

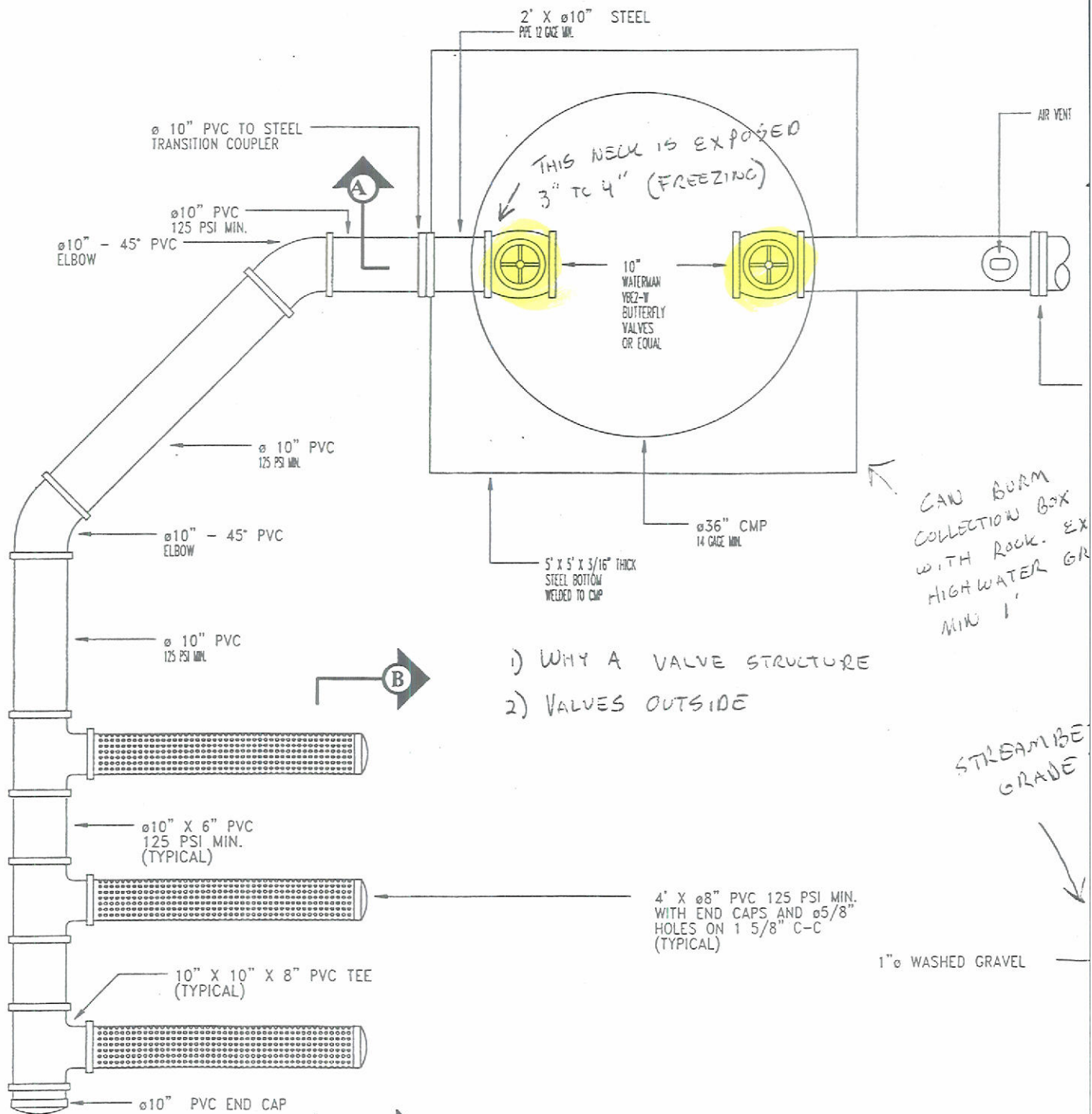
Ulysses, ID
7.5 MIN PROVISIONAL
1991
T24NR19E S12, 13

MICROFILMED
 OCT 04 2002

INDIAN CREEK GUEST RANCH LLC

INLET STRUCT

PLAN VIEW



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OCT 04 2002



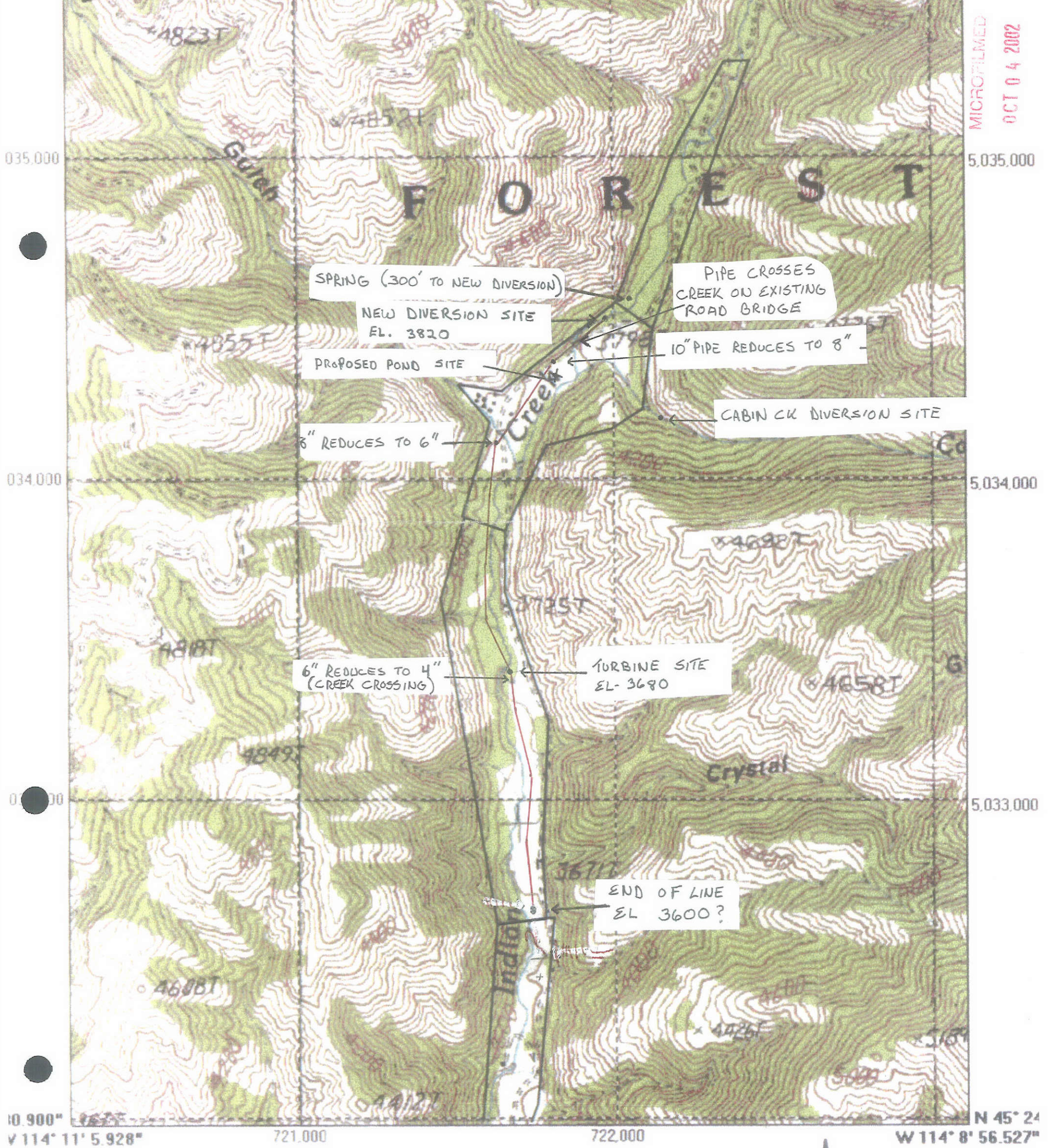
MICHOI LIMITED
OCT 04 2002

INDIAN CREEK
GUEST RANCH LLC

Proposed Irrigation Pipeline
AND TURBINE

02/11/02

114° 10' 59.449" 721,000 722,000 W 114° 8' 49.965" N 45° 26' 1.118"



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North American Datum, 1,000-meter UTM grid zone 11
provided by BigTopo (www.bigtopo.com)
compiled from USGS Quads: Ulysses, ID.MT

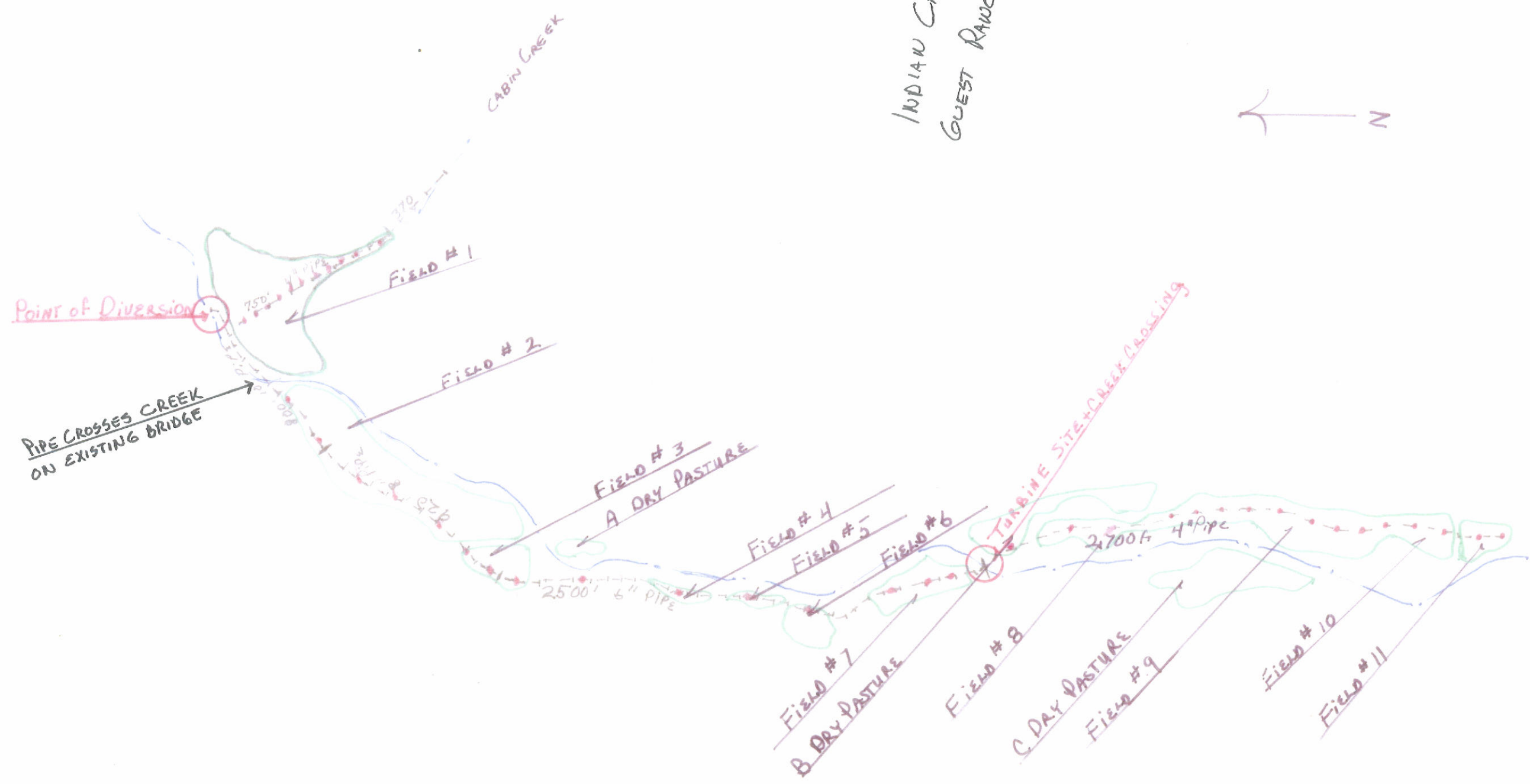
Scale: 1" = 1000'



INDIAN CREEK GUEST RANCH LLC
PROPOSED PIPELINE + TURBINE ROUTE
02/11/02

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INDIAN CREEK
GUEST RANCH LLC



• RISERS
— FIELD
--- MAIN LINE

SCALE APPROX. = 500'

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 12 2003

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 75-14061 Telephone No. 208 394-2126

2. Name(s) of Permit Holder(s): INDIAN CREEK GUEST RANCH, LLC

3. Mailing Address: 194 INDIAN CREEK ROAD, NORTH FORK ID 83466

4. Source of Water: INDIAN CREEK If GROUNDWATER (well), Date Drilled: mo. / yr.

a. Well Driller: NA Drilling Permit Number: - - -

b. **OPTIONAL:**

Pump Horsepower: NA Pressure (psi): Dynamic pumping level (ft):

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): Stockwater (No. and type of stock):

Irrigation (No. of acres): Other: POWER

6. Total rate of diversion and/or volume for which proof is submitted: .38 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes ☒ or No
Has the measuring device been installed? Yes ☒ or No

Flow Measurement Port: Is a flow measurement port required? Yes or No
Has the measurement port been installed? Yes or No

8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: JERRY MYERS Telephone Number: 208 394-2126

Address: SAME AS ABOVE

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature] For INDIAN CREEK GUEST RANCH LLC Date: 4/25/03
(include your title, if on behalf of company or organization)

FILED
MAY 11 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 75-14061

Priority: 02/13/2002

Maximum Diversion Rate: 0.38 CFS

This is to certify, that INDIAN CREEK GUEST RANCH LLC
PO BOX 36
CHALLIS ID 83226

has applied for a permit to appropriate water from:

Source: INDIAN CREEK

Tributary: SALMON RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
POWER	01/01 to 12/31	0.38 CFS

LOCATION OF POINT(S) OF DIVERSION:

INDIAN CREEK NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12, Twp 24N, Rge 19E, B.M. LEMHI County

PLACE OF USE: POWER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
24N	19E	12															X		

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 1, 2005**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. The right holder shall install a measuring device that can be used to determine the instantaneous rate of flow of water through the system, or the right holder shall provide to the department a flow rate measurement or computation made by a certified water right examiner in accordance with actual system design and operation.
6. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
7. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
8. Use of water under this right shall be non-consumptive.
9. This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.

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State of Idaho
Department of Water Resources
Permit to Appropriate Water

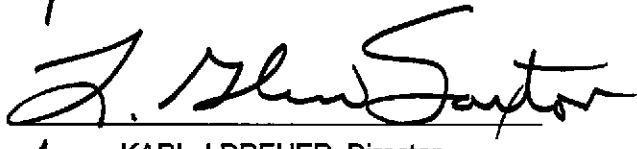
NO. 75-14061

CONDITIONS OF APPROVAL

10. The rights for the use of water acquired under this right shall be junior and subordinate to all other rights for the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
11. The Director retains jurisdiction of this right in order to limit the use of water for hydropower generation purposes to a specific term of years as required by Section 42-203B(7), Idaho Code.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of

the Director, affixed at Boise, this 12th day of April, 2002


for
KARL J DREHER, Director

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OCT 04 2002

FORM 232
12/99Ident. No. 75-14061STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Idaho limited liability company

1. Name of Applicant Indian Creek Guest Ranch, L.L.C., an Phone (208) 879-4488 or (850) 878-8575
Mailing address c/o James R. Bennetts, P.O. Box 36, Challis, Idaho 832262. Source of water supply Indian Creek which is a tributary of Salmon River
3. Location of point of diversion is Township 24 N Range 19 E Sec. 12 In the NW 1/4,
NE 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 0.38 cfs for hydro power purposes from Jan. 1 to Dec. 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) 0.38 cfs 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 See below *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 3 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. 160 ft. head & 2400 watts

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

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. will include one or two small turbines* Three in stream buried 4" sections of perforated 8" PVC pipe to 800', m/l, 10"
PVC pipe (buried) to 920', m/l, 8" PVC pipe (buried) to 2500', m/l, 6" PVC pipe
(buried) to turbine(s) with discharge pipe or ditch to stream. Pipeline has shutoff
valves.

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APR - 5 2002

Department of Water Resources

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.

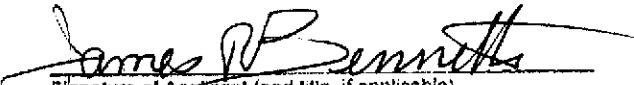
TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24N	19E	12																P	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above none, however, see remarks11. a. Who owns the property at the point of diversion? Patrick J. and Kathleen D. Farrellb. Who owns the land to be irrigated or place of use? " " " "c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: 1) Lease and 2) Agreement to Construct and Operate a Hydro Plant12. Remarks: 1) unsurveyed lands-locations are therefore approximate (2) water will be delivered in a system also delivering irrigation water under rights A75-04379A and A75-04379C thereby conserving total water use. (3) see attached map (4) see attached affidavits (2)

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"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.

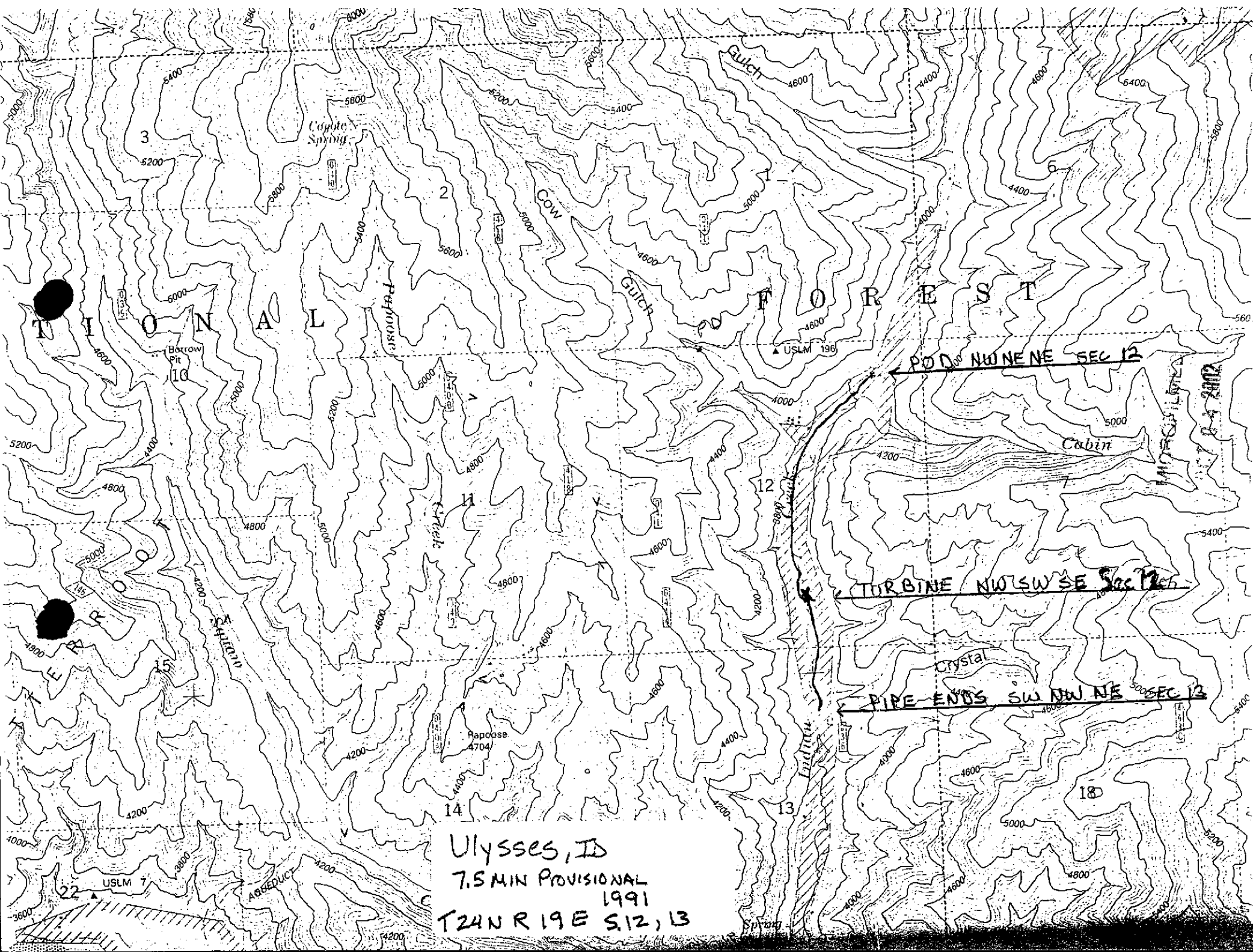

 Signature of Applicant (and title, if applicable)

attorney and authorized agent for applicant

Received by HWT Date 2-13-02 Time _____ Preliminary check by _____
 Fee \$ 250 Received by HWT # E027445 Date 2-13-02
 Publication prepared by Sc Date 3/7/02 Published in Recorded Herald
 Publication approved Sc Date 3/27/02

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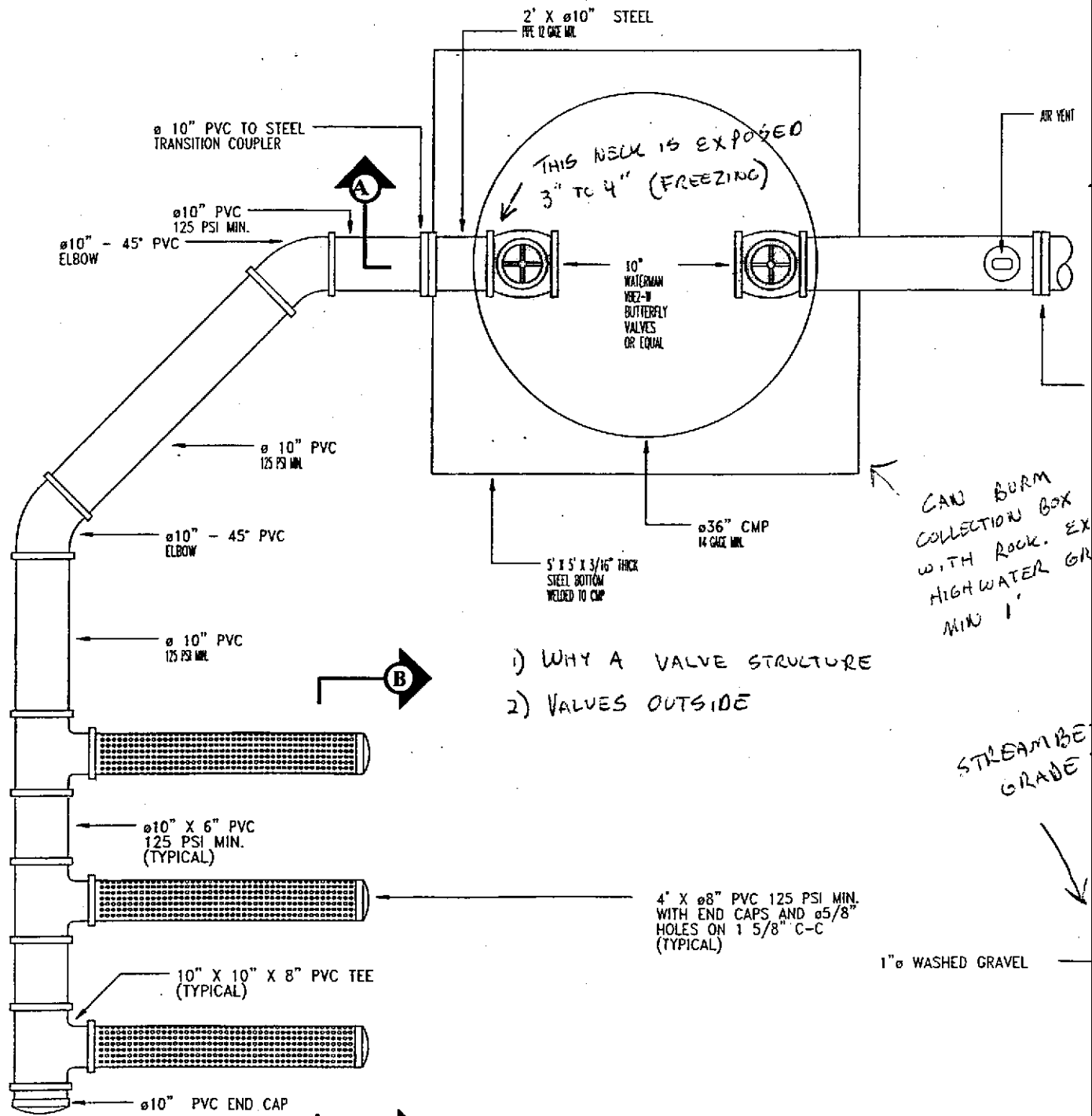


ULYSSES, ID
7.5 MIN PROVISIONAL
1991
T24N R19E S.12, 13

INDIAN CREEK GUEST RANCH LLC

INLET STRUCT

PLAN VIEW



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OCT 3 4 2002

EXCEEDS
GRADE BY



2.

4. THE OWNER/OPERATOR SHALL INSURE THAT THERE IS A MINIMUM OF 2.5' OF FALL OVER A MAXIMUM LENGTH OF 150' FROM ORIGINAL POINT OF DIVERSION.



OCT 04 2002

Scale: None	Sheet of
-------------	----------

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FEB 15 2002

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**AFFIDAVIT FOR WATER RIGHTS TO BE USED FOR POWER
PURPOSES**

A. Establishment of Residency: *(Complete either 1, or 2).*

1. Individual Applicant or Individual Members of a Partnership:

I, _____ of _____,
(name) (city)

County of _____ State of Idaho, being duly sworn, do hereby certify that I
am a bona fide resident of the State of Idaho.

2. Corporation: or Limited Liability Company

I, James R. Bennetts of Challis,
(name) (city)

County of Custer, State of Idaho, being duly sworn, depose and
say: That I am the designated registered agent of the INDIAN CREEK GUEST RANCH, L.L.C., an
Idaho limited liability company; that as such I am in charge of the registered office of the said L.L.C.
(name of corporation)

corporation as required by Section 53-604, Idaho Code, at Challis
(city)

Idaho, wherein are kept the corporate records required by Section 53-604, Idaho Code; and that INDIAN

CREEK GUEST RANCH, L.L.C., an Idaho limited liability company is a LLC qualified to do business in the State
(name of corporation)

of the State of Idaho under the laws of the state of Idaho.

B. Ownership of Facilities: *(To be completed (or hydropower projects only)*

The hydropower facility to be developed pursuant to the attached Application for Permit:

- ☐ Will not utilize existing man-made irrigation facilities such as a dam or a canal,
☒ Will utilize existing man-made irrigation facilities such as a dam or a canal, and permission of the owner is
documented in an affidavit attached hereto.
☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and the owner is the signer of this
affidavit.

James R. Bennetts
Applicant

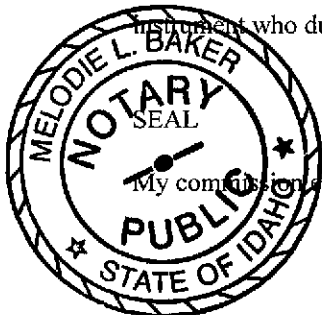
STATE OF IDAHO)
County of Custer)ss
)

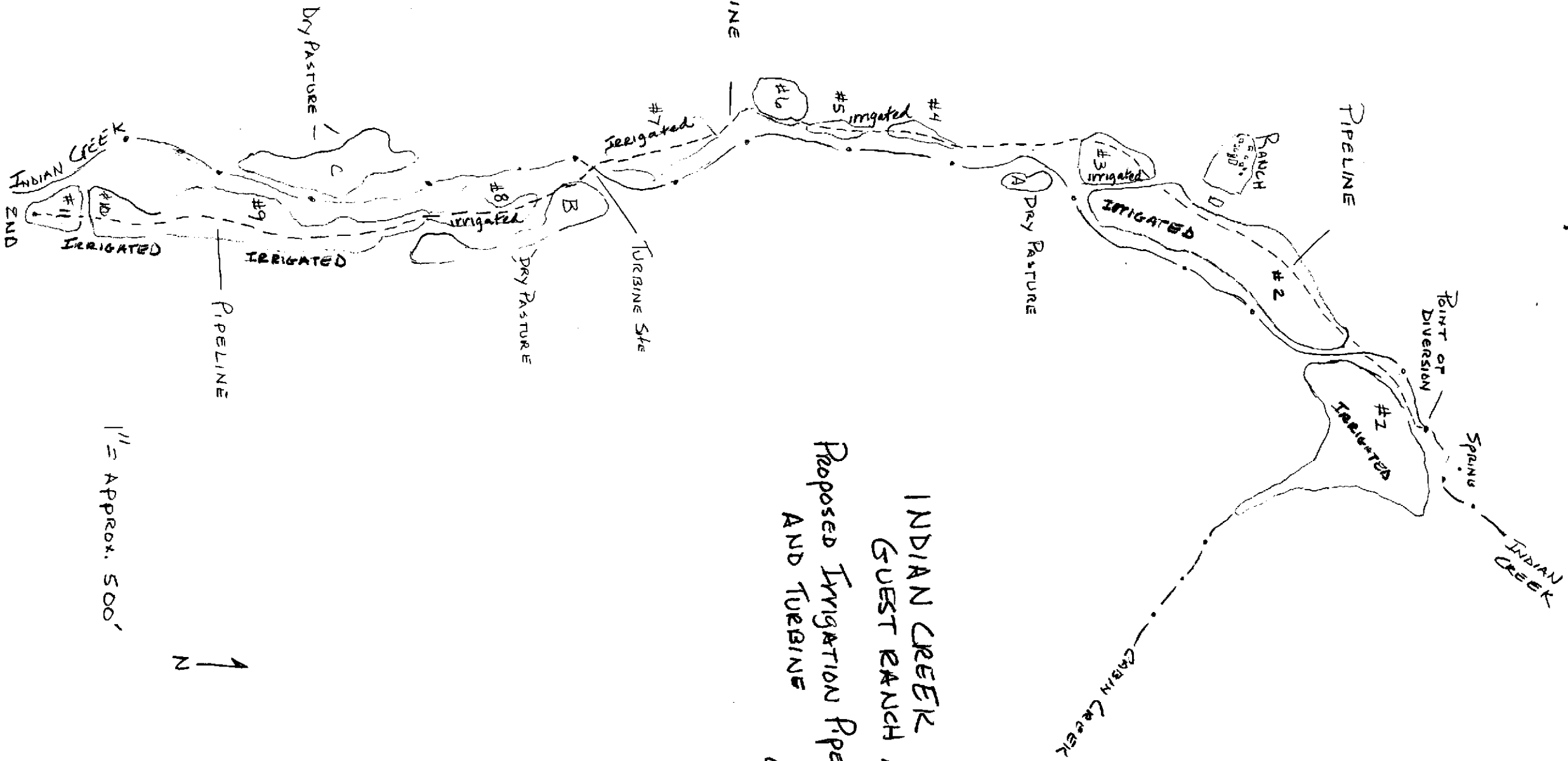
On this 13 day of February, 2002, personally appeared before me the signer(s) of the above
instrument who duly acknowledged to me that he (she) (they) executed the same.

Melodie L. Baker
Notary Public residing at

My commission expires 10/23/02

OCT 04 2002





INDIAN CREEK
 GUEST RANCH LLC
 Proposed Irrigation Pipeline
 AND TURBINE
 02/11/02

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1" = Approx. 500'

1
 2

114° 10' 59.449" W 114° 8' 49.965" N 45° 26'

722,000

721,000

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OCT 04 2002

5,035,000

5,034,000

5,033,000

10,900" W 114° 11' 5.928" N 45° 24'

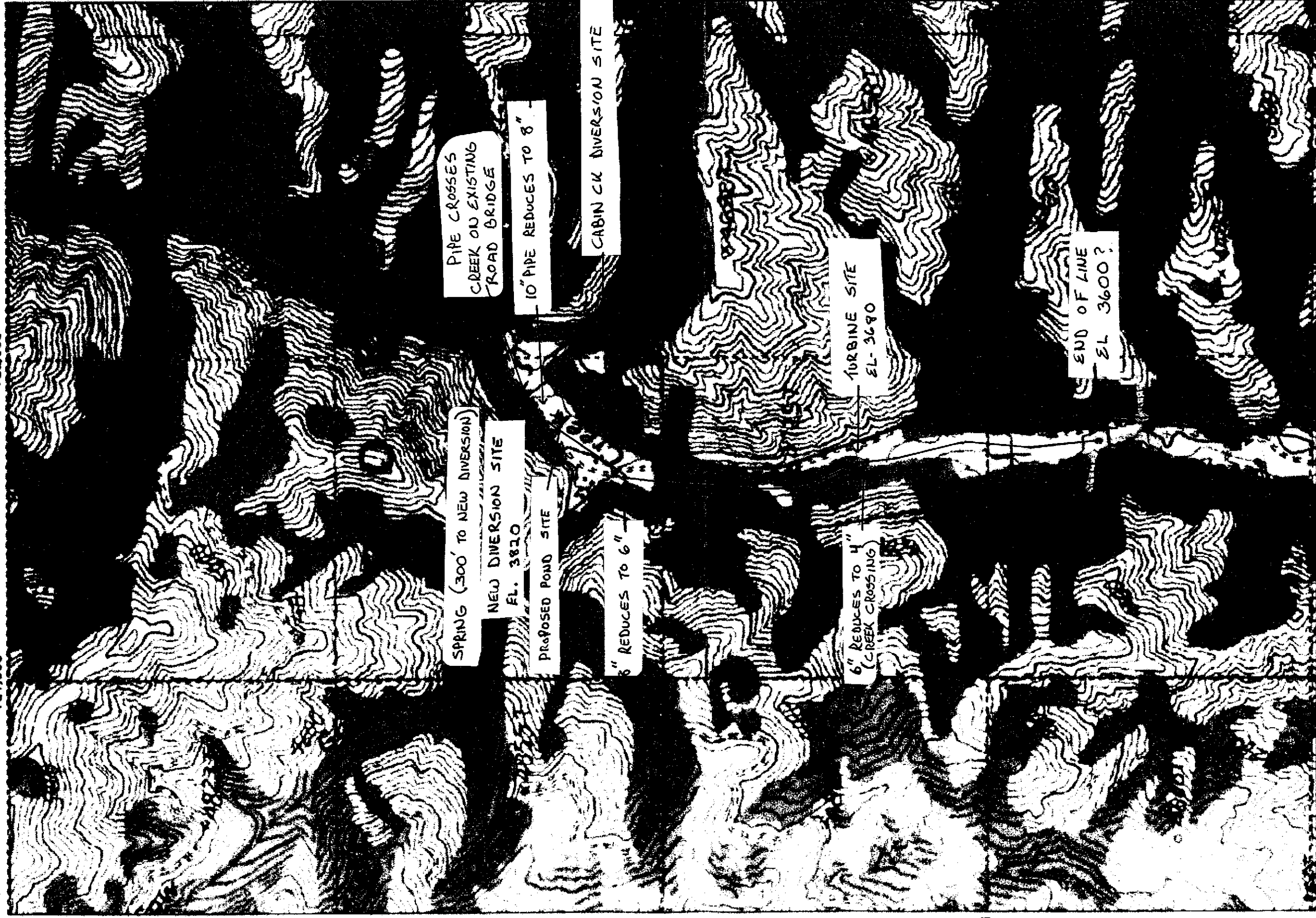
722,000

721,000

th American Datum 1,000-meter UTM grid zone 11
id by Biatopac (www.biatopac.com)
ipited from USGS Quads Ulysses, ID, MT

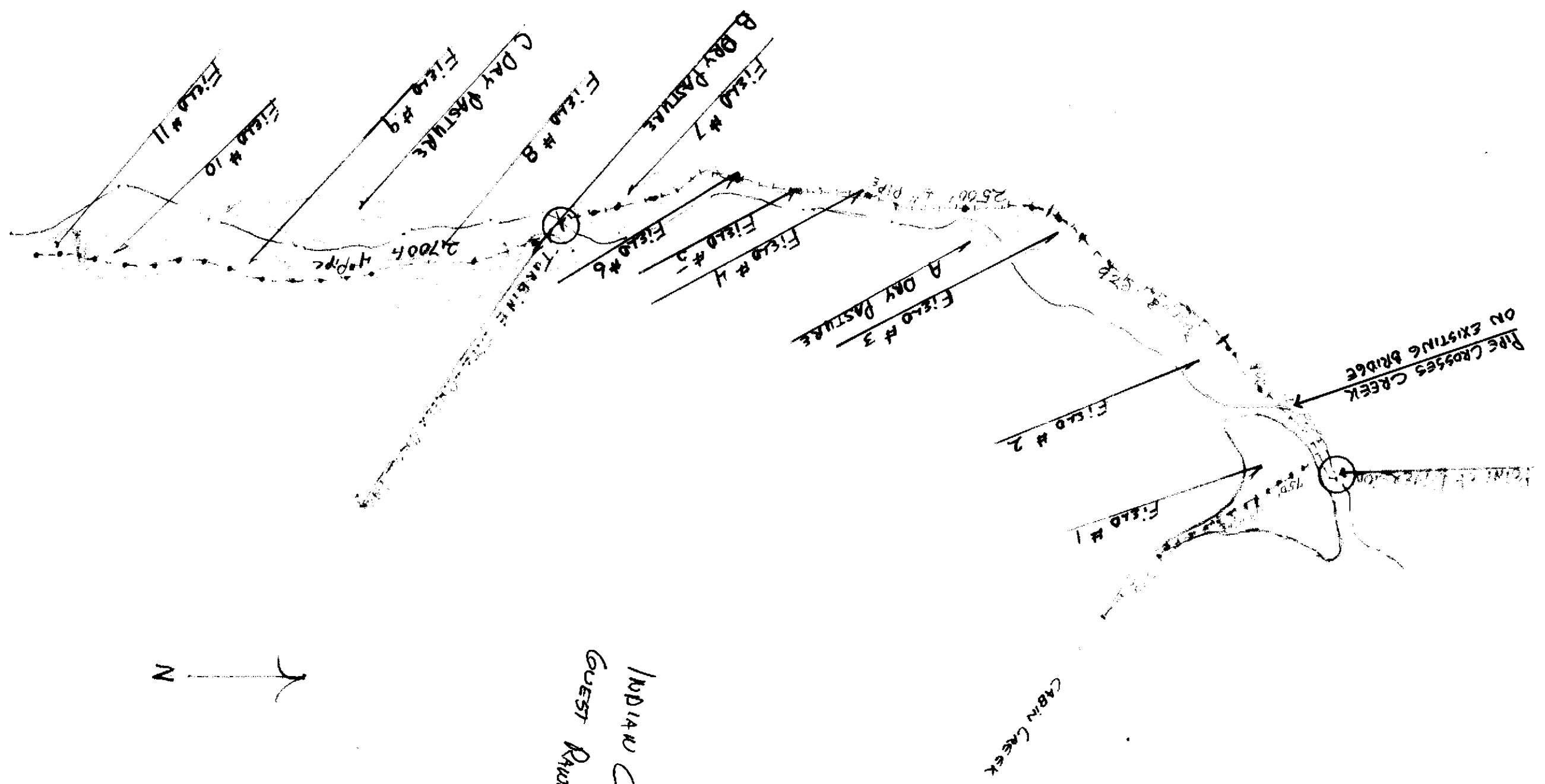
Scale: 1" = 1000'

INDIAN CREEK GUEST RANCH LLC
Proposed Pipeline + Turbine Route
02/11/02



ROAD
FIELD
MAIN LINE

SCALE APPROX = 500'



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OCT 04 2002

Indian Creek
Guest Ranch LLC



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 9, 2003

INDIAN CREEK GUEST RANCH LLC
194 INDIAN CREEK RD
NORTH FORK ID 83466

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 75-14061

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

I have changed the address on record for this water right to reflect the information shown on the Proof of Beneficial Use form filed with the department. If the above address is not correct, please advise me as soon as possible. Also, be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Eastern** Regional Office of the department in Idaho Falls (208)525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

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AUG 11 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 75-14061

Reviewed By: dgibson

Date: June 6, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		E027445, C069040	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?	X	
Name and address same as permit?		X	Measuring device installed?	X	
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	05/12/2003
Date proof due	- 04/01/2005
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 02/13/2002
New priority date	= 02/13/2002

Deficiencies of Actions Items

Acknowledge proof and update mailing address.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2002

INDIAN CREEK GUEST RANCH LLC
PO BOX 36
CHALLIS ID 83226

RE: Permit No. 75-14061

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

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Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

for Kari Lynn Lawrence
for Shelley W. Keen
Water Rights Supervisor

SWK:klr

Enclosure(s)

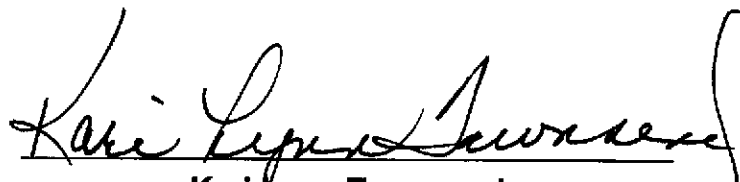
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CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 75-14061

**INDIAN CREEK GUEST RANCH LLC
PO BOX 36
CHALLIS ID 83226**


Kari Lynn Townsend
Secretary

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OCT 04 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 4/9/02

No. 75-14061 Name: Ind. Cr. Guest Ranch Corp. Officers ✓ Ad ok Govt Lots

AREA OF CONCERN: No/Yes Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

WMD

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121

Trust - 051 (consumptive uses)
Non-Trust - 048 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027, 022-08A

BENEFICIAL USE DUE: 4, 01 2005

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response No objection
In/Above M&F - WB9

PLANNING REVIEW/RESPONSE

WD - R04 (WD#)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WD

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL

Restricted area - 022,075
Irr., GW supp to SW - 102
Future needs - 007,109

FISH PROP

DOMESTIC

Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON - (Per updated map)

IRR VOLUME/ACRE

OTHER CONDITIONS/REMARKS

COMMENTS

No. W 15400		Due no later than May 31, 2002 Annual Report Form		2. Registered Agent and Office NO PO BOX	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080		1. Existing company - Current Office for Filings INDIAN CREEK GUEST RANCH, L.L.C. JAMES R BENNETTS 7391 Buck Lake Rd. Tallahassee, FL 32319 CHALLIS, ID 83226		JAMES R BENNETTS 1231 MAIN ST CHALLIS, ID 83226	
NO FILING FEE IF RECEIVED BY DUE DATE				3. New Registered Agent Signature	
4. Limited Liability Companies: Enter Names and Addresses of Managers.					
Office held	Name	Street or P.O. Address	City	State	Zip
Manager	Patrick J. Farrell, Jr.	7391 Buck Lake Rd.	Tallahassee	FL	32319
Manager	Kathleen D. Farrell				
5. Organized Under the Laws of: IDAHO W 15400		6. Signature Patrick J. Farrell, Jr.		Date 3/20/02 Title Manager	
Issued 03/01/2002		Do Not Tape or Staple		858	

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OCT 10 4 2002

Send Copies

4-15-11-11-11

APP-5-102

Dist for Staffing

Submitted for advertising 2-14-02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT ANALYSIS PERMIT

Indian Creek

INITIAL REVIEW BY HWT DATE 2-13-02 APPLICATION NO. 75-14061

REQUIRED INFORMATION:

- ☒ Name (if applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivision, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works Headgate needed
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

Control device
on pipeline -
exists! HWT

ADDITIONAL INFORMATION:

- ☐ Overlapping place of use (Describe source & relationship to present application on the back)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send fish farm requirement letter
- ☒ Yes ☐ No Power residency affidavit Needed - Received!
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet)
- ☐ Yes ☒ No Public Water System
- ☐ Yes ☒ No Planning section review
- ☐ Yes ☒ No Moratorium Hold file
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

PROCESSING:

- ☒ Yes ☒ No In form for advertising
- ☒ Yes ☒ No Statewide advertising
- ☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO:

- ☒ Id Dept of Environmental Quality
- ☒ Id Dept of Fish & Game Salmon
- ☐ Id Dept of Lands
- ☐ Adjudication Bureau Unit
- ☐ U.S. BLM
- ☒ U.S. Forest Service Salmon
- ☐ Water District
- ☐ Other

FINAL REGIONAL PROCESSING REVIEW:

☒	Yes	☐	No	Affidavit of publication received
☒	Yes	☐	No	Application published correctly. If not, record action taken
☒	Yes	☐	No	Publication dates & paper, recorded on application
☐	Yes	☒	No	Protests received
				Final date for protest _____
☐	Yes	☐	No	Protests, dates, resolution of protest, recorded on application
☐	Yes	☐	No	Recommendations attached
☒	Yes	☐	No	Measuring device required
☐	Yes	☐	No	Access port required
☐	Yes	☐	No	Will water be delivered by watermaster? If yes, what District _____
☐	Yes	☐	No	Special conditions of approval or cover letter below.

Date of priority recommend 2-13-02
By: JWJ Date: 4-2-02
STATE OFFICE REVIEW: _____

By: _____ Date: _____
 ADDITIONAL INFORMATION: _____

LOCAL PUBLIC INTEREST:

Comments received from:

_____ City _____ Id Fish & Game _____ Irrigation District
 _____ County _____ Id Health & Welfare _____ Canal Company
 _____ Reservations _____ Div. Of Environment _____ Other _____

Project impacts/implications report

COMMENTS

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

RECEIVED

MAR 27 2002

Department of Water Resources
Eastern District Office

**PROPOSED WATER PERMIT
AMENDMENT # 75-14061**

INDIAN CREEK GUEST RANCH
LLC
P.O. BOX 36
CHALLIS ID 83226
Point(s) of diversion: NWNENE
S12.T24N R19E, LEMHI County
Source INDIAN CREEK
Tributary to SALMON RIVER
Use: POWER 01/01 to 12-31
0.38 CFS
Total diversion: 0.38 CFS
Date Filed: 02/14/2002
Place of Use: POWER
T24N R19E S12 SWSE
Permits will be subject to all prior
water rights. Protest may be submit-
ted based on the criteria of Sec 42-
211, Idaho Code.

Any protest against the approval
of this application must be filed with
the Director, Dept. of Water Re-
sources, Eastern Region, 900 N.
Skyline Dr Ste A, Idaho Falls ID
83402 together with protest fee of
\$25.00 for each application on or
before March 25, 2002. The prot-
estant must also send a copy of the
protest to the applicant.

KARL DREHER, Director

3-7-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (print-
ers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and
of general circulation therein. That the **PROPOSED WATER PERMIT # 75-14061**, a true printed
copy of which is attached to the margin hereof, has been and was correctly printed and published
in the regular and entire issue of every number of said newspaper and not in any supplement
thereof or thereto for **TWO(2)** consecutive issue(s), commencing with the issue dated **3-7-2002**
and ending with the issue dated **3-14-2002**.

STATE OF IDAHO

County of Lemhi

ss.

On this **18th day of March** in this year of 2002 before me, A Notary Public, personally appeared
RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within
instrument, and being by me first duly sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

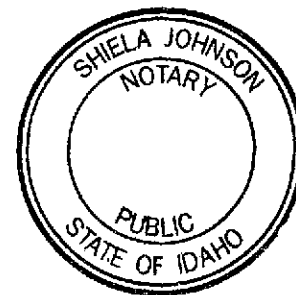
Shiela Johnson

Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 01-02-2007

Publication Fee \$51.48



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OCT 04 2002

5/5



IDAHO FISH & GAME

SALMON REGION
1215 Highway 93 North
P.O. Box 1336
Salmon, Idaho 83467

Dirk Kempthorne / Governor
Rod Sando / Director

March 20, 2002

RECEIVED
MAR 21 2002
Department of Water Resources
Eastern Region

Harold Jones
Water Right Supervisor
Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, Id. 83402-1718

Re: Application # 75-14061 – Indian Creek Guest Ranch

skip
Dear Harold,

Department personnel have reviewed the application by Indian Guest Ranch for a water right to operate a small hydro facility on Indian Creek, a tributary to the Salmon River, and believe the project will not adversely impact fish or wildlife values in the watershed. This project is part of a larger proposal to improve irrigation efficiency and fish migration. As a result of the improvements, five diversions will be consolidated into one infiltration system that will be more efficient and eliminate migration barriers created by the old diversions. The proposed hydro project will be part of the new infiltration system and will therefore be screened to eliminate fish entrainment.

We appreciate the opportunity to review this application and provide comments.

Sincerely,

James R. Lukens
Regional Supervisor

cc: Russ Kozacek
Tom Curet
Natural Resources Policy Bureau

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OCT 8 4 2002

Keeping Idaho's Wildlife Heritage



United States
Department of
Agriculture

Forest
Service

Salmon-Challis
National Forest

Headquarters Bldg
50 Hwy 93 S
Salmon, ID 83467

File Code: 2540-1

Date: March 7, 2002

Harold Jones
Water Right Supervisor
Idaho Department of Water Resources
900 N. Skyline Drive
Suite A
Idaho Falls, ID 83402-1718

RECEIVED

MAR 11 2002

Department of Water Resources
Eastern Region

Dear Harold:

We have reviewed the Application for Permit (#75-14061) submitted by the owners of the Indian Creek Guest Ranch for a proposed hydropower development. We have been working with the ranch caretakers and corresponding with the ranch owners, Pat and Kathleen Farrell, regarding this development and effects of this proposal on the aquatic habitat in Indian Creek.

It is our understanding that the hydropower diversion will be incorporated into the new irrigation diversion system that was designed by the Natural Resources Conservation Service. This new diversion would convert all five existing diversions into one diversion. The new diversion would be a subsurface infiltration system that would eliminate all the existing instream barriers.

As designed the new irrigation system would be a closed system and water would be diverted only when the sprinklers are running or the turbine is operation. A series of shut off valves will be used to control water flows. During periods when irrigation is not occurring and the hydropower is in operation the diversion rate will be reduced to 0.38 cfs.

Based on the proposed design and conservation practices described in the water right application we do not object to the Application for Permit. It is our understanding that the water right permit will include the requirement for the shut off valve system so that diversion rates can be regulated and measured. As designed the new irrigation/hydropower system should reduce fish mortality and surface water diversions from Indian Creek.

Sincerely,

ROBERT A. RUSSELL
Ecosystem Staff Officer

Cc: Patrick and Kathleen Farrell
7391 Buck Lake Rd.
Tallahassee, Florida 32317

North Fork Ranger District

Boise Adjudication Team
380 E. Parkcenter Blvd.
Boise, Idaho 83706

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OCT 10 2002

Tom Curet
Idaho Dept of Fish and Game
PO Box 1336
Salmon, Idaho 83467





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 25, 2002

Salmon National Forest Service
RR 2 Box 600
Salmon ID 83467

50 Hwy 93 S

RE: Application for Permit #75-14061

Dear Sir:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is March 25, 2002, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

Harold W. Jones
Water Right Supervisor

HWJ: sc

Enc.

MICROFILMED
OCT 04 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 25, 2002

Id Fish & Game
PO Box 1336
Salmon ID 83467

RE: Application for Permit #75-14061

Dear Sir:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is March 25, 2002, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,


Harold W. Jones
Water Right Supervisor

HWJ: sc

Enc.

MICROFILMED

OCT 04 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 26, 2002

INDIAN CREEK GUEST RANCH LLC
P.O. BOX 36
CHALLIS ID 83226

RE: Application for Permit No 75-14061

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Recorder Herald on march 7 and 14, 2002. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). 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.

Please feel free to contact this office if you have any questions.

Sincerely,


Harold W Jones
Water Right Supervisor

HWJ:sc

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OCT 04 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 26, 2002

Legal Notice Department
RECORDER-HERALD
PO BOX 310
SALMON ID 83467

RE: Application for Permit No. 75-14061

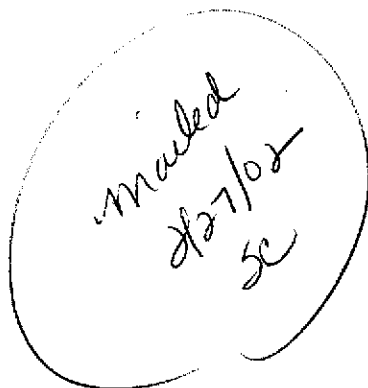
Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 March 25, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant



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APR 04 2002

The following application has been filed to amend Permit to Appropriate Water

75-14061

INDIAN CREEK GUEST RANCH LLC

P.O. BOX 36

CHALLIS ID 83226

Point(s) of Diversion: NWNENE S12 T24N R19E, LEMHI County

Source INDIAN CREEK

Tributary To SALMON RIVER

Use: POWER 01/01 To 12/31 0.38 CFS

Total Diversion: 0.38 CFS

Date Filed: 02/14/2002

Place Of Use: POWER

T24N R19E S12 SWSE

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-211, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before march 25, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on March 7 and 14, 2002

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OCT 04 2002



194 Indian Creek Road, North Fork, Idaho 83466 • (208) 394-2126 • www.indiancreekguest ranch.com

FEB 19, 2002

RECEIVED
FEB 20 2002
Department of Water Resources
Eastern Region

IDAHO DEPT OF WATER RESOURCES
ATTN: HAROLD JONES
900 N SKYLINE DR
SUITE A
IDAHO FALLS, ID 83402

DEAR HAROLD,

PLEASE FIND ENCLOSED INDIAN CREEK GUEST
RANCH, LLC'S IRRIGATION/HYDRO PROJECT MAPS
AND ADDITIONAL COMMENTS. THESE WILL HELP
EXPLAIN AND DESCRIBE THE PROJECT FOR THOSE
WHO WILL BE REVIEWING THE APPLICATION. WE
WOULD APPRECIATE IT IF YOU WOULD ATTACH THESE
DOCUMENTS TO THE APPLICATION. IF YOU HAVE
QUESTIONS, PLEASE CALL ME AT 756-2147.
THANK YOU.

SINCERELY,

Jenny Myers

MANAGER - INDIAN CREEK

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OCT 04 2002
Warm Western Hospitality in the Heart of Idaho

RECEIVED
FEB 20 2002
Department of Water Resources
Eastern Region

Additional Comments

These comments by Indian Creek Guest Ranch, L.L.C. are presented in support of installation of the improved, resource efficient, and environmentally sound irrigation system with an integrated small hydro turbine. The buried pipe that conveys the irrigation water will also provide conveyance for a low volume, hydroelectric system. By removing the antiquated ditch system for flood irrigation and replacing it with a closed sprinkler system, there will be less impact on the Indian Creek ecosystem. Every effort will be made to complete construction of the channel work before increased spring flows occur. A temporary diversion, (sandbags), will be place in the stream above the construction area to minimize turbidity during construction.

In the two points where excavation is adjacent to the channel areas, at the diversion structure and the Indian Creek irrigation pipe crossing, efforts will be made to keep excavated material out of the creek..

Reseeding will take place immediately after the final grading of the buried pipeline.

Benefits from the new system include the following:

- 1) Five in stream diversions are converted into one, subsurface infiltration system, eliminating all in stream barriers.
*Please see attachment for filtration system specifications.
- 2) The removal of the existing unscreened ditch diversions and the installation of NRCS designed infiltration system will eliminate diversion related fish mortality.
- 3) The need for constant maintenance of in stream "wing dams" is eliminated, reducing disturbance of the stream channel and banks.
- 4) The new system is designed to be a closed system, using water only when the sprinklers are running or the turbine is operating, thereby reducing stream dewatering. A series of shut down valves can be used to control water flows in the system.
- 5) Replacing flood irrigation with sprinklers will eliminate sediment and stock waste runoff back into Indian Creek.
- 6) The improved irrigation system will allow more accurate watering, improving noxious weed control.
- 7) The new system vastly improves efficiency for conveying water to points of use and the amount of time necessary to complete a watering cycle.
- 8) If flood irrigation is to continue with the existing ditches that are very old, an extensive amount of reconstruction is necessary, resulting in major ground disturbance along the riparian areas. The 5 in stream diversions would also need to be reconstructed under the existing system.
- 9) The amount of water required for the proposed irrigation and turbine system represents approximately 10% of the average low flows in Indian Creek.

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OCT 04 2002

- 10) An environmentally friendly power source (electricity) will be generated as a byproduct of the new system.
- 11) During periods when there is no irrigating and the hydro-system is in operation the infiltration system can be controlled to reduce water consumption to the .38cfs proposed. Water discharged from the turbine will go back into the stream channel at atmospheric pressure, less than 40 feet from the turbine site.

#6a. See below

Three in stream 4' sections of perforated 8" PVC pipe connecting to 800' of 10" PVC pipe, connecting to 920' of 8" PVC pipe, connecting to 2500' of 6" PVC pipe to the turbine(s), with a 30' discharge pipe or ditch to stream. Pipe lengths are approximate. All pipe will be buried to a minimum of 30".

#8e.

Will include one or two small turbines

#12 (5) See attached comments.

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OCT 04 2002

JAMES R. BENNETTS

ATTORNEY AT LAW

P.O. Box 36

CHALLIS, IDAHO 83226-0036

TELEPHONE

(208) 879-4488

FAX

(208) 879-4248

February 12, 2002

RECEIVED

FEB 13 2002

Department of Water Resources
Eastern Region

Idaho Department of Water Resource
Attn: Harold Jones
900 N Skyline Dr.
Suite A
Idaho Falls, ID 83402
BUS. FAX: (208) 525-7177
BUS. PHONE: (208) 525-7161

RE: Hydro Application

Dear Harold:

Please find the hydro application, map and affidavits as discussed, along with a check in the amount of \$250.00.

If you have questions, please call me. We wish to expedite the process in any manner reasonably possible.

Thank you.

Very truly yours,


James R. Bennetts

JRB:m

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OCT 04 2002

JAMES R. BENNETTS
Attorney at Law
P. O. Box 36
Challis, Idaho 83226
Phone: 208/879-4488
Fax: 208/879-4248

AFFIDAVIT OF JAMES R. BENNETTS

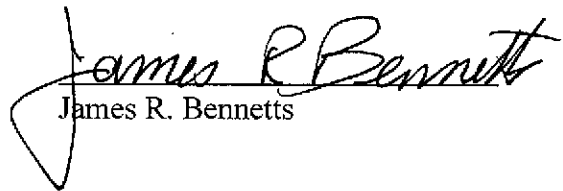
STATE OF IDAHO)
 ss:
County of Custer)

First being sworn and deposed, the undersigned states as follows:

1. I am the attorney and registered agent for INDIAN CREEK GUEST RANCH, L.L.C., an Idaho limited liability company, sometimes referred to herein as LLC or The LLC.
2. I have prepared an agreement between INDIAN CREEK GUEST RANCH, L.L.C., and Patrick J. Farrell, Jr. and Kathleen D. Farrell, husband and wife, the owners of the lands described in the attached AFFIDAVIT FOR WATER RIGHTS TO BE USED FOR POWER PURPOSES and in the attached APPLICATION FOR PERMIT. The agreement has established the right of The LLC to file for, secure, manage and use the water rights applied for upon the lands at the place of use set forth in the APPLICATION FOR PERMIT and has further given The LLC permission and the right to construct, maintain and operate a hydro power facility upon the owners' lands and to use the power generated upon (but only upon) the lands of the owners.
3. The term of the agreement is established to run concurrently with the term of a certain lease, dated May 18, 2001, by and between the parties.
4. The agreement has been executed by the parties and the original document is on file in my office.

IN WITNESS WHEREOF, the party hereto has hereunto set his hand and seal the day and year first above written.

Dated 12 day of Feb., 2002.

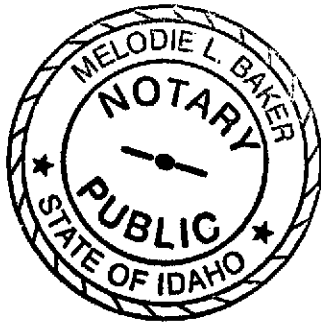

James R. Bennetts

MICROFILMED
OCT 04 2002

STATE OF IDAHO)
 SS:
County of Custer)

On this 12 day of February, 2002, before me, a Notary Public in and for said State, personally appeared James R. Bennetts, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.



Melodie L. Baker
Notary Public
My Commission Expires on 10/23/06

DATE: February 12, 2002

JAMES R. BENNETTS
ATTORNEY AT LAW
P.O. BOX 36
CHALLIS, IDAHO 83226-0036
PHONE NO. 879-4488
FAX NO. 879-4248
FAX TRANSMITTAL

Number of pages, including cover letter 2

TO: Idaho Department of Water Resource
Attn: Harold Jones
900 N Skyline Dr.
Suite A
Idaho Falls, ID 83402
BUS. FAX: FAX (208) 525-7177
BUS. PHONE: PHONE (208) 525-7161

RE: Comments

Dear Harold:

It may be well to include the enclosed with the filing of the application sent by mail yesterday. At least we will have it available for your use.

The points listed are supported by the Lemhi County Soil and Water Conservation District and NRCS (contact Mark Olson, phone number (208) 756-3211, extension 102 in Salmon).

Please note that most comments refer to the improved irrigation system and not the hydro application, but it is all tied together.

Thank you and call if you have questions.

Very truly yours,

James R. Bennetts

JRB:m

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OCT 04 2002

ADDITIONAL COMMENTS
INDIAN CREEK GUEST RANCH, L.L.C.

February 12, 2002

These comments by Indian Creek Guest Ranch, L.L.C. are presented in support of installation of the improved resource efficient and environmentally sound irrigation system with an integrated small hydro turbine. The buried pipe that conveys the irrigation water will also provide conveyance for a low volume, efficient hydroelectric system. By removing an antiquated ditch system, there will be less impact on the Indian Creek ecosystem than with the existing system.

Benefits from the new system include the following:

1. Five instream diversions are converted into one, below surface filtered inlet, eliminating all instream barriers.
2. The removal of these existing unscreened ditch diversions and the installation of NRCS designed infiltration systems will eliminate diversion related fish mortality.
3. The need for constant maintenance of instream "wing dams" is eliminated.
4. The new diversion reduces stream dewatering and only takes water when the sprinklers or turbine are operating.
5. Reduces sediment and stock waste runoff back into Indian Creek.
6. Improved irrigation system will allow more accurate watering, improving noxious weed control.
7. Vastly improves efficiency for conveying water to points of use and the amount of time necessary to complete a watering cycle.
8. If flood irrigation is to continue with the existing ditches that are very old, an extensive amount of reconstruction is necessary, resulting in major ground disturbance along the riparian areas.
9. The amount of water required for the proposed irrigation and turbine system represents approximately 10% of the average summer flows in Indian Creek.
10. The development of an environmentally friendly power source (electricity) as a byproduct of the system.

Michael

OCT 0 - 2002