

RECEIVED**MAR 27 2012**DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

Ident. No. 37-227111. Name of applicant(s) Three Creeks Ranch, LLC Phone (949) 548-0776
Name connector (check one): ☐ and ☐ or ☐ and/orMailing address: 1901 Bayadere Terrace City Corona del MarState CA Zip 92625 Email: jack@croul.com2. Source of water supply Tributary of West Fork of Loving Creek which is a tributary of West Fork of Loving Creek

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
01S	19E	11			SE	SW	Blaine	Trib. of W.Fork Loving Ck.	

4. Water will be used for the following purposes:

Amount 0.14 cfs for irrigation purposes from 4/15 to 10/15 (both dates inclusive)
(cfs or acre-feet per year)Amount 14.1 ac-ft for Recreation/Wildlife storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)5. Total quantity to be appropriated is (a) 0.14 cubic feet per second (cfs) and/or (b) 14.1* acre-feet per year (af).6. Proposed diverting works: *pond volume + annual evaporationa. Describe type and size of devices used to divert water from the source. Irrigation pump will be placed in the pond and connected to an irrigation system for the 7 acres adjacent to the pond(s). See attached Water Use & Mitigation Planb. Height of storage dam na feet; active reservoir capacity 7.6 acre-feet; total reservoir capacity 7.6 acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☒ No

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No

e. If well is already drilled, when? _____; drilling firm _____;

Well was drilled for (well owner) _____; Drilling Permit No. _____.

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

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. A 2.7 acre surface area pond will be developed on the channel of the West Fork of Loving Creek.Water allocated under 37-02553B will be used to mitigate pond surface evaporation. Creek surface = 0.5 ac.

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	
01S	19E	11												RS					
01S	19E	11												5.0					5.0
01S	19E	11											2.0						2.0

Total number of acres to be irrigated: 7.0

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? _____

10. a. Who owns the property at the point of diversion? Three Creeks Ranch, LLC

b. Who owns the land to be irrigated or place of use? Three Creeks Ranch, LLC

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. 2.6 acres under 37-02553B will be moved to mitigate for the evaporative loss from a 2.7 acre surface area pond. This proposal will result in 2.2 acres of expanded water surface because the existing stream channel is 0.5 acres in surface area. Additional water under 37-02553B will be moved to enable irrigation of 7.0 acres.

We will not irrigate 3.6 acres in the SENW and the SWNE of Section 14 for the first irrigation season after the pond is constructed for the first fill. See attached Water Use and Mitigation Plan.

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

JOHN V. CREVELL, MEMBER

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

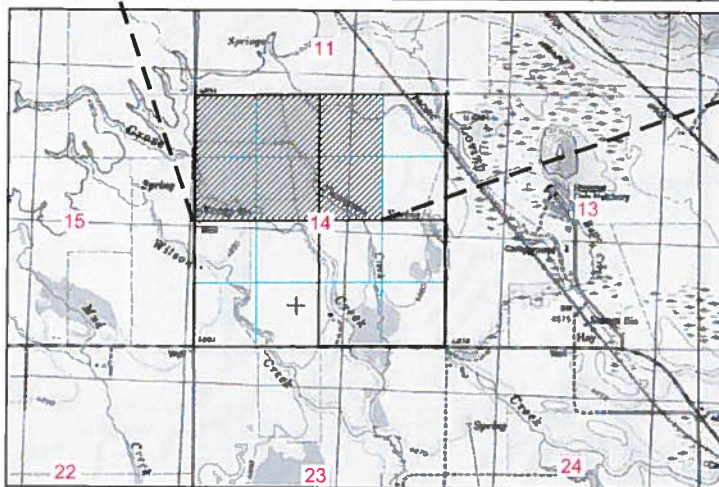
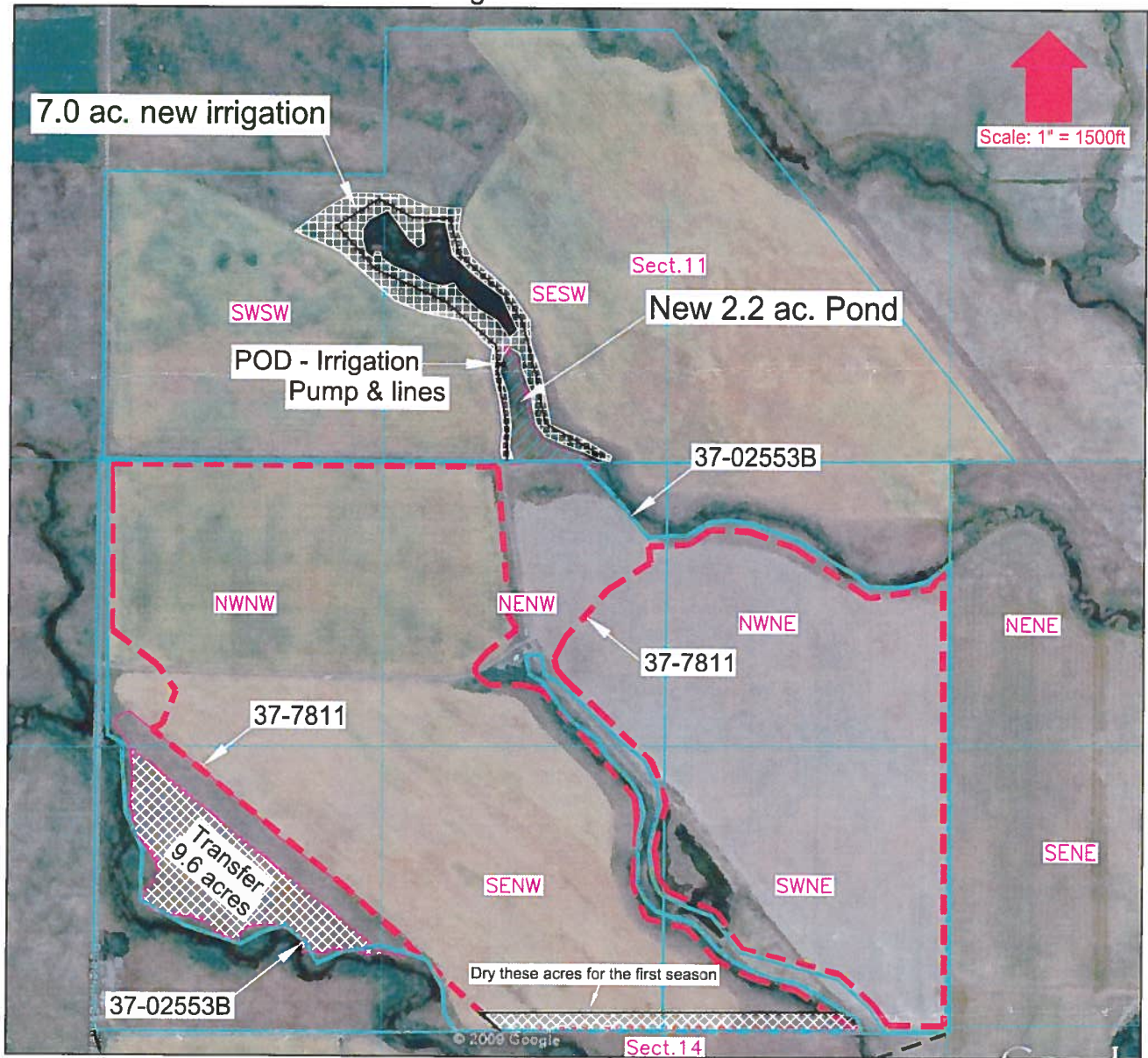
For Department Use:

Received by A. MERITT Date 3/27/2012 Time PM Preliminary check by P. SKINNER

Fee \$ 100.00 Received by P. SKINNER Receipt No. 5032438 Date 3/29/2012
5032439

Rng.19E

Twn.1S



37-02553B ———
37-7811 - - -

Three Creeks Ranch Water Use & Mitigation Plan

OWNER: THREE CREEKS RANCH, LLC
PUNKIN CENTER LANE - GANNETT, IDAHO
NEAR: GANNETT, IDAHO - BLAINE CO.

Fisher & Associates
AQUATIC RESOURCE ENHANCEMENTS

DATE:
3/13/12
SHEET:
1 of 1
SCALE:
1"=1500ft

Estimated Pond Surface Evaporation - Three Creeks Ranch Pond, Picabo, Blaine County, Idaho															
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec			
Annual FWS evap.(inches)	40	40	40	40	40	40	40	40	40	40	40	40			
Monthly Dist (%)	0.5	1.5	4	8	14	15	17	16	10	6	5	3.0			
Monthly FWS Evap.(in/mo)	0.2	0.6	1.6	3.2	5.6	6	6.8	6.4	4	2.4	2	1.2	40.0	in.	
Average Annual Precipitation	1.7	1.26	1.2	0.95	1.25	1.08	0.36	0.45	0.63	0.81	1.46	1.8	12.9	in.	
Pond Loss (Evap - Precip., in.)	0	0	0.4	2.25	4.35	4.92	6.44	5.95	3.37	1.59	0.54	0	29.8	in.	
													28.9	in. - Apr-Oct	
											Pond ac.	2.2	63.5	ac-in	
Total Pond Loss (ac.-ft)													5.3	ac-ft.	
										mm	in.	ft.			
									Alfalfa	681	26.8	2.2	2.4	ac.	
									Pasture	795	31.3	2.6	2.0	ac.	
									Spr.Grain	621	24.4	2.0	2.6	ac.	

Three Creeks Ranch, LLC, New Water Right
Water Use and Mitigation Plan
March 13, 2012

Three Creeks Ranch LLC is applying for a new water right. It will serve the requirements for a 2.7 surface acre (7.6 ac-ft storage) pond and will also provide irrigation water for 7.0 acres. This newly irrigated ground lies adjacent to the new pond and to an existing pond.

The attached site plan shows the new pond lying in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.11, Twn.1S, Rng.19E. An existing pond is shown to the north of the newly proposed pond. Portions of 37-02553B will be removed from irrigation for one year to fill the pond initially, and permanently removed from irrigation to mitigate for water lost through pond surface evaporation, and to mitigate for the irrigation of the areas adjacent to the two ponds. A pump will be placed in the new pond to supply the irrigation system.

In order to mitigate for that expanded irrigation and pond surface evaporative water use, we will permanently dry up 9.6 acres allocated for irrigation under 37-02553B in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec.14, Twn.1S, Rng.19E. Additionally, we will allocate 7.6 ac-ft of water for the initial filling of the pond by drying up 3.8 acres of land irrigated by 37-2553B spanning the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.14, Twn.1S, Rng.19E for the first season after the pond is constructed. The pond will be constructed into groundwater, therefore, no additional water will be allocated for pond seepage annually.

The spreadsheet on the following page shows the calculations used to derive the volumes above. The water use for Spring Grain (2.0 ac-ft/yr) was used to calculate the total acres that needed to be dried-up (2.6 acres) in order to provide 7.6 ac-ft to initially fill the pond.

An irrigation pump will be placed in the new pond in order to deliver water to the irrigation system adjacent to the ponds.

No. W 10816	Due no later than Jan 31, 2012 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. THREE CREEKS RANCH, L.L.C. JOHN V CROUL 1901 BAYADERE TERRACE CORONA MAR CA 92625		BRIAN BARSOTTI 215 PICABO ST STE 304 KETCHUM ID 83340			
			3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MEMBER	CROUL FAMILY TRUST	PO BOX 10013	KETCHUM	ID	USA	83340
MEMBER	KINGSLEY R CROUL SEPARATE	PO BOX 10013	KETCHUM	ID	USA	83340
5. Organized Under the Laws of: ID W 10816		6. Annual Report must be signed.* Signature: John V Croul Name (type or print): John V Croul Date: 11/18/2011 Title: Member				
Processed 11/18/2011		* Electronically provided signatures are accepted as original signatures.				



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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

April 16, 2012

KEVIN LAKEY
WATER DISTRICT #37M
107 W 1ST
SHOSHONE, ID 83352

Re: Application For Permit No. 37-22711

Dear Mr. Lakey:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form 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 Buffington
Administrative Assistant

Enclosure(s)



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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

April 16, 2012

IDAHO DEPT OF FISH & GAME
319 S 417 E
JEROME, ID 83338

Re: Application For Permit No. 37-22354, 37-22711

Re: Transfer No. 73743
Water Right No(s). 37-297D, 37-20359

Dear Fish & Game:

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. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days.

The Department 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, or you may visit our website at www.idwr.idaho.gov.

Sincerely,

A handwritten signature in black ink that reads "Denise Buffington". The signature is fluid and cursive, with a large, stylized 'D' and 'B'.

Denise Buffington
Administrative Assistant
Southern Region

Enclosure(s)



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

April 13, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

THREE CREEKS RANCH LLC
1901 BAYADERE TERR
CORONA DEL MAR, CA 92625

Re: Application For Permit No. 37-22711

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 MOUNTAIN EXPRESS** on **4/18/2012** and **4/25/2012**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**May 7, 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 Buffington
Administrative Assistant

cc:

FISHER & ASSOCIATES
ATTN: STEVE FISHER
6640 HWY 200 E
MISSOULA, MT 59802

Buffington, Denise

From: Buffington, Denise
Sent: Thursday, April 12, 2012 5:02 PM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express Cover Letter.Doc; Idaho Mtn Express Ad - COMBINED.Doc

Attached please find (1) legal notice being submitted for publication on April 5th & 12th, 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 Buffington
Administrative Assistant
Dept of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.buffington@idwr.idaho.gov

April 12, 2012

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340

RE: Transfer No. 77861
Water Right No(s): 37-13039

RE: Transfer No. 73743
Water Right No(s): 37-297D, 37-20359

RE: Application For Permit No.(s): 37-22354, 37-22711, 37-22712

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 May 7, 2012. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure(s)

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

37-22354

JUDE P AND JULIA MANDEVILLE DAMASCO TRUST
700 MONTE VISTA WAY

HALF MOON BAY, CA 94019

Point of Diversion NESW S33 T03N R18E BLAINE County Source INDIAN CREEK Tributary BIG WOOD RIVER

Use: AESTHETIC 01/01 to 12/31 0.74 CFS

Use: RECREATION 01/01 to 12/31 0.74 CFS

Use: WILDLIFE 01/01 to 12/31 0.74 CFS

Use: AESTHETIC STORAGE 01/01 to 12/31 73 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.74 CFS

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 73 AF

Use: RECREATION STORAGE 01/01 to 12/31 73 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 73 AF

Total Diversion: 0.74 CFS 73 AF

Date Filed: 4/27/2007

Place Of Use: AESTHETIC, RECREATION, WILDLIFE, AESTHETIC STORAGE, RECREATION STORAGE, WILDLIFE STORAGE, FIRE PROTECTION STORAGE

T02N R18E S4 L3(NENW)

T03N R18E S33 SESW

Amended application for permit seeks to appropriate 0.74 cfs and 73 afa from Indian Creek for uses associated with an existing pond located along the east side of Buttercup Road approximately 1.6 miles north and 0.2 miles west of the center of Hailey. Water from Indian Creek will be diverted at its confluence with the Hiawatha Canal and delivered to the pond via the Hiawatha Canal.

37-22711

THREE CREEKS RANCH LLC
1901 BAYADERE TERR

CORONA DEL MAR, CA 92625

Point of Diversion SESW S11 T01S R19E BLAINE County Source UNNAMED STREAM Tributary LOVING CREEK

Use: IRRIGATION 04/15 to 10/31 0.14 CFS

Use: RECREATION STORAGE 01/01 to 12/31 14.1 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 14.1 AF

Total Diversion: 0.14 CFS 14.1 AF

Date Filed: 3/27/2012

Place Of Use: IRRIGATION

T01S R19E S11 SWSW SESW

Place Of Use: RECREATION STORAGE, WILDLIFE STORAGE

T01S R19E S11 SESW

Total Acres: 7

Application proposes appropriating 14.1 acre-feet of water for wildlife and aesthetic storage associated with a new pond on an unnamed stream tributary to Loving Creek. The application also proposes appropriating 0.14 cfs of water to be pumped from the pond for irrigation of 7 acres. The pond and irrigation site is located approximately 2.7 miles north and 5.1 miles west of Picabo. A mitigation plan has been submitted with the application to allow for processing of the application in the moratorium area.

37-22712

LEGACY RESIDENTIAL LLC

C/O TOM ELLISON

400 112TH AVE N.E., STE 230

BELLEVUE, WA 98004

Point of Diversion SWNE S13 T04N R17E BLAINE County Source GROUNDWATER Tributary

Use: COOLING 01/01 to 12/31 0.75 CFS

Use: DOMESTIC 04/01 to 10/31 0.04 CFS

Use: HEATING 01/01 to 12/31 0.75 CFS

Total Diversion: 0.75 CFS

Date Filed: 3/8/2012

Place Of Use: HEATING, COOLING, DOMESTIC

T04N R17E S13 SWNE

Application for permit proposes to divert up to 0.75 cfs for domestic, heating, and cooling use from a ground water well to be drilled. The heating and cooling water use will be non-consumptive and re-injected into the same aquifer. The well and place of use will be located on Lots 1B and 2C in Goose Island Subdivision west of the city of Ketchum and east of the Big Wood River.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 77861

NATHAN D BACHMAN and LYNDIA A BACHMAN, PO BOX 2388, SUN VALLEY, ID 83353 has filed Application No. 77861 for changes to the following water rights within BLAINE County(s): Right No(s). 37-13039. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the location of the recorded point of diversion, adding a second point of diversion location, and changing the recorded place of use associated with a domestic ground water right (37-13039) for Lot 9 of Stonegate Subdivision (located approximately 4.45 miles north and 0.9 miles west of the center of Ketchum) to reflect the actual locations of diversion and use. Application proposes diverting up to 0.04 cfs from the existing Stonegate Subdivision community well and an existing well on Lot 9 for domestic use on Lot 9.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 73743

JUDE P AND JULIA MANDEVILLE DAMASCO TRUST, 700 MONTE VISTA WAY, HALF MOON BAY, CA 94019 has filed Application No. 73743 for changes to the following water rights within BLAINE County(s): Right No(s). 37-297D, 37-20359. The purpose of the transfer is to change a portion of the above rights as follows: Amended transfer application proposes converting a 0.95 acre (0.06 cfs) portion of two Big Wood River rights to wildlife, recreation, and aesthetic uses associated with an existing pond located along the east side of Buttercup Road approximately 1.6 miles north and 0.2 miles west of the center of Hailey. The converted rights, along with the remaining irrigation portions, will continue to be diverted from the Big Wood River and delivered to the place of use via the Hiawatha Canal. The amended transfer application serves as mitigation for companion amended application for permit 37-22354.

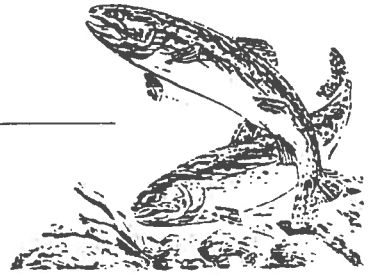
Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be 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 May 7, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on April 18th & 25th, 2012

Fisher & Associates

Aquatic Resource Management & Enhancement
6640 MT Highway 200 East • Missoula, MT 59802
(406) 258-6800 • Fax (406) 258-6814



RECEIVED
MAR 27 2012
DEPT. OF WATER RESOURCES
SOUTHERN REGION

March 23, 2012

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83340-3380

Dear Allen:

Thank you for all your help on this application. I would like to have copies of any correspondence generated by this request sent to me at:

Steve Fisher
Fisher & Associates
6640 MT Hwy 200 East
Missoula, MT 59802
(406) 360-9893 (cell)

Mr. Croul also requests that you contact me with any questions that may arise. He is out of the country for a few weeks.

Again, thank you for your assistance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steve". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Steve Fisher
Fisher & Associates