

AMENDED

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

Ident. No. 57-11711

1. Name of applicant(s) HART CREEK RANCH LLC Phone 208-834-2595
Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address: 24597 COLLETT RD City OREANA

State ID Zip 83650 Email: _____

2. Source of water supply GROUND WATER which is a tributary of N/A

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
4S	1W	26			NE	SE	OWYHEE	GROUND WATER	
4S	1W	26			SW	SE	OWYHEE	GROUND WATER	

4. Water will be used for the following purposes:

Amount 0.70 CFS for IRRIGATION 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)

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) 0.70 cubic feet per second (cfs) and/or (b) N/A acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. 2 WELLS. 150 & 200 HP PUMPS. SAME
WELLS LISTED IN RIGHTS 57-2271 & 57-2278

b. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.

For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No

c. Proposed well diameter is ^{150 hcp - 16"}200 hcp - 16" inches; proposed depth of well is ^{150 hcp - 187'}200 hcp - 278' feet.

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

e. If well is already drilled, when? 1969; drilling firm LOUDORF DRILLING;

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. _____

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APR 07 2010

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	
4S	1W	25											35						35

Total number of acres to be irrigated: 35

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? 57-2271 & 57-2278 ARE SAME SYSTEM BUT FOR ACRES IN SECTION 26
10. a. Who owns the property at the point of diversion? HART CREEK RANCH LLC
- b. Who owns the land to be irrigated or place of use? HART 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: _____
11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. THE 35 ACRES HAVE BEEN HISTORICALLY FARMED SINCE 1969 WHEN RIGHTS 57-2271 & 57-2278 WERE APPLIED FOR. THE 35 ACRES ARE SHOWN ON THE ORIGINAL FIELD EXAMINER NOTES & ALSO ON THE 1987 NAPP PHOTO (ATTACHED). THE 35 ACRES IN SEC. 25 WERE INADVERTENTLY OMITTED FROM THE LEGAL DESCRIPTION WHEN THE TWO OLDER RIGHTS WERE APPLIED FOR. THEREFORE, THE APPLICATION IS FOR AN EXISTING USE.
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.

Lorna D Steiner

Signature of Applicant

Hart Creek Ranch

Signature of Applicant

Lorna D Steiner, manager

Print Name (and title, if applicable)

Print Name (and title, if applicable)

For Department Use:

Received by *[Signature]* Date 4/7/10 Time 11:00 Preliminary check by *[Signature]*

Fee \$ 250 Received by *PB* Receipt No. W035956 Date 11/1/07

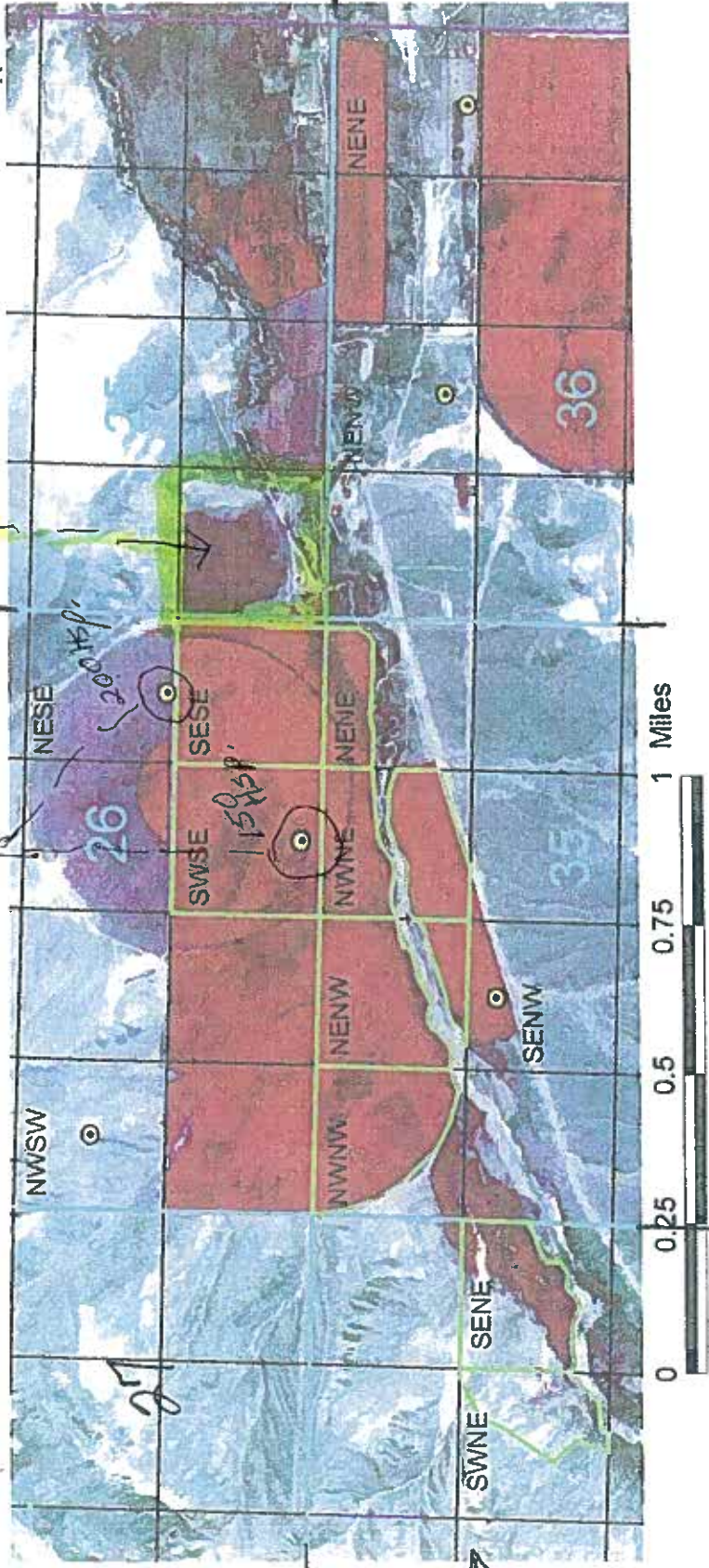
per original Appl.

Idaho Department of Water Resources

Water right # 57-2271 ; 57-2278

Subject 35 acre parcel

1987 Napp Photo



Claim Number: 57-02271

Legal: T04S, R01W, S26, 34, 35

Reviewed By:

*Circled wells ARE
Also for 57-11711*

⊙ Point of Diversion

Place of Use

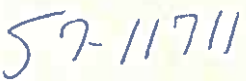
Section Lines

Quarter Quarter Lines

Township/Range Lines

57-11711

subject 35 acre
parcel,



2/19

WELL INFORMATION

Information Provided by Layne Pump of Idaho,

Hart Creek Ranch

<u>150 Hsp. Pump</u>	Set at 160', 10" column, 2 ½ tube, 1 11/16 shaft 6 stage 12 I.
Date 2002	1400 gpm. 360' head 16" well, 187' deep, 116' static level

<u>200 Hsp. Pump</u>	Set at 240', 10" column, 2" tube, 1-1/2 shaft 6 stage 12 THC.
Date 3/2004	2000 gpm. 360' head 16" well, 278' deep, 98' static

Canyon Creek Ranch

~~200 Hsp. Pump~~	~~Set at 180', 10" column, 2 1/1" tube, 1 1/2" shaft 3 stage 14 TLC~~
~~Date 2000~~	~~2000 gpm. at 250' head 16" well, 396' deep, 73' static~~

57-11711

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NOV 01 2007
WATER RESOURCES
WESTERN REGION

Ident. No. 57-11711

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Hart Creek Ranch, LLC. Phone 208-834-2595
Mailing address 24597 Collett Rd. Oreana, ID 83650

2. Source of water supply ground water which is a tributary of _____

3. Location of point of diversion is Township 4S Range 1W Sec. 25, in the SW $\frac{1}{4}$,
SW $\frac{1}{4}$, _____ $\frac{1}{4}$, Govt. Lot _____, B.M., Owyhee County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .70 for irrigation purposes from Mar. 1 to Oct 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .70 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source 2 wells - a 150 hsp. 1" a.

200 hsp. pump - Same wells as listed in Water Rights - 57-2278 and 57-2271

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 85°F being sought? no

e. If well is already drilled, when? yes, 1969 Drilling firm Loudort Drilling

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

7. Time required for completion of works and application of water to proposed beneficial use is _____ years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

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. _____

d. Domestic; show number of households. _____

e. Other; describe fully. _____

Superseded

3. 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	
45	1W	25											35						35
													irr						

Total number of acres to be irrigated 35

10. Describe any other water rights used for the same purposes as described above. 57-2271 and 57-2278 are the water rights that are irrigating this property.

11. a. Who owns the property at the point of diversion? Hart Creek Ranch, LLC.
- b. Who owns the land to be irrigated or place of use? Hart 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:

12. Remarks: This 35 acres has been historically farmed since 1969, when water Rights # 57-2271 and 57-2278 were applied for. This 35 acres is shown on the original field examiners notes and also the 1987 Napp Photo (attached). This 35 acres in Sec. 25 was inadvertently omitted from the legal description when # 57-2271 & 57-2278 were applied for.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" 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.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

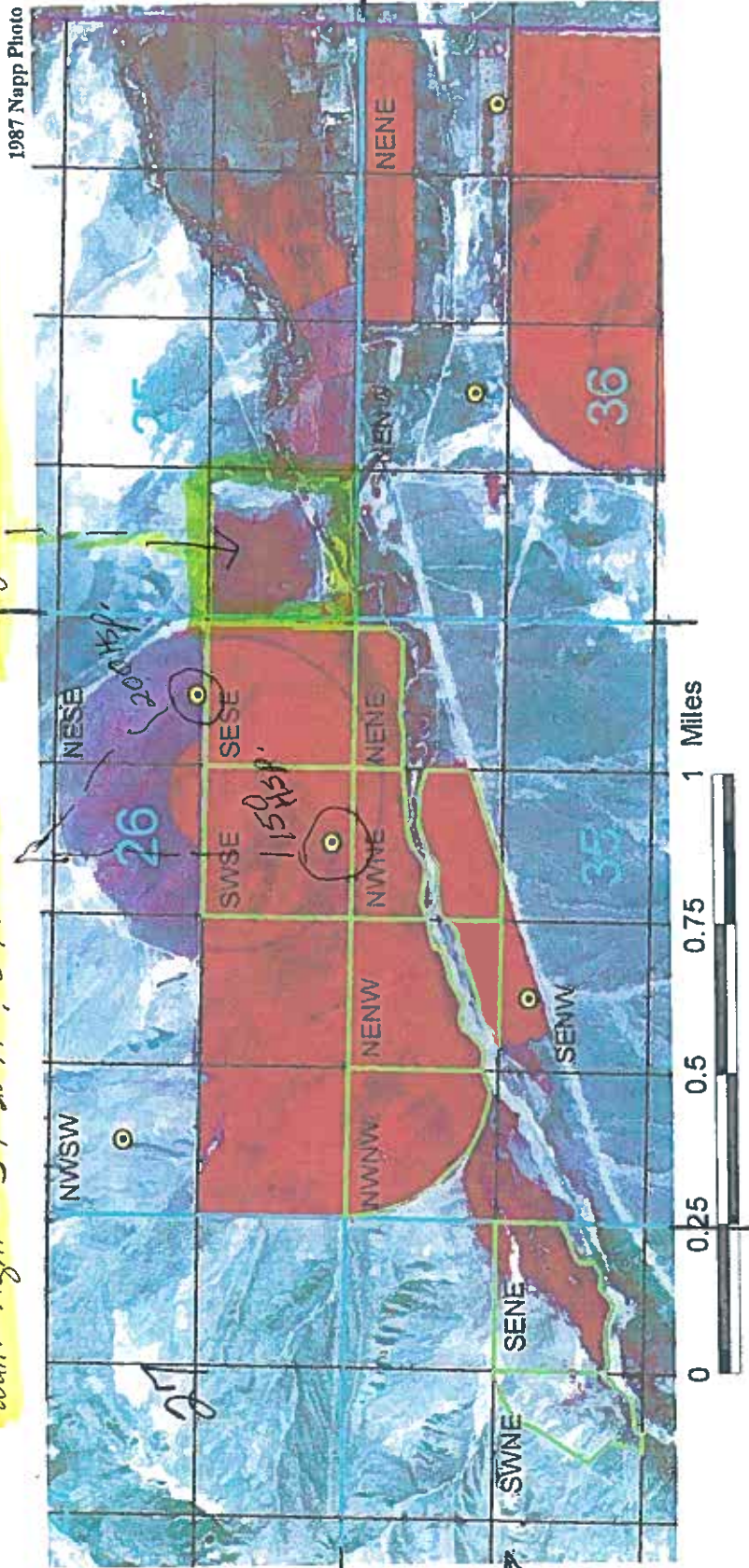
Hart Creek Ranch LLC
John C. Steen Authorized Manager
 Signature of Applicant (and title, if applicable)

Received by DB Date 11-1-07 Time 3:50 PM Preliminary check by _____
 Fee \$ 250- Received by DB # W035956 Date 11-1-07
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____

Idaho Department of Water Resources

Water right # 57-2271 ; 572278

Subject 35 acre parcel



Point of Diversion



Place of Use



Section Lines



Quarter Quarter Lines



Township/Range Lines



Claim Number: 57-02271

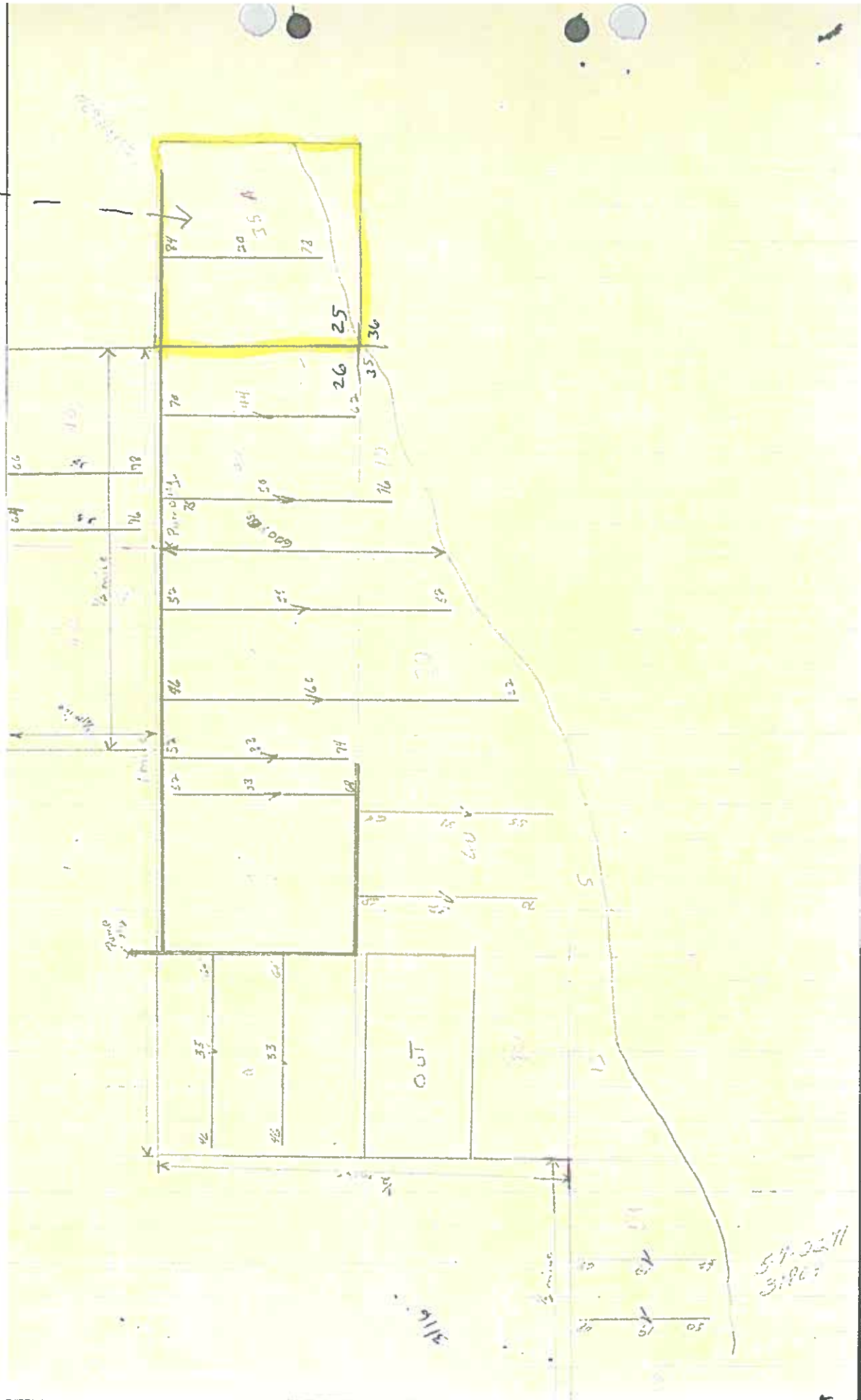
Legal: T04S, R01W, S26, 34, 35

Reviewed By:

57-11711

Field Examiners notes - received from IDWR

subject 35 acre
parcel



57-11711

Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, April 14, 2010 9:05 AM
To: Owyhee Avalanche
Subject: LEGAL NOTICE
Attachments: Owyhee County - Cover Letter.Doc; Owyhee County Ads - COMBINED.Doc

Attached please find (1) legal notice being submitted for publication. 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
Western Region

April 14, 2010

LEGAL NOTICE DEPARTMENT

OWYHEE AVALANCHE
PO BOX 97
HOMEDALE, ID 83628

RE: Application For Permit No(s): 57-11711 and 57-11785

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 5/10/2010. 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:

57-11711

HART CREEK RANCH LLC
24597 COLLETT RD
OREANA, ID 83650

Point of Diversion NESE S26 T04S R01W OWYHEE County Source GROUND WATER Tributary
Point of Diversion SWSE S26 T04S R01W OWYHEE County Source GROUND WATER Tributary
Use: IRRIGATION 03/01 to 11/15 0.7 CFS
Total Diversion: 0.7 CFS
Date Filed: 11/1/2007
Place Of Use: IRRIGATION
T04S R01W S25 SWSW

Total Acres: 35

This is an existing use from existing wells, mistakenly omitted in older water rights.

57-11785

DENNIS HUHTALA
ARLINE HUHTALA
19481 GAS POINT RD
COTTONWOOD, CA 96022

Point of Diversion SWNW S17 T02N R04W OWYHEE County Source GROUND WATER Tributary
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Use: HEATING 01/01 to 12/31 0.04 CFS
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.08 CFS
Date Filed: 7/24/2009
Place Of Use: DOMESTIC, STOCKWATER AND HEATING
T02N R04W S17 SWNW

Permits will be subject to all prior water rights. 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 Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 5/10/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director
Published on 4/21 & 4/28/2010

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APR 07 2010

WATER RESOURCES
WESTERN REGION

John and Lorna Steiner
24597 Collett Rd
Oreana, ID 83650
(208) 834-2595 phone/fax
(208) 834-2588 phone
jsteiner@rtci.net

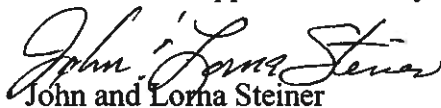
Steve Lester
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190 phone
(208) 334-2348 fax

April 2, 2010

Re: Application for Permit No. 57-11711

Dear Steve,

Please find the enclosed amended application for the Hart Creek Ranch. I have signed it and enclosed a copy of the well information on the farm. I hope I listed the information on the two wells clearly on the amended application form. If there is confusion please compare the well information sheet I enclosed with the farm map showing where the 150 hsp and 200 hsp pumps/wells are. If you have any questions please don't hesitate to give us a call. We appreciate all of your help on this. Thank you.


John and Lorna Steiner



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**

March 25, 2010

LORNA & JOHN STEINER
HART CREEK RANCH LLC
24597 COLLETT RD
OREANA ID 83650

Re: Application for Permit No. 57-11711

Dear Lorna and John:

Enclosed is a draft amended application for your review and signature as we discussed today. If you know the existing well diameters and depths, please enter that information for item 6c. List "unknown" if you do not have that information.

A signature and title of a person authorized to sign for the company is needed. Additional fees are not needed.

Please make any other additions or corrections that you think are needed. The completed application should be returned by **April 9, 2010** to avoid being voided. A refund will not be issued if the application is voided.

Thank you for your help in clearing up this application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Lester', is written over a horizontal line.

Steve Lester
Water Rights Supervisor

Enclosure



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 19, 2010

HART CREEK RANCH LLC
24597 COLLETT RD
OREANA ID 83650

Re: Application for Permit No. 57-11711

Dear Applicant:

The above referenced application was filed in late 2007 but has not been processed pending resolution of Trust Water issues. Those issues were recently resolved, and the application can be processed. Please see the enclosed information to help clarify a few points to allow the Idaho Department of Water Resources (IDWR) to process the application.

1) Proceed with Application? – File notes indicate you were considering filing a late claim in the Snake River Basin Adjudication (SRBA), perhaps resulting in withdrawal of this application. A late claim for this use is not currently found in IDWR records. If you want to withdraw the application and receive a refund of the \$250 filing fee, please use the enclosed form. Please request a refund in writing if so desired.

Assuming you want to proceed with the application, please address the remaining application items listed below.

2) Item #3, Points of Diversion – The application describes two wells in SWSW Section 25. The wells are noted as also being used for rights 57-2271 and 57-2278. Those records and the application map show the two wells in NESE and SWSE Section 26.

3) Item #7, Time Required – This application question was not answered. Since the application describes existing wells for existing irrigation, the appropriate response is the minimum 1 year period.

4) Item #13, Signature – The application was signed in late 2007 by "John Steiner, Authorized Agent." The Idaho Secretary of State "business entity" website identified Marcy Peterson as the manager and registered agent for the applicant in 2007. Current registration information states that Lorna Steiner is the manager and registered agent for the applicant.

Application No. 57-11711

February 19, 2010

Page 2

The application should be amended to cover those points discussed above. This can be done in one of three ways as follows:

- Make an appointment with me to amend the application at this office. Lorna Steiner should be present, or information authorizing John Steiner or someone else to amend the application should be provided if Lorna is not involved; or
- Use the enclosed blank form to refile the application; or
- The same blank form is available on the IDWR website at www.idwr.idaho.gov. Select "rules, statutes and forms" from the menu on the left side of the page. Then select "water right forms" and go to the "new water rights" heading. Select "application for permit" for a form you can complete on-line. You can print and sign the completed form (cannot submit it electronically at this time).

Additional fees are not needed to amend the application.

Please provide your written response or complete an appointment at this office within the next thirty (30) days. An application is typically voided without any refund unless a timely reply is made. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure

MEMORANDUM

Type: In Office Conversation

Telephone

Meeting Notes

Follow-up

Log of Events

Other _____

To: Application 57-11711 Hart Creek Ranch.

From: J. Westra, Western Reg. JFW.

Date: 3/10/09

RE: Trust Water Issues.

3/10/09 Lorna Steiner

Discussed the trust water issues currently with ID
Power. Mitigation for effects on Minnie Flows @ Swan Falls.
- Steiner check to see if late claim filed with SRBA.
No late claims filed, sent forms 3/11/09.

Application will continue to be held.