

AMENDED

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

Ident. No. 29-14042
RECEIVED
NOV 19 2012
Department of Water Resources
Eastern Region

1. Name of applicant(s) Bar None Ranch, LLC (Blaine F Nye Mgr) Phone 360-680-0712
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address: 1200 Bay Laurel City Menlo Park
State CA Zip 94025 Email: blaine@scginc.com
2. Source of water supply Unnamed springs which is a tributary of Unnamed stream
3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
10S	38E	28		SW	NE	NW	Bannock	Unnamed Spring	
10S	38E	28		SW	NE	NW	Bannock	Unnamed Spring	
10S	38E	28		NW	SE	NW	Bannock	Unnamed Spring	

4. Water will be used for the following purposes:
- Amount .09 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) .09 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. Pipe from spring heads to reservoir to powerhouse to home (see attached explanation).
- b. Height of storage dam N/A 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. 355 feet of head and 27kW
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. N/A
- d. Domestic; show number of households N/A
- e. Other; describe fully. See attached for buried holding tank less than 300 gallons of water.

AMENDED

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	
10S	38E	28		P															

Total number of acres to be irrigated: 0

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? Roland Evans, Bar None Ranch LLC & Storch Family Trust
- b. Who owns the land to be irrigated or place of use? Roland Evans, Bar None Ranch LLC & Storch Family Trust
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Land is jointly owned by family members who have no objection to this project

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. The project proposes to divert the waters of three springs to provide power to a domestic residence. The unnamed stream is known locally as Snodgrass Creek which is tributary to Dempsey Creek. (See attached detailed explanation)

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 of Applicant

Elaine F. Nye

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by KM Date 11-19-12 Time _____ Preliminary check by KM

Fee \$ \$100.00 Received by KM Receipt No. E038192 Date 11-19-12

29-14042

STATE 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 Bar None Ranch LLC 's authority to transact
(name of corporation or partnership)
business in Idaho.

or

b) I, _____ of _____, County
(name) (city)
of _____, State of _____, being duly sworn, depose
and say, that I am the _____ for _____;
(title) (name of corporation or partnership)
that as such I have legal authority to sign this affidavit on behalf of _____
(name of corporation or partnership)
and that _____ 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.

Signature

Print title if applicable

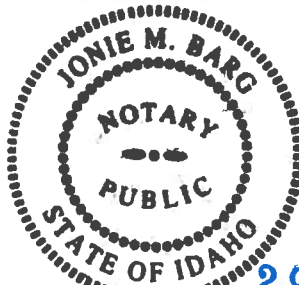
Date

STATE OF IDAHO)

County of Bonneville) ss

Subscribed and sworn (or affirmed) before me this 19th day of November, 2012.

SEAL



Notary Public

Residing at

My Commission Expires

Jonie M. Barch
Idaho Falls, Idaho
July 24, 2012

State of Idaho

Office of the Secretary of State

CERTIFICATE OF EXISTENCE

OF

BAR NONE RANCH, LLC

File Number W-75788

I, BEN YSURSA, Secretary of State of the State of Idaho, hereby certify that I am the custodian of the limited liability company records of this State.

I FURTHER CERTIFY That the records of this office show that the above-named limited liability company filed articles of organization in Idaho on 7/03/2008.

I FURTHER CERTIFY That the limited liability company's articles of organization have not been dissolved.

Dated: 10/29/2012 9:06 AM



Ben Ysursa

SECRETARY OF STATE

Authentic Access Idaho Document (<http://www.accessidaho.org/public/portal/authenticate.html>)
Tag: b5ae5f5ff8d7408736692d9681439282e545d586aa28d2a73b1473dc64041d67ea9edfe898b63cb9

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIdent. No. 29-14042**SUPERCEDED****APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Bar None Ranch, LLC (Blaine F. Nye, Mgr.) Phone 360-650-0777
 Mailing address: 1200 Bay Laurel Name connector (check one): ☐ and ☐ or ☐ and/or
 State CA Zip 94024 City Menlo Park Email: blaine@scginc.com
 2. Source of water supply Springs feeding Snodgrass Creek which is a tributary of Dempsey Creek (see attached)
 3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
10S	38E	28		NE	NW		Bannock	? Springs of Snodgrass Cree	

4. Water will be used for the following purposes:

Amount .089 for Power Generation purposes from Jan 1 to Dec 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)
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5. Total quantity to be appropriated is (a)
- .09
- cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

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- a. Describe type and size of devices used to divert water from the source. See attached Explanation
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 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
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- 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. _____

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- e. Other; describe fully. See attached for buried reservoir tank holding less than 300 gallons of water.

SUPERCEDED

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10S	38E	28		P															

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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.

Blaine E. Nye 11/8/12
Signature of Applicant

Signature of Applicant

Blaine E. Nye, Manager
Print Name (and title, if applicable)

Print Name (and title, if applicable)

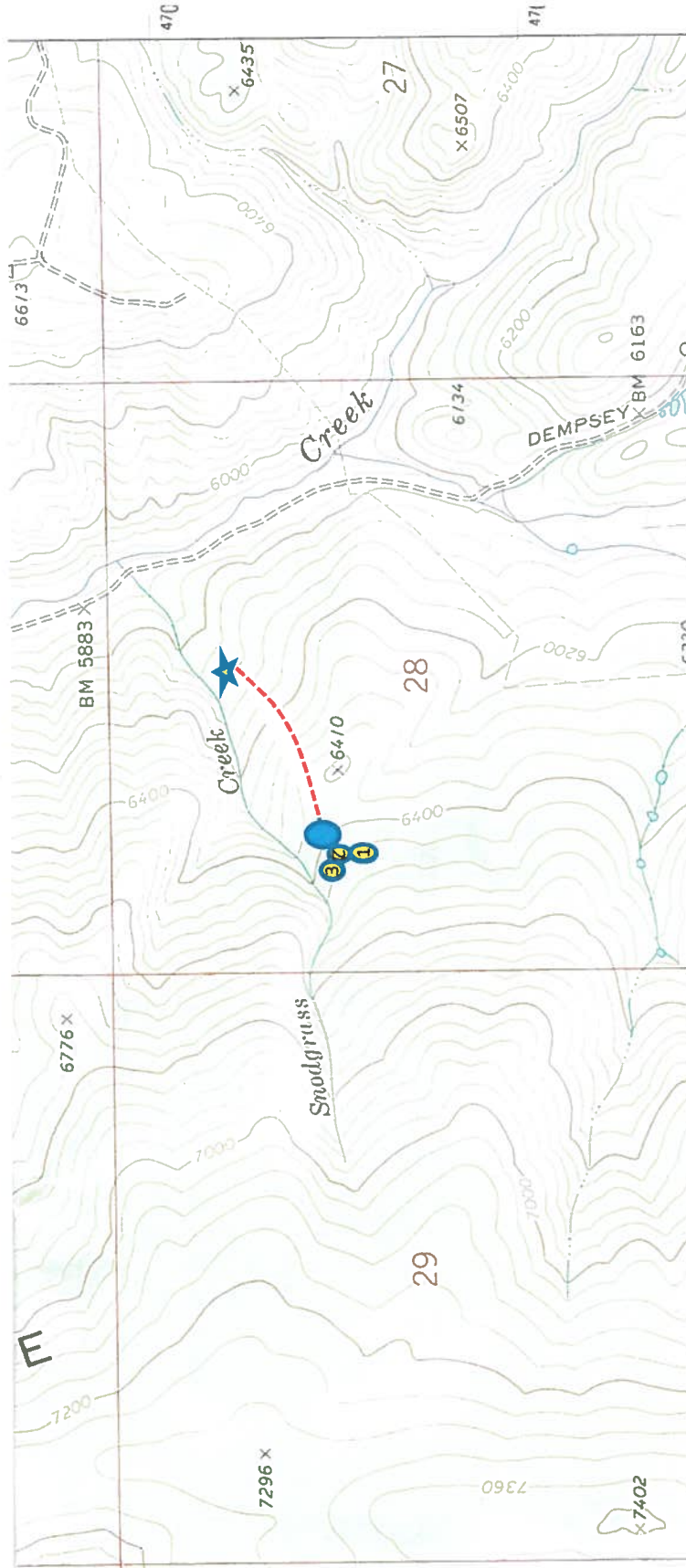
For Department Use:

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ _____ Received by _____ Receipt No. _____ Date _____

Bar None LLC Snodgrass Spring Project

- *All work will be performed using a backhoe and hand tools, shovel, etc.) No equipment will operate in primary stream channel, minimizing impacts to the extent possible within the project area.*
- *Development Process:*
 - *Using a backhoe, each spring will be dug out to enhance stream flow;*
 - *a impervious barrier plastic barrier placed,*
 - *a perforated pipe laid to collect water,*
 - *washed rock deposited,*
 - *a second plastic barrier will covering the spring area,*
 - *and finally 3'-4' of dirt will cover the spring area to prevent freezing.*
 - *1-2" Pipe will run from the developed springs to the reservoir*
 - *Pipe to be buried 4' deep to prevent freezing*
 - *Underground reservoir will be constructed in same manner as the springs*
 - *Buried under 4' of dirt to prevent freezing*
 - *An overflow pipe will be installed*
 - *excess water to flow back to the Snodgrass stream bed*
 - *A buried 3" HDPE (or PVC) pipeline will be directed NNE along a logging road to the powerhouse constructed within 200' of the cabin (primary use site)*
 - *Minimal to no ecological impact*
 - *A buried 3" HDPE pipe will run from the power house to return 100% of the water to Snodgrass Creek.*

Penstock Map



Diversion Point



Springs 1, 2, 3



Penstock



Buried Reservoir



Powerhouse/Cabin

Point of Use

Lat: 42.530109, -Long: 112.019223

Diversion Point

Lat: 42.528749, Long:-112.025402

Distance from Diversion Pt. to Pt. of Use: ~1380'

Ownership

- All adjacent land for both the Springs and Snodgrass Creek is owned by Roland Evans, Bar None Ranch, LLC, and Storch Family Trust.

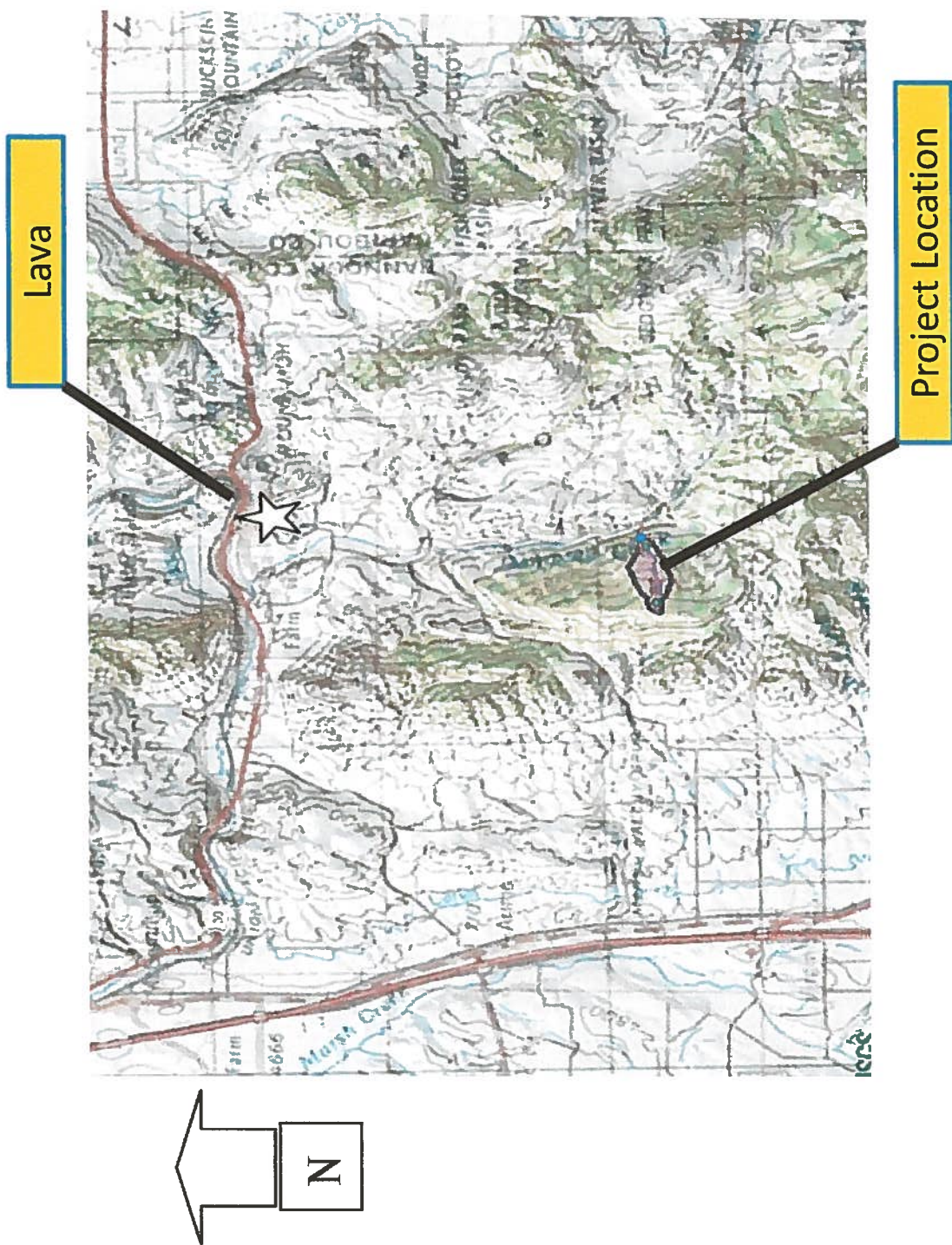
- **Address:**

Bar None Ranch, LLC, Roland Evans, Storch Family Trust
1200 Bay Laurel
Menlo Park, CA 94025

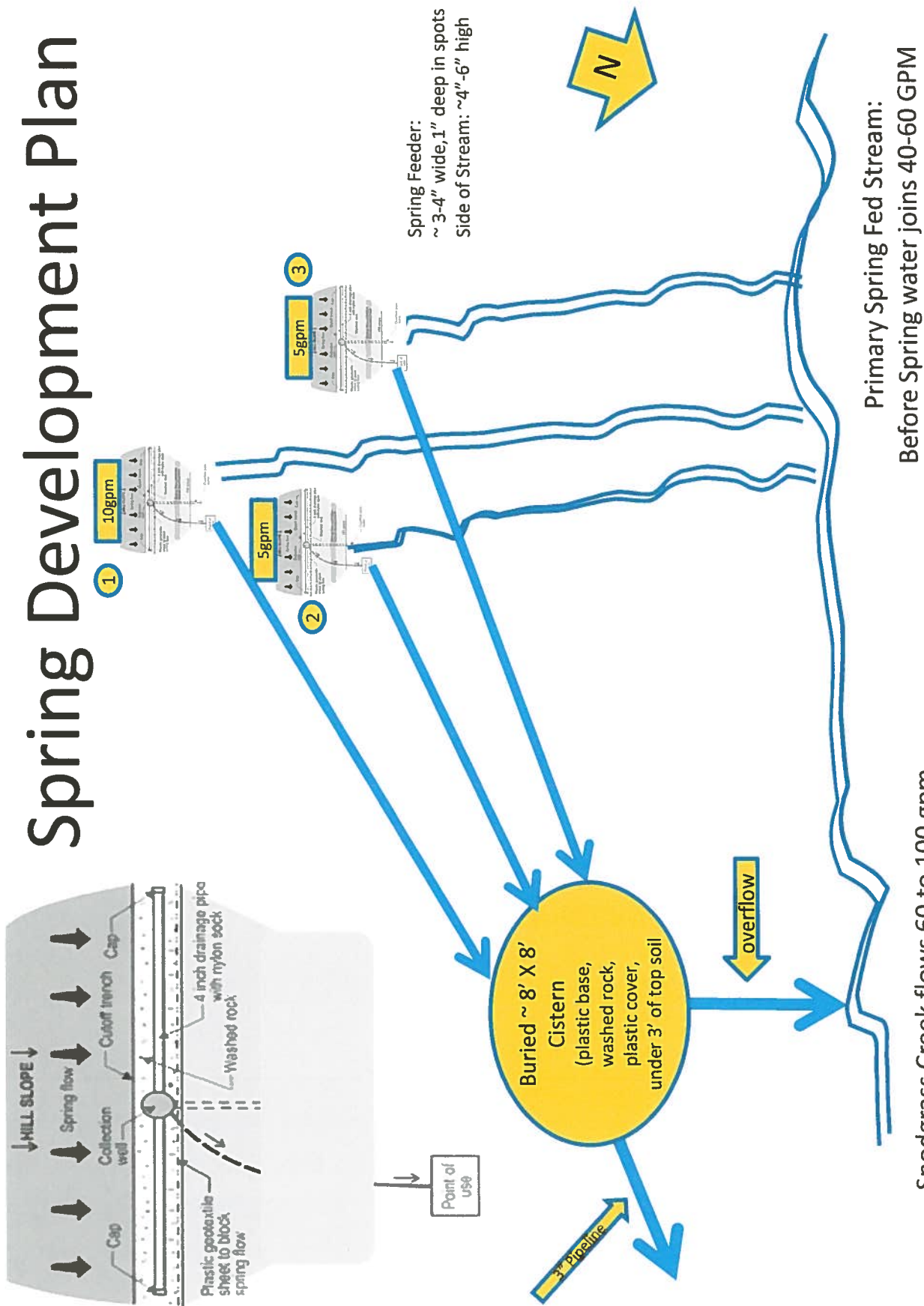
- **Approvals**

All family members offer no objection to this project.

Proximity to Lava Hot Springs

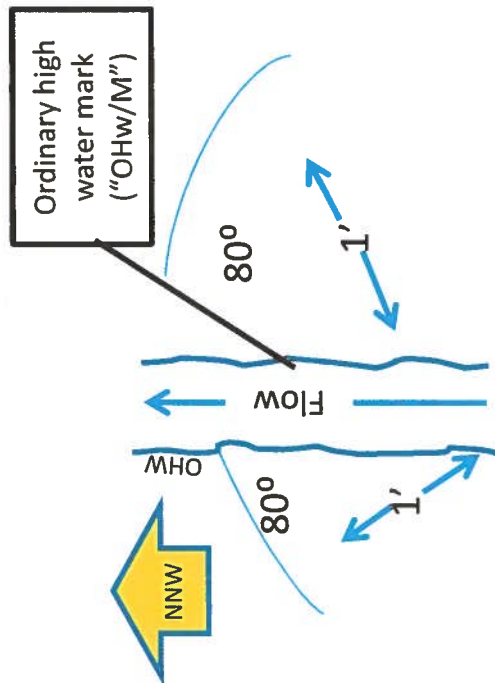


Spring Development Plan

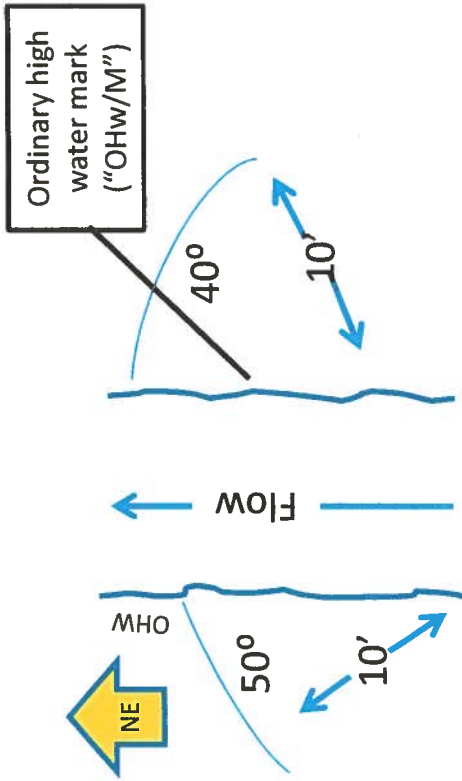


Note: pipe size from spring to reservoir may vary from 1" to 2" - TBD

Plan View from each of 3 Spring to
Snodgrass Creek



Plan View of Snodgrass Creek



The three streambeds are similar in size, very small. There is no erosion issue as tree limbs and grass cause the springs to flow slowly to Snodgrass Creek.

Distance from Spring to Snodgrass Creek	
Spring 1	~200'
Spring 2	~600'
Spring 3	~150'

Regional Precipitation

Year	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jly	Aug	Sept	Yrly Avg
2008	1.5	1.7	2.2	5.6	5.4	3.2	3.5	3.1	3.3	0.7	0.5	1	31.7
2009	0.9	3	2.8	5.6	2.7	3.4	5.1	3.5	4.5	2.1	0.8	0.8	35.2
2010	1.5	1.7	1.4	3.1	4.4	1.8	3.9	4.3	5.6	1.3	1	1.7	31.7
2011	1	5.5	7	5	2.6	5	6	5	4.4	1.3	1.2	0.8	44.8
2012	2.6	2.6	2.2	2.5	3.7	3.6	3.4	2.5	2.6	0.7	1.4	1.5	29.3
5 Yr Average													34.5
% below 5 year a													15%

2012 precipitation is 29.3" or ~ 15% below the 5 Year Average

A return to normal precipitation is expected, resulting in more normal flow from springs of up to 40+ GPM.

Power Calculations

Pipeline Length	1830
Transmission Loss	0%
Total Stream Flow - GPM	60-100
% of Stream Diverted	40%
Pipeline size	3"
Altitude - Diversion	6400
Altitude - Return	6040
Gross Head	360
Head LOSS	-4.7
Net Head	355
PSI Loss	-10.8
Net GPM	40.0
Efficiency	80%
PSI	143
Watts	1137
KWH/Day	27

PSI calculation:
PSI X 2.31 = No. of head feet.

KWH Power calculation:
Head = Altitude at Diversion minus Altitude at Powerhouse
Head less pipe friction loss times GPM divided by 10.

Power Use

Max Power Use in KWH/Day	Occupied	UnOccupied
Home Usage	23	4
Fan Circulation (Heating)	4	4
Electric Heat	0	19
Total	27	27

Powerhouse

Concrete powerhouse in hillside

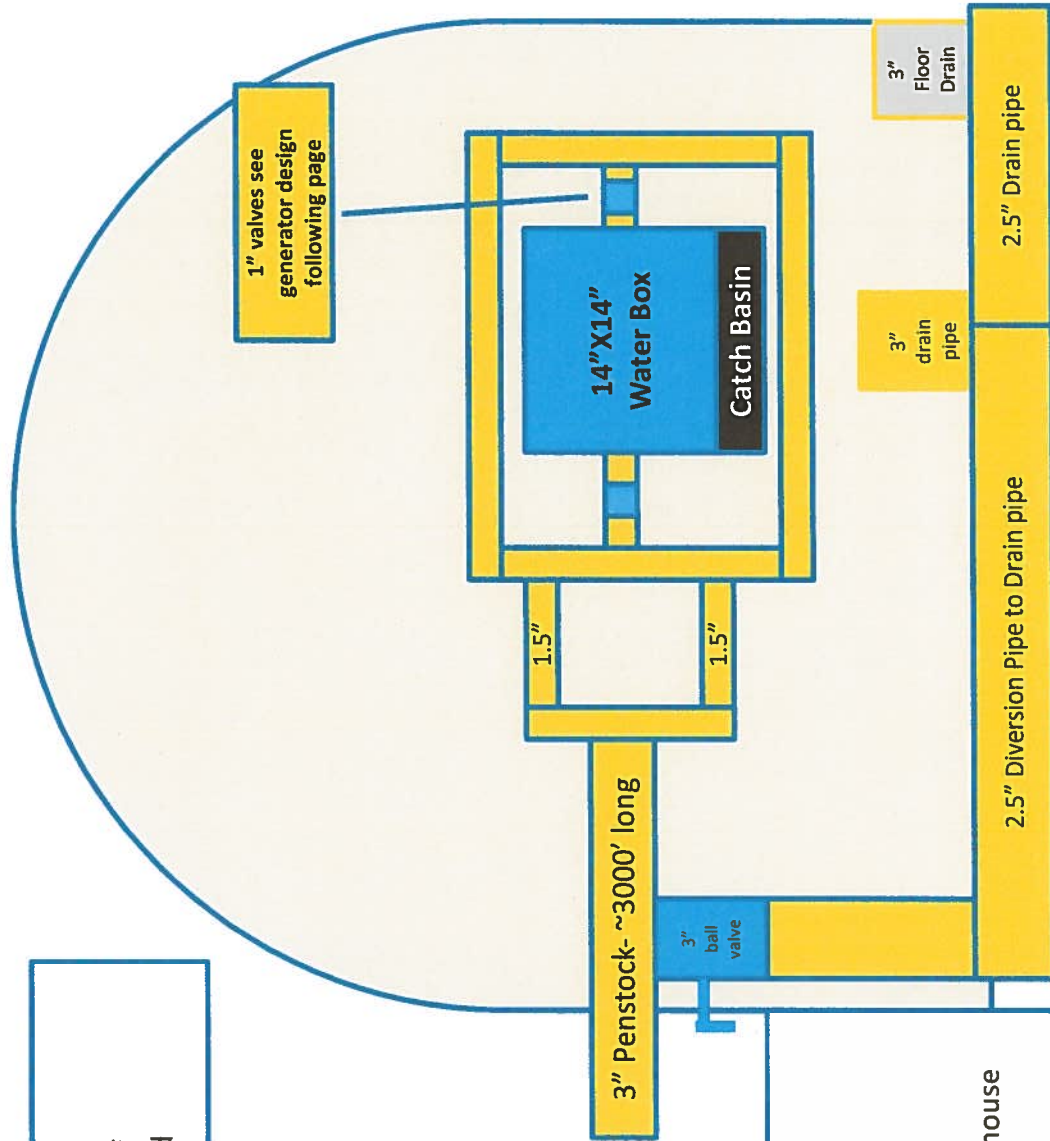
- 8' W X 12' L X 8' H concrete walls/roof
- Wet room and dry room needed



14X14 PVC
Catch basin

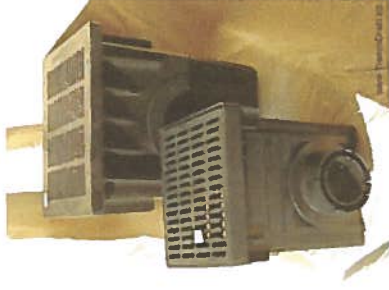
Penstock

- 3" HDPE 200 lb pipe
- 5 Concrete Blocks: 1 every 500 ft.
- 1 Large concrete restraining block at powerhouse



Private: Do not copy, do not Publish

Alternative Power and Machine (“APM”) Generator Model 1800



- Generates ~.8 to 1.4 KWH DC at 30 gpm w/ ~180 PSI.
- Requires 14" X 14" catch basin connected to 3" PVC pipe below the blue water box



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 28, 2012

BAR NONE RANCH LLC
1500 BAY LAUREL
MENIO PARK, CA 94025

Application For Permit No. 29-14042

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 IDAHO STATE JOURNAL on December 6 and 13, 2012. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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,

Sharla Cox
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 28, 2012

STATE OF IDAHO
DEPARTMENT OF FISH & GAME
1345 BARTON RD
POCATELLO ID 83201

Application to Permit No. 29-14042

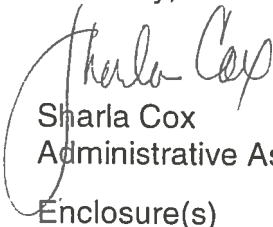
STATE OF IDAHO :

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

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

Sincerely,



Sharla Cox
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 28, 2012

STATE OF IDAHO
DEPARTMENT OF ENVIRONMENTAL QUALITY
444 HOSPITAL WAY #300
POCATELLO ID 83201

Application to Permit No. 29-14042

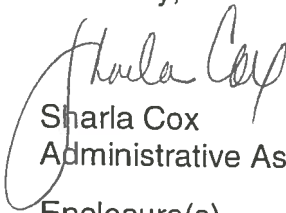
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Please contact this office if you have any questions regarding the application.

Sincerely,



Sharla Cox
Administrative Assistant

Enclosure(s)

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, November 28, 2012 2:32 PM
To: 'ID State Journal (stubbs@journalnet.com)'
Subject: Legal Notice for your paper
Attachments: Id State Journal Cover Ltr.RTF

Contacts: Idaho State Journal

Sharla

Sharla Cox
Administrative Assistant
Idaho Department of Water Resources
900 N. Skyline Dr. Ste. A
Idaho Falls ID 83402
208-525-7161 - telephone
208-525-7177 - fax
sharla.cox@idwr.idaho.gov

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

29-14042

BAR NONE RANCH LLC
1500 BAY LAUREL
MENIO PARK, CA 94025

Point of Diversion

SWNENW S28 T10S R38E

SWNENW S28 T10S R38E

NWSENW S28 T10S R38E

BANNOCK County

Source UNNAMED SPRING Tributary UNNAMED STREAM

Use: POWER

01/01 to 12/31 0.09 CFS

Total Diversion: 0.09 CFS

Date Filed: 11/19/2012

Place Of Use: POWER

T10S R38E S28 NWNE

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 December 24, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on December 6 and 13, 2012

Mathews, Kerrie

From: Mathews, Kerrie
Sent: Thursday, November 15, 2012 4:01 PM
To: 'blaine@scginc.com'
Subject: Permit to Appropriate Water 29-14042
Attachments: Amended Application & Affid Form.pdf

Good Afternoon Blaine;

I have been reviewing your application to appropriate water for Power use. I found a couple of errors that need to be corrected on the application. I have attached an amended application for your signature.

1. The Department does not have Snodgrass creek listed by name. We have it as an un-named stream.
2. Since there are three springs you need to have three points of diversion. In addition, a spring must be detailed down to the 10 acre tract. Based on maps I placed the springs in the SW of NENW quarter. Please let me know if you think this is incorrect.
3. I changed the amount to .09 cfs to be consistent with the total requested.
4. I received your certificate of existence however, Form 205/206 Affidavit for Water rights to be used for power purposes is a requirement and must be completed (attached).

The Department charges fees based on the total cfs requested. In your case the .09 cfs equates to \$100.00. The check is for \$250.00, would you like me to void the check and you can send a new one, or would you like me to send you a refund? I also need a copy of Ferc's response when you receive it.

If you have any questions please let me know.

Thank you,

Kerrie A Mathews
Idaho Department of Water Resources
208.525.7161

"Keep in mind that the true measure of an individual is how he treats a person who can do him absolutely no good."
-Ann Landers

RECEIVED

NOV 13 2012

Department of Water Resources
Eastern Region

Blaine F Nye, Manager
Bar None Ranch, LLC
1200 Bay Laurel
Menlo Park, CA 94025

Phone: 650-326-0777
Email: blaine@scginc.com

11/6/2012

Ms. Kerrie Mathews
Idaho Water Resources Board
900 N Skyline Drive # A
Idaho Falls, ID 83402

Dear Ms. Mathews,

Attached is my check for \$250 covering fees to develop three (3) springs that feed Snodgrass Creek. Also enclosed is IDWS Application for Permit to develop the springs and divert water to generate power for the single home on the ranch. The FERC permit was filed on line on November 2, 2012. We are awaiting a response.

If you have any questions or concerns, please contact us at the address above or by email.

Thank you.

Best Regards,



Blaine F Nye
Bar None Ranch, LLC