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NOV 22 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

2757 South 1050 East
Hagerman, ID 83332
208-837-4448

Email:

16 November 2010

Jeff Cooper, Senior Water Resource Agent
IDWR, Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

RE: Application for Permit No. 36-16868 by Billingsley Creek Ranch Idaho LLC

Mr. Cooper,

As per your letter dated November 8, 2010, I have spoken with Mr. Kent Goodman of Billingsley Creek Ranch Idaho LLC about the protest I filed and specifically my concern that the source of water for the new water right they have requested be designated a wastewater right delivered from my fish hatchery. Mr. Goodman faxed a copy of a new application (attached) which states under item 2 on page 1 that the source of water will be wastewater.

I will withdraw my protest if this new application which states that the water source will be wastewater is accepted by IDWR.

Respectively submitted by,



Kim Lemmon

Attachment

cc: Billingsley Creek Ranch Idaho LLC.

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

Ident. No. 36-16868

1. Name of applicant(s) Billingsley Creek Ranch Idaho LLC Phone _____
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address: 501 Riverside Ave. Suite 500 City Jacksonville
 State Florida Zip 32202 Email: _____
2. Source of water supply Waste Water which is a tributary of Billingsley 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 #
07S	13E	24		NW	SE	NW	Gooding	Waste Water	

4. Water will be used for the following purposes:

Amount 6.0 cfs for Fish Propagation purposes from 1/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount 6.0 cfs for Wildlife purposes from 1/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount 6.0 cfs for Aesthetic purposes from 1/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) 6.0 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. A 15 inch pipe has been installed.
A flow meter has been installed at the head of the delivery pipe.

b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity
N/A 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 N/A inches; proposed depth of well is N/A feet.

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

e. If well is already drilled, when? N/A; drilling firm N/A

Well was drilled for (well owner) N/A; 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. N/A

b. Stockwatering; list number and kind of livestock. N/A

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider.
N/A

d. Domestic; show number of households N/A

e. Other; describe fully. Increase Fish Propagation water flow and to provide aesthetic and wildlife water after the water has been used for Fish Propagation.

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	
07S	13E	24													J				
															W				
															H	H			

Total number of acres to be irrigated: _____

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? 36-2465 for Fish Propagation. Recreation and Irrigation. 36-8757 for Diversion to Storage, Recreation Storage and Wildlife Storage.

10. a. Who owns the property at the point of diversion? Kim Lemmon and Gary Lemmon
 b. Who owns the land to be irrigated or place of use? Billingsley Creek 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: N/A

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Waste water from the Lemmon hatchery will be collected and piped to the Billingsley Creek Ranch Idaho fish hatchery. The piping has been installed and is designed for a capacity of 6.0 cfs. The waste water will be used when available for fish propagation, wildlife and aesthetic uses from 1/01 to 12/31 annually. The water use will be non-consumptive and the waste water will flow into Billingsley Creek.

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 8 1/2" 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.

Ken G. Goodman
 Signature of Applicant
Ken Goodman (MANAGER)
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

For Department Use:

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