

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR PERMIT**

To appropriate the public water of the State of Idaho

RECEIVED

AUG 13 2012

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

1. Name: OLD CURRAN RANCH LLC  
PO BOX 3398  
HAILEY ID 83333  
208-720-2987

2. Source: WASTE WATER Tributary to: BILLINGSLEY CREEK

3. Location of Point of Diversion:

- #1 WASTE WATER NW1/4SE1/4NW1/4 Sec. 24, Twp 07S, 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> |
|----------------------|-------------|-----------|--------------------------|----------------------|
| WILDLIFE             | 01/01       | to 12/31  | 6.00 CFS                 |                      |
| DIVERSION TO STORAGE | 01/01       | to 12/31  | 6.00 CFS                 |                      |
| WILDLIFE STORAGE     | 01/01       | to 12/31  |                          | 43.9 AF              |

5. Total quantity to be appropriated is: 6.00 CFS 43.9 AF

6. Proposed diverting works:

POINT OF DIVERSION #1

a. Type and size of devices used to divert water from the source: WASTE WATER FROM LEMMON FISH HATCHERY ENTERS BURIED PIPELINE WHICH DISCHARGES INTO AN OPEN DITCH.

- 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).

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8. To appropriate the public water of the State of Idaho

**PLACE OF USE:** WILDLIFE

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |   |  |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|---|--|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |   |  |
| 07S | 13E | 23  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X      | X |  |

**PLACE OF USE:** WILDLIFE STORAGE

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |   |  |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|---|--|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |   |  |
| 07S | 13E | 23  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X      | X |  |

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

Point of Diversion #1: LEMMON GEORGE - Water has entered a ditch which flows to our property for many years.

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.

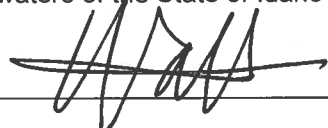
APPLICANT

10. Remarks:

Application filed to appropriate waste water that has entered an existing pond for many years. Existing water right 36-16857 is utilized for this same pond; therefore this appropriation should result in no increased consumptive use. Listed storage volume of 43.9AF reflects amount of pond volume located on our property and evaporative storage losses of this portion of the pond. Pond volume is estimated at 22.5 AF which reflects pond surface area of 7.5 acres on our property times an estimated average depth of 3 feet. Evaporative losses are estimated at 21.4 AF which reflects the 7.5 acres times 2.86 AF per acre. (precipitation deficit value obtained from U of I website)

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.

 , president  
Applicant

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

Received by jreeder Date 8/13/12 Time \_\_\_\_\_ Preliminary check by jreeder  
Publication prepared by DM Date 8/30/2012 Published in Times News  
Publication approved \_\_\_\_\_ Date 7 Sept. 6 & 13, 2012

Receipt No. 5032735

Date: 8/13/12

Received by: jreeder

|                                                                                                                                                        |            |                                                                                                                                                   |            |                                                           |                  |             |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------------------------------------------------------|------------------|-------------|--|
| <b>No. W 18961</b>                                                                                                                                     |            | <b>Due no later than Apr 30, 2012<br/>Annual Report Form</b>                                                                                      |            | <b>2. Registered Agent and Address<br/>(NO PO BOX)</b>    |                  |             |  |
| Return to:<br>SECRETARY OF STATE<br>700 WEST JEFFERSON<br>PO BOX 83720<br>BOISE, ID 83720-0080<br><br><b>NO FILING FEE IF<br/>RECEIVED BY DUE DATE</b> |            | <b>1. Mailing Address: Correct in this box if needed.</b><br>OLD CURRAN RANCH, LLC<br>WAYNE E ROTH<br>P.O. BOX 2040<br>SUN VALLEY ID 83353<br>USA |            | HOWARD B JONES<br>305 CLUBHOUSE DRIVE<br>KETCHUM ID 83340 |                  |             |  |
|                                                                                                                                                        |            |                                                                                                                                                   |            | <b>3. <u>New</u> Registered Agent Signature:*</b>         |                  |             |  |
| <b>4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.</b>                                                    |            |                                                                                                                                                   |            |                                                           |                  |             |  |
| Office Held                                                                                                                                            | Name       | Street or PO Address                                                                                                                              | City       | State                                                     | Country          | Postal Code |  |
| MEMBER                                                                                                                                                 | WAYNE ROTH | PO BOX 2040                                                                                                                                       | SUN VALLEY | ID                                                        | USA              | 83353       |  |
| MEMBER                                                                                                                                                 | TERRY ROTH | PO BOX 3977                                                                                                                                       | KETCHUM    | ID                                                        | USA              | 83340       |  |
| <b>S. Organized Under the Laws of:</b><br><b>ID</b><br><b>W 18961</b>                                                                                  |            | <b>6. Annual Report must be signed.*</b>                                                                                                          |            |                                                           |                  |             |  |
|                                                                                                                                                        |            | Signature: Wayne Roth                                                                                                                             |            |                                                           | Date: 02/18/2012 |             |  |
|                                                                                                                                                        |            | Name (type or print): Wayne Roth                                                                                                                  |            |                                                           | Title: President |             |  |
| Processed 02/18/2012                                                                                                                                   |            | * Electronically provided signatures are accepted as original signatures.                                                                         |            |                                                           |                  |             |  |



36-16948



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380  
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

August 30, 2012

OLD CURRAN RANCH LLC  
PO BOX 3398  
HAILEY, ID 83333

RE: Application For Permit No. 36-16948

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 9/6/2012 and 9/13/2012**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**September 24, 2012**).

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,

Denise Maline  
Administrative Assistant

**Maline, Denise**

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**From:** Maline, Denise  
**Sent:** Thursday, August 30, 2012 10:04 AM  
**To:** Times News  
**Subject:** LEGAL NOTICE  
**Attachments:** Times News Cover Letter.docx; Times News Ad.docx

Attached please find (1) legal notice being submitted for publication on September 6<sup>th</sup> & 13<sup>th</sup>, 2012. Please 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  
1341 Fillmore St, Ste 200  
Twin Falls, ID 83301  
(208) 736-3033  
[denise.maline@idwr.idaho.gov](mailto:denise.maline@idwr.idaho.gov)

August 30, 2012

**LEGAL NOTICE DEPARTMENT**  
**TIMES NEWS**  
**PO BOX 548**  
**TWIN FALLS, ID 83303-0548**

RE: Application For Permit No.(s): 36-16948

RE: Transfer No. 77952

Water Right No(s): 36-8402, 36-2430, 36-8008, 36-16045, 36-16047, 36-16049, 36-16051,  
36-16053, 36-16055

RE: Transfer No. 78100

Water Right No(s): 45-14422, 45-14424

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 September 24, 2012. 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:

**36-16948**

OLD CURRAN RANCH LLC

PO BOX 3398

HAILEY, ID 83333

Point of Diversion NWSNW S24 T07S R13E GOODING County Source WASTE WATER Tributary BILLINGSLEY CREEK

Use: DIVERSION TO STORAGE 01/01 to 12/31 6 CFS

Use: WILDLIFE 01/01 to 12/31 6 CFS

Use: WILDLIFE STORAGE 01/01 to 12/31 43.9 AF

Total Diversion: 6 CFS 43.9 AF

Date Filed: 8/13/2012

Place Of Use: WILDLIFE & WILDLIFE STORAGE

T07S R13E S23 SWSE SESE

Application proposes diverting up to 6.0 cfs of waste water for wildlife use associated with an existing pond located approximately 1.0 mi. south of the city of Hagerman and west of HWY 30. The waste water has historically been delivered through a ditch from an existing fish hatchery located approximately 0.2 mi. south and 1.0 mi. east of the city of Hagerman.

#### **NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

##### **TRANSFER NO. 78100**

KARLA WARD and DANIEL G WARD, 227 E 400 S, BURLEY, ID 83318 has filed Application No. 78100 for changes to the following water rights within CASSIA County(s): Right No(s). 45-14422, 45-14424. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes converting a 0.06 cfs (8.6 acre) portion of a groundwater irrigation right to stockwater and commercial uses associated with a new feedlot operation located approximately 5.25 -5.5 miles south and 4.8 - 5.0 miles west of the center of Burley (Overland and Main St. intersection). An existing domestic well, located approximately 0.25 mile north of the proposed feedlot site, and a new well to be drilled at the proposed feedlot site will be used to provide water for the feedlot operation.

#### **NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

##### **TRANSFER NO. 77952**

HORIZON ORGANIC DAIRY LLC, 2577 E 500 S, PAUL, ID 83347 has filed Application No. 77952 for changes to the following water rights within JEROME County(s): Right No(s). 36-8402, 36-2430, 36-8008, 36-16045, 36-16047, 36-16049, 36-16051, 36-16053, 36-16055. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes creating a new authorized place of use for nine ground water irrigation rights, 36-2430, 36-8008, 36-8402, 36-16045, 36-16047, 36-16049, 36-16051, 36-16053 and 36-16055 that are currently used on a farm located approximately 10-12.8 mi. west and 6.3-7.3 mi. north of Burley. The applicants propose shifting acres for the new authorized 1520 acre place of use to reflect the actual irrigated acres. Four existing wells will divert up to a total of 18.92 cfs and 4078.4 AF to irrigate 1018.6 acres.

Permits will be subject to all prior water rights. For additional information concerning the property location, 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/ExtSearch/WRFiling.asp](http://www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp). 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, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before September 24, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on September 6<sup>th</sup> & 13<sup>th</sup>, 2012



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

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C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

August 30, 2012

CINDY YENTER  
WATER DISTRICT #130  
1341 FILLMORE ST, STE 200  
TWIN FALLS, ID 83301

*Hand Delivered*

RE: Transfer No. 77952

Water Right No(s): 36-8402, 36-2430, 36-8008, 36-16045, 36-16047, 36-16049,  
36-16051, 36-16053, 36-16055

RE: Application for Permit No. 36-16948

Dear Ms. Yenter:

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)