

RECEIVED

AUG 15 2012

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIdent. No. 65-23479

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

WATER RESOURCES
WESTERN REGION1. Name of applicant(s) Big Willow Ranch LLC Phone 208-739-1939
Name connector (check one): ☒ and ☐ or ☐ and/orMailing address: 1 Dixie Lane City PayetteState ID Zip 83661 Email: _____2. Source of water supply Dry Creek which is a tributary of Big Willow Creek

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
09N	02W	27		NE	SE		Payette	Dry Creek	

4. Water will be used for the following purposes:

Amount 1800 AF for irrigation storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)Amount 150 cfs for diversion to storage purposes from 10/1 to 6/15 (both dates inclusive)
(cfs or acre-feet per year)Amount 1800 AF for irrigation from storage purposes from 2/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per year)Amount 10 cfs for irrigation purposes from 3/1 to 6/15 (both dates inclusive)
(cfs or acre-feet per year)5. Total quantity to be appropriated is (a) 150 cubic feet per second (cfs) and/or (b) 1800 acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. 30 ft high diversion dam,
80 ft high dam for storageb. Height of storage dam 80 feet; active reservoir capacity 1782 acre-feet; total reservoir capacity
1800 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 ☐ Noc. Proposed well diameter is N/A 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? N/A; 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. _____

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. _____

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	
8N	2W	9	see map attached to previous application																
		8																	
		7																	

Total number of acres to be irrigated: 740

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? 65-7603, 65-7136, 65-22979

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

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

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. This application is to utilize the entire storage capacity of the reservoir, and any additional refill during the 3/1 thru 6/15, and any direct flow during the same period of 3/1 thru 6/15.

12. Time required for completion of works and application of water to proposed beneficial use is 5 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.

JG. Schwarz
Signature of Applicant
JG. SCHWARZ
Print Name (and title, if applicable)

Big Willow Ranch LLC
Signature of Applicant

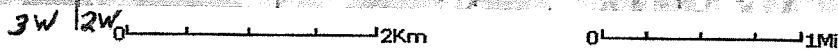
Print Name (and title, if applicable)

For Department Use:

Received by KKC Date 7-15-12 Time 1:59 Preliminary check by KKC & SL
Fee \$ 3100.00 Received by \$530 SL for SB Receipt No. W039860 Date 1-20-12
\$2580 SL for RS W039932 2-22-12
no additional fees necessary.

Change to Landscape

USGS 58 km NE of Boise, Idaho, United States 04 Jun 1998



© 2004 Microsoft Corporation. **Terms of Use** **Privacy Statement**

Block 1

21 9 29 30 36 39 86 27

ALL 1/4's & 40s ACRES EACH
EXCEPT AS NOTED ABOVE



T8N R2W
S. 7, 8, 9
65-23479
POL MAP

PLACE OF USE = 740 ACRES
IN 1672 ACRES AREA
(ALL IN APPLICANT'S HAND)
(* balance of those tracts covered
by Section 65-22979)

RECEIVED

FEB 21 2012

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

Ident. No. 65-23479WATER RESOURCES
WESTERN REGION1. Name of applicant(s) Big Willow Ranch LLC Phone 208-739-1939
Name connector (check one): ☐ and ☐ or ☐ and/orMailing address: 1 Dixie Lane City PayetteState ID Zip 83661 Email: _____2. Source of water supply Dry Creek which is a tributary of Big Willow Creek

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
09N	02W	27		NE	SE		Payette	Dry Creek	

4. Water will be used for the following purposes:

Amount 740 AF for irrigation storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)Amount 150 CFS for diversion to storage purposes from 10/1 to 3/31 (both dates inclusive)
(cfs or acre-feet per year)Amount 740 AF for irrigation from storage purposes from 3/1 to 11/15 (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) 150 cubic feet per second (cfs) and/or (b) 740 acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. 30 ft high diversion dam,
80 ft high dam for storageb. Height of storage dam 80 feet; active reservoir capacity 1782 acre-feet; total reservoir capacity
1800 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 ☐ Noc. Proposed well diameter is N/A 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? N/A; drilling firm _____;Well was drilled for (well owner) _____; Drilling Permit No. N/A

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. _____

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. _____

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	
8N	2W	9																	
		8	} see attached map																
		7																	

Total number of acres to be irrigated: 740

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? 65-7603, 65-7136
65-22979

10. a. Who owns the property at the point of diversion? JG. Schwarz
- b. Who owns the land to be irrigated or place of use? JG Schwarz
- 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. This application is to modify permit no 65-22979
(additional 740 af) to be used on new ground as
described above.

12. Time required for completion of works and application of water to proposed beneficial use is 5 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.

JG. Schwarz ^{sole member} Big Willow Ranch LLC
Signature of Applicant

Signature of Applicant

JG. Schwarz
Print Name (and title, if applicable)

Print Name (and title, if applicable)

For Department Use:

Received by RL Date 2/21/12 Time 10:05 Preliminary check by _____

Fee \$ 3110 Receipted by RL for SB Receipt No. W039860 Date 1/20/2012

\$530 →
\$2580 → RL for RS

W039932

2/22/2012

RECEIVED

JAN 20 2012

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 65-23479WATER RESOURCES
WESTERN REGION

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Big Willow Ranch LLC Phone 208-739-1939
Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address: 1 Dixie Lane City PayetteState ID Zip 83661 Email: _____2. Source of water supply Dry Creek which is a tributary of Big Willow Creek

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
09N	02W	27		NE	SE		Payette	Dry Creek	

4. Water will be used for the following purposes:

Amount 1800 AF for irrigation storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)Amount 350 CFS for diversion to storage purposes from 10/1 to 3/31 (both dates inclusive)
(cfs or acre-feet per year)Amount 1800 AF for irrigation from storage purposes from 3/1 to 11/15 (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) 350 cubic feet per second (cfs) and/or (b) 1800 acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. 30 ft high diversion dam,
80 ft high dam for storageb. Height of storage dam 80 feet; active reservoir capacity 1782 acre-feet; total reservoir capacity
1800 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 ☐ Noc. Proposed well diameter is N/A 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? N/A; drilling firm _____;Well was drilled for (well owner) N/A; Drilling Permit No. N/A

X 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. _____

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. _____

Superseded

8. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
8N	2W	9																	
		8	exact locations of acres				unknown, once				developed locations								
		7	can be recorded																

Total number of acres to be irrigated: 740

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? 65-7603, 65-7136
65-22979

10. a. Who owns the property at the point of diversion? J.G. SCHWARZ
b. Who owns the land to be irrigated or place of use? J.G. SCHWARZ
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. This application is to modify permit no 65-22979
(additional 740 af) to be used on new ground as described above.

12. Time required for completion of works and application of water to proposed beneficial use is 2 1/16 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.

J.G. Schwarz ^{sole member} Big Willow Ranch LLC
Signature of Applicant
J.G. SCHWARZ
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by RB Date 1/20/12 Time 11:30A Preliminary check by _____
Fee \$ 530.00 Received by RB Receipt No. W039860 Date 1/20/12

[Send To Printer](#)

[Back To TerraServer](#)

[Change to 11x17 Print Size](#)

[Show Grid Lines](#)

[Change to Landscape](#)

USGS 58 km NE of Boise, Idaho, United States 01 Jul 1980

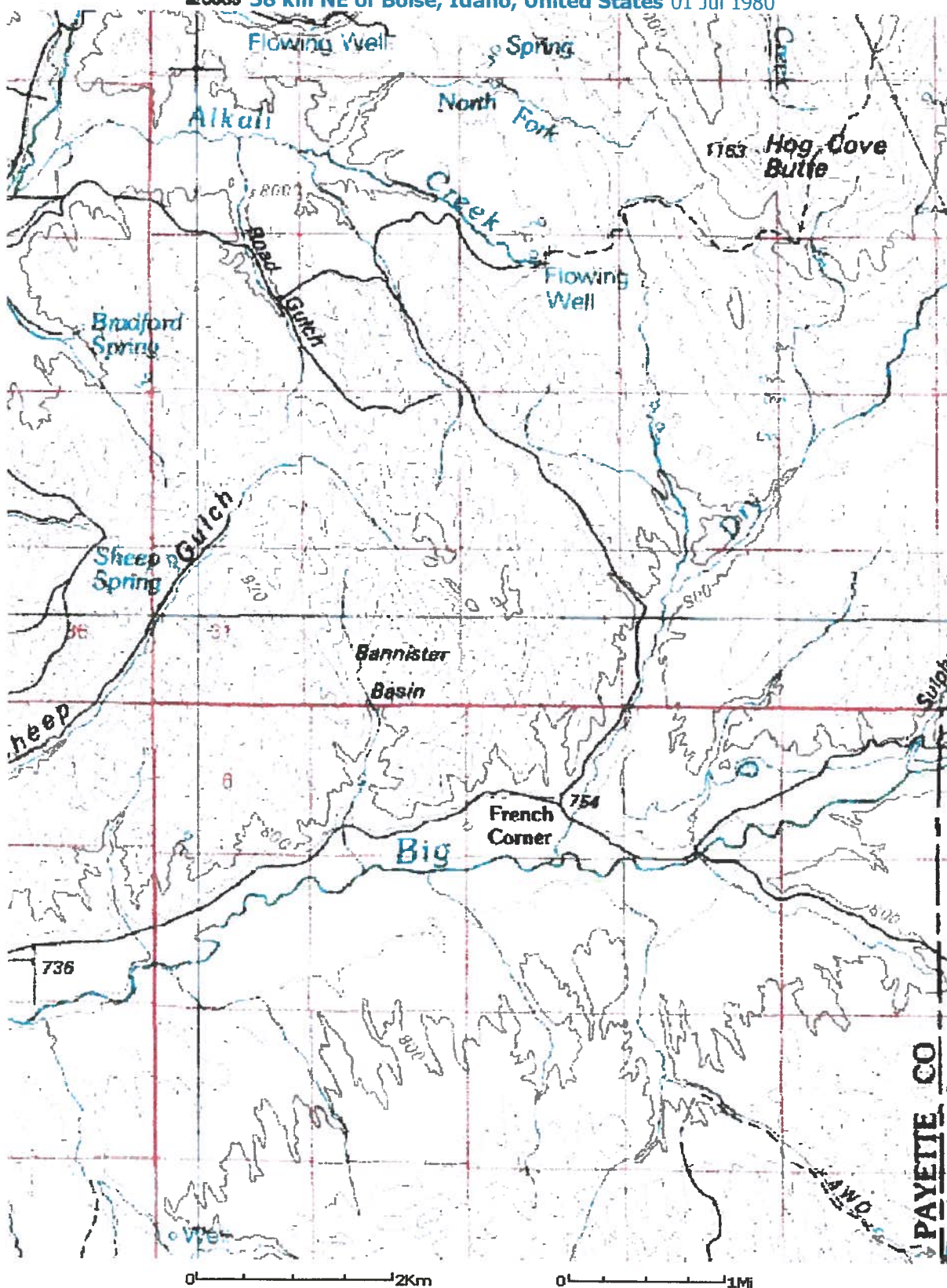


Image courtesy of the U.S. Geological Survey

© 2004 Microsoft Corporation.

[Terms of Use](#)

[Privacy Statement](#)

August 30, 2012

RON SHURTLEFF
WATER DISTRICT #65
102 N MAIN
PAYETTE, ID 83661

RE: Application for Permit No. 65-23479

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. A copy of the application is enclosed with this email for your reference. Please review the application, complete the enclosed recommendation form, and submit your reply, if any, to this office within 21 days.

The protest deadline for any interested party is September 24, 2012. A written protest and the \$25 filing fee must be received by 5:00 p.m. that day in order to be recognized by IDWR.

IDWR will assume you do not object to this application if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Mandi Pearson
Office Specialist II

August 30, 2012

STATE OF IDAHO
DEPT OF FISH & GAME
ATTN: RICK WARD
3101 S POWERLINE RD
NAMPA, ID 83686

RE: Application(s) for Permit No(s). 57-11818, 65-23479

Dear Mr. Ward:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your agency regarding the above referenced water right application(s). A copy of the application(s) is enclosed with this email for your reference. Please review the application(s), complete the enclosed recommendation form(s), and submit your reply, if any, to this office within 30 days.

If your agency desires to formally protest approval of this application(s), you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by September 24, 2012.

IDWR will assume your agency does not object to this application(s) if a timely response is not received. Please contact me if you have any questions regarding the application(s). Thank you for your help.

Sincerely,

Mandi Pearson
Office Specialist II

Pearson, Mandi

From: Pearson, Mandi
Sent: Wednesday, August 29, 2012 3:29 PM
To: 'legals@idahostatesman.com'
Subject: Legal Ad
Attachments: Ada Cover Letter.docx; Ada Legal Notice.docx

Janice,

Please see the attached legal ads for publication 9/6/12 and 9/13/12.

Please confirm that these are ok to publish as shown.

Thanks!

Mandi Pearson

Office Specialist 2
Idaho Department of Water Resources, Western Region
208-334-2190 (ph)
208-334-2348 (fax)

August 29, 2012

LEGAL NOTICE DEPARTMENT

IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Application For Permit No.(s): 63-33669, 65-23479

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 9/24/2012. Your cooperation is appreciated.

Sincerely,

Mandi Pearson
Office Specialist II

Enclosure(s)

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

63-33669

CORP OF THE PRESIDING BISHOP CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS REAL ESTATE SERVICES DIV
50 E NORTH TEMPLE ST
SALT LAKE CITY, UT 84150-6320

Point of Diversion L3(SENE) S23 T04N R01W ADA County Source GROUND WATER
Use: AESTHETIC STORAGE 01/01 to 12/31 12 AF, DIVERSION TO STORAGE 01/01 to 12/31 0.14 CFS, IRRIGATION 03/01 to 11/15 0.14 CFS, IRRIGATION FROM STORAGE 03/01 to 11/15 12 AF, IRRIGATION STORAGE 01/01 to 12/31 12 AF
Total Diversion: 0.14 CFS
Date Filed: 6/27/2012
Place Of Use: AESTHETIC STORAGE, IRRIGATION FROM STORAGE, IRRIGATION STORAGE, IRRIGATION
T04N R01W S23 L3(SENE), NESE
Total Acres: 7
Water bearing zone to be appropriated is from 200 to 300 feet.

65-23479

BIG WILLOW RANCH LLC
1 DIXIE LN
PAYETTE, ID 83661

Point of Diversion NESE S27 T09N R02W PAYETTE County Source DRY CREEK Tributary BIG WILLOW CREEK
Use: DIVERSION TO STORAGE 10/01 to 06/15 150 CFS, IRRIGATION 03/01 to 06/15 10 CFS, IRRIGATION FROM STORAGE 03/01 to 11/15 1800 AF, IRRIGATION STORAGE 01/01 to 12/31 1800 AF
Total Diversion: 150 CFS
Date Filed: 1/20/2012
Place Of Use: IRRIGATION, IRRIGATION FROM STORAGE,
T08N R02W S7, S8, S9
Place Of Use: IRRIGATION STORAGE
T09N R02W S27
Total Acres: 1672
Application proposes irrigating new acres from Bettis Reservoir without enlarging the existing system or the proposed expansion of the reservoir already covered by older rights used for other land. New irrigation limited to 740 acres within 1672 acre area.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190. 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, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 9/24/2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/6/2012 and 9/13/2012

Pearson, Mandi

From: Pearson, Mandi
Sent: Wednesday, August 29, 2012 3:30 PM
To: 'lisaallison@qwestoffice.net'
Subject: Legal Ad
Attachments: Payette Cover Letter.docx; Payette Legal Notice.docx

Lisa,

Please see the attached legal ads for publication 9/5/12 and 9/12/12.

Please confirm that these are ok to publish as shown.

Thanks!

Mandi Pearson

Office Specialist 2
Idaho Department of Water Resources, Western Region
208-334-2190 (ph)
208-334-2348 (fax)

August 29, 2012

LEGAL NOTICE DEPARTMENT

INDEPENDENT ENTERPRISE
124 S MAIN
PAYETTE, ID 83661

RE: Application For Permit No.(s): 65-23479

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 9/24/2012. Your cooperation is appreciated.

Sincerely,

Mandi Pearson
Office Specialist II

Enclosure(s)

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

65-23479

BIG WILLOW RANCH LLC
1 DIXIE LN
PAYETTE, ID 83661

Point of Diversion NESE S27 T09N R02W PAYETTE County Source DRY CREEK Tributary BIG WILLOW CREEK
Use: DIVERSION TO STORAGE 10/01 to 06/15 150 CFS, IRRIGATION 03/01 to 06/15 10 CFS, IRRIGATION FROM STORAGE 03/01 to 11/15 1800 AF, IRRIGATION STORAGE 01/01 to 12/31 1800 AF

Total Diversion: 150 CFS

Date Filed: 1/20/2012

Place Of Use: IRRIGATION, IRRIGATION FROM STORAGE,

T08N R02W S7, S8, S9

Place Of Use: IRRIGATION STORAGE

T09N R02W S27

Total Acres: 1672

Application proposes irrigating new acres from Bettis Reservoir without enlarging the existing system or the proposed expansion of the reservoir already covered by older rights used for other land. New irrigation limited to 740 acres within 1672 acre area.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190. 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, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 9/24/2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/6/2012 and 9/13/2012

Pearson, Mandi

From: Pearson, Mandi
Sent: Wednesday, August 29, 2012 3:40 PM
To: 'legals@lmtribune.com'
Subject: Legal Ad
Attachments: NezPerce Cover Letter.docx; NezPerce Legal Notice.docx

Rachel,

Please see the attached legal ads for publication 9/6/12 and 9/13/12.

Please confirm that these are ok to publish as shown.

Thanks!

Mandi Pearson

Office Specialist 2
Idaho Department of Water Resources, Western Region
208-334-2190 (ph)
208-334-2348 (fax)

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

65-23479

BIG WILLOW RANCH LLC
1 DIXIE LN
PAYETTE, ID 83661

Point of Diversion NESE S27 T09N R02W PAYETTE County Source DRY CREEK Tributary BIG WILLOW CREEK

Use: DIVERSION TO STORAGE 10/01 to 06/15 150 CFS, IRRIGATION 03/01 to 06/15 10 CFS, IRRIGATION FROM STORAGE 03/01 to 11/15 1800 AF, IRRIGATION STORAGE 01/01 to 12/31 1800 AF

Total Diversion: 150 CFS

Date Filed: 1/20/2012

Place Of Use: IRRIGATION, IRRIGATION FROM STORAGE,
T08N R02W S7, S8, S9

Place Of Use: IRRIGATION STORAGE

T09N R02W S27

Total Acres: 1672

Application proposes irrigating new acres from Bettis Reservoir without enlarging the existing system or the proposed expansion of the reservoir already covered by older rights used for other land. New irrigation limited to 740 acres within 1672 acre area.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190. 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, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 9/24/2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/6/2012 and 9/13/2012

August 29, 2012

LEGAL NOTICE DEPARTMENT

LEWISTON TRIBUNE
505 C ST PO BOX 957
LEWISTON, ID 83501

RE: Application For Permit No.(s): 65-23479

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 9/24/2012. Your cooperation is appreciated.

Sincerely,

Mandi Pearson
Office Specialist II

Enclosure(s)

Pearson, Mandi

From: Pearson, Mandi
Sent: Wednesday, August 29, 2012 3:39 PM
To: 'legalnotices@postregister.com'
Subject: Legal Ad
Attachments: Bonneville Cover Letter.docx; Bonneville Legal Notice.docx

Staci,

Please see the attached legal ads for publication 9/6/12 and 9/13/12.

Please confirm that these are ok to publish as shown.

Thanks!

Billing Acct#00042190

Mandi Pearson

Office Specialist 2
Idaho Department of Water Resources, Western Region
208-334-2190 (ph)
208-334-2348 (fax)

August 29, 2012

LEGAL NOTICE DEPARTMENT

POST-REGISTER
PO BOX 1800
IDAHO FALLS, ID 83402

RE: Application For Permit No.(s): 65-23479

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 9/24/2012. Your cooperation is appreciated.

Sincerely,

Mandi Pearson
Office Specialist II

Enclosure(s)

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

65-23479

BIG WILLOW RANCH LLC
1 DIXIE LN
PAYETTE, ID 83661

Point of Diversion NESE S27 T09N R02W PAYETTE County Source DRY CREEK Tributary BIG WILLOW CREEK
Use: DIVERSION TO STORAGE 10/01 to 06/15 150 CFS, IRRIGATION 03/01 to 06/15 10 CFS, IRRIGATION FROM STORAGE 03/01 to 11/15 1800 AF, IRRIGATION STORAGE 01/01 to 12/31 1800 AF
Total Diversion: 150 CFS
Date Filed: 1/20/2012
Place Of Use: IRRIGATION, IRRIGATION FROM STORAGE,
T08N R02W S7, S8, S9
Place Of Use: IRRIGATION STORAGE
T09N R02W S27
Total Acres: 1672

Application proposes irrigating new acres from Bettis Reservoir without enlarging the existing system or the proposed expansion of the reservoir already covered by older rights used for other land. New irrigation limited to 740 acres within 1672 acre area.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190. 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, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 9/24/2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/6/2012 and 9/13/2012

Pearson, Mandi

From: Pearson, Mandi
Sent: Wednesday, August 29, 2012 3:41 PM
To: 'legals@magicvalley.com'
Subject: Legal Ad
Attachments: Twin Falls Cover Letter.docx; Twin Falls Legal Notice.docx

Ruby,

Please see the attached legal ads for publication 9/6/12 and 9/13/12.

Please confirm that these are ok to publish as shown.

Thanks!

Mandi Pearson

Office Specialist 2
Idaho Department of Water Resources, Western Region
208-334-2190 (ph)
208-334-2348 (fax)

August 29, 2012

LEGAL NOTICE DEPARTMENT

TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 65-23479

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 9/24/2012. Your cooperation is appreciated.

Sincerely,

Mandi Pearson
Office Specialist II

Enclosure(s)

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

65-23479

BIG WILLOW RANCH LLC
1 DIXIE LN
PAYETTE, ID 83661

Point of Diversion NESE S27 T09N R02W PAYETTE County Source DRY CREEK Tributary BIG WILLOW CREEK
Use: DIVERSION TO STORAGE 10/01 to 06/15 150 CFS, IRRIGATION 03/01 to 06/15 10 CFS, IRRIGATION FROM STORAGE 03/01 to 11/15 1800 AF, IRRIGATION STORAGE 01/01 to 12/31 1800 AF
Total Diversion: 150 CFS
Date Filed: 1/20/2012
Place Of Use: IRRIGATION, IRRIGATION FROM STORAGE,
T08N R02W S7, S8, S9
Place Of Use: IRRIGATION STORAGE
T09N R02W S27
Total Acres: 1672

Application proposes irrigating new acres from Bettis Reservoir without enlarging the existing system or the proposed expansion of the reservoir already covered by older rights used for other land. New irrigation limited to 740 acres within 1672 acre area.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190. 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, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 9/24/2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/6/2012 and 9/13/2012

MEMORANDUM

TO: File

FROM: Kelly K Christensen

DATE: August 15, 2012

RE: Application for permit 65-23479

This application proposes to add acres to the place of use for storage water currently covered by decreed rights 65-7136 and 65-7603 and permit 65-22979 and to add an irrigation component of 10 cfs from March 1 through June 15 for the new acres. The application also extends the diversion to storage from 10-1 through 3-31 as approved in 65-22979 to 10-1 through 6-15. As an irrigation component and additional storage volume was added to the application the priority date is advanced to Aug 15-2012.

The application is for an additional 740 acres but the applicant indicated that he will probably not develop acreage to that extent. The POU map submitted covers a 1672 acre PPU as the applicant has not established the final location for the proposed center pivots. The permit can be conditioned to be limited to 740 acres within that PPU and the ultimate POU can be determined at licensing.

No additional fees are necessary. Previous fees were based upon 150 cfs which is the greater fee rate when compared to the additional volume increase.

Statewide advertizing is required for this application.

Information establishing compliance with rule 40 F. was submitted demonstrating the applicants financial resources are sufficient to reasonably complete the project as proposed. Other elements of rule 40 have been addressed in permit 65-22979 and no additional information is sought.

Suggested Special Conditions of Approval

- 1) Storage duty of water for 5 af/acre , modified R61: This right when combined with all other storage rights shall provide no more than 5.0 afa of storage water per acre for irrigation of the place of use.
- 2) Use condition 206 to require applicant to identify specific 740 acres to be irrigated prior to diversion. Applicant said the reason he asks for a PPU is that he is not sure exactly where to put new pivots etc. no point in asking him to identify specific acres during application processing.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 6, 2012

BIG WILLOW RANCH LLC
1 DIXIE LN
PAYETTE ID 83661

COPY

Re: 65-23479 Application for Permit

Dear Mr Schwarz

I received your information regarding financial resources and it is acceptable. I started to finalize the application approval but discovered a significant issue.

As the application is structured it is for 740 af of irrigation storage and 740 af of irrigation from storage. The Place of Use (POU) is 740 acres. The packet of information you submitted includes a proposed design for 6 center pivots. The design suggests that the actual irrigated acreage may be closer to 508 acres. Another significant issue is that the POU for this application is for 'new' acres only. No other rights are appurtenant to that ground therefore as currently structured; you would only have the right to apply 740 af to that new ground which does not appear to be sufficient for crops throughout the entire irrigation season. If the 740 af were to be utilized on the 'new' acres only it would effectively eliminate the value of permit 65-22979 as all of that storage would be required for the 'new' POU.

The rate per acre calculates as follows;

Storage acreage	volume per Acre	Legal limit @ 4 af/ac	Rate @ 1 in per acre	
740 af / 740 acres =		<u>1 af per acre</u>	2960 af	14.8 cfs
740 af / 508 acres =		<u>1.5 af per acre</u>	2032 af	10.2 cfs

508ac

In either scenario it would appear that the application as structured would not meet your needs. There are several options that may resolve the issue.

Assumptions / Unknowns

1. The historic POU does not normally require all of the existing storage volume.
2. The diversion rate for the 'new' POU / system is not known. This would have a bearing upon some of the possible solutions.

Possible options;

1. A transfer could be filed to 'stretch' the balance of the storage water across this new acreage (expand the POU for the irrigation from storage associated with 65-7136, and 65-7603. It may also be possible to expand the transfer to create a permissible place of use with many of the other direct flow rights encompassing the 'new' POU.

2. Modify this permit to include a direct flow irrigation component from May 1 to June 15. The issue there would be the availability of direct flow through that time period. If that flow is required to satisfy the historic POU then it would not be available for these 'new' acres.
3. As structured there is a 31 day spring and 46 day fall overlap between the diversion to storage season of use and the irrigation from storage season of use. If there is sufficient flow in Dry Creek during the early and/or fall irrigation season to satisfy the historic rights and still contribute to recharging any depleted storage, additional volume may be able to be recognized.

The possible solutions are not complete nor do they address many details but they do provide a possible direction. Ultimately a meeting probably would be the best method to flesh out the details and finalize the best solution.

Sincerely,



Kelly K Christensen
Sr Water Resource Agent
Western Region

e-mail address kelly.christensen@idwr.idaho.gov

COPY



July 31, 2012

JG Schwarz
6000 Big Willow Rd
Payette, Idaho 83661

Assume received 8/6/12
per dept. letter
that day - JZ

JG

This letter is to document that you are a current borrower with Northwest Farm Credit Services and has an excellent history with our company. We have reviewed your plans to develop additional irrigation benefits from permit #65-23479. This project looks to have substantial benefits and we feel you have the financial strength to complete the project if you decide to proceed.

John R Hall
VP - Agribusiness

Northwest Farm Credit Services
P. O. Box 279
378 West Idaho Avenue,
Ontario, OR 97914

Ph 541-823-2660
Fax 541-823-2665
Cell 208-739-5603

Northwest Farm Credit Services:

"Where knowledge of premier rural properties and expertise in lending come together."

QUOTE

Agri-Lines Irrigation Inc.
115 N 2nd Street
Parma, ID 83660

ORDER #: 0004261
ORDER DATE: 7/27/2012

FRED BUTLER
880-5903

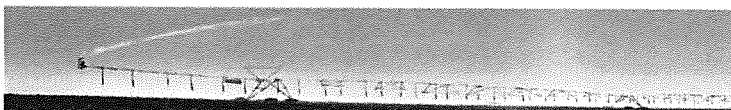
EXCELLENCE IN WATER APPLICATION

QUOTE TO:

BIG WILLOW RANCH
J G SCHWARZ
1 DIXIE LANE
PAYETTE, ID 83661

SHIP TO:

BIG WILLOW RANCH
J G SCHWARZ
1 DIXIE LANE
PAYETTE, ID 83661



CUSTOMER P.O.

CUSTOMER #:
BIG11

SHIPPING INSTRUCTION
PHASE 2 QUOTE

ORDERED	PART #	ITEM DESCRIPTION	PRICE	AMOUNT
1.00	/ELEC SERV PA	ELECTRICAL PARTS PA	8,047.41	8,047.41
1.00	/PIVOT PA	PIVOT PA	678,000.00	678,000.00
		9 PIVOTS		
12,000.00	508027	PIPE, PIP 100# 27" W/GSKT	35.50	426,000.00
2,500.00	508024	PIPE, PIP 100# 24" W/GSKT	27.75	69,375.00
2,500.00	508021	PIPE, PIP 1000# 21" W/GSKT	21.95	54,875.00
4,000.00	508015	PIPE, PIP 100# 15" W/GSKT	10.40	41,600.00
2,140.00	510012	PIPE, PIP 100# 12" W/GSKT	6.95	14,873.00
4,600.00	510008	PIPE, PIP 100# 8" W/GSKT	3.15	14,490.00
1.00	/CUSTOM FAB	PIVOT PLUMBING/FILTERS	24,250.00	24,250.00
1.00	/PA	FITTINGS/THRUST BLOCKS	7,450.00	7,450.00
1.00	/PA	HEADWALL/GATE STRUCTURE	7,500.00	7,500.00
1.00	/PA	INSTALLATION OF PIPE AND WIRE	137,500.00	137,500.00
7,200.00	/PA	500MCM WIRE	7.50	54,000.00
2,100.00	/PA	350MCM WIRE	6.00	12,600.00
2,240.00	CC2/0	CABLECON, 2/0, W/CRTL WIRE	3.00	6,720.00
2,500.00	CC1/0	CABLECON, 1/0, W/CTRL WIRE	2.70	6,750.00
5,740.00	#2	CABLECON, #2, W/CTRL WIRE	2.00	11,480.00

Pipe Installation Subject to Hard Digging Clause to Be Specified In Project Agreement.
Customer will be billed for actual footages used, returns credited for full pipe lengths only.
IDAHO POWER charges not included.
Design changes from NRCS or customer will be subject to additional costs.

NET ORDER: 1,575,510.41
LESS DISCOUNT:
FREIGHT:
SALES TAX:
ORDER TOTAL: 1,575,510.41

ZIMMATIC
BY LINDSAY

Farm Credit Services

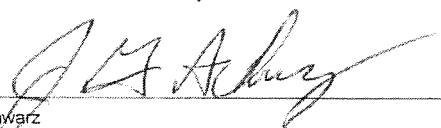
Customer Balance Sheet

Customer Joseph G. Schwarz

Customer No. 056508

ASSETS	J. Schwarz F/S: 4/5/12 Customer 2011 B/S: 4/5/12	LIABILITIES	J. Schwarz F/S: 4/5/12 Customer 2011 B/S: 4/5/12
Cash On Hand	2,000	Accounts Payable	0
Savings/Certificates	0	Operating Line	78,698
Marketable Stocks	60,000	CCC Loans	0
Marketable Bonds	0	Accrued Rent and Taxes	0
Accounts Receivable	0	Accrued Interest	26,898
Principal Due	0	Principal Portion Due	110,957
Accrued Interest	0	Deferred Taxes	0
Products On Hand	0	Other/Miscellaneous	0
Growing Crops	0		
Marketable Livestock	0		
Prepaid Expenses	0		
Supplies	0		
Other/Miscellaneous	0		
Commodity Account Equity	0		
TOTAL CURRENT ASSETS	62,000	TOTAL CURRENT LIABILITIES	216,553
Notes/Contracts Receivable	0	Notes/Contracts Payable	0
Machinery/Equipment	0	Life Insurance Policy Loans	0
Irrigation Equipment	0	Capital Leases	0
Personal/Recreational Vehicles	0	Mortgages Payable	2,580,323
Production Livestock	0	Contingent Liabilities	0
Retirement Accounts	45,000	Deferred Taxes	0
Life Insurance - CV	47,000	Other/Miscellaneous	0
Stocks	0		
Bonds	0		
Household-Personal Goods	20,000		
ACA Stocks	1,000		
Co-Op Stocks	0		
Permits	0		
Other/Miscellaneous	4,800,000		
Real Property	18,770,000		
TOTAL NON-CURRENT ASSETS	23,683,000	TOTAL NON-CURRENT LIABILITIES	2,580,323
TOTAL ASSETS	23,745,000	TOTAL LIABILITIES	2,796,876
		NET WORTH	20,948,124

I (we) certify that the information in the above financial statement is complete and accurate to the best of my (our) knowledge. I (we) understand that a false statement or report of facts material to the approval of a loan, knowingly made, may subject the maker to criminal liability under Federal criminal statutes, as well as civil liability.



 Joseph G. Schwarz

5/1/12

 Date

Farm Credit Services

Customer Balance Sheet

Customer Joseph G. Schwarz

Customer No. 056508

Other Non-Current Miscellaneous Assets

Description	Customer
Non-farm Investments	4,800,000

Real Property

Tract	Comments	Location	Pasture	Crop	Timber	Waste	Total	Customer
Feedlot		ID, Payette Co.	378	269	0	53	700	3,000,000
Home	45% ownership	ID, Payette Co.	493	0	0	7	500	450,000
FCS Security		ID, Payette Co.	15,842	182	0	35	16059	8,000,000
Lodge		ID, Payette Co.	207	151	0	2	360	1,400,000
New Home		ID, Payette Co.	0	0	0	0	1	300,000
BLM Purchase		ID, Payette Co.	800	0	0	0	800	120,000
NE Tract		ID, Payette Co.	2,878	451	0	21	3350	2,700,000
NW Tract		ID, Payette Co.	5,085	126	0	32	5243	2,800,000

Operating Line

Creditor Name	Comments	Maturity Date	Total Commitment	Int Rate	Accrued Int	Principal	Customer
NWFCS, PCA	J.G Schwarz	05/01/2012	0	4.7	0	78,698	78,698

Mortgages Payable

Creditor Name	Comments	Payments	Int Rate	Pymt Amt	Prin Bal	Crnt Prin	Crnt Int	Customer
NWFCS, FLCA		L-Semi-Annual	5.70%	132,180	2,691,280	110,957	26,898	2,580,323

Farm Credit Services

Customer Balance Sheet

Customer Big Willow Ranch, LLC

Customer No. 056508

ASSETS	Big Willow Ranch F/S: 4/5/12 Customer 2011 B/S: 4/5/12	LIABILITIES	Big Willow Ranch F/S: 4/5/12 Customer 2011 B/S: 4/5/12
Cash On Hand	1,500	Accounts Payable	0
Savings/Certificates	0	Operating Line	428,269
Marketable Stocks	0	CCC Loans	0
Marketable Bonds	0	Accrued Rent and Taxes	0
Accounts Receivable	0	Accrued Interest	0
Principal Due	0	Principal Portion Due	0
Accrued Interest	0	Deferred Taxes	0
Products On Hand	0	Other/Miscellaneous	0
Growing Crops	26,100		
Marketable Livestock	1,030,200		
Prepaid Expenses	0		
Supplies	0		
Other/Miscellaneous	0		
Commodity Account Equity	0		
TOTAL CURRENT ASSETS	1,057,800	TOTAL CURRENT LIABILITIES	428,269
Notes/Contracts Receivable	0	Notes/Contracts Payable	0
Machinery/Equipment	600,000	Life Insurance Policy Loans	0
Irrigation Equipment	0	Capital Leases	0
Personal/Recreational Vehicles	100,000	Mortgages Payable	0
Production Livestock	1,114,050	Contingent Liabilities	0
Retirement Accounts	0	Deferred Taxes	0
Life Insurance - CV	0	Other/Miscellaneous	0
Stocks	0		
Bonds	0		
Household-Personal Goods	0		
ACA Stocks	1,000		
Co-Op Stocks	0		
Permits	0		
Other/Miscellaneous	0		
Real Property	0		
TOTAL NON-CURRENT ASSETS	1,815,050	TOTAL NON-CURRENT LIABILITIES	0
TOTAL ASSETS	2,872,850	TOTAL LIABILITIES	428,269
		NET WORTH	2,444,581

I (we) certify that the information in the above financial statement is complete and accurate to the best of my (our) knowledge. I (we) understand that a false statement or report of facts material to the approval of a loan, knowingly made, may subject the maker to criminal liability under Federal criminal statutes, as well as civil liability.

Joseph G. Schwarz

Date

5/1/12

Farm Credit Services

Customer Balance Sheet

Customer Big Willow Ranch, LLC

Customer No. 056508

Growing Crops

Crop	Description	Tract	Units	Share	Acres	Invest/Acre	Customer
Hay Crops	Alfalfa		Tons	100	284.00	0.00	0
Hay Crops	Grass		Tons	100	98.00	0.00	0
Hay Crops	New Seeding Alfalfa		Tons	100	0.00	50.00	0
Wheat	Wheat		Tons	100	106.00	200.00	21,200
Oats	Oats		Tons	100	98.00	50.00	4,900
Corn	Corn		Tons	100	0.00	50.00	0

Marketable Livestock

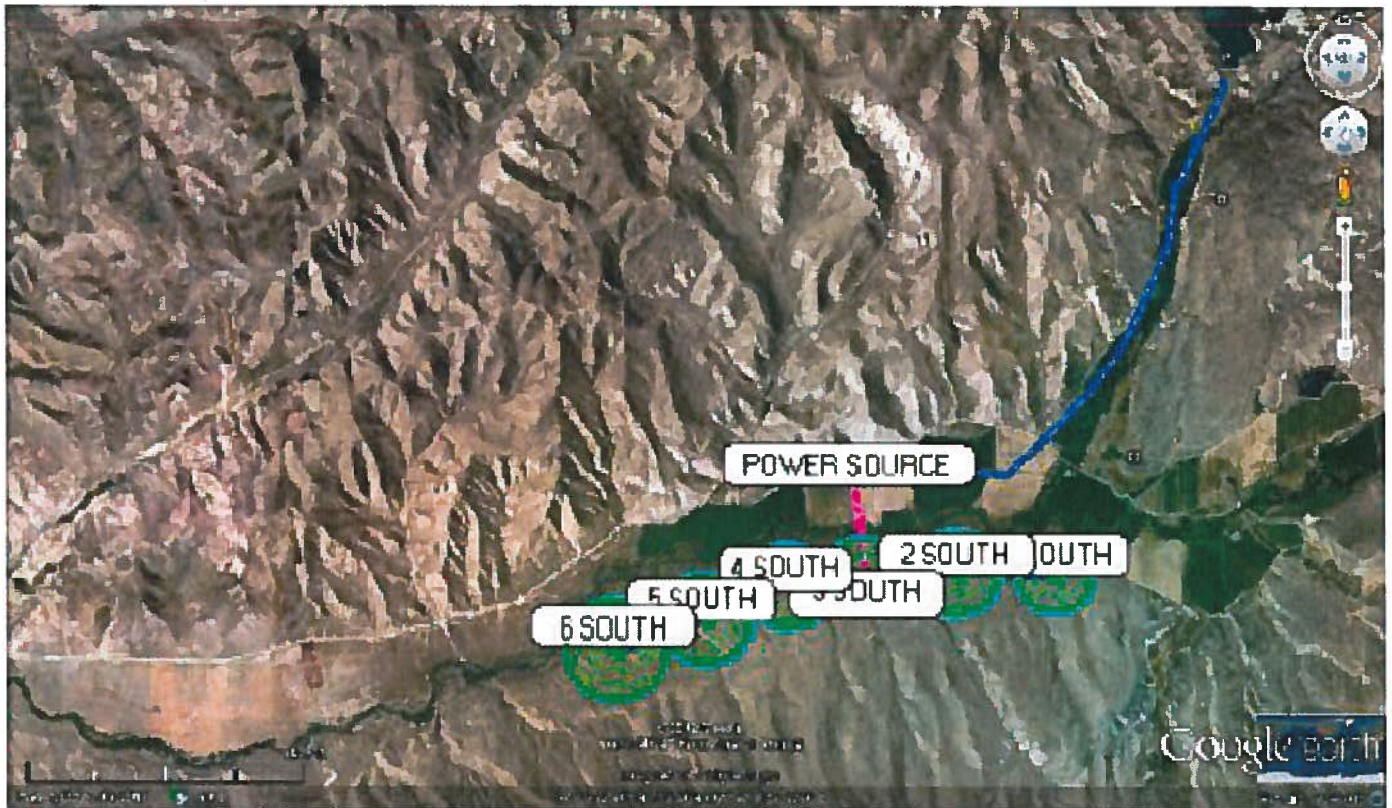
Kind	Description	Location	Branded	Share	Number	Price/Head	Customer
Livestock	Steers - Fall	ID, Payette Co.	Yes	100.00%	140	1,100.00	154,000
Livestock	Heifers - Fall	ID, Payette Co.	Yes	100.00%	140	1,000.00	140,000
Livestock	Steers - Akaushi	ID, Payette Co.	Yes	100.00%	35	1,150.00	40,250
Livestock	Heifers - Akaushi	ID, Payette Co.	Yes	100.00%	35	1,050.00	36,750
Livestock	Fats	ID, Payette Co.	Yes	100.00%	24	900.00	21,600
Livestock	Steers - Yearlings	ID, Payette Co.	Yes	100.00%	240	1,250.00	300,000
Livestock	Heifers - Yearlings	ID, Payette Co.	Yes	100.00%	140	1,100.00	154,000
Livestock	Fats	ID, Payette Co.	Yes	100.00%	60	900.00	54,000
Livestock	Spring Calves	ID, Payette Co.	Yes	100.00%	288	450.00	129,600

Production Livestock

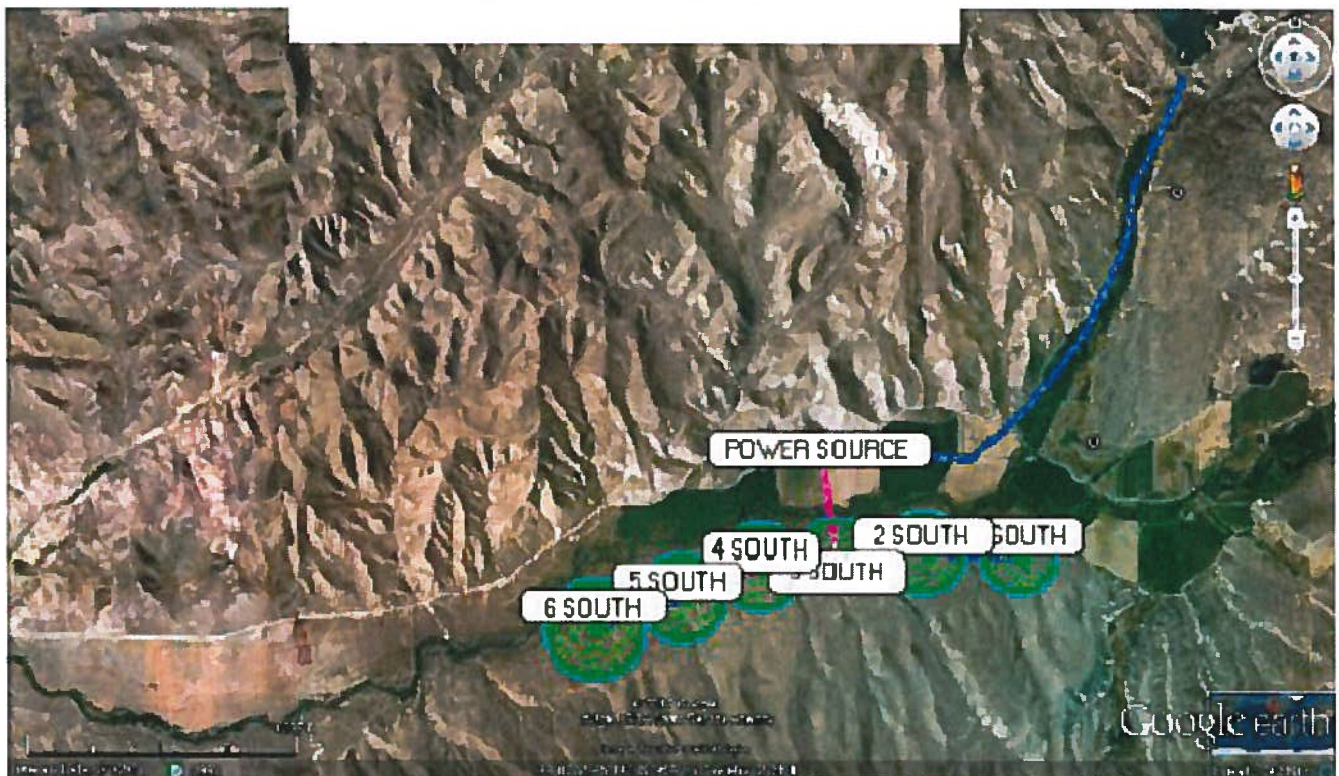
Kind	Description	Location	Branded	Share	Number	Price/Head	Customer
Livestock	Spring Cows	ID, Payette Co.	Yes	100.00%	288	1,250.00	360,000
Livestock	Spring Replacement Heifer	ID, Payette Co.	Yes	100	110	1,000.00	110,000
Livestock	Fall Cows	ID, Payette Co.	Yes	100	333	1,450.00	482,850
Livestock	Fall Replacement Heifers	ID, Payette Co.	Yes	100	40	1,300.00	52,000
Livestock	Bulls Akaushi	ID, Payette Co.	Yes	100	12	7,000.00	84,000
Livestock	Bulls	ID, Payette Co.	Yes	100	9	2,800.00	25,200
Livestock	Broken Mouth Cows	ID, Payette Co.	Yes	100	0	750.00	0

Operating Line

Creditor Name	Comments	Maturity Date	Total Commitment	Int Rate	Accrued Int	Principal	Customer
NWFCS, PCA	Big Willow Ranch	05/01/2012	1,000,000	4.7	0	428,269	428,269



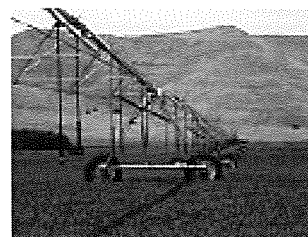
FRED BUTLER AGRI-LINES IRRIGATION





AGRI-LINES IRRIGATION
FRED BUTLER- DESIGN & SALES
PARMA, IDAHO 83660

Certified Irrigation Designer #005351
 OFFICE (208)722-5121 CELL (208)880-5903
 fredb@agri-lines.com



Farm: BIG WILLOW

Grower: SCHWARZ

7/30/2012

Systems:	Length	Spans	Total area including endgun
● Pivot 1 SOUTH	858.42 ft	¹⁵⁸ 5 spans + 66 ft o.h.	66.25 acres
● Pivot 2 SOUTH	971.50 ft	¹⁵⁸ 6 spans + 22 ft o.h.	82.80 acres
● Pivot 3 SOUTH	¹⁶⁷ 858.33 ft	¹⁶⁷ 5 spans + 22 ft o.h.	66.24 acres
● Pivot 4 SOUTH	982.50 ft	¹⁵⁸ 6 spans + 33 ft o.h.	84.51 acres
● Pivot 5 SOUTH	1026.58 ft	¹⁶⁷ 6 spans + 55 ft o.h.	91.54 acres
● Pivot 6 SOUTH	1172.67 ft	7 spans + 44 ft o.h.	116.81 acres

508.15

Pipe and Wire:	Length / Size	Description
● SUPPLY FROM RESERVOIR	11838.57 ft / 27"	
● EXTENSION TO SOUTH PIVOT 1	2457.24 ft / 21"	
● SOUTH PIVOT 3 TO SOUTH PIVOT 2	2130.92 ft / 12"	
● SOUTH PIVOT 2 TO SOUTH PIVOT 1	2309.95 ft / 8"	
● SOUTH PIVOT 3 TO SOUTH PIVOT 4	1852.16 ft / 15"	
● SOUTH PIVOT 4 TO SOUTH PIVOT 5	2025.78 ft / 15"	
● SOUTH PIVOT 5 TO SOUTH PIVOT 6	2222.73 ft / 8"	
● NORTH EXTENSION	2436.93 ft / 24"	



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 4, 2012

BIG WILLOW RANCH LLC
1 DIXIE LN
PAYETTE ID 83661

Re: Application for Permit 65-23479

COPY

Dear Applicant:

Your recent application for permit regarding Dry Creek for irrigation storage and irrigation from storage is being processed. To assist this office in completing the initial processing steps, please submit additional information required by I. C. § 42-203A(5)(a-e) for "large diversion projects." This requirement includes the following items discussed in Water Appropriation Rule 40, Rule Subsections 040.05c through 040.05g:

1. effect on existing water rights
2. sufficiency of water supply
3. good faith, delay or speculative purposes
4. financial resources
5. local public interest.

Option: In your situation, only the following item needs to be addressed. # 4 financial resources as the other factors have already been addressed or are waived through the previous permits associated with this project. You need to address only the project design and costs for the delivery system beyond the reservoir expansion.

f. Information Relative to Financial Resources, Section 42-203A(5)(d), Idaho Code, shall be submitted as follows:

- i. The applicant shall submit a current financial statement certified to show the accuracy of the information contained therein, or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the beneficial use proposed.
- ii. The applicant shall submit plans and specifications along with estimated construction costs for the project works. The plans shall be definite enough to allow for determination of project impacts and implications

Please submit the requested information to allow final evaluation of your application to be completed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. Your response or a request for more time to seek the

information must be received within the next ninety (90) days. The application will be voided without a timely written reply.

IDWR rules, forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

Kelly K Christensen
Sr Water Resource Agent
Western Region
e-mail address kelly.christensen@idwr.idaho.gov

COPY

MEMORANDUM

To: Water Right File 65-23479
Date: February 28, 2012
From: Steve Lester 
Re: Storage Rights from Same Reservoir

This application spreads storage water previously approved in Permit 65-22979 to 740 new acres in a proposed PPU. Although storage *rights* can be spread to more acres in a transfer, a storage *permit* cannot be spread to increase irrigated acres. Latter step requires a new permit in this case.

Storage rights 65-7136 (400 af) and 65-7603 (660 af) represent the reservoir prior to that permit. The permit provided another 740 af for reservoir enlargement to add storage water to the same acres in the older storage rights.

This application describes the same water as the permit but for new acres not covered by the permit or older storage rights. PPU is totally on applicant land. The reservoir has not been enlarged yet. The owner will seek dam safety approval prior to reservoir expansion.

The application place of use chart is incomplete. However, the application map clearly identifies the acres/tract and is considered acceptable in this case. The PPU land list is consistent with tax lot information regarding the applicant (Schwarz/Big Willow Ranch/Butte Lodge). I worked with the applicant to confirm the correct PPU description.

Data entry included same legals for irrigation storage as in 65-23479 (actual reservoir location). This is probably a better standard than older VAX system where programming limited irrigation storage and irrigation from storage to the same acres. Our current application and data entry standards for irrigation storage have not totally caught up to our non-VAX system where we do not to make both uses have matching POU's. In this case, consider it acceptable to use information from 65-22979 to record irrigation storage in this new application without requiring the application to be amended or requiring the map to re-confirm this.

Remainder of the application fee was paid 2/22/12 to establish a priority date.

Suggested Special Conditions of Approval

- 1) Does not add more water, modified X35: Rights 65-22979 and 65-23479 when combined shall not exceed a total diversion rate of 150.00 cfs and a total storage volume of 740 af.
- 2) Storage duty of water for 5 af/acre, modified R61: This right when combined with all other storage rights shall provide no more than 5.0 afa of storage water per acre for irrigation of the place of use.
- 3) Use condition 206 to require applicant to identify specific 740 acres to be irrigated prior to diversion. Applicant said the reason he asks for a PPU is that he is not sure exactly where to put new pivots etc. - no point in asking him to identify specific acres during application processing.

Lester, Steve

From: Lester, Steve
Sent: Friday, February 17, 2012 9:21 AM
To: 'jg@buttelodge.com'
Subject: Application 65-23479 acres
Attachments: 65-23479 acres.pdf

Mr. Schwarz:

As we discussed the other day, I have attached a proposed map and printout of the application data showing the proposed acres to be irrigated. I assumed those acres based on:

- Sections you listed
- All land in those sections you own
- Subtract acres covered by 65-22979.

Result is 740 acres anywhere in the assumed 1672 acre boundary. That gives you maximum flexibility without having to worry about exactly which acres. Also allows for future shifting of acres within the boundary without having to formally change the new right, assuming it is approved.

If the map is correct, please include it when you submit your amended application. Let me know if you need more information. Thanks for your cooperation.

Steve Lester
Water Rights Supervisor
IDWR Western Region
208-334-2190

✓ OK per 2/21/12 office visit,
amended Appl.
JL



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

February 13, 2012

BIG WILLOW RANCH LLC
1 DIXIE LN
PAYETTE ID 83661

Re: Application for Permit No. 65-23479

Dear Mr. Schwarz:

The Idaho Department of Water Resources (IDWR) received your application to increase the acres irrigated from storage water described in your most recent approval, Permit No. 65-22979. If I understand your intention, the idea is to spread that storage water to more acres without increasing the reservoir capacity. If that is correct, please note the following items needing attention.

Amount of Water – Permit 65-22979 was approved to enlarge the reservoir. This included 150 cfs diversion to storage and 740 af of storage. Your new application lists 350 cfs and 1800 af of storage. An application for natural flow (cfs) and storage (af) requires whichever fee is greater for the amounts requested. Here is the fee schedule for your current application and for applying for the same amount of water found in 65-22979:

- | | | | |
|--------------------|--------------------|----------------------------|---|
| a) 350 cfs, \$5110 | and 1800 af, \$930 | application fee is \$5110 | ✓ |
| b) 150 cfs, \$3110 | and 740 af, \$530 | application fee is \$3110. | ✓ |

You paid \$530, resulting in a balance due of either \$4580 or \$2580, depending on how you decide to amend your application. Option "b" appears to be what you intended. A proposed date of priority is established when the application is complete and the entire fee is paid.

Place of Use – The application place of use is incomplete. Acres per $\frac{1}{4}$ $\frac{1}{4}$ and total acres per section must be completed.

Map – The 740 acre boundary should be drawn on the map. This should agree with the written $\frac{1}{4}$ $\frac{1}{4}$ list on your application.

Application for Permit No. 65-23479

February 13, 2012

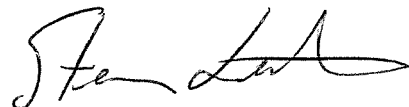
Page 2

A copy of your application is enclosed. A new form is also included. Please complete the new form and return it with the appropriate fee balance.

Please submit the requested information for the application to be processed. You may seek additional time to provide the information by making a written request to delay processing. The application will be voided without a timely written reply within the next sixty (60) days. Refunds are not issued for voided applications.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

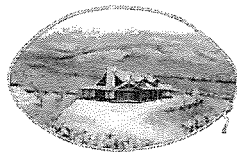
Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lester", with a stylized flourish at the end.

Steve Lester

Water Rights Supervisor

Enclosure



BUTTE LODGE
BIG WILLOW RANCH

1/18/12

To whom it may concern,
Pam Skaggs & the Front str.
office has been very helpful
to me through this process.

Please call me if I did not
complete the application correctly or
perhaps Pam if I cannot answer
the questions.

Thank you,

RECEIVED
JAN 20 2012
WATER RESOURCES
WESTERN REGION

J. L. Schuy

739-1939 cell