

3069 IV SW
(HAGERMAN)

T8S





MICROFILMED

JUN 05 2002

"NOT TO SCALE"

HEAD (FT)

240
200
160
120

EFFICIENCY %

90
80
70
60

JUN 5 2002

MICROFILMED

KW

400
200
0

EFFICIENCY

HEAD ABSORBED

DEVELOPED KW

Peerless
TURBINE 18 HH 1-STG.
SPEED: 1800 RPM
IMPELLER 2621975

5000

6000

7000

8000

9000

10,000

11,000

12,000

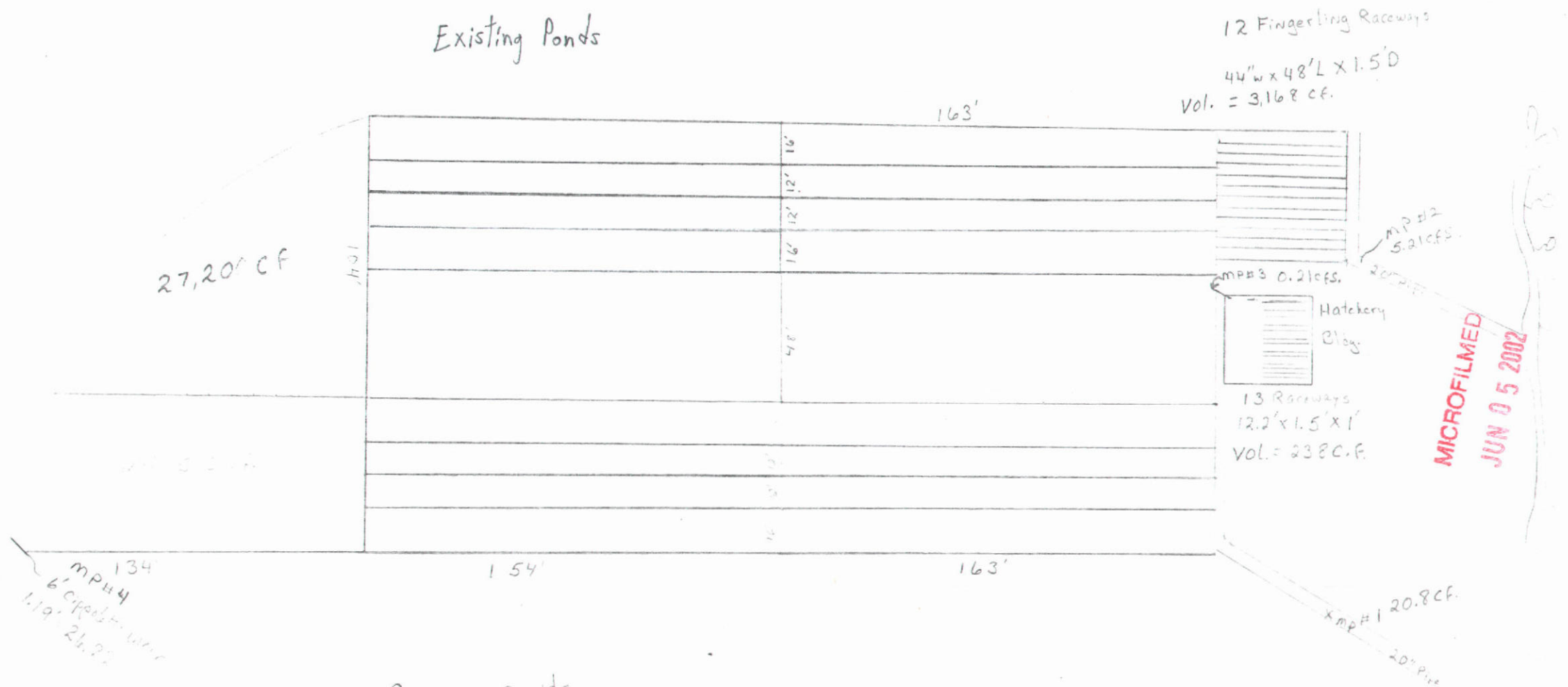
GPM

1/27/84 BB/RVN

GEN 18-84(a.)

36-7831 Blind Canyon Aqua Ranch Inc.

Existing Ponds



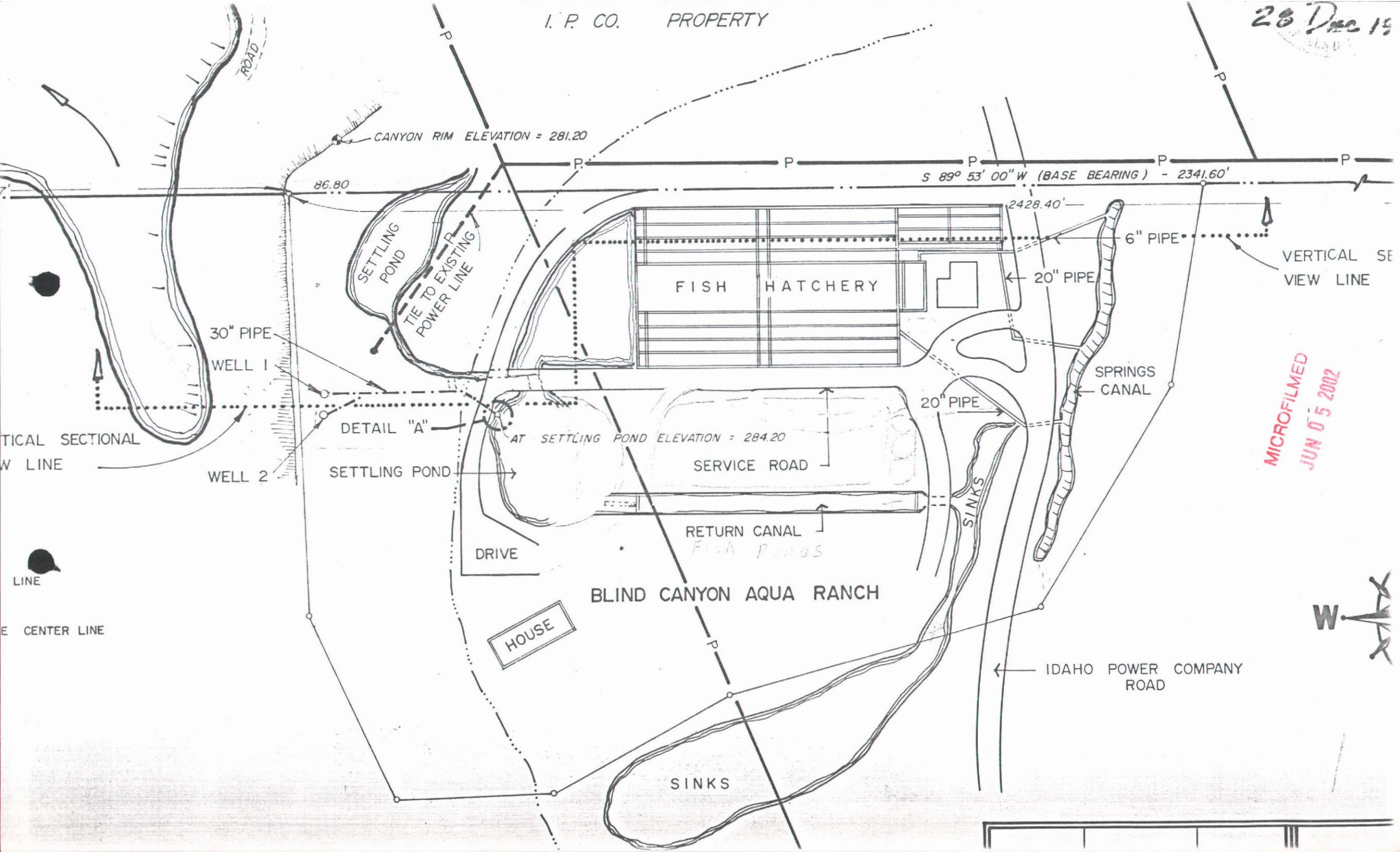
Rearing ponds

No.	Length	Width	Depth	Volume
4	163'	12'	3.5'	27,384 C.F.
4	163'	16'	3.5'	36,512 C.F.
4	154'	12'	3.5'	25,872 C.F.
4	154'	16'	3.5'	34,496 C.F.
1	154'	48'	3.5'	25,872 C.F.
1	163'	48'	3.5'	27,384 C.F.
1	125' (Ave)	56'	3.5'	24,500 C.F.
1	P. shaped Pond			27,200 C.F.

Total pond volume = 232,626 C.F.
= 5.34 AF.

I. P. CO. PROPERTY

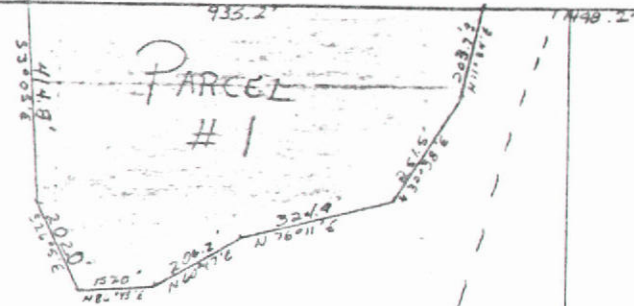
28 Dec 19



NORTH HALF

17-8-11

LOT 1



SNAKE

LOT 4

Rock
Creek

Parcel #1

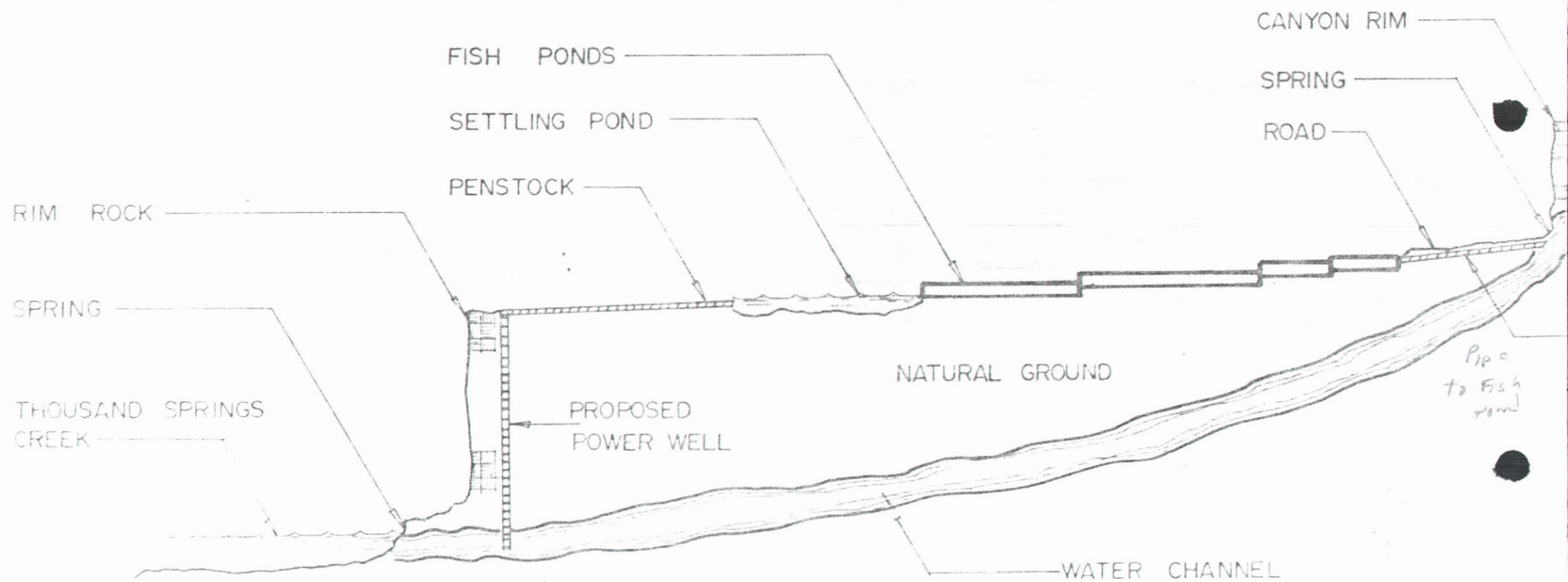
RIVER

MICROFILMED
JUN 05 2002

WIND FALLS
COUNTY

36-8299

MICROFILMED
JUN 05 2002

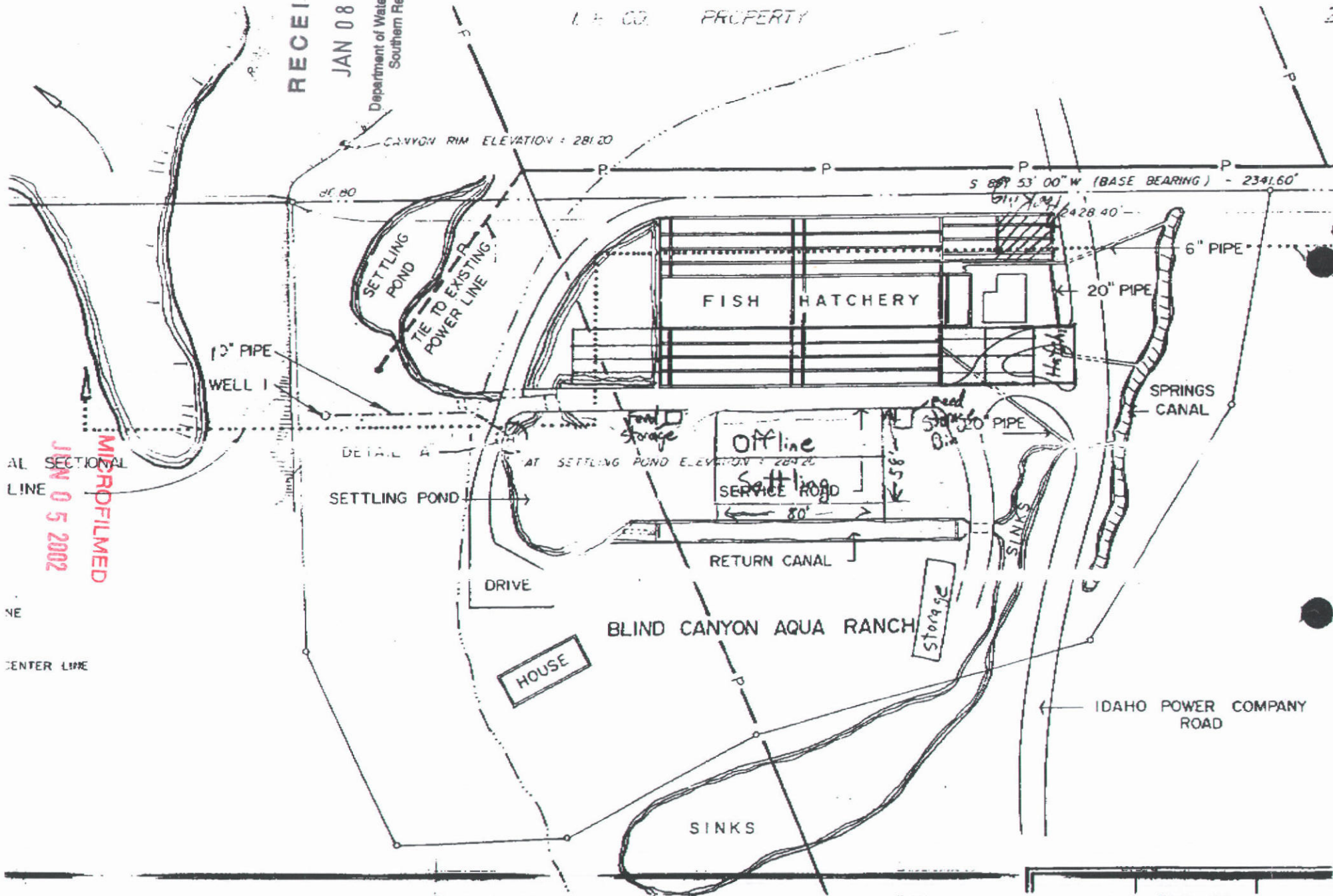


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JAN 08 2002

Department of Water Resources
Southern Region

LA CO. PROPERTY



AL SECTIONAL
LINE

JAN 05 2002

MICROFILMED

NE

CENTER LINE

RANCHERS IRRIGATION, INC.

150 Main Street
GOODING, IDAHO 83301
(208) 934-4400

PROPOSAL SUBMITTED TO <i>Don & Leemon and Gary Leemon</i>		PHONE <i>837-4806 / 536-6785</i>	DATE
STREET		JOB NAME	
CITY, STATE AND ZIP CODE		JOB LOCATION	
ARCHITECT	DATE OF PLANS	JOB PHONE	

We hereby submit specifications and estimates for:

Delivery and installation of:

- | | | |
|---|---|--------------|
| 1 | 300 hp 200 KW continental vertical hollow shaft induction generator, 180" x 18" x 15/16 x 3" column TWC | |
| | 100 Bearings Turbine 24 Hx 12 - 2 Stage | |
| | Testing and performance curves | \$ 85,000.00 |
| 1 | Electrical control package | |
| | 30 panel and starter and breaker | 20,242.00 |
| | Tachometer | |
| | Wiring and control valve (electrical) | 8,113.00 |
| 1 | Idaho Power Hookup | 20,000.00 |
| 1 | Installation | 6,000.00 |
| 1 | Drilling 12" hole \$6,000 reaming estimate \$34,000 | 40,000.00 |

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

Payment to be made as follows: _____ dollars (\$ 179,000.00).

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized
Signature _____

Note: This proposal may be withdrawn by us if not accepted within 15 days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

MICROFILMED

Signature _____

JUN 05 2002

S. Region
3/96

Application No. 36-08299

TO: Gary Lemon 837-4808 fax
ROM: IDWR Georgia Satterlee
736-3033

ADDITIONAL INFORMATION REQUIREMENTS
FOR FISH PROPAGATION APPLICATIONS
GREATER THAN 5 CFS

The following additional information is required to be made part of the application file pursuant to IDAHO CODE section 42-203A and the Rules and Regulations for Water Appropriation:

- Need → 1) Copies of deeds, leases, easements, or other information documenting that you have a possessory interest in the place of use. (Rule 40.05, e, i)
- Need If it's changed from the original file. → 2) Copies of plans and specifications along with estimated construction costs for the project works. The plans must be definite enough to allow for determination of project impacts and implications. For fish propagation facilities the plans must show the number of ponds proposed and give the length, width and depth dimensions of all ponds. (Rule 40.05, f, ii)
- development exists, waive → 3) A certified financial statement or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the proposed use. (Rule 40.05, f, i)
- DEQ F&G County? → 4) You must seek comment on the effects of the construction and operation of the proposed project from the city and/or county within which the project is to be located, the Idaho Department of Fish and Game, the Idaho Department of Health and Welfare, Division of Environment, and any irrigation district or canal company within which the project is to be located. (Rule 40.05, g) A copy of your application is enclosed for your use in seeking comments.
- 5) If the source is surface water and has five (5) or fewer existing users, a list of the number of impacted rights, the names and addresses of the users, locations of the points of diversion, and the nature of use of the existing water rights. (Rule 40.05, c, i)
- N/A → 6) If the source is groundwater, a plat showing the position of all existing wells relative to the proposed well is required. (Rule 40.05, c, ii)
- See 2. → 7) A statement of design, construction, or operation techniques which will be used to reduce impact on existing rights. (Rule 40.05, c, iii)
- Need → Names of director, officers, and other partners.

COPY

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AFFIDAVIT FOR WATER RIGHTS TO BE USED
FOR POWER PURPOSES

RECEIVED

MAY 8 1986

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

1. Individual Applicant or Individual Members of a Partnership: Department of Water Resources
Southern District Office

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:

I, Blind Canyon Aqua Ranch, Inc. of Hagerman
(name) (city)

County of Gooding, State of Idaho, being duly sworn, depose
and say: That I am the designated registered agent of the _____
company

_____ : that as such I am in charge of the registered
(name of corporation)

office of the said corporation as required by Section 30-1-12, Idaho Code, at

Hagerman Idaho, wherein are kept the corporate records required
(city)

by Section 30-1-52, Idaho Code: and that Blind Canyon Aqua Ranch, Inc.
(name of corporation)

is a corporation qualified to do business in the State of Idaho under the laws of
the State of Idaho.

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

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

(check one)

☒ 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 of the facilities is the signee of this affidavit.

State of Idaho)
County of Twain Falls) ss.

Les H. Lemmon, Pres.
Applicant

On this 7 day of May, 19 86, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

seal

Loren O. Halmer
Notary Public residing at

Twain Falls, ID

My commission expires:

Life

Officers name/address

Pat
ADM
← Well

fish
air compression propogation

Application Amend delete lower

Advertisement ? needed ? Yes

Priority Date

→ Air 1 cfs → w/ in 20 cfs

commercial use instead of power

fish propogation

Power is falling water energy to compress air
for use in oxygenization of fish ponds

837-4808 Fax

Gary Lemon

MICROFILMED

JUN 05 2002

**NOTICE OF
APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

36-8299

BLIND CANYON AQUA RANCH, INC.
BOX 218, HAGERMAN, ID 83332

Source: GROUND-WATER SPRINGS trib. to SINKS

Diversion Pt: NENWNE Sec 17 T 08S R 14E

Use: FISH PROP. (20.0 CFS) POWER (20.0 CFS)

Date Filed: 10/10/1985
In: NWNE Sec 17 T 08S R 14E

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before NOVEMBER 25, 1985.

A. KENNETH DUNN

Director

PUBLISHED: Thursday,
November 7 and
November 14, 1985.

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF TWIN FALLS } ss.

Nº 15632

I, Jinda Capps McSwine being first duly sworn upon

oath, depose and say that I am Public Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two

consecutive Weeks, commencing with the issue dated November 7, 1985, and ending with the issue dated November 14, 1985.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Jinda Capps McSwine
Subscribed and sworn to before me on this 15 day of November, 1985.

Dianna Gruver
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

NOV 22 1985
Department of Water Resources
Southern District Office

JUN 05 2002

MICROFILM

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 111485 INVOICE No. 100060714

Account No. 42662

Description 60714NOTIC

Times 2 Lines 29

Tab Lines

LEGAL ADVERTISING INVOICE

SOLD TO:

DEPT. OF WATER RESOURCES
1041 BLUE LAKES BLVD. NO.
TWIN FALLS
ID 83301

\$ 25.38

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

36-8299
BLIND CANYON AQUA RANCH,
INC.

Box 218, HAGERMAN, ID. 83332
Source: GROUNDWATER
SPRINGS trib. to SINKS

Diversion Point: NENWNE Sec 17
T 085 R 14E

Use: FISH PROP. (20.0 CFS)
POWER (20.00 CFS)

Date Filed: 10/10/1985
IN: NWNE Sec 17 T 085 R 14E

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before NOVEMBER 25, 1985.

A. KENNETH DUNN
Director

S. L. Stone, being duly sworn,

deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the

NOTICE OF APPLICATION FOR WATER RIGHT

attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 110785, or once a

week for two consecutive weeks, the first publication thereof being on the 110785, and the last publication thereof being on the 111485, and said

NOTICE OF APPLICATION FOR WATER RIGHT

was so published in the regular and entire issue of said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

S. L. Stone

SUBSCRIBED AND SWORN BEFORE ME THIS THE 18 day of November 1985

Sheral M. Lentz

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

RECEIVED

NOV 20 1985

Department of Water Resources
Bozeman District Office

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JUN 05 2002

AFFIDAVIT of PUBLICATION

State of Idaho,)
) SS.
County of Gooding)

Frank T. Crow, Jr., being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 6 day of November 19 85, and the date of the last publication was on the 13 day of November, 19 85.

[Signature]

Subscribed and sworn to before me this 13 day of November, 19 85.
(SEAL)

[Signature]
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho
COST OF PUBLICATION

RECEIVED
NOV 19 1985

Number of Lines in Notice 30
Number of Insertions 2
Lines tabular at 48¢
30 Lines straight at 38¢ \$11.40
30 Subsequent lines at .285¢ \$8.55

Total Cost \$19.95

JUN 05 2002

COPY OF NOTICE (Paste Here)

Notice of water right appl.
TITLE OF NOTICE #36-8299
Blind Canyon Aqua Ranch

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Idaho Dept. of Water Resc.
BILL TO
Twin Falls, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

36-8299

BLIND CANYON AQUA RANCH, INC.
BOX 218, HAGERMAN, ID 83332

Source: GROUNDWATER
SPRINGS trib. to SINKS
Diversion Pt: NENWNE Sec 17 T 08S R 14E
Use: FISH PROP. (20.0 CFS)
POWER (20.0 CFS)
Date Filed: 10/10/1985
In: NWNE Sec 17 T 08S R 14E

If issued, the permit(s) will be subject to all prior water rights. Protests against granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before NOVEMBER 25, 1985.

/s/ A. KENNETH DUNN
Director

PUB: 11-6, 13 #3832
7 pt. per line, straight 38¢
7 pt. per line, tabular 48¢
7 pt. per line, successive
insertions 28.5¢

No. #3832

[Handwritten signature]

STATE OF IDAHO)
) ss.
 COUNTY OF ADA)

Laura Gay Barnes, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for Two (2) consecutive weekly insertions, beginning with the issue of

November 7, 1985, and ending with the issue of November 14, 1985.

Laura Gay Barnes

Subscribed and sworn to before me this 14th

day of November, 1985.

Jeanne M Hawk

Notary Public for Idaho, Residing at Boise, Idaho.

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

36-8299

Blind Canyon Aqua Ranch, Inc.
Box 218, Hagerman, ID 83332

Source: Groundwater, Springs trib. to Sinks.

Diversion Pt: NENWNE Sec. 17 T 085 R 14E

Use: Fish Prop. (20.0 CFS)

Use: Power (20.0 CFS)

Date Filed: 10/10/1985

In: NWNE Sec. 17 T 085 R 14E

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before November 25, 1985.

KEN DUNN
Director

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JUN 05 2002

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NOV 18 1985

Department of Water Resources
Boise District Office

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 7th day of November, 1985, last publication having been made on the 14th day of November, 1985, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 15th day of November, 1985.

Clonk Harper
Notary Public

My commission expires September 30, 1988.

B10, 1M,

NOTICE OF APPLICATION
FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

36-8299
BLIND CANYON AQUA RANCH, INC.
BOX 218, HAGERMAN, ID 83332
Source: GROUNDWATER SPRINGS trib. to SINKS
Diversion Pt: NENW NE Sec 17 T 08S R 14E
Use FISH PROP. (20.0 CFS); POWER (20.0 CFS)

CFS)
Date Filed: 10/10/1985
In: NWNE Sec 17 T 08S R 14E

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before NOVEMBER 25, 1985.

A. KENNETH DUNN
Director

Published: November 7, 14, 1985

D. Merya
RECEIVED

NOV 18 1985

Department of Water Resources
Southern District Office

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JUN 05 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 36-08299

Priority: 10/18/2001

Maximum Diversion Rate: 14.20 CFS

This is to certify, that BLIND CANYON AQUA RANCH INC
2775 S 1050 E
HAGERMAN ID 83332

has applied for a permit to appropriate water from:

Source: SPRINGS Tributary: SINKS
GROUND WATER

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>
FISH PROPAGATION	01/01 to 12/31	14.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NW 1/4 NE 1/4	Sec. 17, Twp 08S, Rge 14E, B.M. GOODING County
SPRINGS	NE 1/4 NW 1/4 NE 1/4	Sec. 17, Twp 08S, Rge 14E, B.M. GOODING County

PLACE OF USE: FISH PROPAGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	17		X															

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before May 1, 2007.
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. This permit does not authorize the construction of a well.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial use authorized by this right.
7. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
8. The right holder shall not assign or sell the permit without first securing the written approval of the Department of Water Resources.
9. Use of water under this right shall be non-consumptive.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 1st day of May, 2002

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JUN 05 2002

[Signature]
for KARL J DREHER, Director

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APR 19 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 36-8299

RECEIVED

JAN 16 2002

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant Blind Canyon Aqua Ranch, Inc. Phone 837-4806

Post office address Box 218, Hagerman, ID 83332
Groundwater

2. Source of water supply Unnamed Springs which is a tributary of Sinks

3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot

Sec. 17 Township 8S Range 14E B.M. Gooding County; additional
points of diversion if any:

4. Water will be used for the following purposes:

Amount 20cfs for Fish Prop. purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

~~Amount 20cfs for 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)

5. Total quantity to be appropriated is (a) 20 and/or (b)
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing collection ditch will be extended
& sealed to collect additional water. Existing & new raceways for fish prop.
~~Additional generating capacity will be developed.~~

b. Height of storage dam feet; active reservoir capacity acre-feet; total
reservoir capacity acre-feet; period of year when water will be diverted to storage:
 to inclusive.

c. Proposed well diameter is inches; proposed depth of well is feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

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

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JUN 05 2002

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

- a. Hydropower; show total feet of head and proposed capacity in KW. 180' of head - 213 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. _____

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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8S	14E	17		H.P.															

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

Permits 36-7831, 36-7967

MICROFILMED

11. a. Who owns the property at the point of diversion? Applicant

b. 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. _____

12. Remarks: Affidavit of residence has been previously submitted (see Permit 36-7967).

Additional fish ponds will be for both commercial and experimental use.

Power will be generated by running water down a drilled hole to a generator (3 total) after it leaves the fish-raising facility.

Extension of the existing diversion ditch will be accomplished by drilling a horizontal well into the lava to intercept additional spring water. For this reason, groundwater is also listed as a source.

3069 1/4 SW
(HAGERMAN)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

114°52'30"
42°45'
4735000m N

R. 13 E. R. 14 E.

675

GLENN'S FERRY 34 MI.
HAGERMAN 5 MI.

676000m E.

677

50'

678

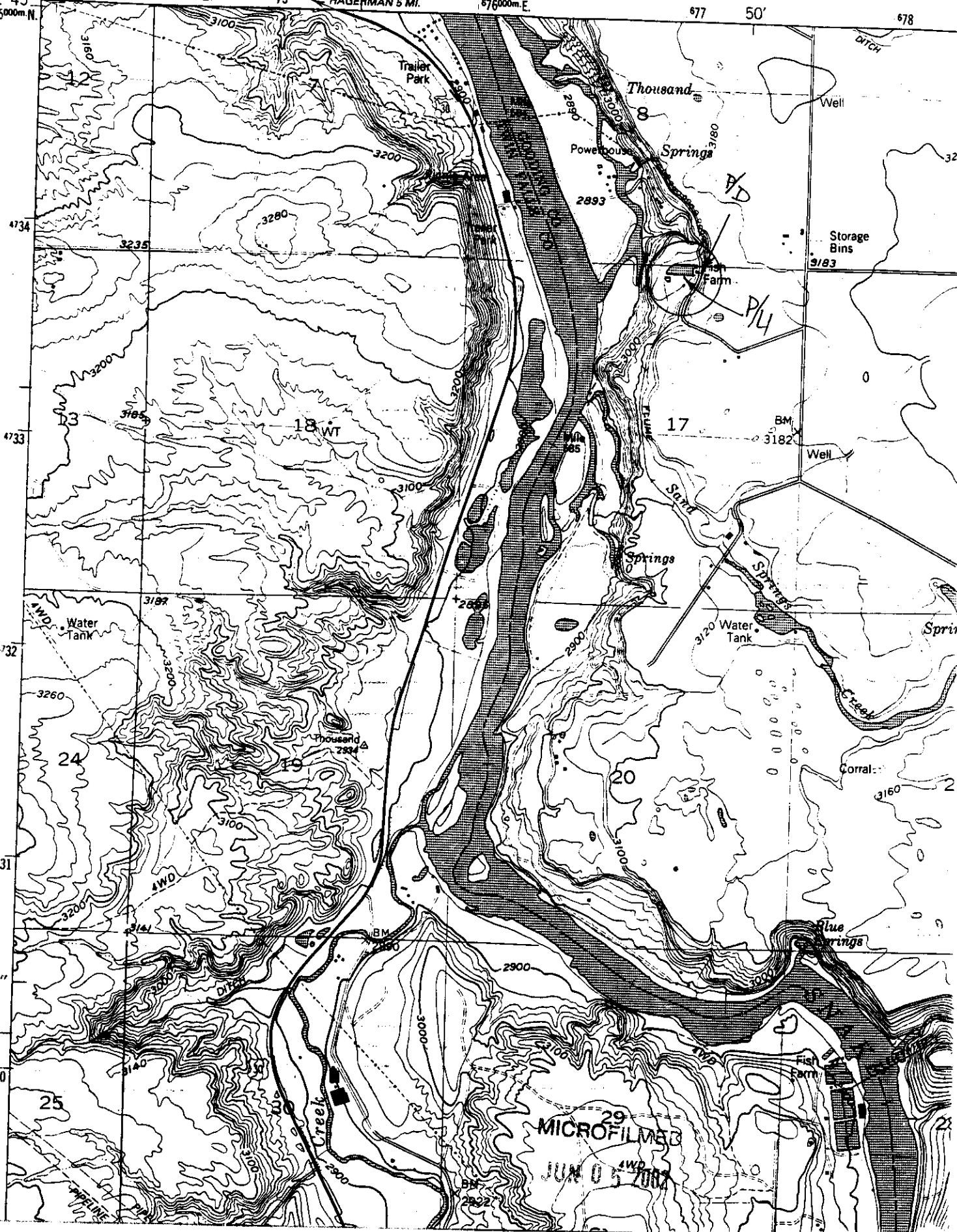
T8S

42°30"

4730

29
MICROFILMED

JUN 05 1982



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10.2

P/4

P/D

0250
(0290)

5.6

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5.7

F-85

MIG

JUN

"NOT TO SCALE"

A full-page sheet of white graph paper featuring a uniform grid of thin black horizontal and vertical lines. The grid consists of 20 columns and 20 rows, creating a total of 400 small squares. There are no margins, text, or other markings on the page.

~~MICROFILMED~~

JUN 05 2002

Kim Tammor Treasurer
(Applicant)

Received by JP Date 10-10-85 Time 2:55 pm Preliminary check by TB
Fee \$ 425⁰⁰ Receipted by JP # 36755 Date 10-10-1985
Publication prepared by marga Date 10/23/85 Published in Gooding Co Leader
Publication approved marga Date 11/22/85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

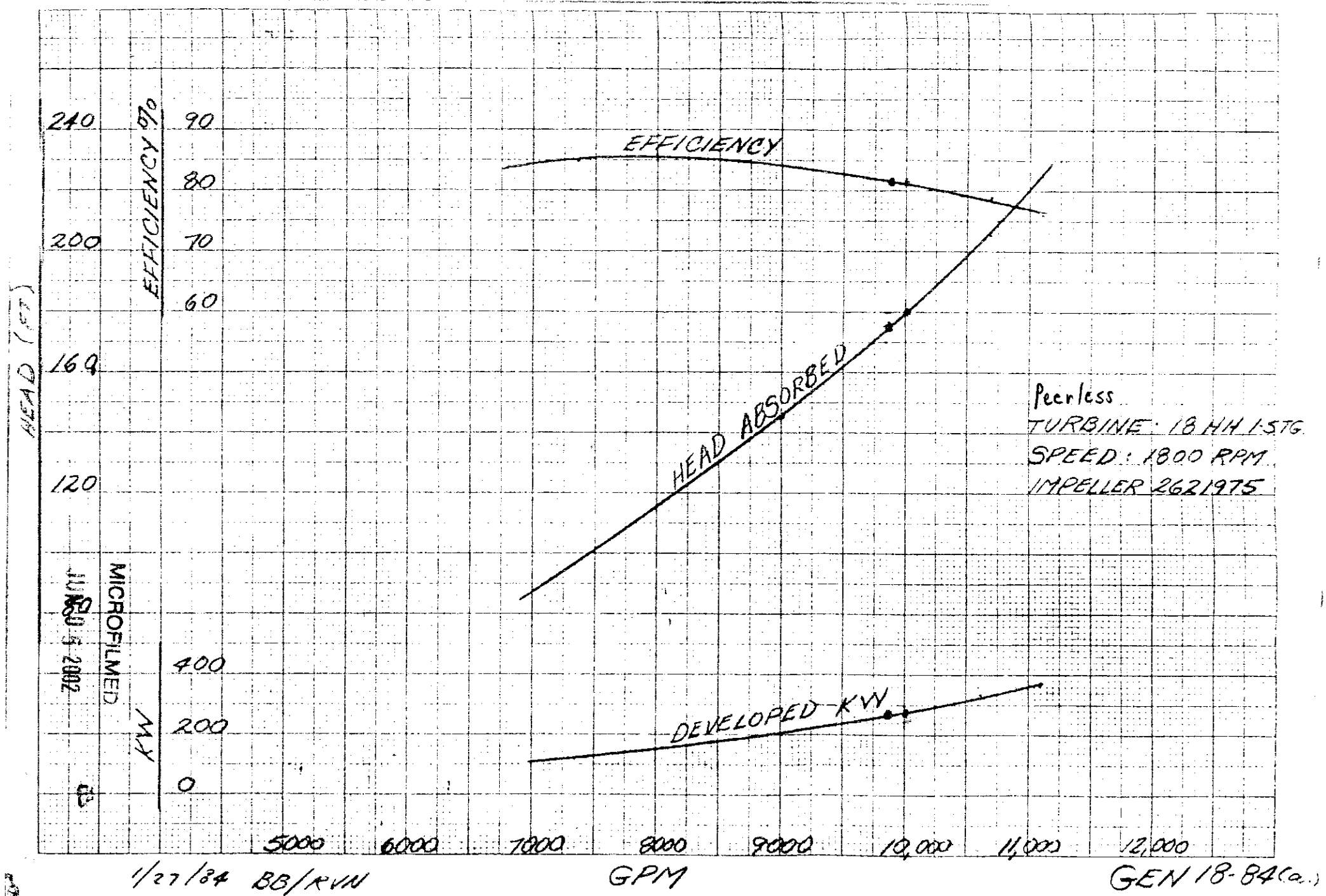
b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

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JUN 05 2002

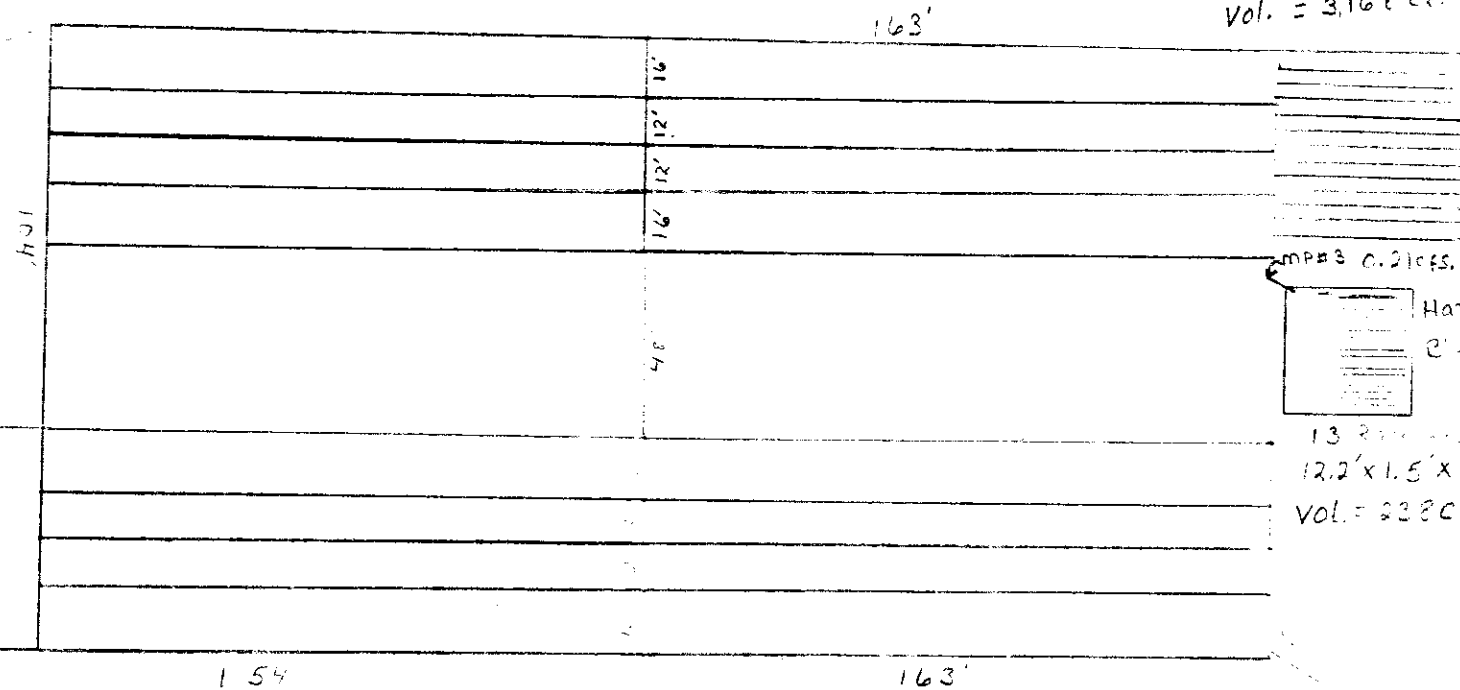


36-7231 Blind Canyon Aqua Ranch Inc.

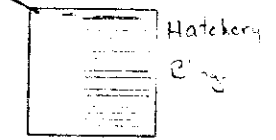
Existing Ponds

12 Fingerling Reservoir
 44'W x 48'L x 1.5'D
 Vol. = 3,168 CF.

27,200 CF



MP#2 5,210 CF.
 MP#3 0.210 CF.



13' x 12.2' x 1.5'
 Vol. = 238 CF.

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MP#4 6' x 12' x 1.5' = 1,296 CF.

MP#1 20.8 CF.

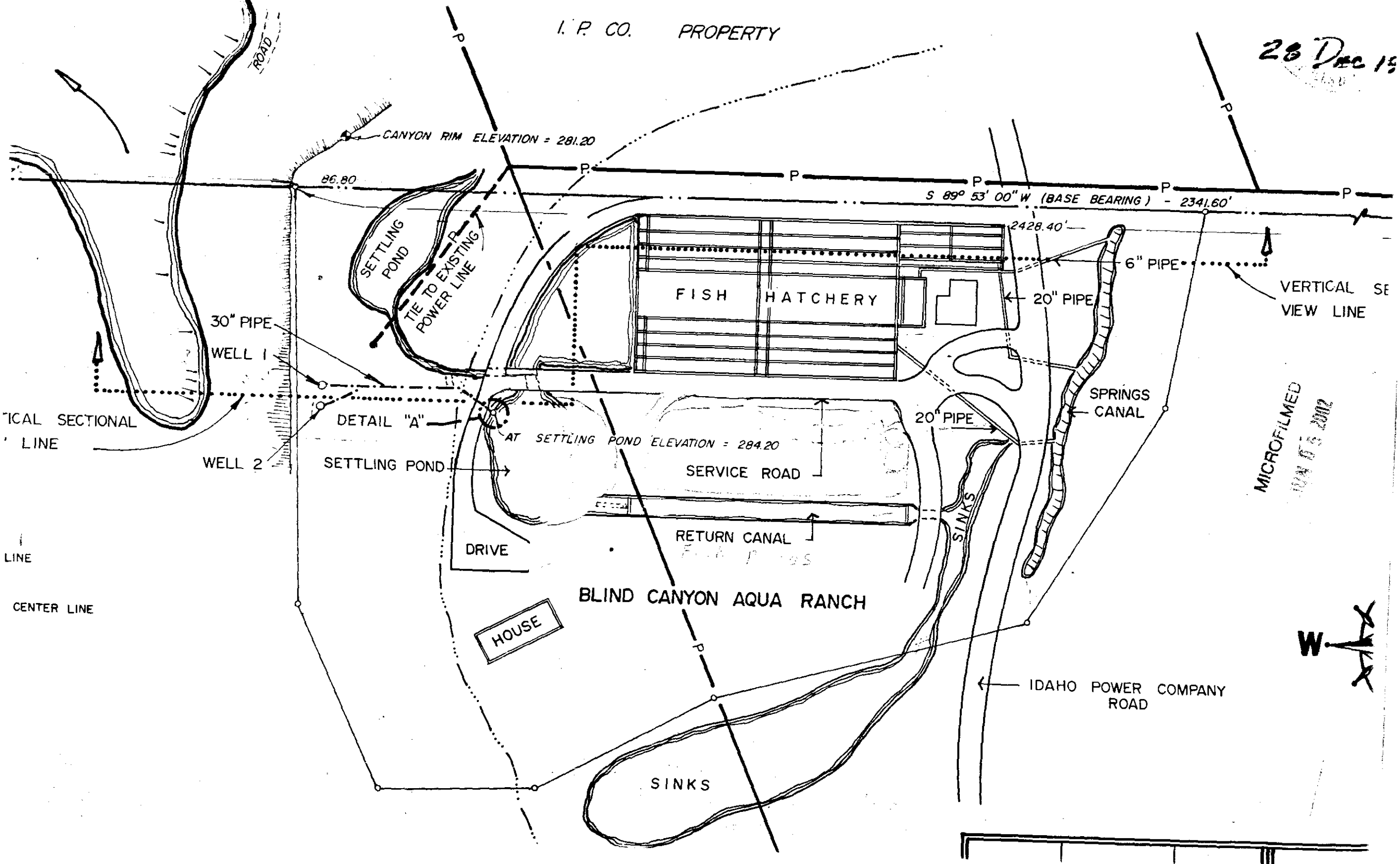
Rearing Ponds

No.	Length	Width	Depth	Volume
4	163'	12'	3.5'	27,384 CF.
4	163'	16'	3.5'	36,512 CF.
4	154'	12'	3.5'	25,872 CF.
4	154'	16'	3.5'	34,496 CF.
1	154'	48'	3.5'	25,272 CF.
1	163'	48'	3.5'	27,384 CF.
1	25' x 12'	66'	3.5'	24,500 CF.
1	25' x 12'	66'	3.5'	27,200 CF.

Total pond volume = 232,626 CF.
 = 5.34 AF

I. P. CO. PROPERTY

28 Dec 15



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JUN 05 2002

112611

SNAKE

LOT 4

RIVER

10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474

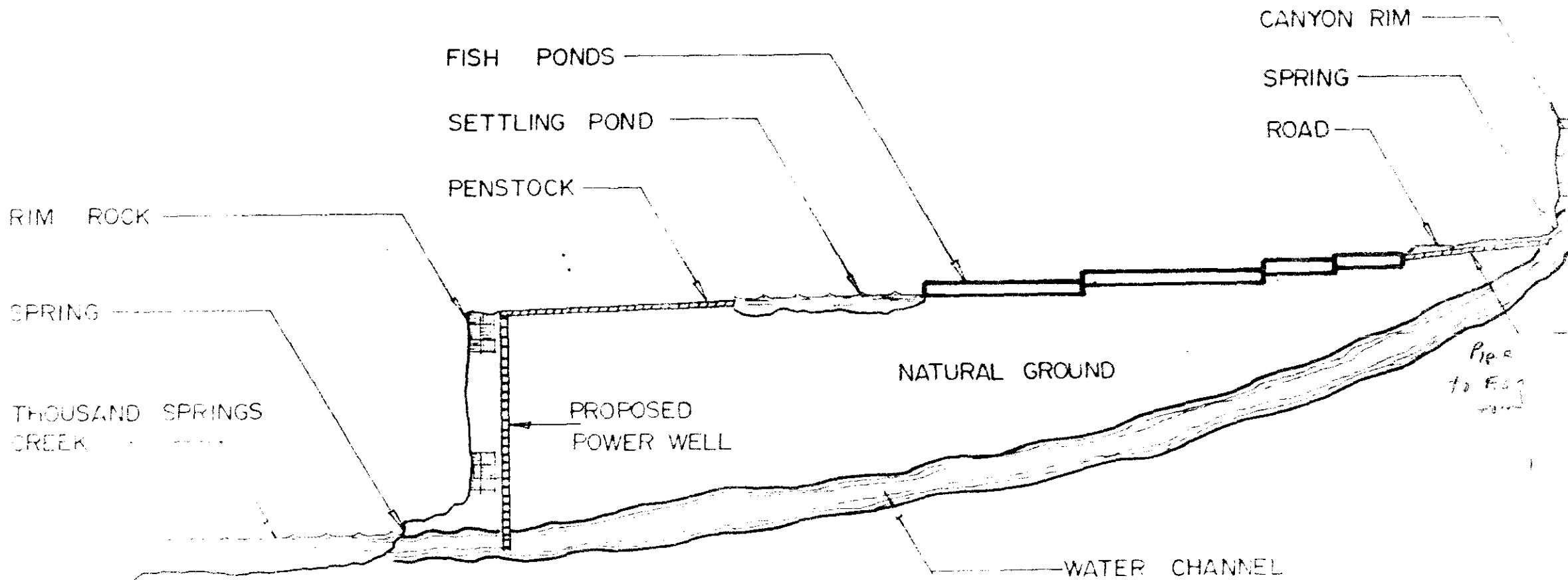
Rock

2/19/11

1 WIN FALLS
COUNTY

36-8299

MICROFILMED
COPY 11-5-1989



Memorandum

To: File: 36-8299
From: Tim Luke
Date: May 17, 2002
Re: Ground Water as Source of Water

This water right made a list of ground water rights in the Thousand Springs GWMA for review of potential curtailment due to location within the GWMA 10K impact area and because ground water is listed as a source of water. It is my opinion that ground water should not be included as a source but rather the source is limited to springs. I base this opinion on my past inspections of the hatchery and diversion source in addition to review of this permit.

I believe there may have been some confusion about use of ground water since a ground water well was proposed in connection with the hydropower use that was sought under the original application. Hydropower use has since been withdrawn. There may be further confusion due to reference of an existing well used for injection of wastewater from the hatchery. I checked the injection well permit 36-w-151 on this date and found that the well is only used to receive water from the hatchery settling pond for purpose of generating compressed air that is then transferred to hatchery raceways. The injection well and permit may have an additional benefit of bringing the facility into compliance with NPDES permits.

MICROFILMED

JUN 9 6 2003



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

May 2, 2002

BLIND CANYON AQUA RANCH INC
2775 S 1050 E
HAGERMAN ID 83332

RE: Permit No. 36-8299

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.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

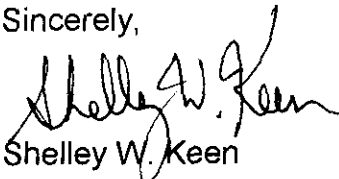
MICROFILMED
JUN 9 5 2002

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.

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,



Shelley W. Keen

Water Rights Supervisor

SWK:kl

Enclosure(s)

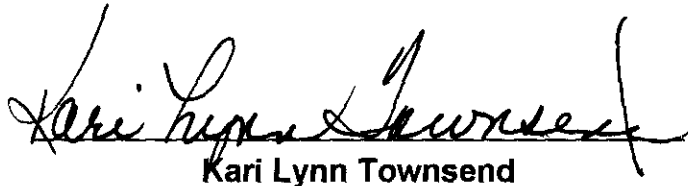
MICROFILMED
JUN 05 2002

CERTIFICATE OF SERVICE

I hereby certify that on May 2, 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. 36-8299

**BLIND CANYON AQUA RANCH INC
2775 S 1050 E
HAGERMAN ID 83332**


**Kari Lynn Townsend
Secretary**

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JUN 05 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).

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.

MICROFILMED

1989 9 5 2002

MEMORANDUM

To: File 36-8299

From: Sharla

Date: May 1, 2002

Re: Priority Date

The date of priority under this permit has been advanced to October 18, 2001. This is the date that Mr. Lemmon actually amended the application and submitted other materials to accompany the application. The advancement is made under the provisions of Water Appropriation Rule 35.03.e.

MICROFILMED

JUN 05 2002

RECEIVED

APR 10 2002

Department of Water Resources

BLIND CANYON AQUARANCH INC.
2775 S. 1050 E.
HAGERMAN, IDAHO 83332

April 8, 2002

State Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Application for Permit No. 368299

Dear Ms. Curtis

Thank you for your letter of April 5th. According to the water measurement data you faxed to me on January 18th the peak diversion was 39.2 cfs during October of 1999 not 38.1 cfs as stated in your letter. Please proceed and issue the permit for 14.20 cfs.

The well that you refer to in your letter was originally drilled as a test well for power production but would not dissipate the desired amount of water for the generation of electricity. It was later converted and continues to be used to compress air, which is used in the fishponds. It is licensed as an injection well (36-w-151) and receives approximately 1 cfs of water.

I believe that ground water should continue to be listed as a source of water under this application. Although a traditional vertical well and pump are not used as a water source for this application we did dig into the side of the hill to intercept and collect the water. I'm just not sure whether the department considers that as developing a spring and there for considers it surface water or whether it is considered to be like a horizontal well and considered ground water. Either way our collection of water is right at the interface of surface and ground water.

Sincerely,



Gary Lemmon
Secretary

Attachment

MICROFILMED

JUN 05 2002

Diversion Name: BLIND CNYN AQUARANCH/THOUSAND SPGS

Water Dist Div. No.: 410088

Discharge, Cubic Feet Per Second, Calendar Year 1999

Day	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
01	35.6	33.8	33.8	34.7	33.0	31.2	34.7	33.8	34.7	37.1	38.1	35.6
02	35.6	33.8	33.8	34.7	33.0	31.2	32.1	33.8	34.7	37.1	38.1	35.6
03	35.6	33.8	33.8	34.7	32.1	31.2	32.1	33.8	34.7	37.1	38.1	35.6
04	35.6	33.8	33.8	34.7	32.1	31.2	32.1	32.1	34.7	39.2	38.1	35.6
05	35.6	33.8	33.8	34.7	32.1	31.2	32.1	32.1	34.7	39.2	38.1	35.6
06	35.6	33.8	33.8	34.7	32.1	31.2	32.1	32.1	35.6	39.2	38.1	35.6
07	34.7	33.8	33.8	34.7	32.1	33.0	32.1	32.1	35.6	39.2	38.1	35.6
08	34.7	33.8	34.7	34.7	32.1	33.0	32.1	32.1	35.6	39.2	37.1	35.6
09	34.7	33.8	34.7	34.7	32.1	33.0	32.1	32.1	35.6	39.2	37.1	35.6
10	34.7	33.8	34.7	34.7	32.1	33.0	32.1	32.1	35.6	39.2	37.1	35.6
11	34.7	33.8	34.7	34.7	32.1	33.0	32.1	32.1	35.6	37.1	37.1	35.6
12	34.7	33.8	34.7	34.7	32.1	33.0	33.8	32.1	35.6	37.1	37.1	35.6
13	34.7	33.8	34.7	34.7	32.1	33.0	33.8	32.1	34.7	37.1	37.1	35.6
14	33.8	33.8	34.7	34.7	32.1	34.7	33.8	32.1	34.7	37.1	37.1	35.6
15	33.8	34.7	34.7	34.7	32.1	34.7	33.8	32.1	34.7	37.1	36.5	35.6
16	33.8	34.7	34.7	34.7	32.1	34.7	33.8	32.1	34.7	37.1	36.5	35.6
17	33.8	34.7	34.7	34.7	32.1	34.7	33.8	32.1	34.7	37.1	36.5	35.6
18	33.8	34.7	34.7	34.7	32.1	34.7	33.8	32.1	34.7	36.5	36.5	35.6
19	33.8	34.7	34.7	34.7	32.1	34.7	33.8	32.1	34.7	36.5	36.5	35.6
20	33.8	34.7	34.7	34.7	32.1	34.7	33.8	32.1	36.5	36.5	36.5	35.6
21	33.0	34.7	34.7	34.7	32.1	34.7	33.8	32.1	36.5	36.5	36.5	34.7
22	33.0	33.8	33.8	34.7	31.2	34.7	33.8	32.1	36.5	36.5	36.5	34.7
23	33.0	33.8	33.8	34.7	31.2	34.7	33.8	33.0	36.5	36.5	36.5	34.7
24	33.0	33.8	33.8	34.7	31.2	34.7	33.8	33.0	36.5	36.5	36.5	34.7
25	33.0	33.8	33.8	34.7	31.2	34.7	33.8	33.0	36.5	36.5	36.5	34.7
26	33.0	33.8	33.8	34.7	31.2	34.7	33.8	33.0	36.5	36.5	36.5	34.7
27	33.0	33.8	33.8	33.0	31.2	34.7	33.8	33.0	37.1	36.5	36.5	34.7
28	33.0	33.8	33.8	33.0	31.2	34.7	33.8	33.0	37.1	36.5	36.5	34.7
29	33.0		34.7	33.0	31.2	34.7	33.8	33.0	37.1	36.5	36.5	34.7
30	33.0		34.7	33.0	31.2	34.7	33.8	34.7	37.1	36.5	36.5	34.7
31	33.0		34.7		31.2		33.8	34.7		36.5		34.7
Total	1055.8	953.1	1063.8	1034.8	987.6	1008.4	1031.7	1011.1	1070.0	1156.2	1110.1	1093.8
Mean	34.1	34.0	34.3	34.5	31.9	33.6	33.3	32.6	35.7	37.3	37.0	35.3
Min	33.0	33.8	33.8	33.0	31.2	31.2	32.1	32.1	34.7	36.5	36.5	34.7
Max	35.6	34.7	34.7	34.7	33.0	34.7	34.7	34.7	37.1	39.2	38.1	35.6
Ac-Ft	2094.1	1890.5	2109.9	2052.5	1958.9	2000.1	2046.4	2005.4	2122.4	2293.3	2202.0	2169.6

Calendar Year 1999 Total Cfs: 12576

Total Ac-Ft: 24945

MICROFILMED

100 0.5 2002



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 5, 2002

GARY LEMMON
BLIND CANYON AQUA RANCH INC
2775 S 1050 E
HAGERMAN ID 83332

Re: Application for Permit No. 36-8299

Dear Mr. Lemmon:

I spoke with you on the phone January 18th concerning the issuance of a permit for the above referenced application. I told you at that time that we intend to issue the permit for 13.10 cfs based on measurement data for the last 5 years that shows a peak diversion rate of 38.10 cfs minus 25 cfs already licensed. You told me that you would contact me in a couple of weeks with either your agreement with the recommendation or your protest of the reduction. As of this date, I have not heard from you.

The application originally identified fish propagation and power as the proposed uses of the water. The power use has been removed from the application, per your amending of the application in October of 2001. The application identified springs and ground water as the sources of water. From the information in the file, it appears that the well was intended for use with the power generation and perhaps as a means of producing compressed air to provide oxygen for the fish ponds. Please provide in writing a statement as to whether or not ground water should continue to be listed on the application and if so, explain how the well will be used.

I will hold the application in my office for 15 days to allow you time to provide the written information requested above. If I do not receive something in writing from you within that time frame, we will issue the permit for 13.10 cfs from the spring source only. If you have any questions, please give me a call.

*See note handwritten
on memo dated 1/18/02*

Sincerely,

Sharla Curtis
Sr. Water Resource Agent

MICROFILMED

JUN 05 2002

MEMORANDUM

To: File 36-8299

From: Sharla

Date: January 18, 2002

Re: Telecon with Applicant

On this date, I spoke with Mr. Lemmon and told him of the rate that Jim Stanton recommended for permit approval. I sent him fax copies of the measurement data, Fish and Game's letter and Jim Stanton's memo. Mr. Lemmon stated that he will get back to me in the next couple of weeks with either his agreement with the recommendation or his protest of the reduction.

Call-up this file 2/28/02; if nothing is rec'd from the applicant by then, issue the permit for 13.1 cfs.

per telecon 4/9/02, Mr. Lemmon drew to my attention
that Oct '99 had max flow 39.2 cfs

39.2
-25
14.2 cfs to
be authorized
in this permit

sc

MICROFILMED

JUN 05 2002

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Sharla Curtis on 3/26/02

No. 36-8299 Name: Blind Canyon Corp. Officers _____ Ad ok ✓ Govt Lots _____

AREA OF CONCERN: No/Yes ESPA Moratorium _____ CWMA TRUST/NON-TRUST _____

GROUNDWATER: (✓Flow Chart) non-cons.

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 = 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-R22-08A

BENEFICIAL USE DUE: 4/01/2007

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
In/Above MSF - 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

- 029 (70's only) 007-042-106

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 _____

MEMO

TO: FILE DATE: 1-7-02
FROM: JIM STANTON
RE: App for Permit 36-8299

JAN 16 2002

Department of Water Resources

Note the new mailing address and telephone for Blind Canyon Aqua Ranch per faxed document in file. Cell phone #is 280-4808.

MICROFILMED
JAN 05 2002

Blind Canyon Aquaranch Inc.
2775 S. 1050 E.
Hagerman, Idaho 83332
Phone: 208-837-4808
Fax: 208-837-4804

**Blind Canyon
Aquaranch Inc.**

RECEIVED

JAN 08 2002

Department of Water Resources
Southern Region

Fax

To: Jim Staten

From: Gary Lemmon

Fax: 208-736-3037

Date: January 8, 2002

Phone:

Pages: 3

Re: Application for permit 36-8299

CC:

☐ **Urgent** ☒ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

•Comments: Please find attached a up dated map of the Ten Springs Hatchery and a listing of the fish rearing facilities.

MICROFILMED

MEMO

TO: FILE DATE: 12-14-2001

FROM: JIM STANTON

RE: App for Permit 36-8299, Blind Canyon Aqua Ranch

I have been working with Gary Lemmon in his efforts to obtain the additional data required before we take final action on his application. I recently received a letter from the Fish & Game Dept. (Jerome office) on this matter, in which they state that they believe that all the water available at this site has already been appropriated by the applicant. They are also concerned that any additional development over what already exists could cause water-quality problems in the Snake River. Fish & Game suggested that we take steps to determine the present diversion rate for this facility, so I contacted Cindy Hodges to see if she had any measurement data. She gave me the diversion rates as reported by the applicant for the last five years. Flows were in the 18.6-26.3 cfs range from March 1 to November 14 of 1995. On November 15, 1995, flows jumped to 35.6 cfs. Since then, flows have ranged from 27.1 cfs to 38.1 cfs. I recommend that the proposed permit be limited to 13.1 cfs in order to satisfy the concerns of Fish & Game on this matter (38.1 cfs measured peak diversion rate minus 25 cfs already licensed).

MICROFILMED
JAN 05 2002

**BLIND CANYON AQUARANCH INC.
2775 S. 1050 E.
HAGERMAN, IDAHO 83332**

January 7, 2002

Fish rearing facilities at the Ten Springs Hatchery

- 2 -hatchery buildings 20'x 56' & 18'x 32'
- 12-raceways 4'x48'
- 8 - raceways 6x32'
- 8 -raceways 6'x40'
- 8 -raceways 16'x150'
- 8 -raceways 12'x150'
- 4 -raceways 14x80
- 2 -ponds56'x150'
- 2 -irregular shaped ponds
- 2 -offline settling ponds

RECEIVED

JAN 08 2002

**Department of Water Resources
Southern Region**

MICROFILMED

JUN 05 2002

Diversion Name: BLIND CNYN AQUARANCH/THOUSAND SPGS

Water Dist Div. No.: 410088

Discharge, Cubic Feet Per Second, Calendar Year 1995

Day	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
01			24.0	24.0	21.6	22.6	26.3	23.1	22.4	22.4	22.5	34.7
02			24.0	24.0	21.6	22.6	26.3	23.1	22.4	22.4	22.5	34.7
03			24.0	24.0	19.4	22.6	26.3	23.1	22.4	22.4	22.5	34.7
04			24.0	24.0	19.4	22.6	26.3	23.1	22.4	22.4	22.5	34.7
05			24.0	24.0	19.4	22.6	26.3	23.1	22.4	22.4	22.5	34.7
06			24.0	24.0	19.4	22.6	26.3	23.1	22.4	22.4	22.5	34.7
07			24.0	24.0	19.4	22.6	26.3	23.1	22.4	22.4	22.5	35.6
08			24.0	24.0	18.6	25.5	26.3	23.1	22.4	22.4	22.5	35.6
09			24.0	24.0	18.6	25.5	26.3	23.1	22.4	22.4	22.5	35.6
10			24.0	24.0	18.6	25.5	26.3	23.1	22.4	22.4	22.5	35.6
11			24.0	21.6	21.6	25.5	26.3	23.1	22.4	22.4	22.5	35.6
12			24.0	21.6	21.6	25.5	23.1	23.1	22.4	22.5	22.5	35.6
13			24.0	21.6	23.9	25.5	23.1	23.1	22.4	22.5	22.5	35.6
14			24.0	21.6	23.9	25.5	23.1	23.1	22.4	22.5	22.5	35.6
15			24.0	21.6	23.9	23.9	23.1	23.1	22.4	22.5	35.6	35.6
16			24.0	21.6	23.9	23.9	23.1	23.1	22.4	22.5	35.6	35.6
17			24.0	21.6	23.9	23.9	23.1	22.4	22.4	22.5	35.6	35.6
18			24.0	21.6	22.4	23.9	23.1	22.4	22.4	22.5	35.6	35.6
19			24.0	21.6	22.4	23.9	23.1	22.4	22.4	22.5	35.6	35.6
20			24.0	21.6	22.4	23.9	23.1	22.4	22.4	22.5	35.6	35.6
21			24.0	21.6	22.4	23.9	23.1	22.4	22.4	22.5	35.6	35.6
22			24.0	21.6	22.4	25.5	23.1	22.4	22.4	22.5	35.6	35.6
23			24.0	21.6	22.4	25.5	23.1	22.4	22.4	22.5	35.6	35.6
24			24.0	21.6	22.4	25.5	23.1	22.4	22.4	22.5	35.6	35.6
25			24.0	21.6	23.9	25.5	23.1	22.4	22.4	22.5	35.6	35.6
26			24.0	21.6	23.9	25.5	23.1	22.4	22.4	22.5	35.6	35.6
27			24.0	21.6	23.9	25.5	23.1	22.4	22.4	22.5	35.6	35.6
28			24.0	21.6	23.9	25.5	23.1	22.4	22.4	22.5	35.6	35.6
29			24.0	21.6	23.9	26.3	23.1	22.4	22.4	22.5	35.6	35.6
30			24.0	21.6	23.9	26.3	23.1	22.4	22.4	22.5	35.6	35.6
31			24.0		23.9		23.1	22.4		22.5		35.6
Total			744.0	672.0	682.9	734.6	751.2	705.3	671.1	696.1	884.4	1098.1
Mean			24.0	22.4	22.0	24.5	24.2	22.8	22.4	22.5	29.5	35.4
Min			24.0	21.6	18.6	22.6	23.1	22.4	22.4	22.4	22.5	34.7
Max			24.0	24.0	23.9	26.3	26.3	23.1	22.4	22.5	35.6	35.6
Ac-Ft			1475.7	1332.9	1354.5	1457.0	1489.9	1399.0	1331.1	1380.7	1754.3	2178.1

Calendar Year 1995 Total Cfs: 7640

Total Ac-Ft: 15153

Diversion Name: BLIND CNYN AQUARANCH/THOUSAND SPGS

Water Dist Div. No.: 410088

Discharge, Cubic Feet Per Second, Calendar Year 1996

Day	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
01	35.6	33.8	32.0	30.4	33.8	29.6	27.9	27.9	32.1	33.0	35.6	35.6
02	35.6	33.8	32.0	30.4	30.4	29.6	27.9	27.9	32.1	33.0	35.6	35.6
03	35.6	33.8	32.0	30.4	30.4	29.6	27.9	27.9	32.1	33.8	35.6	35.6
04	34.7	33.8	32.0	30.4	30.4	29.6	27.9	27.9	32.1	33.8	35.6	35.6
05	34.7	33.8	32.0	30.4	30.4	29.6	27.9	27.9	33.0	33.8	35.6	35.6
06	34.7	33.8	32.0	30.4	30.4	29.6	27.9	27.9	33.0	33.8	35.6	35.6
07	34.7	33.8	32.1	30.4	30.4	29.6	27.9	27.9	33.0	33.8	35.6	35.6
08	34.7	33.0	32.1	30.4	30.4	29.6	27.9	29.6	33.0	33.8	35.6	35.6
09	34.7	33.0	32.1	30.4	30.4	29.6	27.9	29.6	33.0	33.8	35.6	35.6
10	34.7	33.0	32.1	30.4	30.4	29.6	27.9	29.6	33.0	34.7	35.6	35.6
11	33.8	33.0	32.1	30.4	30.4	29.6	29.6	29.6	33.0	34.7	35.6	35.6
12	33.8	33.0	32.1	30.4	30.4	29.6	29.6	29.6	33.0	34.7	35.6	35.6
13	33.8	33.0	32.1	30.4	30.4	27.1	29.6	29.6	33.0	34.7	35.6	35.6
14	33.8	33.0	31.6	30.4	30.4	27.1	29.6	29.6	33.0	34.7	35.6	35.6
15	33.8	33.0	31.6	30.4	30.4	27.1	29.6	30.4	33.0	34.7	35.6	35.6
16	33.8	33.0	31.6	30.4	30.4	27.1	29.6	30.4	33.0	34.7	35.6	35.6
17	33.8	33.0	31.6	30.4	30.4	27.1	29.6	30.4	33.0	34.7	35.6	35.6
18	33.8	33.0	31.6	32.1	30.4	27.1	27.9	30.4	33.0	34.7	35.6	35.6
19	33.8	33.0	31.6	32.1	30.4	27.1	27.9	30.4	33.0	34.7	35.6	35.6
20	33.8	33.0	31.6	32.1	30.4	27.1	27.9	30.4	33.0	34.7	35.6	35.6
21	33.8	33.0	30.4	32.1	30.4	27.1	27.9	30.4	33.0	34.7	35.6	35.6
22	33.8	33.0	30.4	32.1	30.4	27.1	27.9	30.4	33.0	34.7	35.6	35.6
23	33.8	33.0	30.4	32.1	28.8	27.1	27.9	30.4	33.0	34.7	35.6	35.6
24	33.8	33.0	30.4	32.1	28.8	27.1	27.9	30.4	33.0	34.7	35.6	35.6
25	33.8	33.0	30.4	33.8	28.8	27.1	27.1	30.4	33.0	34.7	35.6	35.6
26	33.8	33.0	30.4	33.8	28.8	27.1	27.1	30.4	33.0	34.7	35.6	35.6
27	33.8	33.0	30.4	33.8	29.6	27.9	27.1	30.4	33.0	34.7	35.6	35.6
28	33.8	33.0	30.4	33.8	29.6	27.9	27.1	30.4	33.0	34.7	35.6	35.6
29	33.8	32.0	30.4	33.8	29.6	27.9	27.1	32.1	33.0	34.7	35.6	35.6
30	33.8		30.4	33.8	29.6	27.9	27.1	32.1	33.0	34.7	35.6	35.6
31	33.8		30.4		29.6		27.1	32.1		35.6		35.6
Total	1059.9	960.6	972.1	944.6	935.4	845.3	870.5	924.2	985.0	1067.5	1067.7	1103.3
Mean	34.2	33.1	31.4	31.5	30.2	28.2	28.1	29.8	32.8	34.4	35.6	35.6
Min	33.8	32.0	30.4	30.4	28.8	27.1	27.1	27.9	32.1	33.0	35.6	35.6
Max	35.6	33.8	32.1	33.8	33.8	29.6	29.6	32.1	33.0	35.6	35.6	35.6
Ac-Ft	2102.3	1905.4	1928.1	1873.5	1855.3	1676.6	1726.7	1833.2	1953.8	2117.4	2117.8	2188.4

Calendar Year 1996 Total Cfs: 11736

Total Ac-Ft: 23278

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14-Dec-01

Page 1 of 1

JUN 05 2002

Diversion Name: BLIND CNYN AQUARANCH/THOUSAND SPGS

Water Dist Div. No.: 410088

Discharge, Cubic Feet Per Second, Calendar Year 1997

Day	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
01	35.6	35.6	35.6	33.8	32.1	31.2	30.4	33.8	33.0	36.5	37.1	38.1
02	35.6	35.6	35.6	33.8	32.1	31.2	30.4	33.8	33.0	37.1	37.1	38.1
03	35.6	35.6	35.6	33.8	32.1	31.2	31.2	33.8	33.0	37.1	37.1	38.1
04	35.6	35.6	35.6	33.8	32.1	31.2	31.2	33.8	33.0	37.1	37.1	38.1
05	35.6	35.6	35.6	33.8	32.1	32.1	31.2	33.8	33.0	37.1	37.1	38.1
06	35.6	35.6	34.7	33.8	32.1	32.1	31.2	33.8	33.0	37.1	36.5	38.1
07	35.6	35.6	34.7	33.8	32.1	32.1	31.2	32.1	33.0	37.1	36.5	38.1
08	35.6	35.6	34.7	33.8	32.1	32.1	31.2	32.1	33.0	37.1	36.5	38.1
09	35.6	35.6	34.7	33.8	32.1	32.1	31.2	32.1	33.0	37.1	36.5	38.1
10	35.6	35.6	34.7	33.0	32.1	32.1	30.4	32.1	33.0	37.1	36.5	38.1
11	35.6	35.6	34.7	33.0	32.1	32.1	30.4	32.1	34.7	37.1	36.5	38.1
12	35.6	35.6	34.7	33.0	32.1	33.8	30.4	32.1	34.7	37.1	36.5	38.1
13	35.6	35.6	33.8	33.0	32.1	33.8	30.4	32.1	34.7	37.1	36.5	38.1
14	35.6	35.6	33.8	33.0	32.1	33.8	30.4	33.0	34.7	37.1	36.5	38.1
15	35.6	35.6	33.8	33.0	32.1	33.8	30.4	33.0	34.7	37.1	36.5	38.1
16	35.6	35.6	33.8	33.0	32.1	33.8	30.4	33.0	34.7	37.1	36.5	35.6
17	35.6	35.6	33.8	33.0	32.1	33.8	32.1	33.0	34.7	37.1	36.5	35.6
18	35.6	35.6	33.8	33.0	32.1	33.8	32.1	33.0	35.6	37.1	36.5	35.6
19	35.6	35.6	33.8	33.0	32.1	32.1	32.1	33.0	35.6	37.1	36.5	35.6
20	35.6	35.6	33.8	33.0	32.1	32.1	32.1	33.0	35.6	37.1	37.1	35.6
21	35.6	35.6	33.8	33.0	32.1	32.1	32.1	33.0	35.6	37.1	37.1	35.6
22	35.6	35.6	33.8	33.0	32.1	32.1	32.1	33.0	35.6	37.1	37.1	35.6
23	35.6	35.6	33.8	33.0	32.1	32.1	32.1	33.0	35.6	37.1	37.1	35.6
24	35.6	35.6	33.8	32.1	32.1	32.1	32.1	33.0	35.6	37.1	37.1	35.6
25	35.6	35.6	33.8	32.1	32.1	32.1	32.1	33.0	36.5	37.1	37.1	35.6
26	35.6	35.6	33.8	32.1	32.1	30.4	32.1	33.0	36.5	37.1	37.1	35.6
27	35.6	35.6	33.8	32.1	32.1	30.4	32.1	33.0	36.5	37.1	38.1	35.6
28	35.6	35.6	33.8	32.1	32.1	30.4	32.1	33.0	36.5	37.1	38.1	35.6
29	35.6		33.8	32.1	31.2	30.4	32.1	33.0	36.5	37.1	38.1	35.6
30	35.6		33.8	32.1	31.2	30.4	32.1	33.0	36.5	37.1	38.1	35.6
31	35.6		33.8		31.2		33.8	33.0		37.1		35.6
Total	1103.3	996.5	1063.5	990.2	991.9	962.8	975.3	1020.5	1040.8	1150.7	1108.3	1140.2
Mean	35.6	35.6	34.3	33.0	32.0	32.1	31.5	32.9	34.7	37.1	36.9	36.8
Min	35.6	35.6	33.8	32.1	31.2	30.4	30.4	32.1	33.0	36.5	36.5	35.6
Max	35.6	35.6	35.6	33.8	32.1	33.8	33.8	33.8	36.5	37.1	38.1	38.1
Ac-Ft	2188.4	1976.6	2109.4	1964.0	1967.4	1909.7	1934.4	2024.2	2064.4	2282.4	2198.4	2261.6

Calendar Year 1997 Total Cfs: 12544

Total Ac-Ft: 24881

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14-Dec-01

Page 1 of 1

NOV 05 2002

Diversion Name: BLIND CNYN AQUARANCH/THOUSAND SPGS

Water Dist Div. No.: 410088

Discharge, Cubic Feet Per Second, Calendar Year 1998

Day	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
01	35.6	33.8	33.8	33.8	32.1	33.0	33.0	33.0	33.8	37.1	38.1	36.5
02	35.6	33.8	33.8	33.8	32.1	33.0	32.1	33.0	33.8	37.1	38.1	36.5
03	35.6	33.8	33.8	33.8	32.1	33.0	32.1	33.0	33.8	37.1	38.1	35.6
04	35.6	33.8	33.8	33.8	32.1	33.8	32.1	33.0	35.6	37.1	38.1	35.6
05	35.6	33.8	33.8	33.8	32.1	33.8	32.1	33.0	35.6	37.1	38.1	35.6
06	35.6	34.7	33.8	33.8	32.1	33.8	32.1	33.8	35.6	37.1	38.1	35.6
07	35.6	34.7	33.8	33.8	29.6	33.8	32.1	33.8	35.6	37.1	38.1	35.6
08	35.6	34.7	33.8	33.8	29.6	33.8	32.1	33.8	35.6	37.1	38.1	35.6
09	35.6	34.7	33.8	33.8	29.6	33.8	31.2	33.8	35.6	37.1	38.1	35.6
10	35.6	34.7	33.8	33.4	29.6	33.8	33.0	33.8	37.1	37.1	38.1	35.6
11	35.6	34.7	33.8	33.4	32.1	33.4	33.0	33.8	37.1	37.1	36.5	35.6
12	35.6	34.7	33.8	33.4	32.1	33.4	33.0	33.8	37.1	37.1	36.5	35.6
13	35.6	34.7	33.8	33.4	32.1	33.4	33.0	33.8	37.1	37.1	36.5	35.6
14	35.6	34.7	33.8	33.4	32.1	33.4	33.0	33.0	37.1	37.1	36.5	34.7
15	35.6	34.7	33.8	33.4	32.1	33.4	33.0	33.0	35.6	36.5	36.5	34.7
16	33.8	34.7	33.8	33.4	32.1	33.4	32.1	33.0	35.6	36.5	36.5	34.7
17	33.8	34.7	33.8	33.4	32.1	33.4	32.1	33.0	35.6	36.5	36.5	34.7
18	33.8	34.7	33.8	33.4	32.1	33.4	32.1	33.0	35.6	36.5	36.5	34.7
19	33.8	34.7	33.8	33.4	32.1	33.4	32.1	33.0	35.6	36.5	36.5	34.7
20	33.8	34.7	33.8	33.0	32.1	33.4	32.1	33.0	35.6	36.5	36.5	34.7
21	33.8	34.7	33.8	33.0	32.1	33.4	32.1	33.8	35.6	36.5	36.5	34.7
22	33.8	34.7	33.8	32.1	32.1	33.4	32.1	33.8	35.6	36.5	36.5	34.7
23	33.8	34.7	33.8	32.1	33.8	33.4	33.0	33.8	35.6	36.5	36.5	34.7
24	33.8	34.7	33.8	32.1	33.8	33.4	33.0	33.8	35.6	36.5	36.5	34.7
25	33.8	34.7	33.8	32.1	33.8	33.0	33.0	33.8	35.6	36.5	36.5	34.7
26	34.7	34.7	33.8	32.1	33.0	33.0	33.0	33.8	35.6	36.5	36.5	37.1
27	34.7	33.8	33.8	32.1	33.0	33.0	33.0	33.8	35.6	36.5	36.5	37.1
28	34.7	33.8	33.8	32.1	33.0	33.0	33.0	33.8	35.6	36.5	36.5	37.1
29	33.8		33.8	32.1	33.0	33.0	33.0	33.8	35.6	36.5	36.5	37.1
30	33.8		33.8	32.1	33.0	33.0	33.0	33.8	35.6	36.5	36.5	37.1
31	33.8		33.8		33.0		33.0	33.8		36.5		35.6
Total	1077.6	966	1048.1	992.9	994.8	1000.8	1007.5	1037.8	1070.1	1139.8	1110.0	1102.6
Mean	34.8	34.5	33.8	33.1	32.1	33.4	32.5	33.5	35.7	36.8	37.0	35.6
Min	33.8	33.8	33.8	32.1	29.6	33.0	31.2	33.0	33.8	36.5	36.5	34.7
Max	35.6	34.7	33.8	33.8	33.8	33.8	33.0	33.8	37.1	37.1	38.1	37.1
Ac-Ft	2137.4	1916.1	2078.9	1969.4	1973.1	1985.1	1998.5	2058.5	2122.6	2260.8	2201.6	2186.9
Calendar Year 1998 Total Cfs: 12548 Total Ac-Ft: 24889												

Diversion Name: BLIND CNYN AQUARANCH/THOUSAND SPGS

Water Dist Div. No.: 410088

Discharge, Cubic Feet Per Second, Calendar Year 1999

Day	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
01	35.6	33.8	33.8	34.7	33.0	31.2	34.7	33.8	34.7	37.1	38.1	35.6
02	35.6	33.8	33.8	34.7	33.0	31.2	32.1	33.8	34.7	37.1	38.1	35.6
03	35.6	33.8	33.8	34.7	32.1	31.2	32.1	33.8	34.7	37.1	38.1	35.6
04	35.6	33.8	33.8	34.7	32.1	31.2	32.1	32.1	34.7	39.2	38.1	35.6
05	35.6	33.8	33.8	34.7	32.1	31.2	32.1	32.1	34.7	39.2	38.1	35.6
06	35.6	33.8	33.8	34.7	32.1	31.2	32.1	32.1	35.6	39.2	38.1	35.6
07	34.7	33.8	33.8	34.7	32.1	33.0	32.1	32.1	35.6	39.2	38.1	35.6
08	34.7	33.8	34.7	34.7	32.1	33.0	32.1	32.1	35.6	39.2	37.1	35.6
09	34.7	33.8	34.7	34.7	32.1	33.0	32.1	32.1	35.6	39.2	37.1	35.6
10	34.7	33.8	34.7	34.7	32.1	33.0	32.1	32.1	35.6	39.2	37.1	35.6
11	34.7	33.8	34.7	34.7	32.1	33.0	32.1	32.1	35.6	37.1	37.1	35.6
12	34.7	33.8	34.7	34.7	32.1	33.0	33.8	32.1	35.6	37.1	37.1	35.6
13	34.7	33.8	34.7	34.7	32.1	33.0	33.8	32.1	34.7	37.1	37.1	35.6
14	33.8	33.8	34.7	34.7	32.1	34.7	33.8	32.1	34.7	37.1	37.1	35.6
15	33.8	34.7	34.7	34.7	32.1	34.7	33.8	32.1	34.7	37.1	36.5	35.6
16	33.8	34.7	34.7	34.7	32.1	34.7	33.8	32.1	34.7	37.1	36.5	35.6
17	33.8	34.7	34.7	34.7	32.1	34.7	33.8	32.1	34.7	37.1	36.5	35.6
18	33.8	34.7	34.7	34.7	32.1	34.7	33.8	32.1	34.7	36.5	36.5	35.6
19	33.8	34.7	34.7	34.7	32.1	34.7	33.8	32.1	34.7	36.5	36.5	35.6
20	33.8	34.7	34.7	34.7	32.1	34.7	33.8	32.1	36.5	36.5	36.5	35.6
21	33.0	34.7	34.7	34.7	32.1	34.7	33.8	32.1	36.5	36.5	36.5	34.7
22	33.0	33.8	33.8	34.7	31.2	34.7	33.8	32.1	36.5	36.5	36.5	34.7
23	33.0	33.8	33.8	34.7	31.2	34.7	33.8	33.0	36.5	36.5	36.5	34.7
24	33.0	33.8	33.8	34.7	31.2	34.7	33.8	33.0	36.5	36.5	36.5	34.7
25	33.0	33.8	33.8	34.7	31.2	34.7	33.8	33.0	36.5	36.5	36.5	34.7
26	33.0	33.8	33.8	34.7	31.2	34.7	33.8	33.0	36.5	36.5	36.5	34.7
27	33.0	33.8	33.8	33.0	31.2	34.7	33.8	33.0	37.1	36.5	36.5	34.7
28	33.0	33.8	33.8	33.0	31.2	34.7	33.8	33.0	37.1	36.5	36.5	34.7
29	33.0		34.7	33.0	31.2	34.7	33.8	33.0	37.1	36.5	36.5	34.7
30	33.0		34.7	33.0	31.2	34.7	33.8	34.7	37.1	36.5	36.5	34.7
31	33.0		34.7		31.2		33.8	34.7		36.5		34.7
Total	1055.8	953.1	1063.8	1034.8	987.6	1008.4	1031.7	1011.1	1070.0	1156.2	1110.1	1093.8
Mean	34.1	34.0	34.3	34.5	31.9	33.6	33.3	32.6	35.7	37.3	37.0	35.3
Min	33.0	33.8	33.8	33.0	31.2	31.2	32.1	32.1	34.7	36.5	36.5	34.7
Max	35.6	34.7	34.7	34.7	33.0	34.7	34.7	34.7	37.1	39.2	38.1	35.6
Ac-Ft	2094.1	1890.5	2109.9	2052.5	1958.9	2000.1	2046.4	2005.4	2122.4	2293.3	2202.0	2169.6

Calendar Year 1999 Total Cfs: 12576

Total Ac-Ft: 24945

Diversion Name: BLIND CNYN AQUARANCH/THOUSAND SPGS

Water Dist Div. No.: 410088

Discharge, Cubic Feet Per Second, Calendar Year 2000

Day	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
01	32.1	32.1	33.0	30.4	30.4	29.6	31.2	38.8	31.2	34.7	35.6	34.7
02	32.1	32.1	33.0	30.4	30.4	29.6	31.2	38.8	31.2	34.7	35.6	34.7
03	32.1	34.7	33.0	31.2	30.4	29.6	31.2	38.8	31.2	34.7	35.6	34.7
04	32.1	34.7	33.0	31.2	30.4	29.6	31.2	38.8	34.7	34.7	35.6	34.7
05	32.1	34.7	33.0	31.2	30.4	29.6	31.2	38.8	34.7	34.7	35.6	34.7
06	32.1	34.7	32.1	31.2	30.4	29.6	31.2	38.8	34.7	34.7	35.6	34.7
07	32.1	32.1	32.1	31.2	30.4	29.6	31.2	29.6	34.7	34.7	35.6	34.7
08	32.1	32.1	32.1	31.2	30.4	29.6	31.2	29.6	34.7	34.7	35.6	34.7
09	32.1	32.1	32.1	31.2	30.4	29.6	31.2	29.6	34.7	35.6	35.6	34.7
10	32.1	32.1	32.1	31.2	30.4	29.6	29.6	29.6	34.7	35.6	35.6	34.7
11	32.1	32.1	32.1	31.2	30.4	29.6	29.6	29.6	33.8	35.6	35.6	34.7
12	32.1	32.1	32.1	31.2	30.4	29.6	29.6	29.6	33.8	35.6	35.6	34.7
13	32.1	32.1	31.2	31.2	30.4	29.6	29.6	29.6	33.8	35.6	35.6	34.7
14	32.1	32.1	31.2	31.2	30.4	29.6	29.6	29.6	33.8	35.6	35.6	34.7
15	32.1	32.1	31.2	31.2	31.2	29.6	29.6	29.6	33.8	35.6	35.6	34.7
16	32.1	32.1	31.2	31.2	31.2	29.6	29.6	29.6	33.8	35.6	35.6	34.7
17	32.1	32.1	31.2	30.4	31.2	29.6	29.6	29.6	33.8	35.6	35.6	34.7
18	32.1	32.1	31.2	30.4	31.2	29.6	29.6	29.6	34.7	35.6	35.6	34.7
19	32.1	32.1	31.2	30.4	31.2	29.6	29.6	29.6	34.7	35.6	35.6	34.7
20	32.1	32.1	31.2	30.4	31.2	29.6	29.6	29.6	34.7	35.6	35.6	34.7
21	32.1	32.1	31.2	30.4	31.2	31.2	29.6	31.2	34.7	35.6	35.6	34.7
22	32.1	32.1	31.2	30.4	29.6	31.2	29.6	31.2	34.7	35.6	35.6	34.7
23	32.1	33.0	31.2	30.4	29.6	31.2	29.6	31.2	34.7	35.6	35.6	34.7
24	32.1	33.0	31.2	30.4	29.6	31.2	29.6	31.2	34.7	35.6	35.6	34.7
25	32.1	33.0	31.2	30.4	29.6	31.2	29.6	31.2	34.7	35.6	35.6	34.7
26	32.1	33.0	31.2	30.4	29.6	28.8	29.6	31.2	34.7	35.6	35.6	34.7
27	32.1	33.0	30.4	30.4	29.6	28.8	29.6	31.2	34.7	35.6	34.7	34.7
28	32.1	33.0	30.4	30.4	29.6	28.8	29.6	31.2	34.7	35.6	34.7	33.0
29	32.1	33.0	30.4	30.4	29.6	28.8	29.6	31.2	34.7	35.6	34.7	33.0
30	32.1		30.4	30.4	29.6	31.8	29.6	31.2	34.7	35.6	34.7	33.0
31	32.1		30.4		29.6		28.8	31.2		35.6		33.0
Total	994.5	947.0	978.5	923.8	939.9	893.9	930.3	989.6	1024.9	1096.4	1064.3	1069.5
Mean	32.1	32.7	31.6	30.8	30.3	29.8	30.0	31.9	34.2	35.4	35.5	34.5
Min	32.1	32.1	30.4	30.4	29.6	28.8	28.8	29.6	31.2	34.7	34.7	33.0
Max	32.1	34.7	33.0	31.2	31.2	31.8	31.2	38.8	34.7	35.6	35.6	34.7
Ac-Ft	1972.6	1878.4	1940.8	1832.4	1864.3	1773.1	1845.2	1962.9	2032.9	2174.7	2111.0	2121.4

Calendar Year 2000 Total Cfs: 11853

Total Ac-Ft: 23510



IDAHO FISH AND GAME

Magic Valley Region

P.O. Box 428

868 E. Main St.

Jerome, ID 83338

Dirk Kempthorne/Governor
Rod Sando/Director

December 7, 2001

Mary A. Baldwin
Idaho Dept. of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED
DEC 13 2001
Department of Water Resources
Southern Region

Re: Application to appropriate waters of the State of Idaho – No. 36-8299

Dear Mary,

Mr. Gary Lemmon, owner of Blind Canyon Aqua Ranch, Inc. contacted our agency requesting that we provide comments concerning the above referenced water right application. After an inspection of the aquaculture facility we do not believe that there is an additional 20 cfs of water available for filing on. The aquaculture facility appears to be using all of the surface water that is available from the existing springs. Extending the collection ditch as described in part 6 of the application will not likely result in an additional 20 cfs of water becoming available. Our agency does not object to Mr. Lemmon filing for water he may have developed 22 years ago but we believe that 20 additional cfs is more than what is available. Mr. Lemmon states in his letter to us that he currently has a license for 25 cfs. It needs to be determined if the 20 cfs he is currently applying for will result in an over-appropriation or if the initial filing was 20 cfs less than what had been historically used. We suggest that this matter be investigated by a certified water measurer to determine how much is currently being diverted. Once this is done then we have no objection to the filing for a quantity of water that was previously developed.

We do however object to the filing for additional water for the aquaculture facility because we are concerned that any additional developments will result in a net increase of nutrient loading to the Snake River system, which is already under a Total Maximum Daily Load allowed under NPDES permits. We suggest that these nutrient loading concerns be addressed by the Department of Environmental Quality before further action on this application. Thank you for the opportunity to comment on this. Please contact Chuck Warren, Environmental Staff Biologist at this office if you have any questions.

Sincerely,

David Parrish
Magic Valley Regional Supervisor

MICROFILMED
DEC 15 2002

Cc: NRPB-Robertson
AG Office-Barber
IDWR(TF)-Jim Stanton
DEQ-Buhidar
Gary Lemmon
Box 218
Hagerman, Idaho 83332

Blind Canyon Aquaranch Inc.
2775 S. 1050 E.
Hagerman, Idaho 83332
Phone: 208-837-4808
Fax: 208-837-4804

**Blind Canyon
Aquaranch Inc.**

Fax

RECEIVED**NOV 16 2001**

Department of Water Resources
Southern Region

To: Roger Staten	From: Gary Lemmon
Fax: 208-738-3037	Date: November 16, 2001
Phone:	Pages: 5
Re: Application for permit 36-8299	CC:

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

•Comments: Please find attached a copy of the Commercial Fish Rearing License, a signed letter from EPA stating that the Ten Springs Hatchery is covered under the General NPDES Permit for Idaho Aquaculture Facilities and a letter from DEQ to EPA Certifying that facilities meeting the conditions of the general permit will also meet the Idaho water quality standards.

I am still seeking comments from the Fish and Game.

Gary

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OK
STANDARD
ECM

DATE, TIME
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PAGE(S)
RESULT
MODE

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NOV 16 2001

TIME : 11/16/2001 14:18
NAME : IDWR SOUTHERN REGION
FAX : 2087383037
TEL : 2087383033

TRANSMISSION VERIFICATION REPORT

11/16/01 FRI 09:45 FAX

001

\$25.00

STATE OF IDAHO
DEPARTMENT OF AGRICULTUREVALID
02/11/00 thru 02/01/02
License # 73**COMMERCIAL FISH REARING LICENSE**

GEORGE LEMMON of 2757 SOUTH 1050 EAST HAGERMAN, ID 83332,
acting as agent for 10 SPRINGS of:
SOUTH OF THOUSAND SPRINGS POWER PLANT.

having first made an approved application and paid the license fee, as required by law, is hereby permitted
to possess, reserve, or propagate fish for the purpose of selling same on property located in:
County: GOODING Twp. 08S, Rge. 14E, Sec. 17, STATE OF IDAHO,
in water obtained from 10 SPRINGS ON THE SNAKE RIVER

This license shall be valid only for the following kinds of fish:

1. RAINBOW TROUT

2. WHITE STURGEON

3. RAINBOW TROUT

Pet Takesugi, Director
Department of Agriculture
P.O. Box 7249, Boise, ID 83707

Date issued: 02/11/00
issued by : PHIL MAMER, D.V.M.

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JUN 05 2002



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
IDAHO OPERATIONS OFFICE
1435 N. Orchard St.
Boise, Idaho 83706

December 29, 1999

Recd 1/8/00 LLL

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Gary Lemmon
Blind Canyon Aquaranch Inc.
(Ten Springs Hatchery)
2775 S. 1050 E.
Hagerman, ID 83332

Re: Aquaculture Facilities in Idaho General NPDES Permit No. ID-G-13-0061

Dear Mr. Lemmon:

Thank you for sending us your Notice of Intent to be covered by the general NPDES permit for aquaculture facilities in Idaho. The facility you operate is covered by this general permit and is authorized to discharge according to the conditions in the permit. Your facility is identified by the above referenced number. Please use this number in all future correspondence and reports.

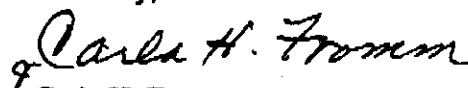
Enclosed is a copy of the permit. Should operation of this facility transfer to a different operator, you are obligated to notify EPA under Part IX.D., *Signatory Requirements*, of the permit (page 45).

Also enclosed is a list of draft proposed modifications, which are being considered by EPA as a consequence of discussion at the workshop in October. Note the corrections to equations on page 3 of this list (modifications proposed for page 19 of the permit) for calculating compliance with the permit. Please use these corrected equations for reporting your data. These modifications will be published for public comment in the near future. You will receive notice of this comment period.

We have determined from the NOI that your facility falls within Class 2.

If you have any questions about the general permit please call me at (208) 378-5755.

Sincerely,


Carla H. Fromm
Environmental Scientist

cc: Steven Allred, Idaho Division of Environmental Quality
Doug Howard, Idaho Division of Environmental Quality, Twin Falls

MICROFILMED

109 U 5 2002



STATE OF IDAHO
DIVISION OF
ENVIRONMENTAL QUALITY

1410 North Hilton, Boise, ID 83706-1255. (208) 373-0502

December 2, 1998

Robert R. Robichaud
Office of Water, Region 10
U.S. Environmental Protection Agency
NPDES Permits Unit Manager
1200 Sixth Avenue, OW-130
Seattle, Washington 98101

Re: General Aquaculture NPDES Permit for Idaho (NPDES No. ID-G13-0000)

Dear Mr. Robichaud:

The Idaho Department of Health and Welfare, Division of Environmental Quality (DEQ) has reviewed the proposed final EPA general NPDES permit for aquaculture facilities in Idaho. This letter provides certification, pursuant to section 401 of the Federal Water Pollution Control Act (Clean Water Act), that there is a reasonable assurance that the activities allowed under this permit will comply with applicable requirements of sections 301, 302, 303, 306 and 307 of the Clean Water Act and the Idaho Water Quality Standards and Wastewater Treatment Requirements (Water Quality Standards). This certification is dependent upon compliance with the terms of the permit and the following additional conditions that shall be incorporated into the permit:

1. It is likely that total maximum daily loads (TMDLs) and related waste load allocations (WLAs) shall be developed or modified in the future that will affect the discharges allowed under this permit. This is specifically the case with respect to the Middle Snake River TMDL that provides the phosphorus WLA for aquaculture facilities will be reexamined and modified if necessary after three years of data collection and analysis and also provides for future development of WLAs for other pollutants. The effluent limitations and other requirements of this permit shall be modified to be consistent with future WLAs in order to ensure compliance with applicable state Water Quality Standards, including without limitation, IDAPA 16.01.02.080 and IDAPA 16.01.02.200 and 250.
2. Any material modification of this permit or the permitted activities, including without limitation any modifications to the permit to reflect new or modified TMDLs or WLAs, shall first be provided to DEQ for review to determine compliance with state Water Quality Standards and to provide additional certification pursuant to section 401.

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JUN 15 2002

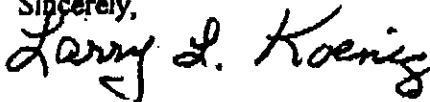
Robert R. Robichaud
December 2, 1998
Page 2

3. Mixing zones are authorized in the state Water Quality Standards IDAPA 16.01.02.060. Consistent with paragraph VI D of the proposed final permit, DEQ shall review, and if consistent with Water Quality Standards approve, applications from permittees for mixing zones for dissolved oxygen and other pollutants as determined appropriate by DEQ.

While not a condition of certification, please note that DEQ has the authority to hold production records exempt from disclosure pursuant to Idaho Code § 9-340(4) when such records are identified by the permittee.

This section 401 water quality certification and associated conditions may be appealed by submitting a request in writing within thirty-five days for a hearing, pursuant to Title 67, Chapter 52, Idaho Code, and the Rules Governing Contested Case Proceedings and Declaratory Rulings, Title 5, Chapter 3, IDAPA 16.05.03.000 to 16.05.03.999. The request for a hearing must be filed with the hearing coordinator at the following address: Hearing Coordinator, Administrative Procedure Section, Department of Health and Welfare, P.O. Box 83720, Boise, Idaho 83720-0036.

Sincerely,



Larry L. Koenig
Assistant Administrator
Water Quality & Remediation

cc: Wally Cory, Administrator, DEQ, Boise
Doug Howard, Regional Administrator, DEQ, Twin Falls
Jim Johnston, Asst. Administrator, Regional Programs, DEQ, Idaho Falls
Regional Administrators, DEQ, Coeur d'Alene, Lewiston, Boise, Pocatello, Idaho Falls
Doug Conde, DAG, DEQ, Boise
Doug Abderhalden, Water Quality Certification Coord., DEQ, Boise
Mike McMasters, Regional Environmental Manager, DEQ, Twin Falls
Lynn McKee, EPA-IOO, Boise
Carla Fromm, EPA-IOO, Boise
Bernie Hill, EPA-Region 10, Seattle, Wash.
Sonny Buhidar, Regional Water Quality Analyst, DEQ, Twin Falls

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JUN 05 2002

Blind Canyon Aqueduct Inc

10/17/01

Directors:

George H Lemman
Kim Lemman
Gary Lemman
Pat Winkles

Office
President
Treasurer
Secretary
Vice President

~~Other~~ Stock Holders:

^{or Irene}
George Lemman
Kim Lemman
Gary Lemman
Pat Winkles
Janie Mayer

RECEIVED

OCT 18 2001

Department of Water Resources
Southern Region

MICROFILMED

OCT 15 2002

Ten Springs Hatchery

United States Environmental Protection Agency, Region 10
1200 Sixth Avenue, OW-130
Seattle, Washington 98101
(206) 553-1214

AUTHORIZATION TO DISCHARGE UNDER THE

AQUACULTURE FACILITIES IN IDAHO

(a.k.a., Concentrated Aquatic Animal Production Facilities)

and associated, on-site FISH PROCESSORS

In compliance with the provisions of the Clean Water Act, 33 U.S.C. § 1251 et seq. (hereafter, CWA or the Act), as amended by the Water Quality Act of 1987, P.L. 100-4, the owners and operators of aquaculture facilities and their associated, on-site fish processing facilities which are described in Part I of this general National Pollutant Discharge Elimination System (NPDES) permit, except those facilities excluded from authorization of discharge in Part III of this permit, are authorized to discharge to waters of the United States, in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

A COPY OF THIS GENERAL PERMIT SHALL BE KEPT AT
THE AQUACULTURE FACILITY WHERE THE DISCHARGES OCCUR.

This permit shall become effective September 10, 1999.

This permit and the authorization to discharge shall expire at midnight, September 10, 2004.

Signed this 19th day of August, 1999.

Randall F. Smith
Director
Office of Water

MICROFILMED

JUN 9 5 2002

United States Environmental Protection Agency, Region 10
1200 Sixth Avenue, OW-130
Seattle, Washington 98101
(206) 553-1214

AUTHORIZATION TO DISCHARGE UNDER THE

AQUACULTURE FACILITIES IN IDAHO
(a.k.a., Concentrated Aquatic Animal Production Facilities)

and associated, on-site FISH PROCESSORS

In compliance with the provisions of the Clean Water Act, 33 U.S.C. § 1251 et seq. (hereafter, CWA or the Act), as amended by the Water Quality Act of 1987, P.L. 100-4, the owners and operators of aquaculture facilities and their associated, on-site fish processing facilities which are described in Part I of this general National Pollutant Discharge Elimination System (NPDES) permit, except those facilities excluded from authorization of discharge in Part III of this permit, are authorized to discharge to waters of the United States, in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

A COPY OF THIS GENERAL PERMIT SHALL BE KEPT AT
THE AQUACULTURE FACILITY WHERE THE DISCHARGES OCCUR.

This permit shall become effective September 10, 1999.

This permit and the authorization to discharge shall expire at midnight,
September 10, 2004.

Signed this 19th day of August, 1999.

Randall F. Smith

Randall F. Smith
Director
Office of Water

RECEIVED

OCT 18 2001

Department of Water Resources
Southern Region

MICROFILMED

JUN 05 2002

GOODING COUNTY PLANNING AND ZONING COMMISSION

JUDY DAUBNER
ADMINISTRATOR

Blind Canyon Aquaranch, Inc. (10 Springs)
2775 S. 1050 E.
Hagerman, ID 83332

624 Main Street
P.O. Box 417
Gooding, ID 83330
(208) 934-5958

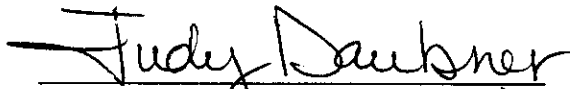
RE: Registration Number: G97-082

Pursuant to the Gooding County Confined Animal Feeding Operation (CAFO) Ordinance, effective February 26, 1997, this letter will serve as written notification that your application has been accepted and recorded by the Administrator.

"Registration notices which have been accepted and recorded by the Administrator shall allow the continued operation of an existing CAFO and shall be deemed transferable in the same manner as a siting permit as long as the CAFO remains in operation."

Thank you for your time and effort in completing this registration.

Registration accepted and recorded this 20 day of August, 1997.


Judy Daubner, Administrator

By: 

RECEIVED

OCT 18 2001

Department of Water Resources
Southern Region

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OCT 05 2002

WARRANTY DEED

For Value Received Steven D. Peterson and Jo Ann Peterson, husband and wife
John C. Peterson and Tammie A. Peterson, husband and wife

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto
Blind Canyon Aquaranch, Inc.

Rt. #1 Wendell, Idaho 83355

Hereinafter called the grantee, the following described premises, in Gooding..... County, Idaho,
to-wit: IN THE COUNTY OF GOODING, STATE OF IDAHO

The following tract of land in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ Section 17,
Township 8 South Range 14 East, Boise Meridian.
Beginning at a point on the north boundary of Section 17,
Township 8 South, Range 14 East, Boise Meridian, which point
is 1498.2 feet westerly from the northeast corner of said Section 17;
thence westerly along said north boundary a distance of 935.2
feet; thence S 3 degrees 5' E a distance of 414.8 feet; thence
S 26 degrees 5' E a distance of 202.0 feet; thence N 86 degrees
43'E a distance of 157.0 feet; thence N 60 degrees 47'E a
distance of 206.2 feet; thence N 76 degrees 11'E a distance
of 324.9 feet; thence N 32 degrees 38'E a distance of 211.5
feet; thence N 11 degrees 34'E a distance of 203.7 feet more
or less to the point of beginning.
Together with water rights appurtenant there to (water permit
#36-4026).
Subject to existing rights of ways.

RECEIVED

OCT 18 2001

Department of Water Resources
Southern Region

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
and to the Grantee's, heirs and assigns forever. And the said Grantor does hereby
covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises;
that they are free from all incumbrances except as described above and that Grantor will warrant
and defend the same from all lawful claims whatsoever.

Dated: July 18, 1978

Steven D. Peterson
Jo Ann Peterson

John C. Peterson
Tammie A. Peterson

STATE OF IDAHO, COUNTY OF Gooding
On this 18 day of July, 1978,
before me, a notary public in and for said State, personally appeared Steven D. and Jo Ann Peterson (husband and wife)
John C. and Tammie A. Peterson (husband and wife)
known to me to be the person or persons whose names
subscribed to the within instrument, and acknowledged to
me that they executed the same.

[Signature] Notary Public
Residing at Gooding, Idaho
Comm. Expires 2/24/79

STATE OF IDAHO, COUNTY OF Gooding
I hereby certify that this instrument was filed for record at
the request of SECURITY
at 46 minutes past 4 o'clock Pm.
this 27 day of July
19 78 in my office, and duly recorded in Book
of Deeds at page

Margaret F. Clements

Ex-Officio Recorder

By Judy Christensen Deputy.
Fees \$
Mall to:

INSTRUMENT NO.

71620

MICROFILMED

1978 JUL 2002

MEMORANDUM

DATE: October 15, 2001

TO: Water Right File 36-8299

FROM: Shelley W. Keen *SWK*

RE: Response to Notice of Intent to Void the Application

On October 12, 2001, Gary Lemmon of Blind Canyon Aquaranch, Inc., called in response to my letter informing him that Water Right Application 36-8299 will be voided unless additional information is provided. Mr. Lemmon said that he intends to amend the application to remove the proposed hydropower use. He also intends to submit documentation that will allow IDWR to process the application, which also proposes a fish propagation use. This morning I asked Jim Stanton at IDWR's Southern Region office in Twin Falls to work with Mr. Lemmon on this matter. I then left Mr. Lemmon a voice mail message asking him to call Jim Stanton to set up an appointment to amend the application. I will send this application to Southern Region this morning.

Mr. Lemmon's telephone number is (208) 280-4808.

MICROFILMED

10/15/2002



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

September 25, 2001

BLIND CANYON AQUARANCH INC
1424 BOB BARTON RD
WENDELL ID 83355

RE: Application for Permit No. 36-8299

Notice of Intent to Void Application

Dear Applicant:

In 1985 you filed Application for Permit No. 36-8299 for the diversion and use of 20 cfs from ground water and unnamed springs for fish propagation and power generation purposes. At that time you submitted some information in support of your application, but it was not all the information required by IDWR. As a result, your application was not processed. Since 1985, you have contacted IDWR a number of times to discuss your application. Each time, IDWR has asked for additional information, and each time you have indicated that you are contemplating changes to the application. Under §42-203A, *Idaho Code*, IDWR must evaluate each application to determine that it meets a number of criteria, including that it is made in good faith, and not for delay or speculative purposes. As indicated in Water Appropriation Rule 45.01.c. (IDAPA 37.03.08045.01.c), the applicant's intent in filing the application is evidenced by "diligent pursuit of application requirements." Your diligence in pursuing the application can be shown by completing the following items and submit them in support of your application.

- Additional Information Requirements for Fish Propagation Applications Greater than 5 CFS (sheet enclosed)
- Affidavit for Water Rights to be used for Power Purposes (form enclosed)
- Information showing whether the hydropower component of your proposal will be regulated by FERC and/or the PUC, and approvals from those agencies if required.

Some of these requirements may not be necessary if you amend your application. If you intend to amend your application, please call for an appointment.

If I do not receive your response within 30 days, I will take action to void your application pursuant to §42-204, *Idaho Code*, and Water Appropriation Rule 40.05.a. If you need more than 30 days to respond, you may request a specific number of days in writing, along with a showing of good cause for the additional time required.

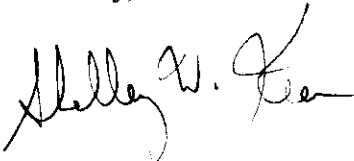
MICROFILMED

Blind Canyon Aquaranch, Inc.
September 25, 2001
Page 2

If you have no further interest in your application, you may withdraw it from consideration by completing the enclosed Withdrawal of Application for Permit form.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being more prominent.

Shelley Walter Keen
Water Rights Supervisor

Enclosures

C: IDWR - Allen Merritt

MICROFILMED

JUN 05 2002

MEMO

RECEIVED

APR 19 2001

Department of Water Resources

FROM: Allen Merritt 

DATE: April 16, 2001

TO: Application No: 36-08299

In the Name of: **BLIND CANYON AQUA RANCH, INC**

SUBJECT: Request Show Cause Order

This application has been in our region for some time with little action on behalf of the applicant. We recently have had inquires from Rosholt's firm questioning why this is still in the application status. I suspect due to the energy crunch that applications for permit proposing power are being looked at by many outside people.

I have reviewed the file and it seems that the applicant has been waffling over what exactly their plan is for development. They have been instructed to submit information regarding their plan but have not yet complied.

I recommend that a show cause order be sent or the application be voided.

MICROFILMED

JUN 05 2002

S. Region
3/96Application No. 36-08299ADDITIONAL INFORMATION REQUIREMENTS
FOR FISH PROPAGATION APPLICATIONS
GREATER THAN 5 CFS

The following additional information is required to be made part of the application file pursuant to IDAHO CODE section 42-203A and the Rules and Regulations for Water Appropriation:

- Need** 1) Copies of deeds, leases, easements, or other information documenting that you have a possessory interest in the place of use. (Rule 40.05, e, i)
- Need** If it's changed from the original file. 2) Copies of plans and specifications along with estimated construction costs for the project works. The plans must be definite enough to allow for determination of project impacts and implications. For fish propagation facilities the plans must show the number of ponds proposed and give the length, width and depth dimensions of all ponds. (Rule 40.05, f, ii)
- development exists, waive** 3) A certified financial statement or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the proposed use. (Rule 40.05, f, i)
- DEQ F&G County?** 4) You must seek comment on the effects of the construction and operation of the proposed project from the city and/or county within which the project is to be located, the Idaho Department of Fish and Game, the Idaho Department of Health and Welfare, Division of Environment, and any irrigation district or canal company within which the project is to be located. (Rule 40.05, g) A copy of your application is enclosed for your use in seeking comments.
- 5) If the source is surface water and has five (5) or fewer existing users, a list of the number of impacted rights, the names and addresses of the users, locations of the points of diversion, and the nature of use of the existing water rights. (Rule 40.05, c, i)
- N/A** 6) If the source is groundwater, a plat showing the position of all existing wells relative to the proposed well is required. (Rule 40.05, c, ii)
- See 2.** 7) A statement of design, construction, or operation techniques which will be used to reduce impact on existing rights. (Rule 40.05, c, iii)
- Need** Names of director, officers, and other partners.

ORIGINAL

MICROFILMED

JUN 05 2002

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE

January 28, 1998 9:46am

CUSTOMER

Pat Windes

SUBJECT: 36-08299

phone call (.) walk-in (x)

He came in yesterday to continue with the application for permit process, except he wanted POWER deleted off of application. After discussion with ADM, and a conference call w/ ADM, Windes, and myself it appears Blind Canyon Aquaranch, Inc. desires to make some changes to application, i.e. change the Power* to Commercial?, reduce 20 cfs* to 1 cfs, the well has 1 cfs dumped into it, the compressed air is used to provide oxygen for the fish ponds... I faxed Gary Lemon the "Additional Info. Required" sheet.

1424 Bob Barton Road
Wendell, ID 83355

(208) 536-6792
(208) 536-6580



BLIND CANYON AQUARANCH, Inc.
Growers of Fresh Water Trout

Pat Windes
RES (208) 536-2513

BLIND CANYON HYDRO
(208) 536-5286

MICROFILMED

JUN 05 2002

FROM: Allen Merritt

DATE: June 26, 1995

TO: File 36-08299

SUBJECT: Office visit by George Lemmon

This day Mr. Lemmon came into the office to inquire about the approval of this application. I reviewed with Mr. Lemmon the file and Loren's 12/07/93 memo. I gave Mr. Lemmon a copy of the memo and a copy of the handout for submission of additional information. In our discussion Mr. Lemmon indicated that the power portion may not come to pass since the first well could not take all the water and he had access problems with IPCO & Nature Conservancy. I indicated that as the application stands he would have to update the file with all the information and if power was included he would have to submit information for that also; if he amended the application to remove power then it would not have to be addressed. He indicated his intentions was to just get more water for the existing facility; not to build more ponds or to put the powerplant in.

I told him as soon as he provided the information outlined on the handout we would send the application to Boise for approval.

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JUN 05 2002

MEMORANDUM

DATE: 07-Dec-1993

FROM: Loren Holmes *LH*

TO: File 36-8299

SUBJECT: Information needed to complete processing the file

This application proposes a unique method of power generation in that an injection well is to be used as the method to apply hydraulic head to the generator.

An injection well application was filed in connection with this water right application but there were considerable delays in processing it due to other factors in that program.

I believe an injection well permit now exists, but that the well is not used for power generation.

The applicant appears to have responded to the department's requests for additional information. At the time, there was no standard by which to evaluate the information. In October, 1986, the department adopted Rules for Water Appropriations setting forth the nature and content of an applicants burden to provide additional information.

Much of the information in the file is now out of date. I would suggest that the application be reviewed against the requirements of Rule 4,5,3 (old rule number system) and that the applicant submit fresh information to proceed with the application.

An additional burden placed on applicants now is that the department will not issue a permit for fish propagation without certification from the Division of Environmental Quality that the project as planned will not cause any increased nutrient loading in the water discharged.

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JUN 05 2002

GUIDELINE FOR SUBMITTING ADDITIONAL INFORMATION

This outline is intended to assist you with providing the additional information required under Rule 4,5,3. and may help answer questions as to the type of information you should submit.

The outline below follows the same order as the attached rules. Please take the time to review the outline. Much of the information requested under Rule 4,5,3. may already be available to you. Gathering the necessary information may be of benefit to you in planning the proposed development.

Rule 4,5,3,1. Information relative to effects on existing rights:

1. If diverting from a surface water source with 5 or fewer existing users, submit the water right numbers held by those users if available. If not available, submit the names and addresses of those users and describe the location of their diversions and types of use associated with those diversions.
2. If you are diverting from a groundwater source, submit a map locating your proposed well and all other wells within a 1/2 mile radius of your well. It would be helpful to describe the use from those wells (i.e.; domestic, irrigation etc.). You are not required to submit a map if there are no wells within the 1/2 mile radius, but you should indicate if there are no existing wells within that radius, if that indeed is the case.
3. This rule seeks general information about the type of irrigation system you intend to install and how the project may affect other users. If you feel your proposed project will not affect other users, then explain why. You may describe any techniques or equipment you intend to employ which may reduce impacts on other water rights or promote water conservation.

Rule 4,5,3,2. Information relative to sufficiency of water supply:

1. Provide projections for your peak and average water demands. While your well or diversion may not yet be completed, you should be able to estimate project demand based on size of project (or number of acres irrigated), type or texture of local soils, type of crops grown, and type of irrigation system used. Demand projections should be given in terms of flow rate (cfs or gpm) and annual volume diverted (acre-feet).

Example: A 40 acre tract with 6 handlines and 20 heads/line discharging 3 gpm/head would produce a total flow rate of about 360 gpm or 0.8 cfs (1 in/acre). This flow rate multiplied by average number of hours per set, sets per irrigation and irrigations per year provides number of acre-feet per year or annual volume.

2. You should be able to provide some basic information about the nature of the water supply. If the diversion is from a surface water

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JUN 05 2002

source for example, you should provide stream flow data or estimate the amount of stream flow available for diversion and describe generally the seasonal availability of water. If you are diverting from a groundwater source, you should be able to generally describe the aquifer which you plan to divert from, i.e.; deep confined or shallow unconfined aquifer, depth to water level or depth to aquifer, known yields from wells within the same aquifer etc.

Rule 4,5,3,3. Information relative to good faith, delay, or speculative purposes of the applicant:

1. If you do not own the land to be irrigated and/or where the point of diversion is located, you must submit copies of lease agreements, easements or rights-of-way etc. If you are the owner of the place of use and point of diversion, documentation of ownership is not required.
2. If applicable, submit copies of applications for permits or approvals which are needed from other government agencies or individuals in order to complete the water development project.

Rule 4,5,3,4. Information relative to financial resources:

1. and 2. Submit a current financial statement or other statement describing how you will finance the project. You must also submit basic estimates of construction and equipment costs of the proposed project.

Rule 4,5,3,5. Information relative to conflict with the local public interest:

1. You, as the applicant, bear the initial burden of coming forward with evidence as to whether your proposed project may have any affect concerning local public interest. If you have any reason to believe that the proposed project under your application may be of concern to any local individuals, governments, tribal reservations, irrigation districts, the State Fish and Game Department, or Health and Welfare Department, then you are responsible for seeking comments from those individuals or groups. This requirement is mandatory for projects located within irrigation districts, canal companies or tribal reservations (failure to obtain comments from the irrigation district, canal company or reservation will delay approval of the application.). All comments must be submitted to the Department of Water Resources.

MICROFILMED

JUN 05 2002

S. Region
5/89

Application No. 36-8299

ADDITIONAL INFORMATION REQUIREMENTS FOR POWER APPLICATIONS
MORE THAN 5 CFS AND MORE THAN 500 HP

The following additional information is required to be made part of the application file pursuant to Idaho Code provisions and the department's Rules and Regulations for Water Appropriation:

- 1) An affidavit to establish residence and indicate the ownership of any existing man-made works to be used in the project must be completed and filed with your application. (Sections 42-205 through 208, Idaho Code) A form is enclosed for your completion and return.
- 2) All information required by rule 4,5,3 of the Rules and Regulations for Water Appropriation. This requirement may be met in one of two ways:
 - A) Submit all information required by rule 4,5,3 to the department for review. The department may then act on your application independently of actions of the Federal Energy Regulatory Commission (FERC) and/or the Idaho Public Utilities Commission (PUC).
 - B) Submit all required approvals of FERC and/or PUC.

Attach: Copy of Rule 4,5,3

MICROFILMED

JUN 05 2002



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

November 26, 1985

Blind Canyon Aqua Ranch, Inc.
Box 218
Hagerman, Idaho 83332

RE: Application for Permit #36-8299

Gentlemen:

This office has completed advertising your application for permit, No.36-8299, filed on October 10, 1985.

Since the application seeks to establish a water right for fish propagation and power generating purposes and it appears that a commercially marketable amount of power may be produced, the following information must be submitted for inclusion with your application in accordance with Title 42, Chapter 2 of the IDAHO CODE:

✓
✓
A plan of the project. This must include a scale drawing showing the proposed layout of the plant on the property, and give locations, dimensions, and elevations of all major components of the project.

✓
✓
An itemized estimate of the cost of constructing the project.

✓
A statement of the financial resources which the applicant has committed to the project and the means by which funds are to be provided for construction. Personal and corporate financial statements will be confidentially reviewed in comparison to the cost estimate and returned. Letters from lending institutions or developers indicating a financial commitment will be retained in your file.

✓
An affidavit to establish residence and the ownership of any man-made irrigation works to be used in the project is enclosed. Please complete the applicable items on the form and return it to this office.

Our office will hold your application until the requested information is included in your file.

MICROFILMED

NOV 30 2002

Page 2
Nov. 26, 1985

If you have any questions, please contact this office.

Very truly yours,

Loren O. Holmes
Southern Region Supervisor

LOH:adm

Enclosure

MICROFILMED

JUN 05 2002

150 Main Street
 GOODING, EDWARD H. 120
 (208) 934-4121

Signature _____

Officers Name Address

Pat
ADM
← Well

fish
air compression propogation

Application Amend delete Power

Advertisement ? needed ? Yes

Priority Date

→ Air 1 cfs → w/ in 20 cfs

commercial use instead of power

fish propogation

Power is falling water energy to compress air
for use in oxygenization of fish ponds

837-4808 fax

Gary Lemon

MICROFILMED

JUN 05 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AFFIDAVIT FOR WATER RIGHTS TO BE USED
FOR POWER PURPOSES

RECEIVED

MAY 8 1986

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

1. Individual Applicant or Individual Members of a Partnership: Department of Water Resources
Southern District Office

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:

I, Blind Canyon Aqua Ranch, Inc. of Hagerman,
(name) (city)

County of Gooding, State of Idaho, being duly sworn, depose
and say: That I am the designated registered agent of the company

_____ : that as such I am in charge of the registered
(name of corporation)

office of the said corporation as required by Section 30-1-12, Idaho Code, at

Hagerman Idaho, wherein are kept the corporate records required
(city)

by Section 30-1-52, Idaho Code: and that Blind Canyon Aqua Ranch, Inc.
(name of corporation)

is a corporation qualified to do business in the State of Idaho under the laws of
the State of Idaho.

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

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

(check one)

☒ 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 of the facilities is the signee of this affidavit.

Charles H. Lemmon Pres.
Applicant

State of Idaho _____)
County of Turn Falls) ss.

On this 7 day of May, 1986, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Loren O. Salmer
Notary Public residing at

seal

Turn Falls, ID

My commission expires:

Life

MICROFILMED
JUN 05 2002

36-8299

APPLICATION
FOR WATER RIGHT
Notice is hereby given
that the following ap-
plication(s) have been
submitted for permit to
appropriate the public
waters of the State of
Idaho.

36-8299
BLIND CANYON AQUA
RANCH, INC.
BOX 218, HAGERMAN,
ID 83332
Source: GROUND-
WATER SPRINGS trib. to
SINKS
Diversion Pt: NENWNE
Sec 17 T 08S R 14E
Use: FISH PROP. (20.0
CFS) POWER (20.0
CFS)
Date Filed: 10/10/1985
In: NWNE Sec 17 T 08S R
14E

If issued, the permit(s)
will be subject to all
prior water rights. Pro-
tests against the grant-
ing of any permit must
be filed with the Director
of the Idaho Department
of Water Resources,
1041 Blue Lakes Blvd.
North, Twin Falls, Idaho
83301 and received on or
before NOVEMBER 22,
1985
A. KENNETH DUNN
Director
PUBLISHED: Thursday,
November 7, and
November 14, 1985.

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS }

ss.

No 15632

I, Jinda Capps McSwine being first duly sworn upon
oath, depose and say that I am Print Clerk of the TIMES-NEWS,
published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of
the notice of advertisement, as per clipping attached, was published in the regular and
entire issue of said newspaper, and not in any supplement thereof, for Two
consecutive Weeks, commencing with the issue dated

November 7, 1985, and ending with the issue dated
November 14, 1985.

And I do further certify that said newspaper is a consolidation, effective February 16,
1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin
Falls News, published theretofore daily except Monday, both of which newspapers prior to
consolidation had been published under said names in said city and county continuously and
uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday,
until July 31, 1978, at which time said newspaper began daily publication under said name
in said city and county continuously and uninterruptedly.

I do further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week
has been designated as the day on which legal notice by law or by order of any court of com-
petent jurisdiction within the state of Idaho, to be published weekly, will be published; and
that at the head of the editorial column of said combined newspapers, and in each issue there-
of, Thursday is announced as the day on which said legal notices will be published.

Jinda Capps McSwine
Subscribed and sworn to before me on this 15 day of
November, 1985.
Dianna Shaver

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

NOV 22 1985
Department of Water Resources
Southern District Office

AFFIDAVIT of PUBLICATION

State of Idaho,)
) SS.
County of Gooding)

Frank T. Crow, Jr., being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 6 day of November 19 85, and the date of the last publication was on the 13 day of November, 19 85.

[Signature]

Subscribed and sworn to before me this 13 day of November, 19 85.
(SEAL)

[Signature]
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

RECEIVED

NOV 19 1985

Department of Water Resources
Southern District Office

Number of Lines in Notice 30
Number of Insertions 2
Lines tabular at 48¢
30 Lines straight at 38¢ \$11.40
30 Subsequent lines at .28.5¢ \$8.55

MICROFILMED 1995

JUN 05 2002

COPY OF NOTICE (Paste Here)

Notice of water right appl.
TITLE OF NOTICE #36-8299
Blind Canyon Aqua Ranch

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Idaho Dept. of Water Resc.
Twin Falls, Idaho

[Faded text, likely a copy of the notice or a stamp]

PUBLISHED BY
(Idaho)
7 pt. per line, straight 38¢
7 pt. per line, tabular 48¢
7 pt. per line, successive
insertions 28.5¢

NO. #3832

[Handwritten signature]

Weekly Insertion

Company Name ID. Dept. of Water Resources
Account Number 100632 (southern region)
Cost: \$ 28.47

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Laura Gay Barnes, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for Two (2) consecutive weekly insertions, beginning with the issue of

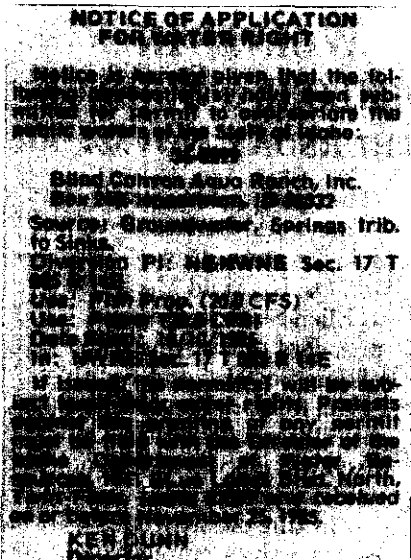
November 7, 1985, and ending with the issue of November 14, 1985.

Laura Gay Barnes

Subscribed and sworn to before me this 14th day of November, 1985.

Jeanne M. Hawk

Notary Public for Idaho, Residing at Boise, Idaho.



MICROFILMED

NOV 25 2002

RECEIVED

NOV 18 1985

Department of Water Resources
Boise District Office



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd, North
Twin Falls, Idaho 83301
(208) 734-3578

October 23, 1985

Bob Bell, Regional Fisheries Biologist
Idaho Fish & Game Department
Region #4
P. O. Box 428
Jerome, Idaho 83338

Re: Application for Permit No. 36-8299

Dear Mr. Bell:

Please find enclosed a copy of the above referenced application for permit for your information and files.

Very truly yours,

Mary A. Newby
Sec/Office Coord.

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED

JUN 05 2002

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

36-8299

BLIND CANYON AQUA RANCH, INC.

BOX 218, HAGERMAN, ID 83332

Source: GROUNDWATER
SPRINGS trib. to SINKS

Diversion Pt: NENWNE Sec 17 T 08S R 14E

Use: FISH PROP. (20.0 CFS)
POWER (20.0 CFS)

Date Filed: 10/10/1985

In: NWNE Sec 17 T 08S R 14E

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before NOVEMBER 25, 1985.

A. KENNETH DUNN

Director

Published 11/4 & 11/14/85.

AS AMENDED 11/6 + 11/13/85 *Guiding Co. leader*

MICROFILMED
JUN 05 2002

2002 5 8 AM
MICROFILMED

3/0780 LEGL DEPT W
RESOURCES 11/47
IN 10/428 14:45

legal for thurs. 11/7

**NOTICE OF
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FOR WATER RIGHT**

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36-8299

BLIND CANYON AQUA RANCH, INC.
BOX 218, HAGERMAN, ID 83332

Source: GROUND-
WATER SPRINGS trib. to
SINKS

Diversion Pt: NENWNE
Sec 17 T 085 R 14E

Use: FISH PROP. (20.0
CFS) POWER (20.0
CFS)

Date Filed: 10/10/1985
In: NWNE Sec 17 T 085 R
14E

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before NOVEMBER 25, 1985.

A. KENNETH DUNN
Director

PUBLISH: Thursday,
November 7 and
November 14, 1985.

*called generation
margie
11/4/85*

LEGAL00-PRUF

**NOTICE OF APPLICATION
FOR WATER RIGHT**

60714

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Box 218, HAGERMAN, ID. 83332

Source: GROUNDWATER
SPRINGS trib. to SINKS

Diversion Point: NENWNE Sec 17
T 085 R 14E

Use: FISH PROP. (20.0 CFS)
POWER (20.00 CFS)

Date Filed: 10/10/1985

IN: NWNE Sec 17 T 085 R 14E

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A. KENNETH DUNN
Director

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

OCTOBER 23, 1985

/ Gooding County Leader
P.O. Box 56
Gooding, Idaho 83330

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 24, 1985.

Yours truly,

Mary A. Newby
Secretary

Encl.

MICROFILMED

JUN 05 2002

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
208-734-3578

OCTOBER 23, 1985

The Idaho Statesman
Box 40
Boise, ID 83707

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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Please send the affidavit of publication and publication billing to this office before NOVEMBER 25, 1985.

Yours truly,

Mary A. Newby
Secretary

Encl.

MICROFILMED

JUN 05 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

OCTOBER 23, 1985

/ LEWISTON MORNING TRIBUNE
505 C STREET
LEWISTON, IDAHO 83501

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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Secretary

Encl.

MICROFILMED

JUN 05 2002

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.

Twin Falls, Idaho 83301
(208) 734-3578

OCTOBER 23, 1985

✓ POST REGISTER
P.O. BOX 1800
IDAHO FALLS, IDAHO 83402

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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Yours truly,

Mary A. Newby
Secretary

Encl.

MICROFILMED

JUN 05 2002

11/18/85

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

OCTOBER 23, 1985

Times News
P. O. Box 548
Twin Falls, Idaho 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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Yours truly,

Mary A. Newby
Secretary

Encl.

MICROFILMED

JUN 05 2002

Proof of Publication

The Post-Register

State of Idaho,

County of Bonneville

ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

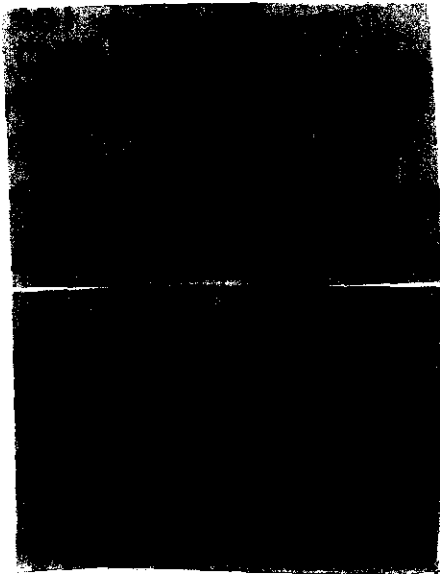
That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 7th day of November, 1985, last publication having been made on the 14th day of November, 1985, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 15th day of November, 1985.

[Signature]
Notary Public

My commission expires September 30, 1988.

B10, 1M,



[Signature]
RECEIVED

NOV 18 1985

Department of Water Resources
Southern District Office

MICROFILMED

JUN 05 2002

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

BLIND CANYON AQUA RANCH, INC.

INITIAL REVIEW BY: T. G. Blau

APPLICATION NUMBER: 36-8299

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

- ☒ Yes ☐ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☒ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____

Date: _____

marja 10/23/85

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. BB-20
☐ Yes ☐ No Other rights on same place of use. 36-7831, 36-7967

- ☒ Yes ☐ No* In form for advertising.
Final date for protests: 11/25/85
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 11/22/85
☒ Application published correctly. If not, record action taken: _____
☐ Fee amount, receipt date & number, recorded on application.
☐ Publication dates and paper, recorded on application.
☐ Protests, dates, withdrawal, etc., recorded on application.
☐ Recommendation & initial, recorded on application.
☐ Yes ☐ No Measuring device required.
☐ Yes ☐ No Access port required.
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what district? _____
Date of priority recommended. _____

Special conditions of approval or cover letter. _____

By: _____ Date: _____

STATE OFFICE REVIEW:

- ☐ See attached sheet for more information.
By: _____ Date: _____

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

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IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						
