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DEC 22 2007

FORM 202
12/99

Department of Water Resources
Eastern Region

Ident. No.

74-15845

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

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FEB 28 2008

Department of Water Resources
Eastern Region

1. Name of Applicant Idaho Department of Fish and Game Phone 208-334-3700

Mailing address P.O. Box 25, Boise, Idaho, 83707-0025

2. Source of water supply Bohannon Creek which is a tributary of Lemhi River

3. Location of point of diversion is Township 21N Range 23E Sec. 22, in the SW 1/4, NE 1/4, Govt. Lot , B.M., Lemhi County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount .80 cfs for Fish Propagation purposes from 04/01 to 11/01 (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) .80 cubic feet per second and/or acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source Water is diverted at an existing irrigation diversion, then re-diverted from the ditch, at the fish screen, and piped back to the stream.

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?

e. If well is already drilled, when? ; Drilling firm
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 1 years (minimum 1 year)
Completed

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. The water returns fingerling fish to the stream from the irrigation ditch through a 10" bypass pipe that has a control plate at the inlet with a 4" orifice.

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9. 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	
21N	23E	22			H														

Total number of acres to be irrigated NA

10. Describe any other water rights used for the same purposes as described above. 74-07341 and 74-01678

11. a. Who owns the property at the point of diversion? Eagle Valley Ranch LLC

b. Who owns the land to be irrigated or place of use? Eagle Valley 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:

See attached – Easement

12. Remarks:

We would like this water right to be assigned to the Idaho Department of Fish and Game name for this diversion, LBC-05

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8Yz"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.)

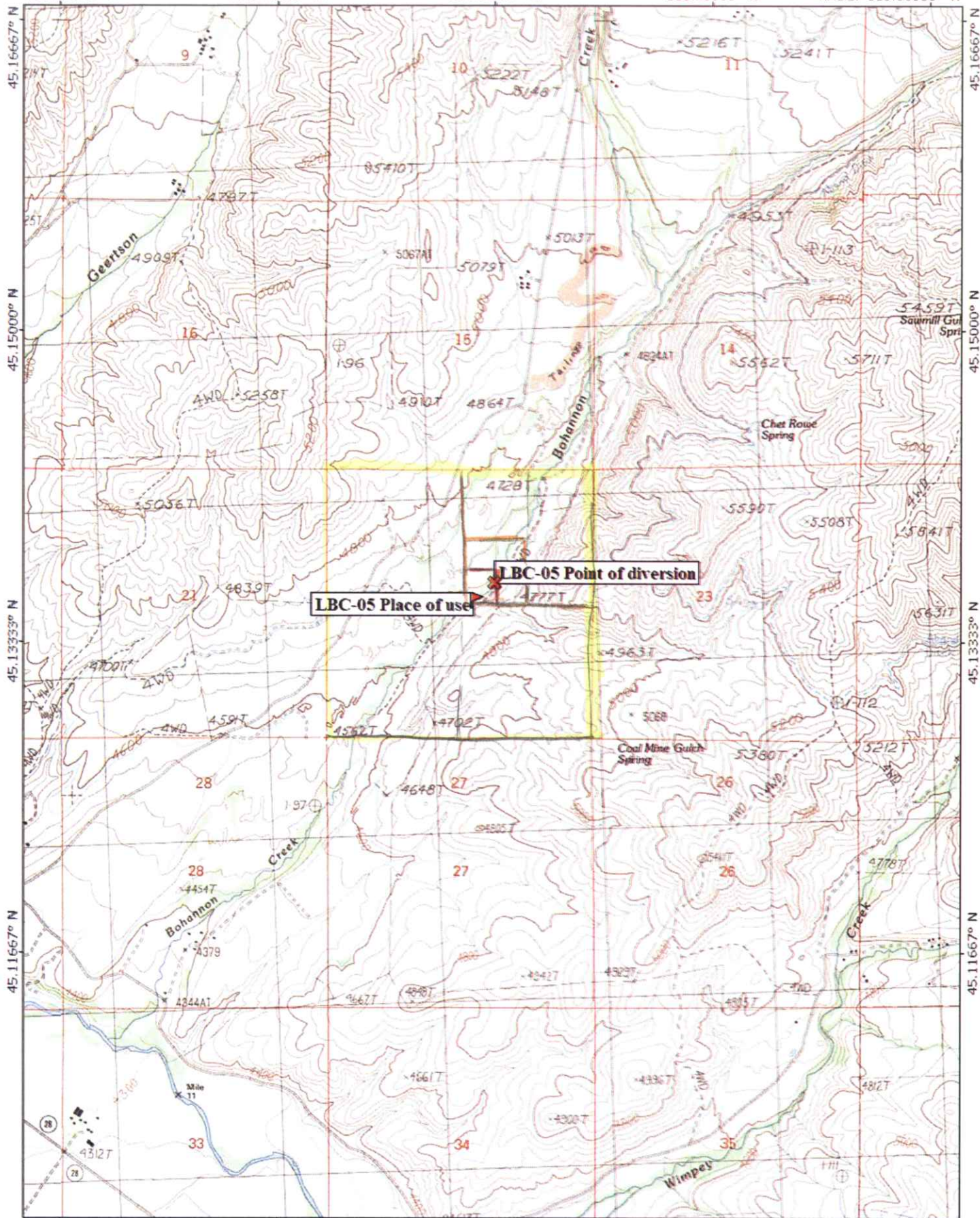
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

James R. Fubens
Regional Supervisor

Signature of Applicant (and title, if applicable)

Received by _____ Date 2/28/08 Time _____ Preliminary check by _____
 Fee \$ 100- Received by _____ # BILL 0411 Date 1/18/08
 Publication prepared by _____ Date 3/20/08 Published in Recorder Herald
 Publication approved _____ Date _____

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Landowner LBC-05

EASEMENT AGREEMENT
BOHANNON CREEK-05

THIS INDENTURE, made and entered into this 27th day of August, 2004, by and between Eagle Valley Ranch LLC, hereinafter called Landowners, and the STATE OF IDAHO for the use and benefit of the Idaho Fish and Game Commission, hereinafter called the Commission,

WITNESSETH:

That for and in consideration of the sum of ONE DOLLAR (\$1.00), cash in hand paid by the Commission to the Landowners, receipt whereof is hereby acknowledged, the Landowners have this day bargained and sold and by these presents do hereby grant, bargain, sell, convey, transfer and deliver unto the Commission a permanent easement for the purpose of construction, operation, maintenance, alteration, renewal and removal of a self-cleaning fish screen and fish bypass thereto on, within, and across a canal or ditch known as the Bohannon Creek-05 (LBC-05), and located in Lemhi County, upon lands of the Landowners at a point within, SW ¼ NE ¼, Section 22, Township 21 North, Range 23 East, B.M., and said fish bypass to run from said fish screen to the adjacent stream course known as Bohannon Creek. Together with the right of ingress and egress for personnel of the Commission, the Department of Fish and Game or its authorized agents on and over property of the Landowners for the purposes herein designated, together with rights of way along the canal channel to provide for removal of debris, logs, log jams, mud or gravel bars that may accumulate in the canal channel or ditch immediately above or below the fish screen and which have been caused to accumulate by installation of said fish screen.

In the event of any future alterations in the line or grade of the canal channel, ditch, or stream course necessitating changes in or relocation of the Commission's installations, due to a change in irrigation practices, the Landowners, by these presents, also grant, bargain and sell to the Commission an easement as herein first above granted to relocate its installations in said canal channel or ditch or stream course still located on the lands of the Landowners, their heirs or assigns.

In construction of the fish bypass, the Commission will assume responsibility for the future stability of any dike, ditch, or canal bank, or similar structure penetrated by said bypass, in the immediate area disturbed by the penetration and installation of the bypass pipe.

All such installations placed on, within and across said canal or ditch by the Commission shall remain the property of the Commission and may be removed by the Commission at any time.

Landowner LBC-05

All expenditures to be made by the Commission under the provisions of the agreement shall be subject to appropriations being available for the purpose.

IN WITNESS WHEREOF, the parties have hereunto executed their signature below.

LANDOWNERS

STATE OF IDAHO)

COUNTY OF Lemhi)

S.S.

On this 27th day of August, in the year 2003, before me,

Robert E. Foster, a notary public, personally appeared,

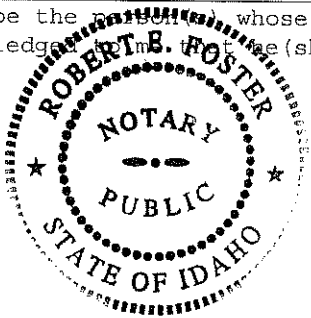
me to be the person(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he (she) (they) executed the same.

S

E

A

L



Robert E Foster
Notary Public

My Commission Expires 2-16-07

State of Idaho
County of Lemhi)

SS No.

261571

This instrument was filed for record at the request of Idaho Fish & Game at 2:30 o'clock A.M. on 21 Jan 2005 and duly filed and indexed in the records of Lemhi County.

Terri J. Morton
Ex-Officio Recorder

By K Baumert Deputy

Fee 0

Return to _____

Idaho Fish and Game Commission

Steve Huffaker
Steve Huffaker, Secretary

STATE OF IDAHO)

COUNTY OF Ada)

S.S.

On this 8th day of November, in the year 2003⁴, before me,

Marilyn L. Whitney, a notary public, personally appeared,

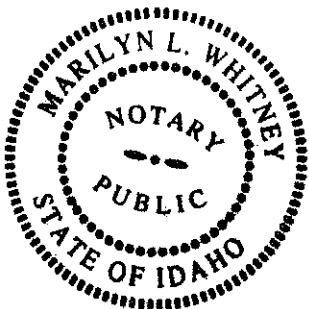
Steve Huffaker, personally known to me to be the person(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he (she) (they) executed the same.

S

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L



Marilyn L Whitney
Notary Public

My Commission Expires 5/24/2010

Cox, Sharla

From: Marston, Sascha
Sent: Friday, January 18, 2008 8:41 AM
To: Cox, Sharla
Subject: RE: Interagency Billing

Picky, aren't ya! It's BILL0411.

From: Cox, Sharla
Sent: Friday, January 18, 2008 8:29 AM
To: Marston, Sascha
Subject: RE: Interagency Billing

I need the "BILL" number, Thank you!

From: Marston, Sascha
Sent: Friday, January 18, 2008 8:17 AM
To: Cox, Sharla
Subject: RE: Interagency Billing

We got the money for these last night.
Have a great weekend!!

Sascha

From: Cox, Sharla
Sent: Tuesday, January 08, 2008 8:47 AM
To: Marston, Sascha
Subject: RE: Interagency Billing

Here you go..... Thank you..
<< File: 20080108084856292.pdf >>

-----Original Message-----

From: Cox, Sharla
Sent: Monday, January 07, 2008 1:49 PM
To: Marston, Sascha
Subject: Interagency Billing

Sascha, could you please do an interagency billing for me for the following:

Idaho Department of Fish & Game
Attention: Walt Poole
PO Box 25
Boise ID 83707

For: 10 applications for permit with .80 cfs on each application.
Each application cost is 250.00 for a total of \$2500.00

PCA code will be 63003.

Please let me know when this transaction has been completed.

thanks.

Sharla