. NARRATIVE/REMARKS/COMMENTS:**System Description:**

The first spring (A0011838) T8S R13E NENW crosses the road to a concrete standpipe, then unknown size buried pipe where it merges with the second spring. The second spring is located in T8S R13E Sec 8 SW6W and is piped under the road to a concrete stand pipe (A0017808) T8S R13E Sec 17 NWNW, and then unknown size buried piped over to where it merges with the first spring, and is piped to some fish propagation ponds. The ponds have a flow thru system and flow continues down a dirt ditch, goes through a head gate, goes under ground, through the Della CR600 Datalogger flow gauge, open discharges to 3 more fish propagation ponds, through an overflow, then continues down a dirt ditch where it merges with flow from the last spring source. The last springs source T8S R13E Sec 17 SESE travels down through a Montana Mining Company dirt ditch, crossing the road at 384 River Rd, goes about 150 yards, then discharges into a buried 10 inch concrete pipe, converts into a 12 inch buried PVC pipe, then open discharges to a dirt ditch and comesling with the first "springs" sources. The flow continues through an 80 inch concrete weir, through 2 fish propagation ponds, discharges to a 18 inch concrete pipe that flows (with some over flow continuing down the ditch directly to the Snake River) to a concrete collection tank, where it reduces to 14 inch steel pipe that runs down the bank to the location where previously the power plant and steel building were located, but currently open discharges to the Snake River. The power plant was destroyed by a mud slide, so only the concrete slab still exists, and a small steel building. There are power poles and power lines still present on the property.

Reading the Application for Permit, Stevenson explained where the POD was located in Sec. 17 SESE, and talked about the flow from the other "springs" sources (Sec. 17 NWNW, and Sec. 8 SWSW) that flowed through the fish propagation ponds, and that this water was included "in its natural channel where the diversion in Lot 7 will occur." For this reason, the other springs PODs are included, since at the time of applying for the permit and also presently, this same water that is used for the fish propagation ponds continues to flow, then comesling with the other "springs" source where it is diverted to the Hydro plant via a 16" buried concrete pipe.

Lynn Stevenson passed away, so no additional information was obtained from him directly, but instead from Stan Standa, Idaho Power charts (copy in file), and individuals at the Idaho Public Utilities Commission (copies of Memos are in the file).

The Idaho Public Utilities Commission Case # IPC-E-88-10, cancelled the Sales Agreement between Stevenson and IPUC (filed 7/4/1998). A copy of the Order is in the file.

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
POWER	01/01 To 12/31	5.340 CFS
Totals:		5.340 CFS

2. Recommended Amendments

☒ Change P.D. as reflected above ☒ Add P.D. as reflected above ☐ None

☒ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Sandy Hemenway Date 9/29/2009
 Reviewer _____ Date _____



Idaho Department of Water Resources

Beneficial Use Field Exam Conducted 6/17/2009

37-7750
(POWER)

Legend

Point of Diversion

Place of Use

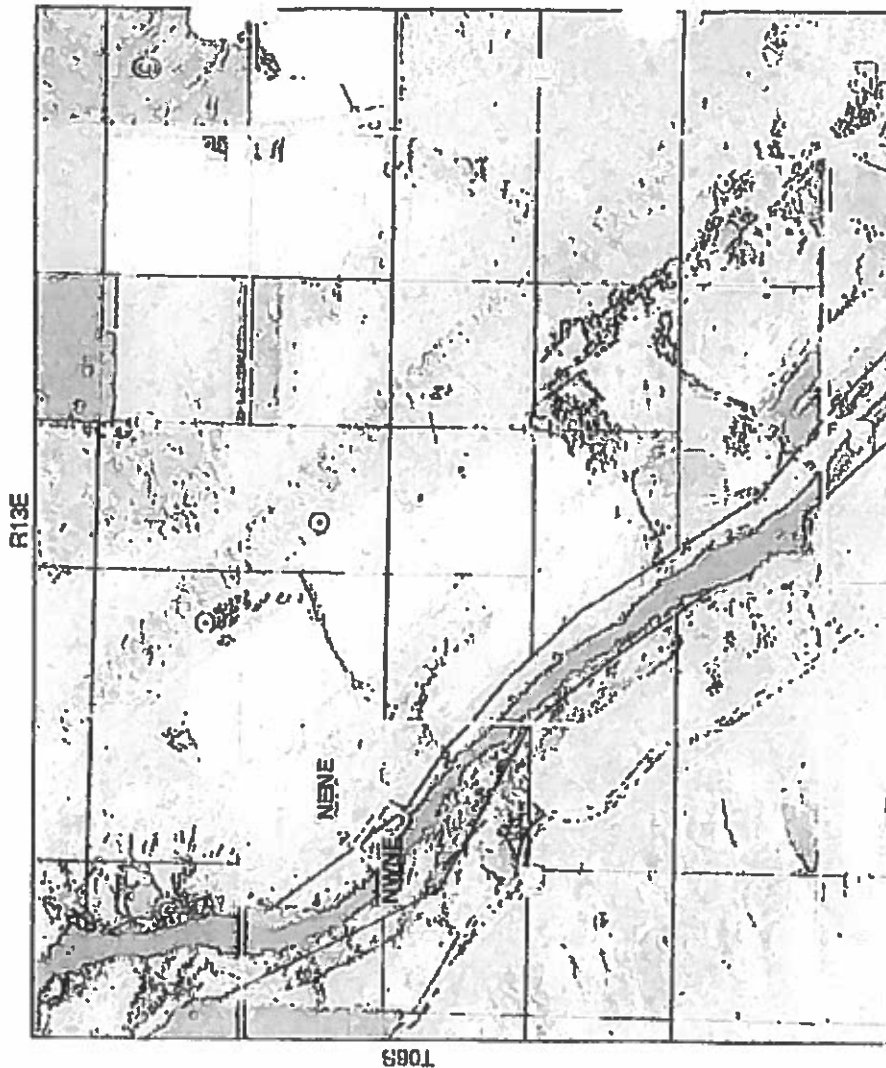
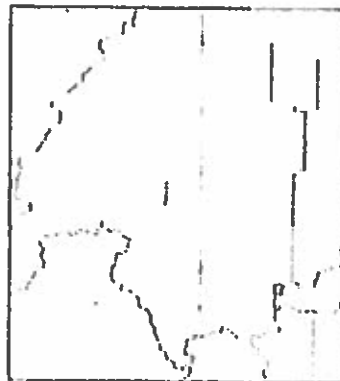


State Outline

Townships

PLS Sections

Quarter Quarters



Gooding County
IDWR Basin 37

Prepared by Sandy Hemenway
On October 14, 2009
2004 Aerial Photography

Table 3. Flow over rectangular contracted weirs
in cubic feet per second*

Head in ft. approx.	Crest length (L)				For each additional foot of crest in excess of 4 ft. (approx.)
	1.0 foot	1.5 foot	2.0 foot	3.0 foot	4.0 foot
0.10	0.108	0.158	0.212	0.319	0.427
0.11	0.121	0.182	0.244	0.367	0.481
0.12	0.137	0.207	0.277	0.418	0.534
0.13	0.155	0.232	0.312	0.470	0.589
0.14	0.172	0.258	0.346	0.524	0.643
0.15	0.191	0.288	0.385	0.581	0.700
0.16	0.210	0.316	0.423	0.638	0.758
0.17	0.229	0.346	0.463	0.698	0.818
0.18	0.249	0.376	0.504	0.760	0.880
0.19	0.270	0.407	0.546	0.823	0.943
0.20	0.291	0.439	0.588	0.887	1.008
0.21	0.312	0.472	0.632	0.954	1.074
0.22	0.335	0.506	0.677	1.022	1.141
0.23	0.358	0.539	0.721	1.091	1.210
0.24	0.380	0.574	0.765	1.161	1.280
0.25	0.404	0.609	0.817	1.231	1.351
0.26	0.428	0.646	0.868	1.311	1.423
0.27	0.452	0.682	0.914	1.391	1.496
0.28	0.477	0.720	0.965	1.481	1.570
0.29	0.502	0.758	1.021	1.571	1.645
0.30	0.527	0.796	1.077	1.661	1.721
0.31	0.553	0.836	1.132	1.751	1.798
0.32	0.578	0.876	1.187	1.841	1.876
0.33	0.604	0.916	1.251	1.931	1.954
0.34	0.634	0.957	1.281	2.021	2.033
0.35	0.661	0.999	1.341	2.121	2.113
0.36	0.688	1.041	1.401	2.221	2.194
0.37	0.717	1.081	1.451	2.321	2.275
0.38	0.745	1.121	1.511	2.421	2.357
0.39	0.774	1.171	1.571	2.521	2.439
0.40	0.804	1.211	1.631	2.621	2.521
0.41	0.833	1.261	1.691	2.721	2.604
0.42	0.863	1.301	1.761	2.821	2.687
0.43	0.893	1.361	1.811	2.921	2.770
0.44	0.924	1.401	1.881	3.021	2.854
0.45	0.955	1.441	1.941	3.121	2.938
0.46	0.985	1.481	2.001	3.221	3.023
0.47	1.021	1.541	2.071	3.321	3.108
0.48	1.051	1.581	2.131	3.421	3.194
0.49	1.081	1.641	2.201	3.521	3.280
0.50	1.111	1.681	2.261	3.621	3.366
0.51	1.151	1.751	2.331	3.721	3.452
0.52	1.181	1.791	2.401	3.821	3.538
0.53	1.211	1.841	2.481	3.921	3.625
0.54	1.251	1.891	2.551	4.021	3.711
0.55	1.281	1.941	2.601	4.121	3.798
0.56	1.311	1.991	2.671	4.221	3.885
0.57	1.351	2.041	2.741	4.321	3.972
0.58	1.381	2.091	2.811	4.421	4.059
0.59	1.421	2.151	2.881	4.521	4.146
0.60	1.451	2.201	2.941	4.621	4.233
0.61	1.481	2.251	3.011	4.721	4.320
0.62	1.511	2.301	3.081	4.821	4.407
0.63	1.551	2.351	3.151	4.921	4.494
0.64	1.581	2.401	3.221	5.021	4.581
0.65	1.611	2.451	3.291	5.121	4.668
0.66	1.651	2.501	3.361	5.221	4.755
0.67	1.681	2.551	3.431	5.321	4.842
0.68	1.711	2.601	3.501	5.421	4.929
0.69	1.751	2.651	3.571	5.521	5.016
0.70	1.781	2.701	3.641	5.621	5.103
0.71	1.811	2.751	3.711	5.721	5.190
0.72	1.851	2.801	3.781	5.821	5.277
0.73	1.881	2.851	3.851	5.921	5.364
0.74	1.911	2.901	3.921	6.021	5.451
0.75	1.951	2.951	3.991	6.121	5.538
0.76	1.981	3.001	4.061	6.221	5.625
0.77	2.011	3.051	4.131	6.321	5.712
0.78	2.051	3.101	4.201	6.421	5.799
0.79	2.081	3.151	4.271	6.521	5.886
0.80	2.111	3.201	4.341	6.621	5.973
0.81	2.151	3.251	4.411	6.721	6.060
0.82	2.181	3.301	4.481	6.821	6.147
0.83	2.211	3.351	4.551	6.921	6.234
0.84	2.251	3.401	4.621	7.021	6.321
0.85	2.281	3.451	4.691	7.121	6.408
0.86	2.311	3.501	4.761	7.221	6.495
0.87	2.351	3.551	4.831	7.321	6.582
0.88	2.381	3.601	4.901	7.421	6.669
0.89	2.411	3.651	4.971	7.521	6.756
0.90	2.451	3.701	5.041	7.621	6.843
0.91	2.481	3.751	5.111	7.721	6.930
0.92	2.511	3.801	5.181	7.821	7.017
0.93	2.551	3.851	5.251	7.921	7.104
0.94	2.581	3.901	5.321	8.021	7.191
0.95	2.611	3.951	5.391	8.121	7.278
0.96	2.651	4.001	5.461	8.221	7.365
0.97	2.681	4.051	5.531	8.321	7.452
0.98	2.711	4.101	5.601	8.421	7.539
0.99	2.751	4.151	5.671	8.521	7.626
1.00	2.781	4.201	5.741	8.621	7.713

*Computed from Cote's formula: $Q = 3.247 L H^{3/2} = \frac{0.582 L}{11.82} H^{3/2}$

Table 3 (Continued). Flow over rectangular contracted weirs.

Head in ft. approx.	Crest length (L)				For each additional foot of crest in excess of 4 ft. (approx.)
	1.0 foot	1.5 foot	2.0 foot	3.0 foot	4.0 foot
0.60	2.781	4.201	5.741	8.621	10.71
0.61	2.811	4.251	5.811	8.721	10.80
0.62	2.841	4.301	5.881	8.821	10.89
0.63	2.871	4.351	5.951	8.921	10.98
0.64	2.901	4.401	6.021	9.021	11.07
0.65	2.931	4.451	6.091	9.121	11.16
0.66	2.961	4.501	6.161	9.221	11.25
0.67	2.991	4.551	6.231	9.321	11.34
0.68	3.021	4.601	6.301	9.421	11.43
0.69	3.051	4.651	6.371	9.521	11.52
0.70	3.081	4.701	6.441	9.621	11.61
0.71	3.111	4.751	6.511	9.721	11.70
0.72	3.141	4.801	6.581	9.821	11.79
0.73	3.171	4.851	6.651	9.921	11.88
0.74	3.201	4.901	6.721	10.021	11.97
0.75	3.231	4.951	6.791	10.121	12.06
0.76	3.261	5.001	6.861	10.221	12.15
0.77	3.291	5.051	6.931	10.321	12.24
0.78	3.321	5.101	7.001	10.421	12.33
0.79	3.351	5.151	7.071	10.521	12.42
0.80	3.381	5.201	7.141	10.621	12.51
0.81	3.411	5.251	7.211	10.721	12.60
0.82	3.441	5.301	7.281	10.821	12.69
0.83	3.471	5.351	7.351	10.921	12.78
0.84	3.501	5.401	7.421	11.021	12.87
0.85	3.531	5.451	7.491	11.121	12.96
0.86	3.561	5.501	7.561	11.221	13.05
0.87	3.591	5.551	7.631	11.321	13.14
0.88	3.621	5.601	7.701	11.421	13.23
0.89	3.651	5.651	7.771	11.521	13.32
0.90	3.681	5.701	7.841	11.621	13.41
0.91	3.711	5.751	7.911	11.721	13.50
0.92	3.741	5.801	7.981	11.821	13.59
0.93	3.771	5.851	8.051	11.921	13.68
0.94	3.801	5.901	8.121	12.021	13.77
0.95	3.831	5.951	8.191	12.121	13.86
0.96	3.861	6.001	8.261	12.221	13.95
0.97	3.891	6.051	8.331	12.321	14.04
0.98	3.921	6.101	8.401	12.421	14.13
0.99	3.951	6.151	8.471	12.521	14.22
1.00	3.981	6.201	8.541	12.621	14.31

Maximum Capacity of System

$$5.70 + 1.44 + 0.72 = 9.3 \text{ cfs}$$

(5') (6') (0.6')

PIPE FLOWS - PUMPING SYSTEMS

[properly designed @ 5 ft. / sec.]

$$Q = 5 \pi r^2 (r \text{ in ft.}) \quad Q = 5 \pi R^2 (R \text{ in ft.})$$

$$R = (\text{diameter}/12) / 2 \left(\frac{\text{dia.}}{12} \right) \div 2$$

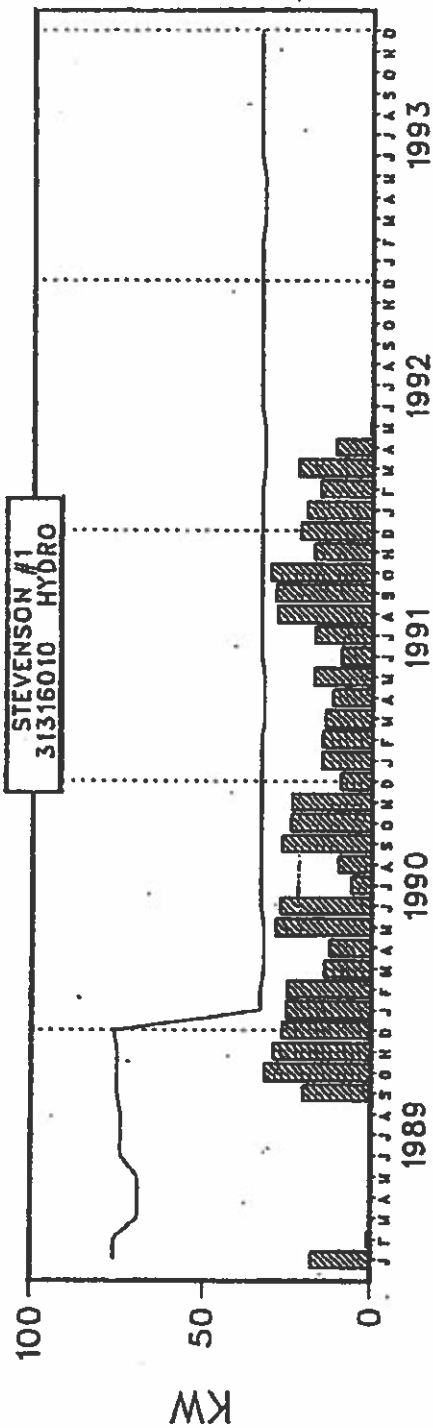
$$\pi = 3.1416$$

<u>PIPE DIAMETER (")</u>	<u>CFS (1/100)</u>	^(1/10) <u>MINER INCH</u>	^(1/10) <u>GALLONS/ MINUTE</u>
1	.03	1.5	13.5
2	.11	5.5	49.4
3	.25	12.5	112.2
4	.44	22.0	197.5
6	.98	49.0	439.8
8	1.74	87.0	780.9
10	2.73	136.5	1225.2
12	3.93	196.5	1763.8
14	5.34	267.0	2396.6
16	6.98	349.0	3132.6
18	8.83	441.5	3962.9
20	10.90	545.0	4891.9
22	13.19	659.5	5919.7
24	15.70	785.0	7046.2

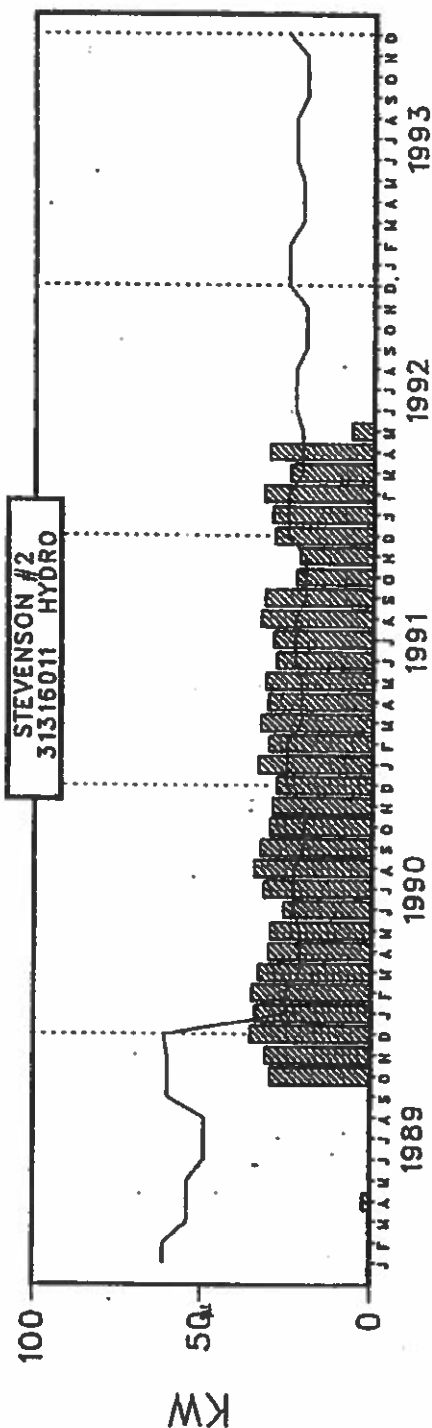
∴ THEORETICAL PSI's

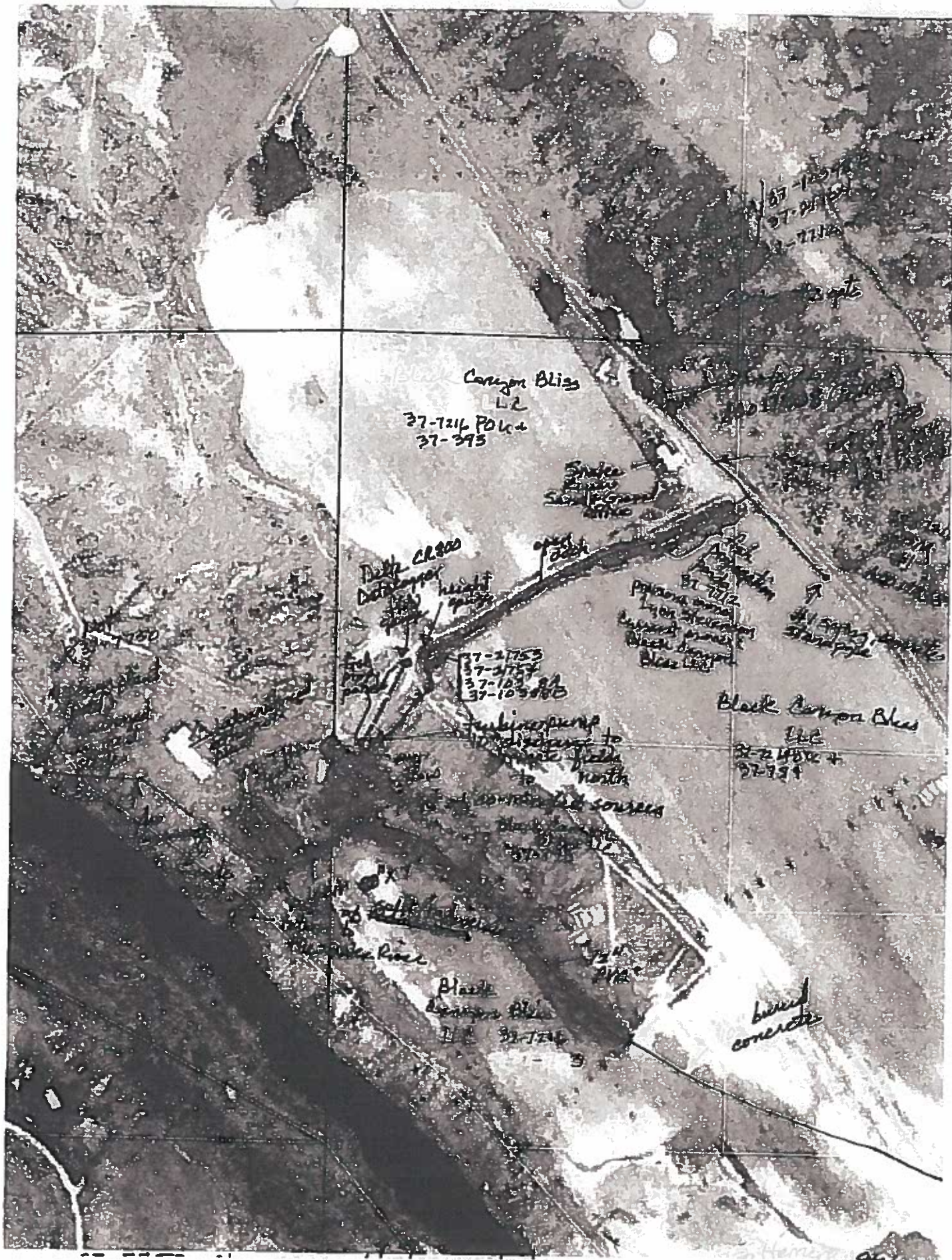
Internal domestic	- 20 psi
Internal/external domestic	- 30 psi
Domestic w/ 5-10 acres	- 40 psi
Medium systems (up to 50 acres)	- 40 psi
Large pivots	- 60 psi

IDAHO POWER COMPANY
Cogeneration and Small Power Production



Legend
 ▨ ACTUAL GENERATION
 — ESTIMATED GENERATION





Carson Bliss
LL
37-7216 PO 4
37-393

Dist. CL 800
Dist. CL 800
height
spike

37-2753
37-2754
37-103 84
37-103 800

fueling pump
to discharge to
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to discharge to sources

Black Canyon Bliss
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37-2480 4
37-394

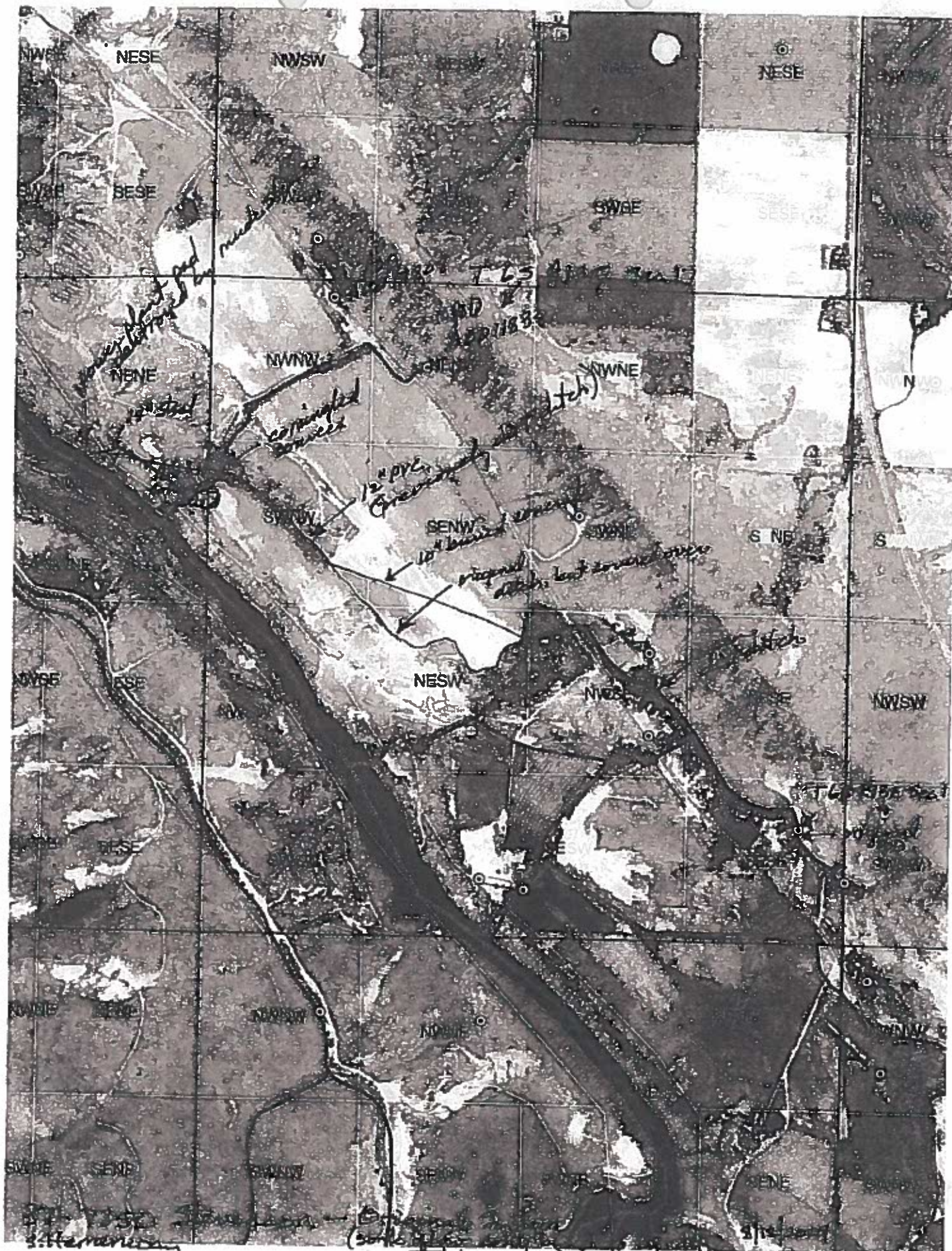
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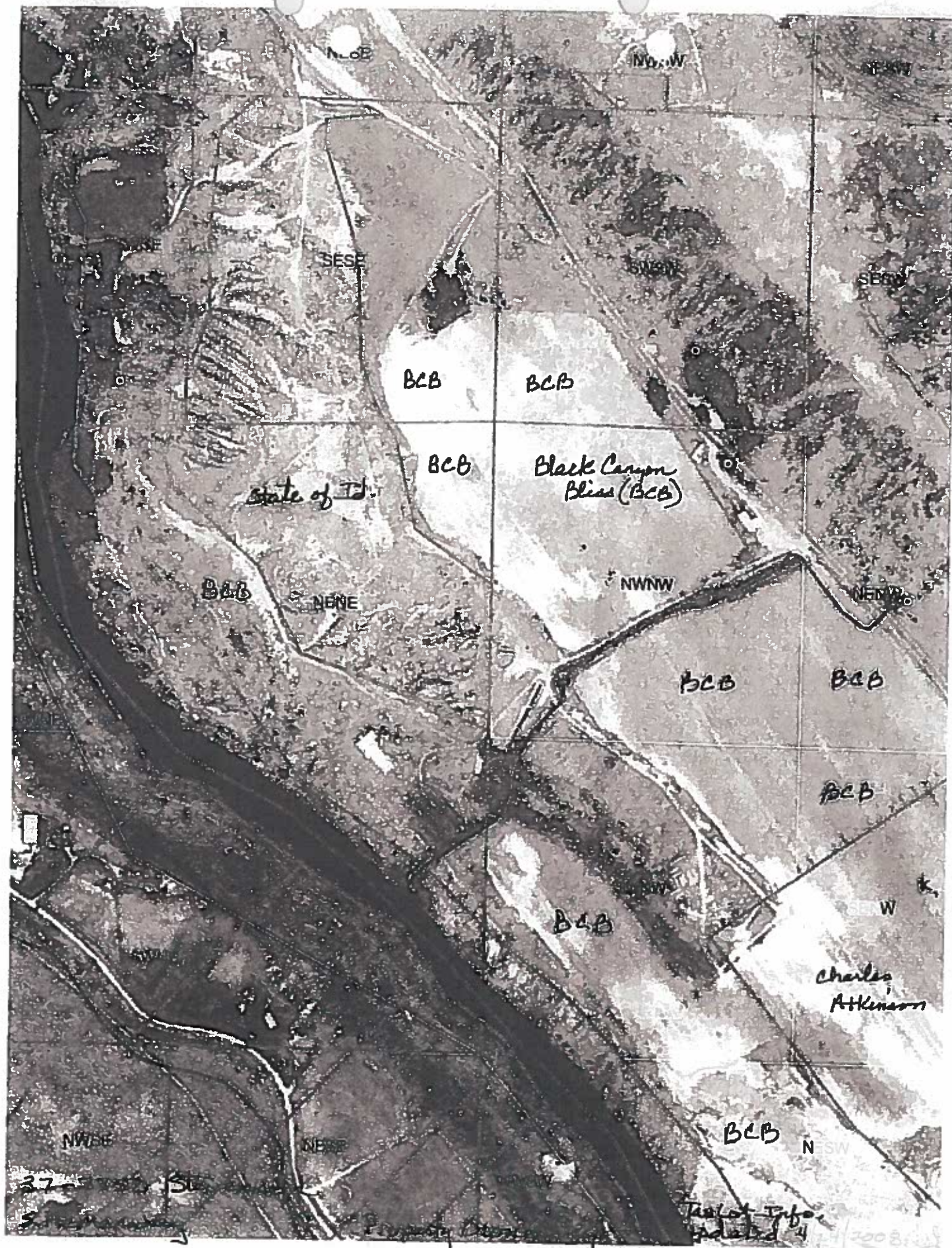
buried
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37-103 84
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37-7216

37-7212
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37-7212
37-7216









POD
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06/17/2009



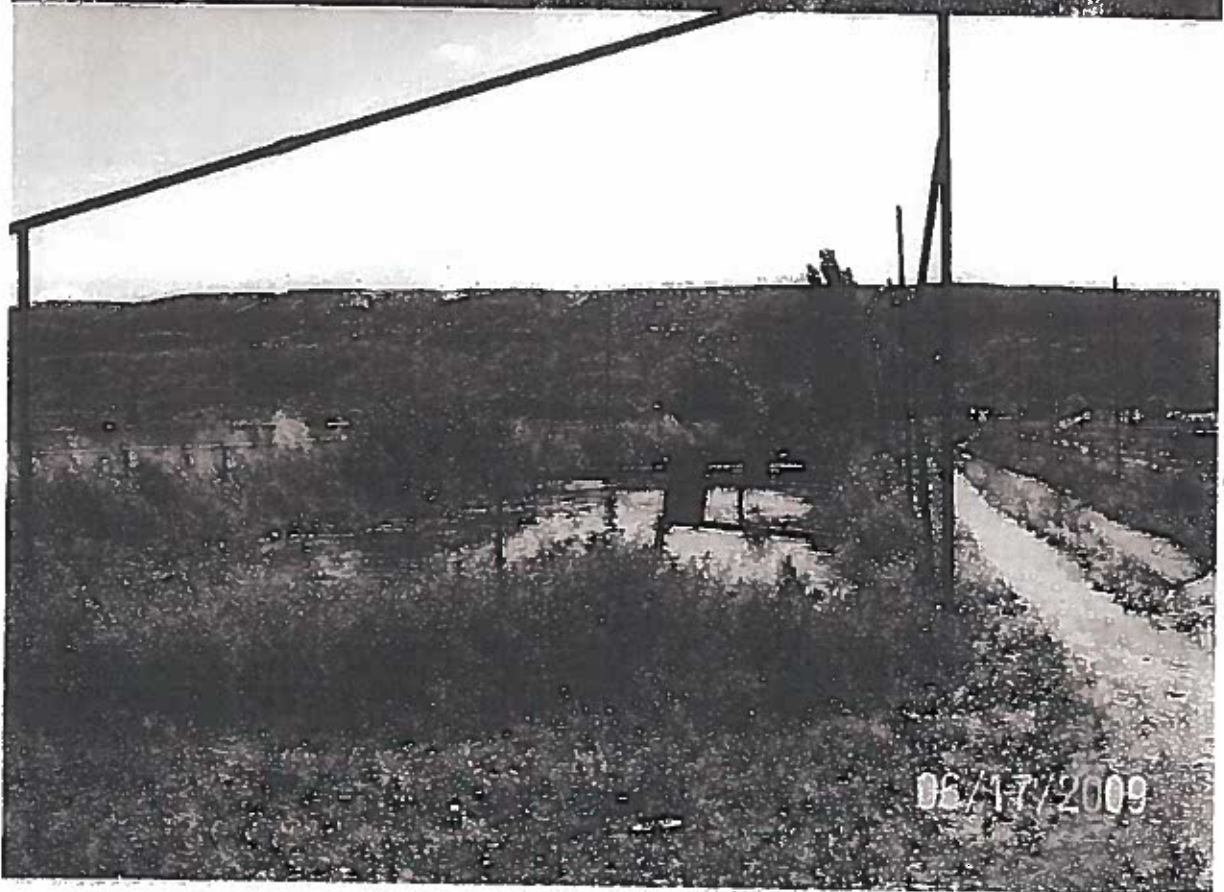
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37-7750 Stevenson

S. Hernerway



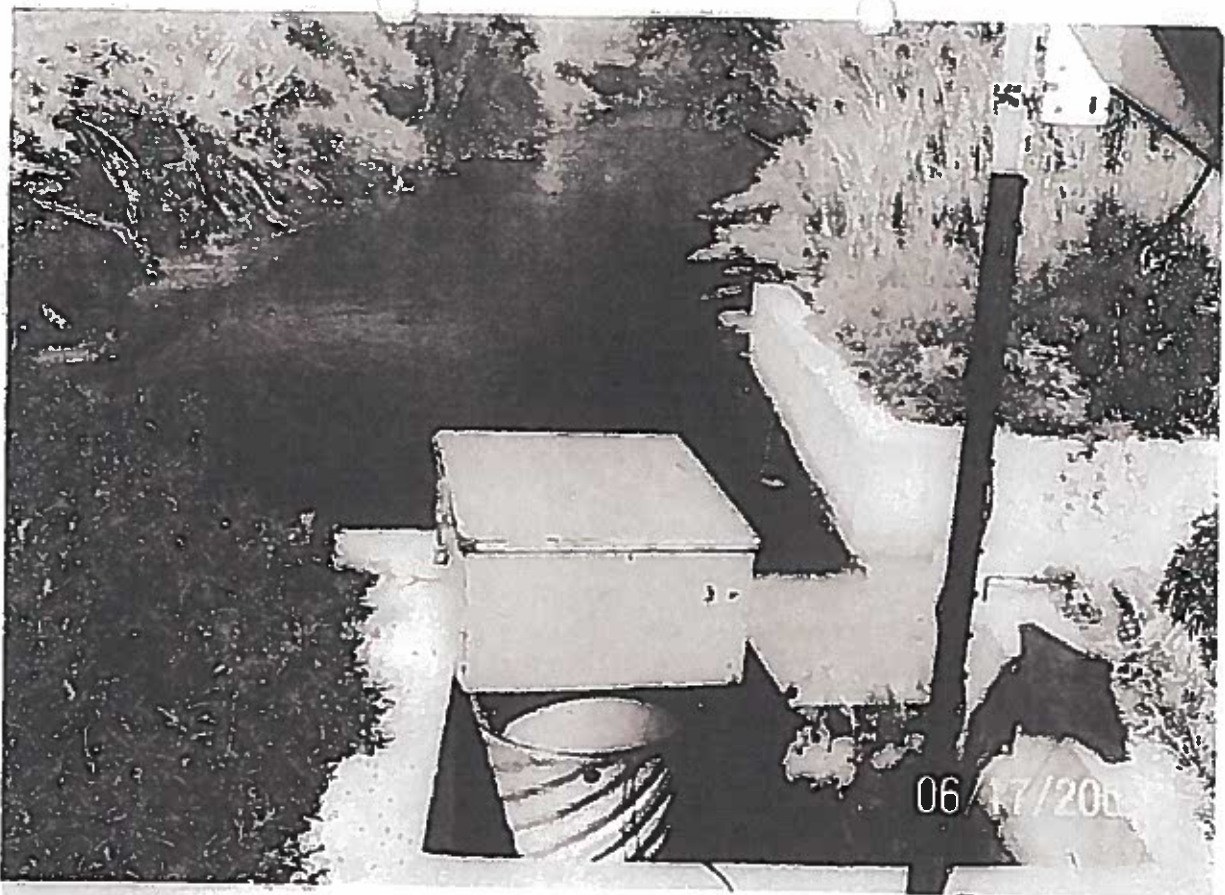
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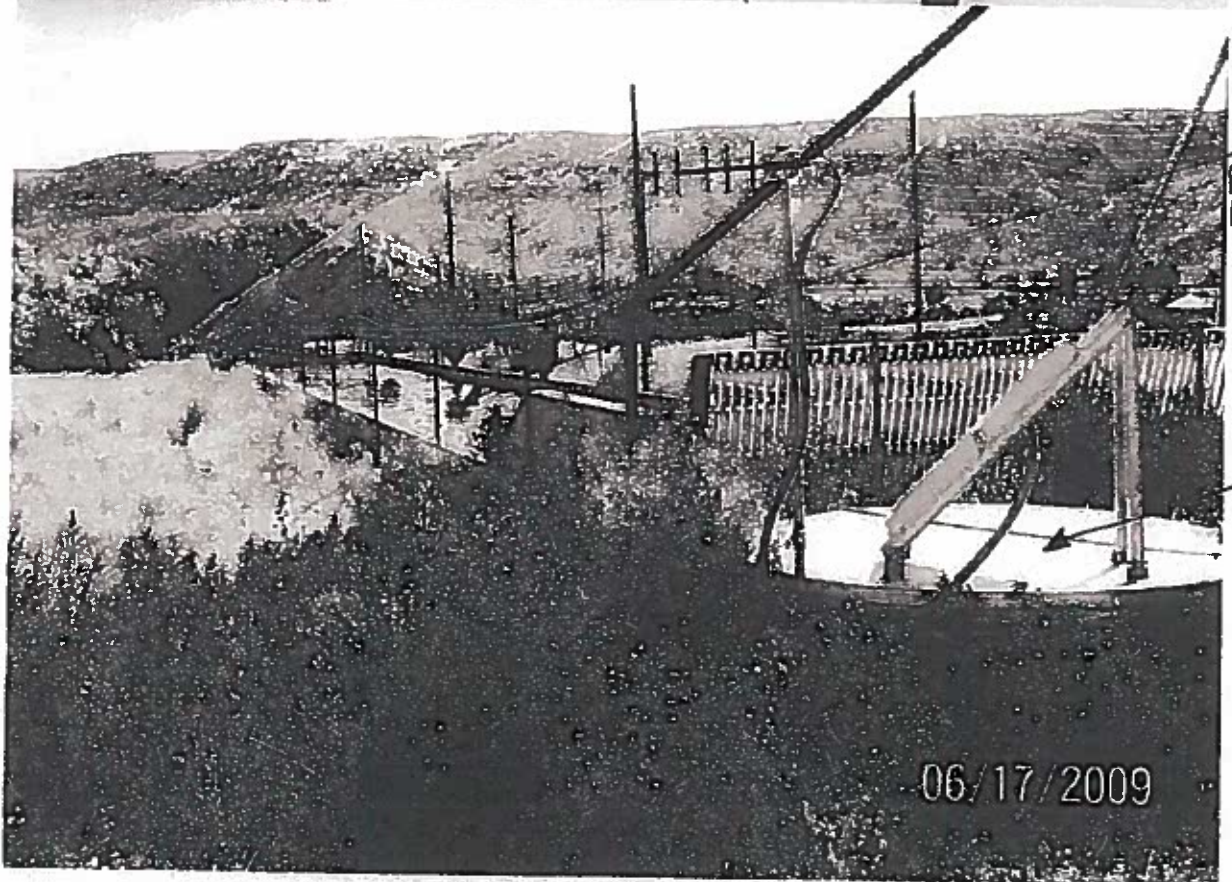
fish
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37-7750 Stevenson

S. Hemerway



height
gauge

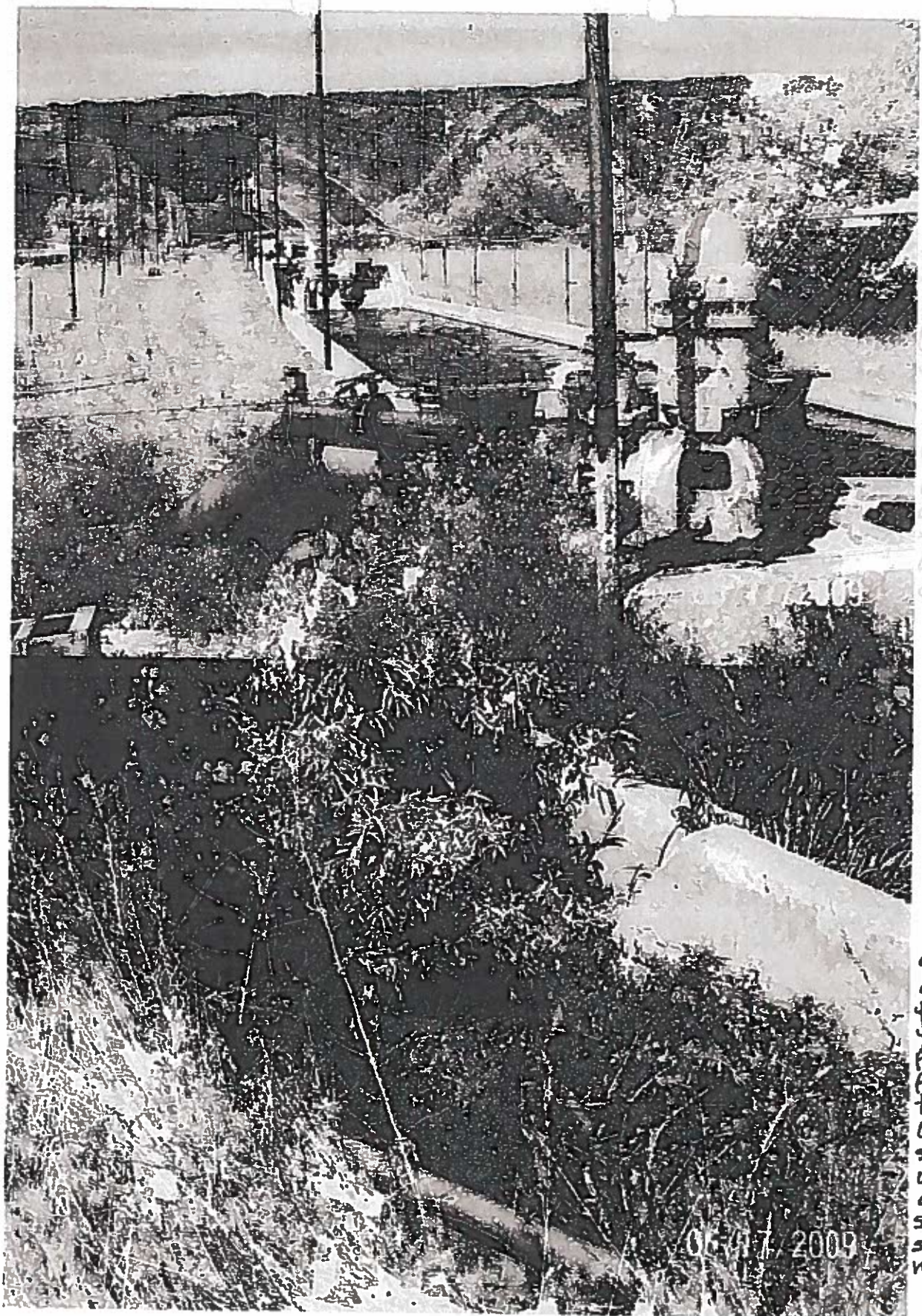


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C.R.S.
Datalog

37-7750 Stevenson

S. Hemerick



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sources
merge

06-17-2004

37-7750 Stevenson

S. Hemenway



POD
Spring
Cattle
SESE

Montan
Hindin
Co.
ditch

37-7750 Stevenson

S. Hemerik



Montana
Mining
Co.
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road
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394
River Rd

37-7750 Stevenson

S. Hemmway



concrete weir with open
discharge to 2 fish propagation



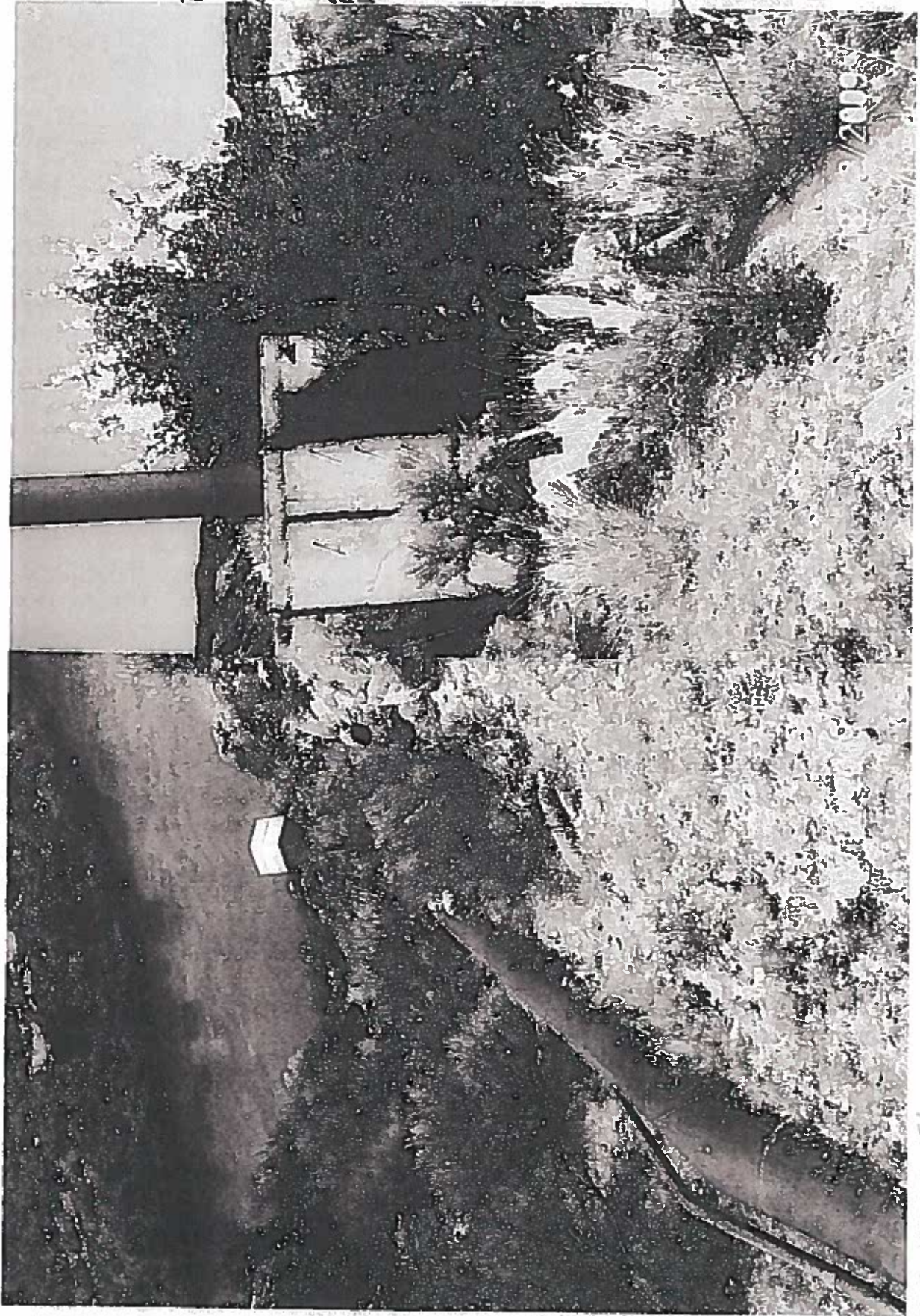
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06/17/2009

37-7750 Stevenson

S. Hemerway



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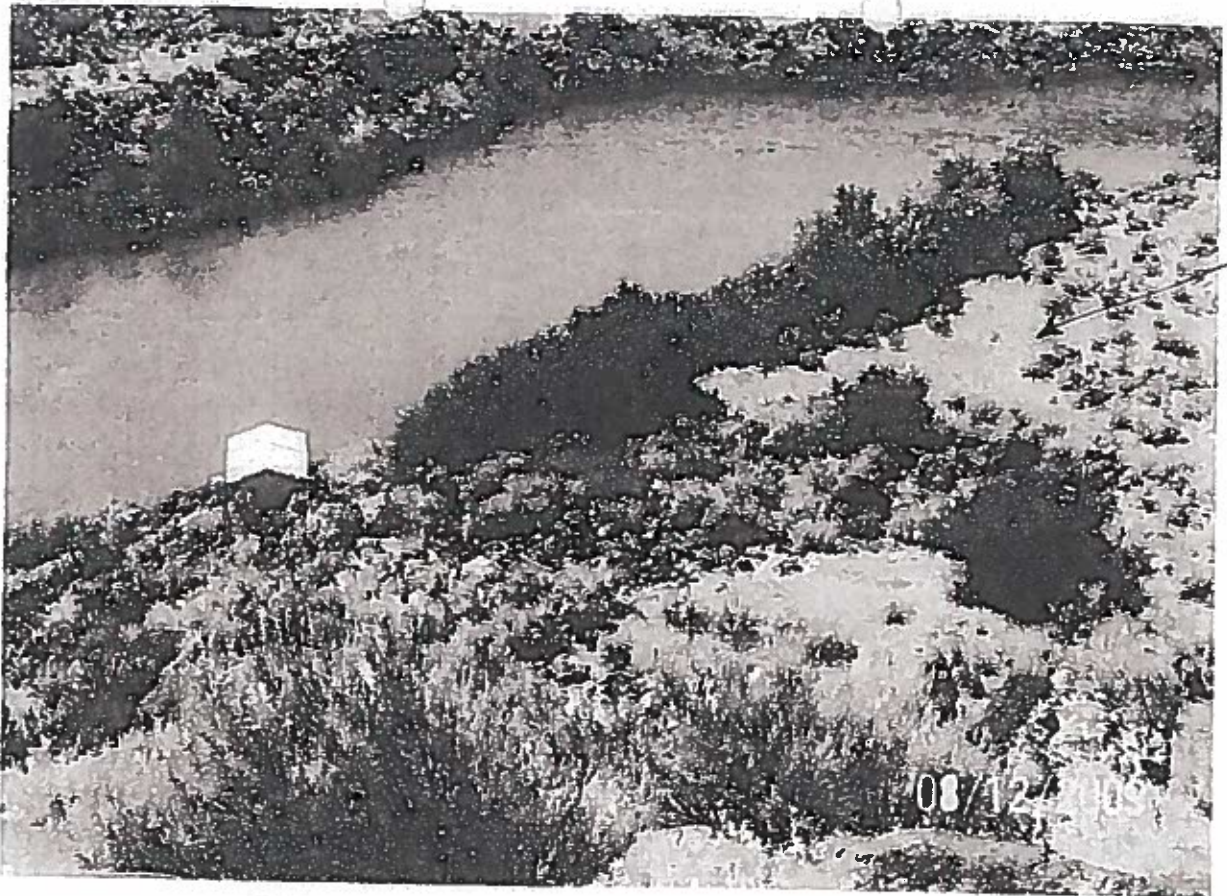
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37-7750 Stevenson

S. Hemmick



mud
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37-7750 Stevenson

S. Hemmway

RECEIVED

MAR 05 2015

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 37-29261. Name of applicant(s) BLACK CANYON BLISS, LLCPhone (208) 670-4610Name connector (check one): ☐ and ☐ or ☐ and/orMailing address 615 EAST 300 NORTHCity RUPERTState IDZip 83350Email chris.auxilium@gmail.com2. Source of water supply UNNAMED SPRINGSwhich is a tributary of SNAKE RIVER

3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
6S	13E	17		SW	NE	NW	GOODING	SPRINGS	
6S	13E	17		NE	SE	SE	GOODING	SPRINGS	
6S	13E	8		SE	SW	SW	GOODING	SPRINGS	

4. Water will be used for the following purposes:

Amount 7 cfs for POWER 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)5. Total quantity to be appropriated is (a) 7 cfs cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. The proposed diverting works are described in the attached Beneficial Use Field Report re Permit No. 37-7750 (see section 11 of this application for explanation).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 11. For dams 10 feet or more in height OR reservoirs with a total 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 ☒ Noe. If well is already drilled, when? _____; drilling firm _____;
well was drilled for (well owner) _____; Drilling Permit No. _____.

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. 24.82 kW; under 120 feet of head

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; complete and attach the Municipal Water Right Application Checklist.

d. Domestic; show number of households _____

e. Other; describe fully. _____

*See App Amendment
rec'd 5/26/2015*

8. 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	
6S	13E	18	X	X															
			L7	L7															

Total number of acres to be irrigated: _____

9. 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?

10. a. Who owns the property at the point of diversion? BLACK CANYON BLISS, LLC

b. Who owns the land to be irrigated or place of use? BLACK CANYON BLISS, LLC

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

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

The water right sought is for the same use of water as previously licensed water right 37-7750. A copy of the Water Right License is attached. The proposed diversion and structure is described in the attached Beneficial Use Field Report of the examination done 6/17/2009 & 8/12/2009 for Permit No. 37-7750. The attached Field Report includes a description, photographs and map of the proposed project. Inadvertently, no claim for water right 37-7750 was filed in the SRBA and the water right was voided. This water right application is filed as a replacement for 37-7750.

12. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8 1/2" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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.

Signature of Applicant

Signature of Applicant

Print Name (and title, if applicable)

Print Name (and title, if applicable)

For Department Use:

Received by DM Date 3-5-2015 Time 11:35AM Preliminary check by _____
 Fee \$ 490- Received by DM Receipt No. 5034593 Date 3-5-2015



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 11, 2015

BLACK CANYON BLISS LLC
615 E 300 N
RUPERT, ID 83350

Re: Application For Permit No. 37-22926

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 **TIMES NEWS on 6/18/2015 and 6/25/2015**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**July 6, 2015**).

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,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, June 11, 2015 9:24 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.doc

Attached please find (1) legal notice being submitted for publication on June 18th & 25th, 2015. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



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 11, 2015

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 1-10631, 37-22920, 37-22926, 45-14470, 47-17637

RE: Transfer No. 80092

Water Right No(s): 45-10158, 45-10164, 45-12757, 45-2057, 45-2283, 45-2321, 45-2322, 45-2338, 45-2374, 45-2380, 45-2381, 45-2384, 45-2575, 45-2589, 45-2596, 45-2626, 45-2715, 45-4212, 45-4239, 45-7156, 45-7201, 45-7456,

RE: Transfer No. 80116

Water Right No(s): 45-7182

RE: Transfer No. 80137

Water Right No(s): 43-13741

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before July 6, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

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

1-10631

FAULKNER BROTHERS HYDRO INC

1997 S 1875 E

GOODING, ID 83330

Point of Diversion L5(SWNW) S28 T10S R21E JEROME County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: POWER

04/01 to 10/31 50 CFS

Total Diversion: 50 CFS

Date Filed: 1/12/2015

Place Of Use: POWER

T05S R12E S34 NWNW

Application authorizes existing hydroelectric generating capacity and does not propose increase or modification of existing system of diversion, conveyance or use under terms of present agreements. Published in Times News, Idaho Statesman, Post Register & Lewiston Tribune.

37-22920

FAULKNER BROTHERS HYDRO INC

1997 S 1875 E

GOODING, ID 83330

Point of Diversion SESW S22 T05S R14E GOODING County Source BIG WOOD RIVER Tributary MALAD RIVER

Point of Diversion SWNE S6 T06S R15E GOODING County Source LITTLE WOOD RIVER Tributary MALAD RIVER

Point of Diversion L5(SWNW) S28 T10S R21E JEROME County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: POWER 04/01 to 10/31 50 CFS

Use: POWER 11/01 to 03/31 35 CFS

Total Diversion: 50 CFS

Date Filed: 1/12/2015

Place Of Use: POWER

T05S R12E S34 NWNW

Application authorizes existing hydroelectric generating capacity and does not propose increase or modification of existing system of diversion, conveyance or use under terms of present agreements. Published in Times News, Idaho Statesman, Post Register & Lewiston Tribune.

37-22926

BLACK CANYON BLISS LLC

615 E 300 N

RUPERT, ID 83350

Point of Diversion L7(ENE) S18 T06S R13E GOODING County Source UNNAMED STREAM Tributary SNAKE RIVER

Use: POWER 01/01 to 12/31 5 CFS

Total Diversion: 5 CFS

Date Filed: 3/5/2015

Place Of Use: POWER

T06S R13E S18 L7(NENE) L7(NWNE)

Application is for an existing small power generating facility.

45-14470

ALBION HERITAGE GROUP LLC

214 WATER TOWER CIR

ALBION, ID 83311

Point of Diversion SWNWE S12 T12S R24E CASSIA County Source MARSH CREEK Tributary SNAKE RIVER

Use: DIVERSION TO STORAGE 11/01 to 03/31 2 CFS

Use: GROUND WATER RECHARGE FROM STORAGE 01/01 to 12/31 200 AF

Use: GROUND WATER RECHARGE STORAGE 01/01 to 12/31 200 AF

Total Diversion: 2 CFS

Date Filed: 5/18/2015

Place Of Use: GROUND WATER RECHARGE STORAGE, GROUND WATER RECHARGE FROM STORAGE

T12S R25E S6 L4(NWNW)

Application filed to divert up to 2.0 cfs of water from Marsh Creek from 11/1 to 3/31 at a point located approximately 1.0 mile south and 0.8 mile west of Albion for Groundwater Recharge Storage and Groundwater Recharge from Storage Uses associated with two ponds to be excavated near the northwest edge of Albion.

47-17637

JEFF HINES

1926 TEAL LN

BOISE, ID 83706

Point of Diversion SWNWSE S30 T08S R14E TWIN FALLS County Source SALMON FALLS CREEK Tributary SNAKE RIVER
Use: DOMESTIC

01/01 to 12/31 0.12 CFS

Total Diversion: 0.12 CFS

Date Filed: 6/4/2015

Place Of Use: DOMESTIC

T08S R14E S30 NWSE

Application for permit proposes the diversion of 0.12 cfs from Salmon Falls Creek for domestic use to allow for domestic irrigation on three separate parcels to augment current domestic water right 45-7520 which provides each parcel domestic in-house use only. Point of Diversion and place of use are located approximately 2 miles east and 7.8 miles south of the city center of Hagerman.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80092

FED AGRIBUSINESS LLC and TUGAW RANCHES LLC, 568 W 1650 S, OAKLEY, ID 83346; has filed Application No. 80092 for changes to the following water rights within CASSIA, TWIN FALLS County(s): Right No(s). 45-10158, 45-10164, 45-12757, 45-2057, 45-2283, 45-2321, 45-2322, 45-2338, 45-2374, 45-2380, 45-2381, 45-2384, 45-2575, 45-2589, 45-2596, 45-2626, 45-2715, 45-4212, 45-4239, 45-7156, 45-7201, 45-7456. The purpose of the transfer is to change a portion of the above rights as follows:

Application proposes changing the authorized point of diversion locations for three ground water irrigation rights that authorize the total diversion of 4.24 cfs from two wells on a farm located approximately 8.5 to 9.0 miles north and 7.0 to 8.0 miles west of Oakley. The transfer will identify three existing wells on a nearby farm located approximately 9.0 to 10.0 miles north and 8.85 to 9.3 miles west of Oakley as authorized points of diversion for the three ground water irrigation rights. The transfer will also change the place of use of 22 rights by creating a 3,101 acre permissible place of use consisting of lands owned by Fed Agribusiness LLC and Tugaw Ranches LLC. In total, the 22 rights will divert up to 44.58 cfs from groundwater, Mountain Meadow Creek, Robber Gulch Creek, and Buckhorn Creek sources for irrigation of up to 3,101 acres.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80116

PKD PROPERTIES LC and TLD PROPERTIES LLC, 1404 E 500 N, JACKSON, ID 83350; has filed Application No. 80116 for changes to the following water rights within CASSIA County(s): Right No(s). 45-7182. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change a 317 acre portion of the place of use of a groundwater irrigation right from a farm located approximately 10.0 to 10.5 miles north and 7.5 to 8.5 miles west of Oakley to a farm located approximately 8.5 to 9.0 miles north and 7.0 to 8.0 miles west of Oakley. The application proposes to continue to use an existing well located approximately 8.0 miles north and 8.0 miles west of Oakley and to add another existing well located approximately 8.75 miles north and 7.5 miles west of Oakley to divert up to 6.4 cfs for irrigation use.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80137

EVARD LLC, 872 E PEBBLE DR, BURLEY, ID 83318; has filed Application No. 80137 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13741. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes adding a new well to be drilled as an authorized point of diversion for an irrigation groundwater right appurtenant to a farm located approximately 17.75 to 19.5 miles north and 7.9 to 9.9 miles east of Malta. Three existing irrigation wells and the new well to be drilled (all located on the farm) will be utilized to divert up to 17.02 cfs for the irrigation of 1437.0 acres on the farm. Published in Times News, Idaho Statesman, Post Register & Lewiston Tribune.

Permits will be subject to all prior water rights. For additional information concerning 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. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings. Protests may be submitted based on the criteria 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 July 6, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on June 18th & 25th, 2015



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 11, 2015

NATHAN ERICKSON
WATER DISTRICT #130
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

Hand delivery

RE: Application for Permit No.: 37-22926

Dear Nathan:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, 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 regional 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,

Denise Maline
Administrative Assistant

Enclosure(s)