



Holden Kidwell
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L A W O F F I C E S

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JUN 03 2013
DEPARTMENT OF
WATER RESOURCES

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May 30, 2013

Darla Block
Technical Records Specialist
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

RE: *Submission of Statements of Completion for Submitting Proof of Beneficial Use for Permit Nos. 22-13764, 22-13766, and 22-13768, and Request for Extension of Time for Permit Nos. 22-13765 and 22-13767.*

Dear Ms. Block:

The enclosed documents are in response to your letters March 31, 2013 regarding the above referenced water right permits. We represent Elliott Creek LLC and Elliott Creek Ranch LLC.

All of the above referenced permits relate to the construction of a series of ponds on adjacent properties located in Teton County as part of an overall project. Most of the properties are owned by Elliott Creek LLC, but one parcel is owned by Elliott Creek Ranch LLC, and the water right permit associated with that property is 22-13766 which authorizes the construction of ponds 8 and 9 of the overall project. These ponds have been constructed, and we have completed the proof form as required under Idaho law.

Regarding the property owned by Elliott Creek LLC, some of the ponds authorized under the water right permits have been constructed and others have not.

Pond 1, authorized under Permit No. 22-13764, has been constructed, and the completed proof form is enclosed.

Ponds 2 and 3, authorized under Permit No. 22-13767, have not been completed, and we have submitted a *Request for Extension of Time* for this permit.

Pond 4, authorized under Permit No. 22-13768, has been constructed and the completed proof form is enclosed.

Established in 1896

Ponds 5, 6, and 7 are authorized under Permit No. 22-13765, and these ponds have not been constructed. We are submitting a *Request for Extension of Time* for this permit. While this permit has not yet been constructed, there has been extensive mapping and monitoring, but due to economic conditions, the ponds have not yet been constructed. Ponds 5, 6, and 7 are larger than most of the other ponds, and therefore more time, effort, and money has been expended preparing for construction of these ponds. Due to economic conditions, the ponds have not yet been constructed, but reasonable efforts have been undertaken to develop these permits.

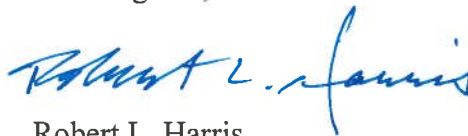
Additionally, Condition No. 6 of all of these above-referenced completed permits requires certain ground water monitoring reporting. That report has been prepared by Bill Anderson, an engineer from Montana with Anderson Engineering, Inc. (who is also the manager of Elliott Creek LLC). If you have any questions regarding that document, you can contact him at 406-925-0590.

To understand where each of the ponds is located, we have included the maps submitted with the original permit applications. We should point out that Pond 2 was not labeled, but it is the small pond adjacent to Pond 3.

Lastly, we have enclosed a total of \$250.00 for payment of the associated filing fees, \$150.00 to go towards the completed permits, and the other \$100.00 to go towards the *Requests for Extension of Time*.

If you have any questions or concerns, please let me know.

Best Regards,



Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Cc: Bill Anderson
Jaime Crowley

Enclosures