

Ident. No. 34-13838

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

AMENDED

To appropriate the public waters of the State of Idaho

1. Name of Applicant ANTELOPE VALLEY RANCH LLC Phone 757-496-9346
c/o MARVIN M. SMITH
Mailing address 2411 WHALER COURT, VIRGINIA BEACH, VIRGINIA 23451
2. Source of water supply CHERRY CREEK which is a tributary of ANTELOPE CREEK
3. Location of point of diversion is Township 5N Range 24 EBM Sec. 32, in the NW $\frac{1}{4}$,
NW $\frac{1}{4}$, SW $\frac{1}{4}$, Govt. Lot _____, B.M., Custer County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 1 cfs for recreation purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 50 AF for recreational purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for storage 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) 1 and/or (b) 50
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 Existing irrigation diversion,
ditch and abandoned stream channel
 - b. Height of storage dam 6 feet; active reservoir capacity 50 acre-feet; total
reservoir capacity 50 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 _____ 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. FISH AND WILDLIFE, RECREATIONAL FISHERY, HATCHERY, FISH
WILL BE PLANTED IN THE POND FOR RECREATIONAL FISHING OPPORTUNITIES.

RECEIVED

MAY 18 2005

Department of Water Resources
Eastern Region

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	
4N	24E	5													R				

Total number of acres to be irrigated _____

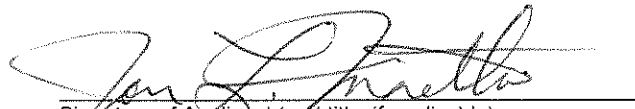
10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? APPLICANT
- b. Who owns the land to be irrigated or place of use? APPLICANT
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

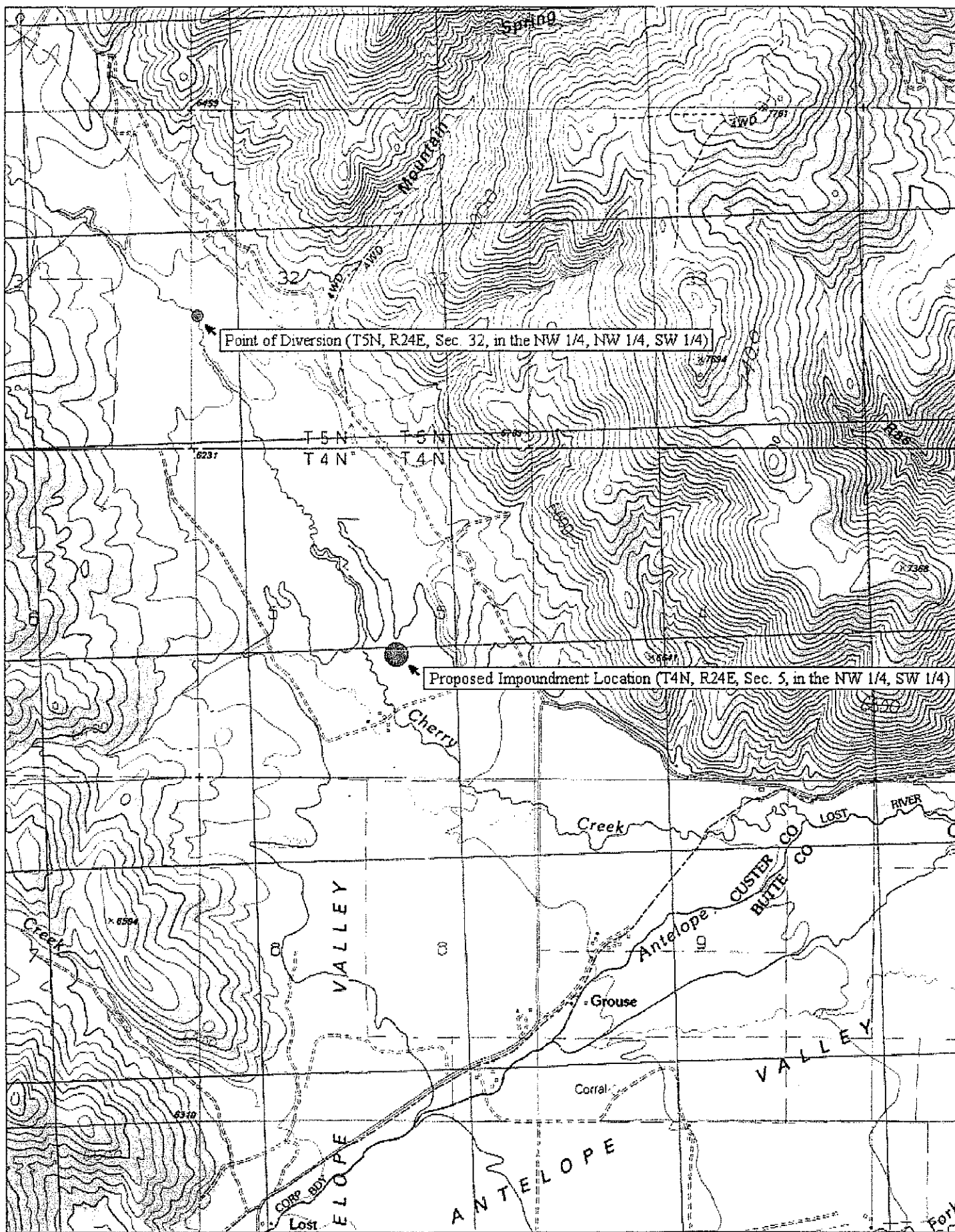
12. Remarks: A 50 ACRE FOOT IMPOUNDMENT WILL BE FILLED IN THE WINTER MONTHS.
APPLICANT WILL RUN IRRIGATION WATER THROUGH IMPOUNDMENT DURING
IRRIGATION SEASON.

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.


 Signature of Applicant (and title, if applicable)

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 50.00 Received by WR # ED30884 Date _____
 Publication prepared by SC Date 6/28/10 Published in Challis Messenger
 Publication approved _____ Date _____



TN* / MIN
14°

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 34-7580

WATER RIGHT NUMBER: 34-7580

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GORDON PLAYER PO BOX 2167 KETCHUM, ID 83340-2167 (208)726-5056

Priority Date: 08/21/1996

Basis:

Status: Lapsed

<u>Source</u>	<u>Tributary</u>
CHERRY CREEK	ANTELOPE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DIVERSION TO STORAGE	10/16 to 4/30	1.000 CFS	
RECREATION STORAGE	1/01 to 12/31		50.00 AF
RECREATION	10/16 to 4/30	1.000 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of Diversion

CHERRY CREEK	NW1/4SW1/4	Sec. 32, Twp 05N, Rge 24E, B.M.
CUSTER County		

Place of Use

RECREATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	24E	5														X			

Conditions of Approval:

1. 01J Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
2. 26A 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.
3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 34-7580

1. General Recreation use and recreation storage use are for a private fish pond.
Rights 34-00513B, 34-00514B, 34-00515B, and 34-00560B are also diverted through the point of diversion described above.

Comments:

1. CZIMMERM 10/1/1996 DIVERSION DESCRIPTION

Comment: Existing irrigation diversion ditch and abandoned stream channel will be used. A 50 AF pond will be filled in the winter months. Applicant will run irrigation water thru pond during the irrigation season. Year round diversion to storage use added for off-stream reservoir. T4903 mitigates for 6 ac surface area of reservoir. See file for copy of approved transfer.