

RECEIVED
APR 15 2013
Department of Water Resources
Eastern Region

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

Ident. No. 33-14945

1. Name of applicant(s) Bear Mountain Ranch, LLC Phone (406) 551 - 4124
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address: 7 West Main St, Suite 202 City Bozeman
State MT Zip 59715 Email: ed.spotts@beartoothcap.com

2. Source of water supply natural spring which is a tributary of Sinks

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
11 N	26 E	4		SW	SW	SW	Custer	Spring	

4. Water will be used for the following purposes:

Amount 0.05 .02 for Livestock purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) 0.020 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. Gravel/liner and perf. pipe collect spring water; piped to main 1,000 gal tank; water then piped to troughs/tanks. Overflow from tank will be run into a natural depression.
- 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. _____
- b. Stockwatering; list number and kind of livestock. 400 beef cattle; 25 horses
- c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____
- d. Domestic; show number of households _____
- e. Other; describe fully. _____

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	
11N	26E	8													S				
11N	26E	17	S																
11N	26E	17													S				
11N	26E	19	S																

Total number of acres to be irrigated: None

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? None

10. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? Applicant

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

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. There are 4 small springs that emanate from a south-facing hillside on the north end of the ranch. We propose to excavate at the head each spring, install a lined collection system of gravel and pipe water via gravity to tanks and troughs for use by livestock.

12. Time required for completion of works and application of water to proposed beneficial use is 2 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.

[Signature]
Signature of Applicant

Robert Keith, General Partner
Print Name (and title, if applicable)

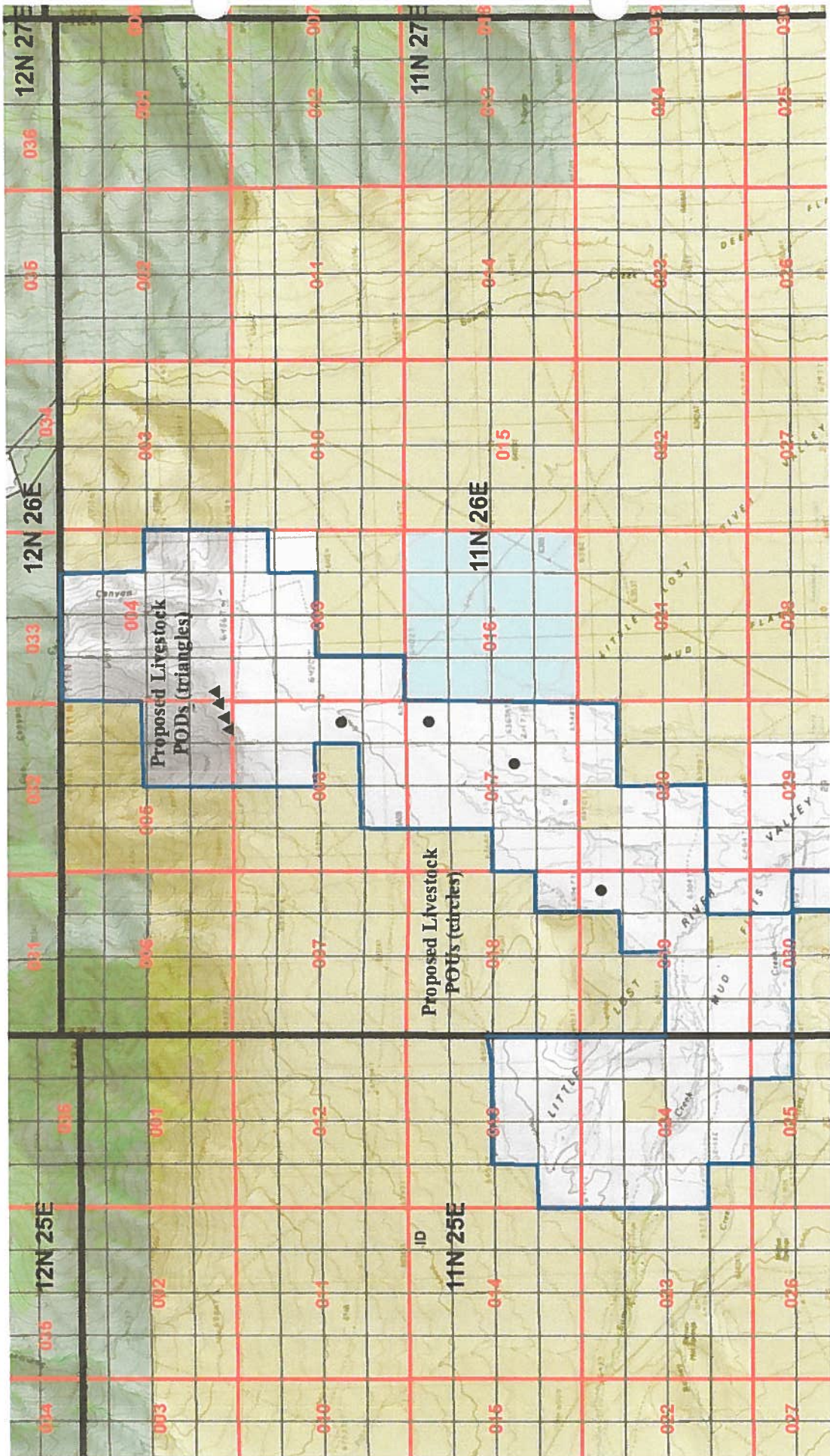
Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by Kenda Jones Date 4-19-13 Time _____ Preliminary check by _____
Fee \$ 400.00 Received by Kenda Jones Receipt No. E038615 Date 4-19-13

↳ 4 applications





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

May 9, 2013

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

Bear Mountain Ranch LLC
7 West Main St
Suite 202
Bozeman, MT 59715

Application For Permit Nos. 33-14945, 33-14946, 33-14947, 33-14948

Dear Applicant(s):

The Department of Water Resources has received your water right applications. Please refer to the numbers referenced above in all future correspondence regarding these applications.

Legal notices of the applications have been prepared and are scheduled for publication in the CHALLIS MESSENGER on 5/16/2013 and 5/23/2013. Protests to an application may be submitted for a period ending ten (10) days after the second publication.

If any of the applications are protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If an application is not protested, the Department will process the application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the applications.

Sincerely,

Judea Jones
Administrative Assistant

PLEASE NOTE: CAN CONTAIN 2 OR MORE PAGES

May 8, 2013

Legal Notice Department

Challis Messenger
PO Box 405
Challis ID 83226

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 **June 3, 2013**. Your cooperation is appreciated.

Sincerely

Judea Jones
Administrative Assistant

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

33-14945
BEAR MOUNTAIN RANCH LLC
PO BOX 3116
BOZEMAN, MT 59772
Point of Diversion SWSWSW
S4 T11N R26E
CUSTER County
Source SPRING Tributary SINKS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 4/15/2013
Place Of Use: STOCKWATER
T11N R26E S8
NESE
T11N R26E S17
NENE NWSE
T11N R26E S19
NENE

33-14946
BEAR MOUNTAIN RANCH LLC
7 W MAIN ST, SUITE 202
BOZEMAN, MT 59715
Point of Diversion SESESE
S5 T11N R26E
CUSTER County
Source SPRING Tributary SINKS
Use: STOCKWATER

01/01 to 12/31 0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 4/15/2013
Place Of Use: STOCKWATER
T11N R26E S8
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33-14947
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7 W MAIN ST, SUITE 202
BOZEMAN, MT 59715
Point of Diversion SESESE
S5 T11N R26E
CUSTER County
Source SPRING Tributary SINKS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 4/15/2013
Place Of Use: STOCKWATER
T11N R26E S8
NESE
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NENE NWSE
T11N R26E S19
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33-14948
BEAR MOUNTAIN RANCH LLC
7 W MAIN ST, SUITE 202
BOZEMAN, MT 59715
Point of Diversion SWSESE
S5 T11N R26E
CUSTER County
Source SPRING Tributary SINKS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 4/15/2013
Place Of Use: STOCKWATER
T11N R26E S8
NESE
T11N R26E S17
NENE NWSE
T11N R26E S19
NENE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before 6/3/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/16/2013 and 5/23/2013

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GARY SPACKMAN, Director

Published on 5/16/2013 and 5/23/2013

Denise Kidman
Idaho Dept. of Water Resources
Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402

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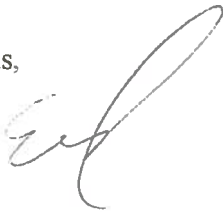
APR 15 2013

Department of Water Resources
Eastern Region

Ms. Kidman,

Please find enclosed 4 water right applications for 4 separate springs at the Bear Mountain Ranch in Custer County, Idaho. A \$ 400 check for the fees is also enclosed. Please confirm your receipt of these applications via email (ed.spotts@beartoothcap.com) or phone at (406) 261 – 2303. Give me a call if you have any questions or comments and thank you again for your help in preparing the applications. I appreciate it.

Regards,



Ed Spotts
Bear Mountain Ranch, LLC

BEARTOOTH CAPITAL

7 West Main Street • Suite 202 • Bozeman, MT 59715 • info@beartoothcap.com • 406-551-4769 • www.beartoothcap.com