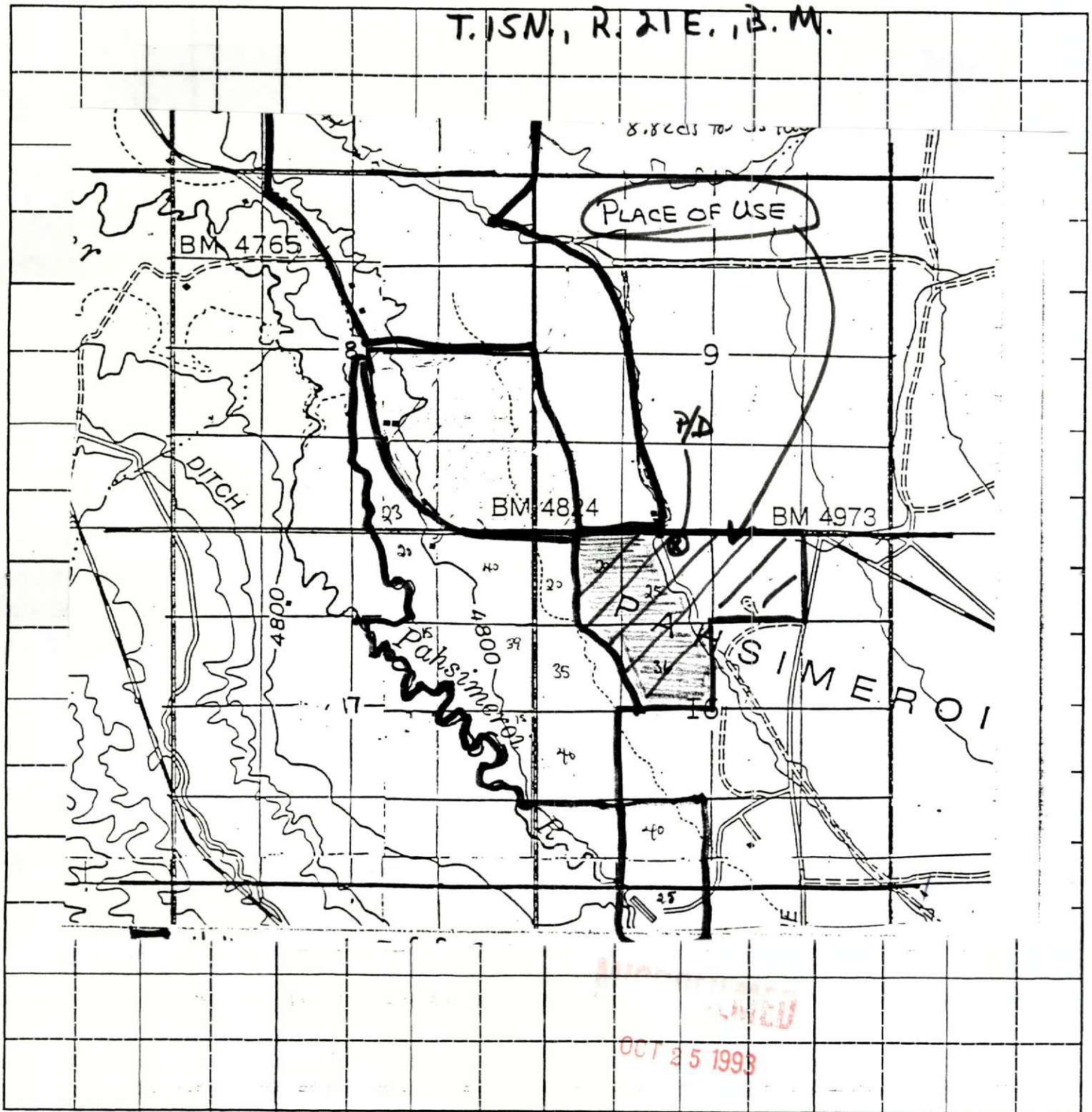


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

J. D. Speck, attorney-in-fact
(Applicant)
for LAST CHANCE RANCH, INC.

claimed in
SRBA
under
73-10112
6/19/2002

Idaho Dept. of Water Resources
Place of Use Comparison Report

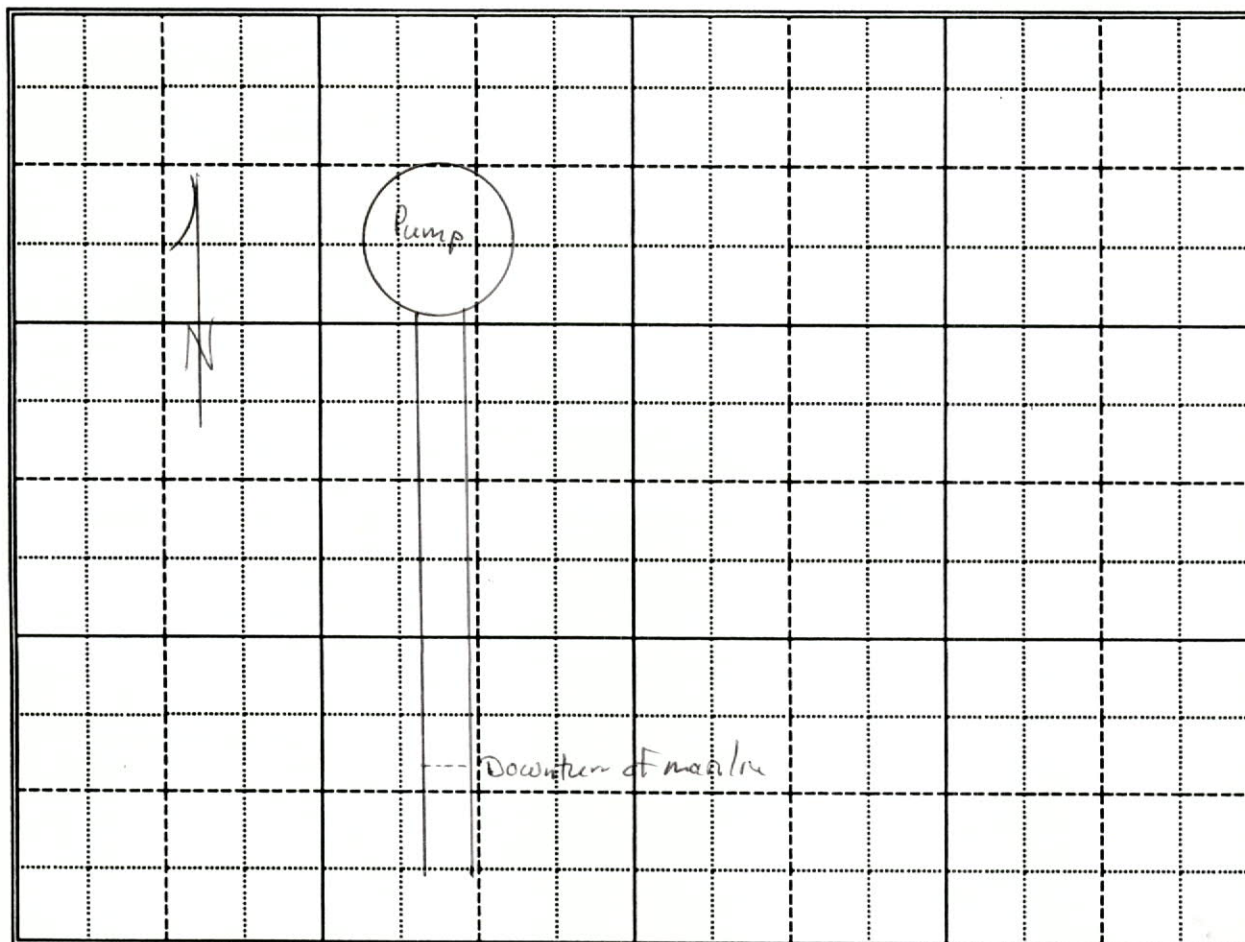
Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	73 7121	B P BAR RANCH INC.	GROUND WATER	15N21E16		34						34									102
Claim	73 10112	A M HATCH & SONS.	MORGAN CREEK	15N21E16		40			15												55
Permit	73-7124	B P BAR RANCH INC.	GROUND WATER	15N21E16		40			38	20	5	36									139
Right	73 132	JOHN L HAMMOND.	MORGAN CREEK	15N21E16	X			X	15	25		40									80
Right	73 4097	HATCH LIVESTOCK.	BIG SPRINGS, O NEIL CREEK	15N21E16																	80
Claim	73 4097	RUTH HATCH, RALPH HATCH.	ONEIL CREEK, PATTERSON CREEK, SPRING CREEK	15N21E16					25	40	5	36									106
Right	73 2092	HENRY NICHOLS.	BIG SPRING CREEK	15N21E16					40			40									80
Right	73 95	E D BROWN.	BIG SPRING CREEK	15N21E16				X	X												0
Claim	73 10110A	B P BAR RANCH INC.	PATTERSON CREEK, SPRING CREEK	15N21E16						20	35	2				40					137
Claim	73 4098A	B P BAR RANCH INC.	PATTERSON CREEK, SPRING CREEK	15N21E16						20	35	4				40					139
Right	73 4098	HATCH LIVESTOCK.	BIG SPRINGS	15N21E16						40	40					40					160
Claim	73 87	JIMMIE L DOWTON.	PAHSIMEROI RIVER	15N21E16											12						12
Claim	73 10390	MARIA ELENE DOWTON.	PETERSON SPRINGS	15N21E16																	8
Claim	73 2170	MARIA ELENE DOWTON.	PETERSON SPRINGS	15N21E16																	62
Right	73 2170	JIMMIE L DOWTON.	PETERSON SPRINGS	15N21E16									38			24					62
Claim	73 92A	DUANE E MEON.	SPRING CREEK	15N21E16									32			30					11
Claim	73 98	DUANE E MOEN.	SPRING CREEK	15N21E16															23		11
Right	73 118	MINNIE W KERR.	SPRING CREEK	15N21E16						X				X							56
Right	73 92	I R WILSON, F D KEARNS.	SPRING CREEK	15N21E16												X					0

OL = 73-00132 - Claimed under 73-10112 - OL of 55 ac - no OK - purchased
 73-2092 - not claimed in SRBA
 73-95 - NO OL - transfer #4252

MICROFILMED

MAR 20 2003

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	US Electric	75	R6326-03-237	Floway	# 13462
			R2114363S		

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

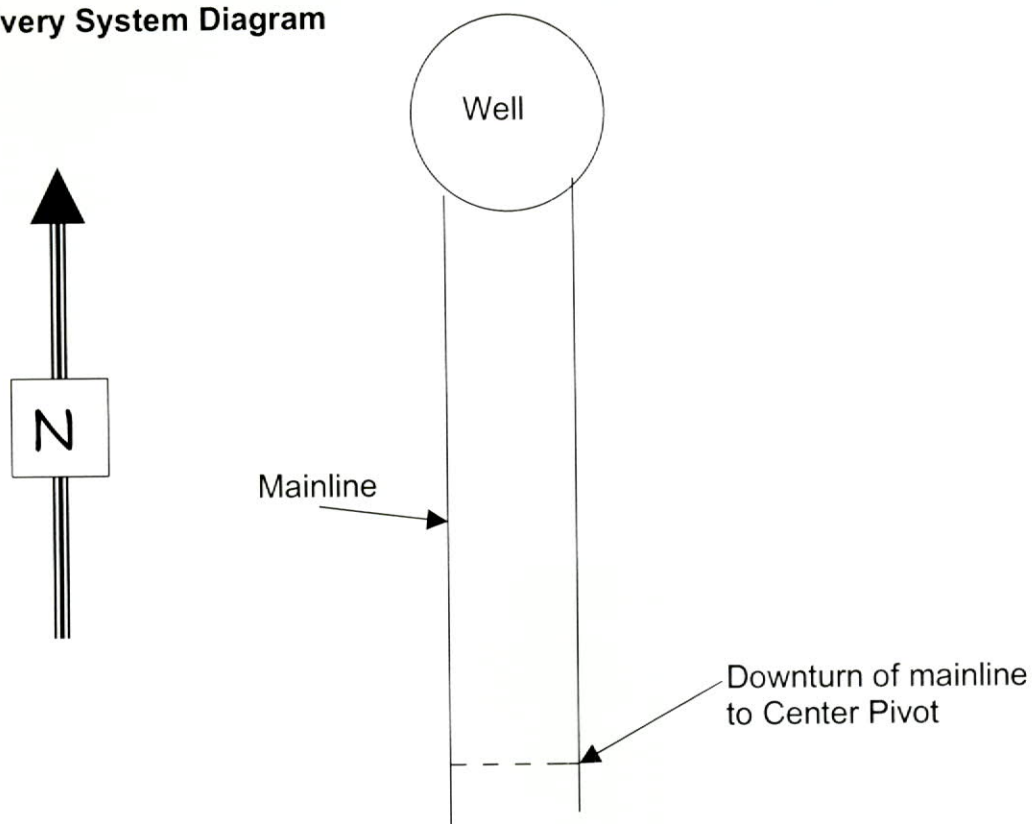
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Sonic Meter						

2. Measurements: 10' od 0.106" thickness

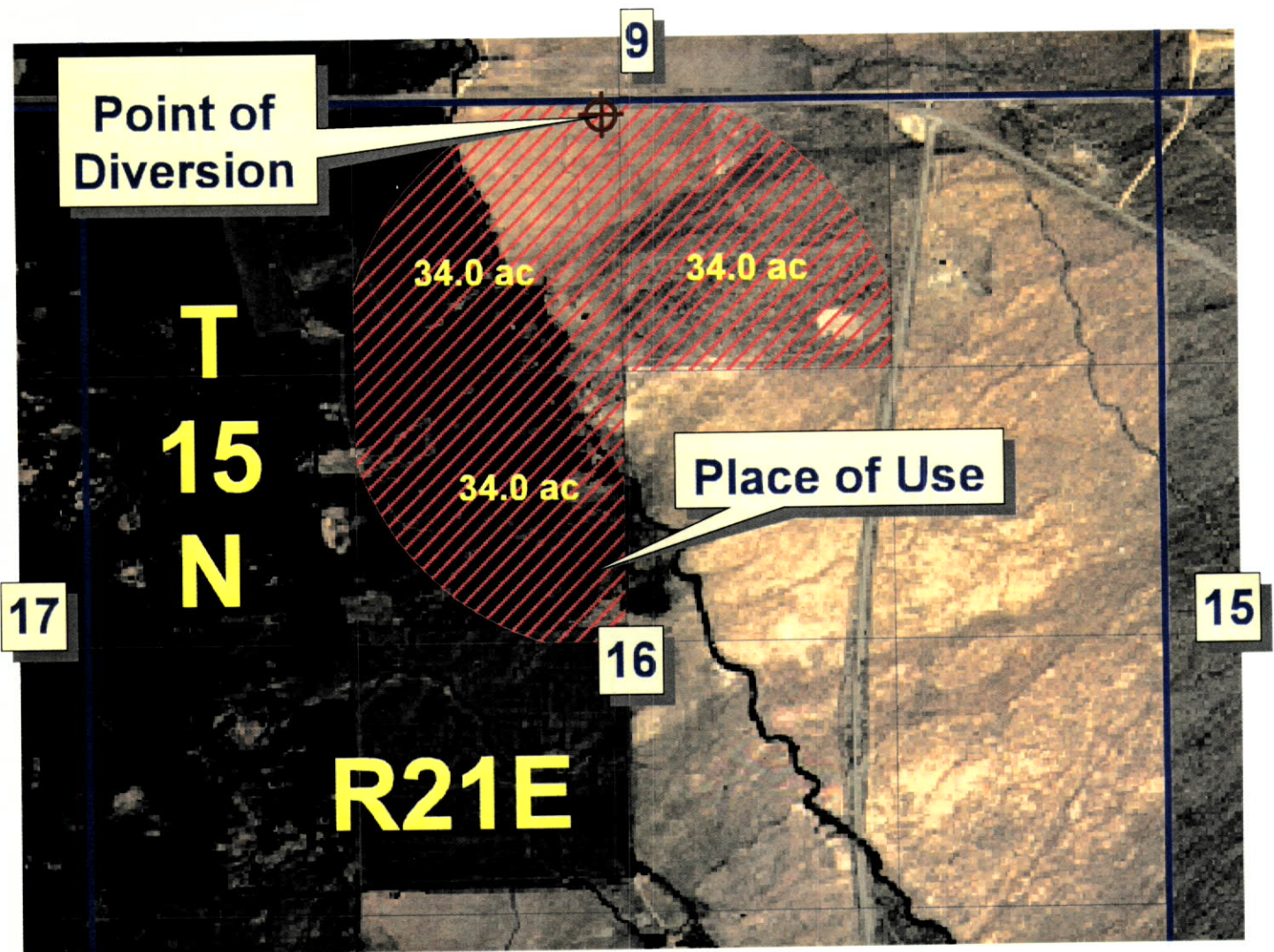
MICROFILMED
MAR 20 2003

Delivery System Diagram



73-7121

MICRO
MAR 20 2003



 POD-Water RightRight POD

 Sections
 GCDB15N21E GCDB
 Inters29.shp



73-07121

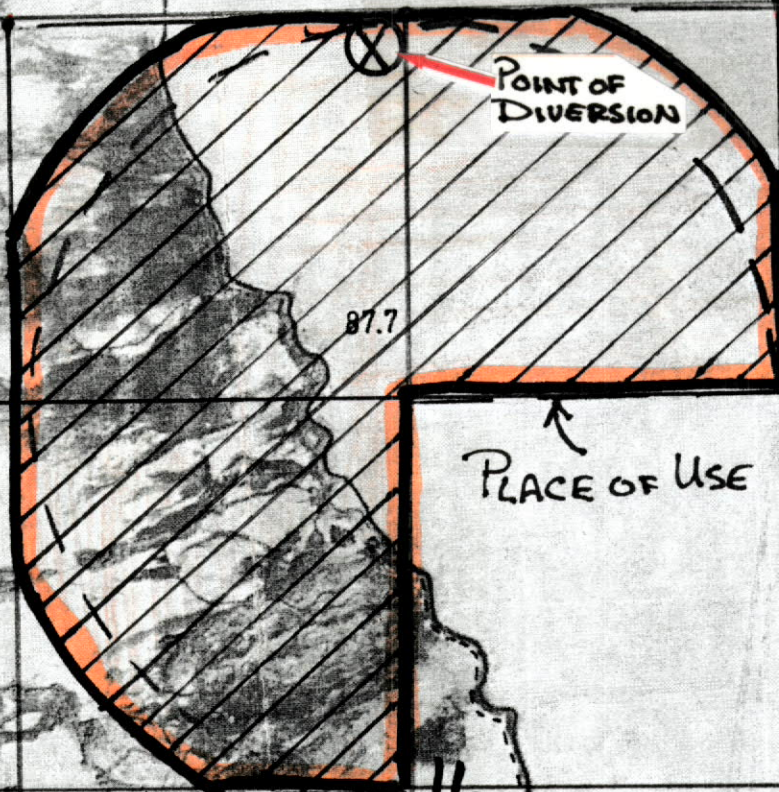
MICRC

MAR 20 2003

8/9
17/16
16

9/1
16/16

9



475
T-477

PLACE OF USE

T
15
N

RZIE

emhi County



①
37.4

②
8.1

73-07121

MICROFILM
MAP 2 0 2003

16
17/16
20/21

16
16
21

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

3 NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

73-07121

LAST CHANCE RANCH INC
PO BOX 987

KETCHUM, ID 83340

Source: GROUNDWATER

County: LEMHI

Diversion Pt: NENENW Sec 16

T 15N R 21E

Use: IRRIGATION (2.780 CFS)

Total Diversion: (2.780 CFS)

Date Filed: 6/7/1993

In: LEMHI County

T15N R21E S16 NWNE NENW

NWNW SWNW SENW

139.0 ACRES TOTAL

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Eastern Region,
900 N Skyline, Idaho Falls, Idaho
83402 on or before AUGUST 2, 1993.

R. Keith Higginson, Director

Published: 7/15/1993 & 7/22/1993

7-15-2tc

BUY FROM THE ADVERTISERS

RICKY G. HODGES, being first duly sworn, deposes
and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published
weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Application for Water Rights...

73-07121

..., a true
printed copy of which is attached to the margin hereof, has been and was correctly printed and pub-
lished in the regular and entire issue of every number of said newspaper and not in any supplement
thereof or thereto for two (2) consecutive issues, commencing with the issue
dated July 15, 1993 and ending with the issue dated July 22, 1993.

STATE OF IDAHO

COUNTY OF LEMHI

ss.

On this 22 day of July in the year of 1993,
before me, A Notary Public, personally appeared RICKY G. HODGES,
known or identified to me to be the person whose name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he
executed the same.

Rachel E. Snook
Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 10/18/97

Publication Fee \$ 32.40

#630

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 73-07121

Priority: July 04, 1993

Maximum Diversion Rate: 1.88 CFS
Maximum Diversion Volume: 357.0 AF

It is hereby certified that B P BAR RANCH INC
C/O JIM SPECK
SPECK & AANESTAD
PO BOX 987

KETCHUM ID 83340-0987 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 07, 1993; and has submitted Proof of Beneficial Use on September 28, 1998. An examination indicates that the works have a diversion capacity of 1.88 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	1.88 CFS	357.0 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16, Twp 15N, Rge 21E, B.M., LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	21E	16			34.0				34.0				34.0						102.0

Total Acres: 102

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 12TH day of FEBRUARY, 2003.

MICROFILMED

MAR 20 2003

Acting for **KARL J. DREHER**
Director

7/94 RECEIVED

AUG 05 1999

For Office Use Only

\$25 Filing Fee

Receipt#

Date

6046218
8/10/99

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT

I, Last Chance Ranch, Inc., hereby assign to BP Bar Ranch, Inc.
of, c/o James P. Speck, PO Box 987, Ketchum, ID 83340 (208) 726-4421
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 73-07121 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

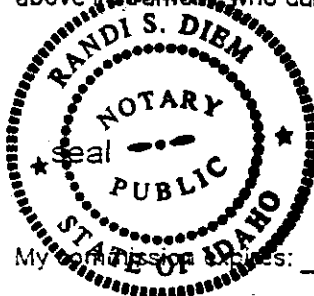
The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho. (Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.)

Made this 4th day of August, 19 99.

J. P. Speck, attorney-in-fact for
Permit Holder
Last Chance Ranch, Inc.

State of Idaho)
County of Blaine) ss

On this 4th day of August, 19 99, personally appeared before me the signery of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Randi S. Diem
Notary Public residing at
Hailey, Idaho

My commission expires: 8-29-03

MICROFILMED

AUG 11 1999

*Put in
Main Clerk's
here's original for your file*

RECEIVED

AUG 05 1999

**SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)**

Department of Water Resources

*Have Jim
call me upon his
return from
"the Gange"*

LAST CHANCE RANCH, INC., an Idaho corporation (the "Corporation"), of Blaine County, Idaho, designates and appoints JAMES P. SPECK, of Ketchum, Idaho, as the Corporation's attorney in fact and agent (subsequently called "Agent") to act in the Corporation's name and for the Corporation's benefit for the specific purposes stated herein only. The Corporation grants to its Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as the Corporation might or could do if personally present and fully competent, hereby ratifying and confirming all that the Corporation's Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. The Corporation's agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that the Corporation now has or may hereafter acquire, RELATING ONLY TO the preparation and filing of claims for water rights in Twin Falls County District Court Civil No. 39576, In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, and the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or the Corporation's Agent and delivered to such person or institution.

3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

4. THIRD-PARTY RELIANCE. Third parties may rely upon the representations of the Agent as to all matters relating to any power granted to the Corporation's Agent, and no person who may act in reliance upon the representations of the Agent or the authority granted to the Corporation's Agent shall incur any liability to the Corporation as a result of permitting the Agent to exercise any power.

5. GOVERNING LAW. This Special Power of Attorney is

SPECIAL POWER OF ATTORNEY - 1

MICROFILMED

AUG 11 1999

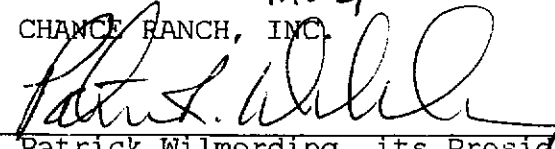
MICROFILMED

executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

6. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

IN WITNESS WHEREOF, the Corporation has executed this Special Power of Attorney this 25 day of ~~March~~^{May}, 1993.

LAST CHANCE RANCH, INC.

By: 

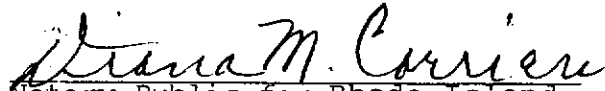
Patrick Wilmerding, its President

STATE OF Rhode Island
County of Providence

ss.

On this 25 day of May, 1993, before me, the undersigned notary public in and for said state, personally appeared PATRICK WILMERDING, known or identified to me to be the president of LAST CHANCE RANCH, INC. and the person who executed the foregoing instrument on behalf of said corporation and acknowledged to me that said corporation executed the same.

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


Notary Public for Rhode Island

Residing at: 140 Angell Street, Woonsocket, RI
Commission expires: June 24, 1993

SPECIAL POWER OF ATTORNEY - 2

AUG 11 1999
MICROFILMED

AUG 11 1999

IN THE MATTER OF PERMIT NO. 73-07121)
)
IN THE NAME OF LAST CHANCE RANCH)
INC.)
)

**ORDER OF

REINSTATEMENT**

MICROFILMED
NOV 27 1999

Form No. 217
7/94

FOR OFFICE USE ONLY

Amt. of Fee \$: 150.00
Receipt No: 43513
Receipt By: JS
Date Received: 9/28/98

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SEP 28 1998

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 73-07121 Telephone No. 208-726-44212. Name(s) of Permit Holder(s): LAST CHANCE RANCH, INC.3. Mailing Address: C/O James P. Speck, Speck & Aanestad, PO Box 987, Ketchum, ID 833404. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. 5/17 / yr. 94a. Well Driller: Wollmer Well Drilling Company Drilling Permit Number: 73 - 94E .001b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

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

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

Irrigation (No. of acres): 139 Other: _____6. Total rate of diversion and/or volume for which proof is submitted: 2.78 cfs OR _____

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This requirement is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete.)

Measuring Device: Is a measuring device required? Yes _____ or No XHas the measuring device been installed? Yes _____ or No XFlow Measurement Port: Is a flow measurement port required? Yes X or No _____

Has the measurement port been installed? Yes _____ or No _____

8. Fee Enclosed: \$ 150.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

(*) Name: Jim Dowd Telephone Number: 208-876-4264
Address: HC62, Box 23, ID 83253

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho. **MICROFILMED**Signature of permit holder: [Signature] Secretary
(include your title, if on behalf of company or organization)NOV 27 1998
Date: 11/24/98

(*) SEE JIM SPECK LETTER OF 8-4-99 (COPY SENT TO STEVE LESTER / WESTERN REGION ON 8-6-99)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 73-07121

Proposed Priority: June 7, 1993 Maximum Diversion Rate: 2.78 CFS
This is to certify, that **LAST CHANCE RANCH INC**
C/O JAMES SPECK
PO BOX 987
KETCHUM ID 833400987

has applied for a permit to appropriate water from: **GROUNDWATER**
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>
IRRIGATION	04/15 to 10/15	2.78 CFS

LOCATION OF POINT(S) OF DIVERSION: NENENW , Sec. 16, Township 15N, Range 21E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11N	12E	24				
15N	21E	16	NWNE 40	NENW 38	NWNW 20	
			SWNW 5	SENW 36		139

Total number of acres irrigated: 139

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1998**.
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. Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
7. Construction of the well must comply with Idaho well construction standards.
8. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

MICROFILMED

OCT 25 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

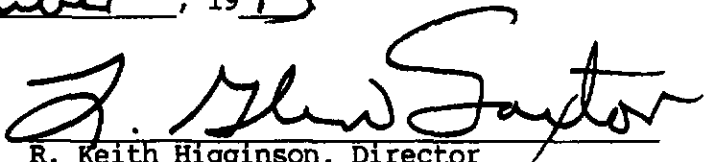
NO. 73-07121

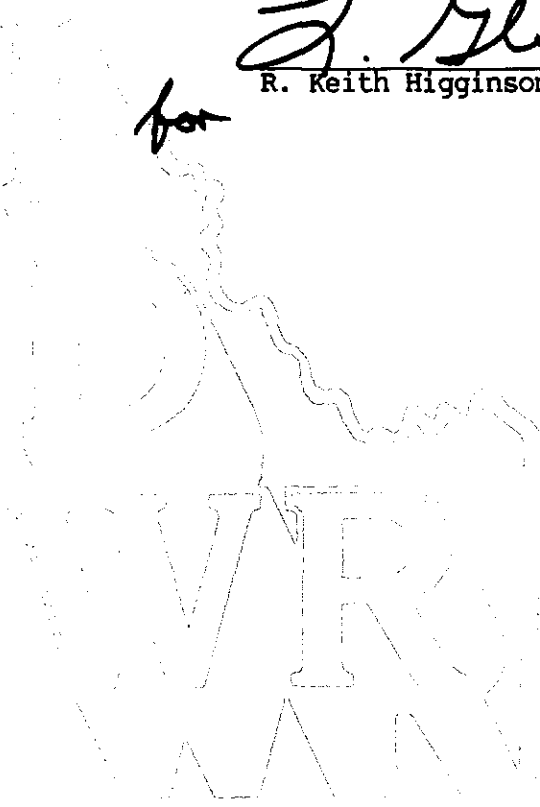
CONDITIONS/REMARKS:

9. The permit holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this permit.

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

7th day of September, 1993

for 
R. Keith Higginson, Director



RECEIVED

OCT 25 1993

RECEIVED
AUG 05 1993

73 7121

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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

1. Name of applicant Last Chance Ranch, Inc. Phone 208-726-4421
Post office address c/o James P. Speck, Hogue, Speck & Aarnestad, P.O. Box 987, Ketchum, ID
83340
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 16 Township 15N Range 21E B.M. Lemhi County; additional
points of diversion if any: None
4. Water will be used for the following purposes:
Amount 2.78 for irrigation purposes from April 15 to Oct 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 2.78 and/or (b) 486.50
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. well, 100 hp pump, mainline to sprinkler
irrigation system
 - 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 10 inches; proposed depth of well is 150 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).

RECEIVED
OCT 25 1993

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

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	
15N	21E	16		40			38	20	5	36									139

Total number of acres to be irrigated 139

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

None

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

b. Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

RECEIVED
OCT 25 1993

T. 15N., R. 21E., B.M.

PLACE OF USE

BM 4765

DITCH

4800

4800

BM 4824

BM 4973

SIMEROI

OCT 25 1993

J. D. Speck, attorney-in-fact
(Applicant)
for LAST CHANCE RANCH, INC.

Received by W M Date 9/7/93 Time 1:55 Preliminary check by ck # 2
Fee \$ 85.00 Received by HWS # E018680 Date 8-8-93
Publication prepared by AB Date 7-15-22-93 Published in Recorder-Herald
Publication approved AB Date 8-2-93

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:

OCT 25 1993



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

February 12, 2003

B P BAR RANCH INC
C/O JIM SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340-0987

RE: License No. 73-7121 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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.

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:klt

Enclosure(s)

MICROFILMED

MAR 20 2003

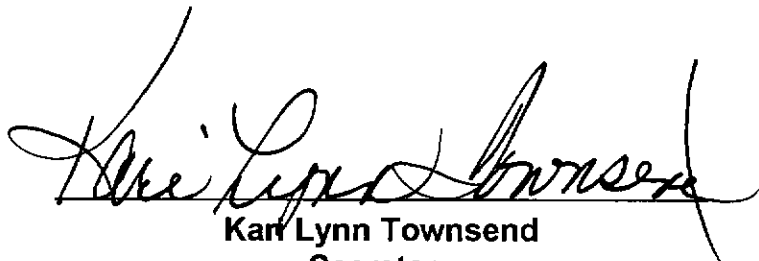
CERTIFICATE OF SERVICE

I hereby certify that on February 12, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

73-7121

B P BAR RANCH INC
C/O JIM SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340-0987



Karl Lynn Townsend
Secretary

MICRO ED
MAR 20 2003

**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
MAR 20 2003

claimed in
SRBA
under
73-10112
1/19/2002

Idaho Dept. of Water Resources
Place of Use Comparison Report

Page1

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	73 7121	B P BAR RANCH INC.	GROUND WATER	15N21E16		34			34			34									102
Claim	73 10112	A M HATCH & SONS.	MORGAN CREEK	15N21E16		40			15												55
Permit	73 7121	B P BAR RANCH INC.	GROUND WATER	15N21E16		40			38	20	5	36									139
Right	73 132	JOHN L HAMMOND,	MORGAN CREEK	15N21E16		X			X												0
Right	73 4097	HATCH LIVESTOCK,	BIG SPRINGS, O NEIL CREEK	15N21E16					15	25		40									80
Claim	73 4097	RUTH HATCH, RALPH HATCH,	O'NEIL CREEK, PATTERSON CREEK, SPRING CREEK	15N21E16					25	40	5	36									106
Right	73 2092	HENRY NICHOLS,	BIG SPRING CREEK	15N21E16					40			40									80
Right	73 95	E D BROWN,	BIG SPRING CREEK	15N21E16					X	X		X									0
Claim	73 10110A	B P BAR RANCH INC.	PATTERSON CREEK, SPRING CREEK	15N21E16						20	35	2			40		40				137
Claim	73 4098A	B P BAR RANCH INC.	PATTERSON CREEK, SPRING CREEK	15N21E16						20	35	4			40		40				139
Right	73 4098	HATCH LIVESTOCK,	BIG SPRINGS	15N21E16						40	40				40		40				160
Claim	73 87	JIMMIE L DOWTON, MARIA ELENE DOWTON,	PAHSIMEROI RIVER	15N21E16												12					12
Claim	73 10390	DUANE E MOEN,	PETERSON SPRINGS	15N21E16															8		8
Claim	73 2170	MARIA ELENE DOWTON, JIMMIE L DOWTON,	PETERSON SPRINGS	15N21E16									38		24						62
Right	73 2170	SYNDEY M DOWTON,	PETERSON SPRINGS	15N21E16									32		30						62
Claim	73 92A	DUANE E MEON,	SPRING CREEK	15N21E16															11		11
Claim	73 98	DUANE E MOEN,	SPRING CREEK	15N21E16														23	18	15	56
Right	73 118	MINNIE W KERR,	SPRING CREEK	15N21E16							X			X							0
Right	73 92	I R WILSON, F D KEARNS,	SPRING CREEK	15N21E16												X					0

OL = 73-00132 - claimed under 73-10112 - OL of 55 ac - no OK = property purchased
 73-2092 - not claimed in SRBA
 73-95 - NO OL - transfer #4252

MICROFILMED
MAR 20 2003

Walker, Kay

From: Jim Speck [jimspeck@cox-internet.com]
Sent: Friday, February 07, 2003 1:01 PM
To: 'Walker, Kay'
Subject: RE: Permit No. 73-07121

Kay -

The draft license is acceptable.

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jimspeck@cox-internet.com

CONFIDENTIAL COMMUNICATION

This email message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution, or copying is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this email message or by telephone. Thank you.

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

From: Walker, Kay
Sent: Friday, February 07, 2003 8:40 AM
To: 'jimspeck@cox-internet.com'
Cc: Walker, Kay

Mr. Speck:

We have prepared a draft license for the above referenced permit. I have attached the draft license to this e-mail for your review. Please review the draft to make sure the license reflects the system as it is used. If I don't hear back from you within 1 week from this e-mail, I will assume the draft license is acceptable and will submit it for issuance of the license.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7944.

Kay Walker
Sr. Water Resource Agent
<<73-7121.RTF>>

Attachment(s): 73-7121.RTF

MICROFILMED

MAR 20 2003
1

Comment Report

73-7121

1. kwilson 8/22/2002 Field Report Narrative

Comment: Well pump to low pressure, 8 tower, 3/4 center pivot with end gun. End gun on at time of exam.

2. kwalker 2/7/2003 No overlapping rights

Comment: Pursuant to discussion/correspondence with Jim Speck, Attorney, there were no other water rights purchased with the land under this permit. This is the only source of water on this property at this time.

3. ZIMMERMA 8/16/1993 MORATORIUM EXEMPTION

Comment: This permit is located within the Salmon/Clearwater Rivers Moratorium boundary; however, its groundwater source is within the acceptable parameters of the Moratorium guidelines. DIVERSION DESCRIPTION Proposed well 10" by 150' deep, 100 hp pump, with mainline to sprinkler irrigation system.

4. ZIMMERMA 8/23/1993 CORPORATE OFFICERS

Comment: The officers of Last Chance Ranch Inc are: President - Charles Porter V.P./Sec. - Patrick R. Wilmerding Treasurer - Peter Whitman

5. VAULT 9/8/1998 Lapse Notice Sent

Comment: Lapse Notice Sent

6. VAULT 9/29/1998 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

MICROFILMED

MAR 20 2003

RECEIVED

FEB - 6 2003

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

Department of Water Resources

JAMES P. SPECK
jimspeck@cox-internet.com

DOUGLAS J. AANESTAD
aanestad@cox-internet.com

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

February 4, 2003

Mr. Shelly Keen
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise ID 83720-9000

**Re: Permit No. 73-7121 - BP Bar Ranch, Inc.
dba Last Chance Ranch
Our File No.: 950341**

Dear Shelly:

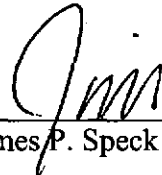
This letter is in response to Kay Walker's January 14, 2003 Memorandum to you. There are no overlapping water rights for the lands to be licensed under Permit 73-7121. We have reviewed the field examination done by Keith Wilson and concur with its findings. I understand you will now be able to quickly complete the licensing of this water right. Would you please send a copy of the draft license to me when it is ready.

Please call me right away if you have any questions or comments.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 

James P. Speck

JPS:jal

cc: Peter Whitman
Bill Coleman
Charles Porter
Patrick Wilmerding
Stan and Trish Dowton

MICROFILMED

MAR 20 2003

MEMORANDUM

TO: SHELLEY KEEN

FROM: KAY WALKER

RE: Permit No. 73-07121

Date: January 14, 2003

.....

For licensing purposes, I need to know if BP Bar Ranch, Inc., has any other sources for the land to be licensed under Permit 73-07121. There are 102 acres under the licensing recommendations. The overlap comparison report listed an overlap with Rt. 73-02092 from Big Creek Spring. There is no claim filed on 73-02092. There might also be an overlap from Morgan Creek under Claim 73-10112 that is delivered thru Cotter Ditch (before SRBA Rt. No. 73-00132) and Claim 73-04097 from Morgan Creek.

I had contacted Mr. Speck to find out if there were any other sources used on the 102 acres. Mr. Speck thought he recalled that the land was purchased without any other water rights – on ly this permit from the well. He was going to double check that and get back to me.

*Please return file to me -
Thanks!
Kay*

MICROFILMED
MAR 20 2003

LICENSE REVIEW CHECKLIST

Permit No. 73-7121

Date: 8-19-02 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): 73-00132 73-2092
File reviewed Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 3.78 cfs
Fee Limit 3.0 cfs
Measured 1.88 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 1.88

Water Uses OK

Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation 1.88 cfs A af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
Total 1.88 cfs A af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

1.88 cfs x 1.9835 x 214 days = 798.0 af (vs) 102 acres x 3.5 (FHR) = 357.0 af
2.5 (con)

Remarks: _____

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? NO

Adjust memo _____

Amend Letters _____ P87, S06 Second Amendment Notice _____ S06

none -
see letter
of 2/4/03
from
Jim
Speck-

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP - 4 2002

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 73-7121

1. Owner: BP Bar Ranch Inc % James P. Spect Phone No. (208) 726-4421
Current Address: P.O. Box 987, Ketchum Id 83440-0987 Fax (208) 726-0752 [Fax]

2. Accompanied by: Stan Downton EXAM DATE: 7-12-2002

Address: HC 62 Box 1180 Ellis Id 83235 Phone No. (208) 876-4200

Relationship to Permit Holder: Leason

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: * 73-2092* / 73-4097 / A73-10112*
2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NE	NW	16	15N	21E	Lemhi	On site, FSA aerial

2. Place(s) of Use:

Indicate Method of Determination

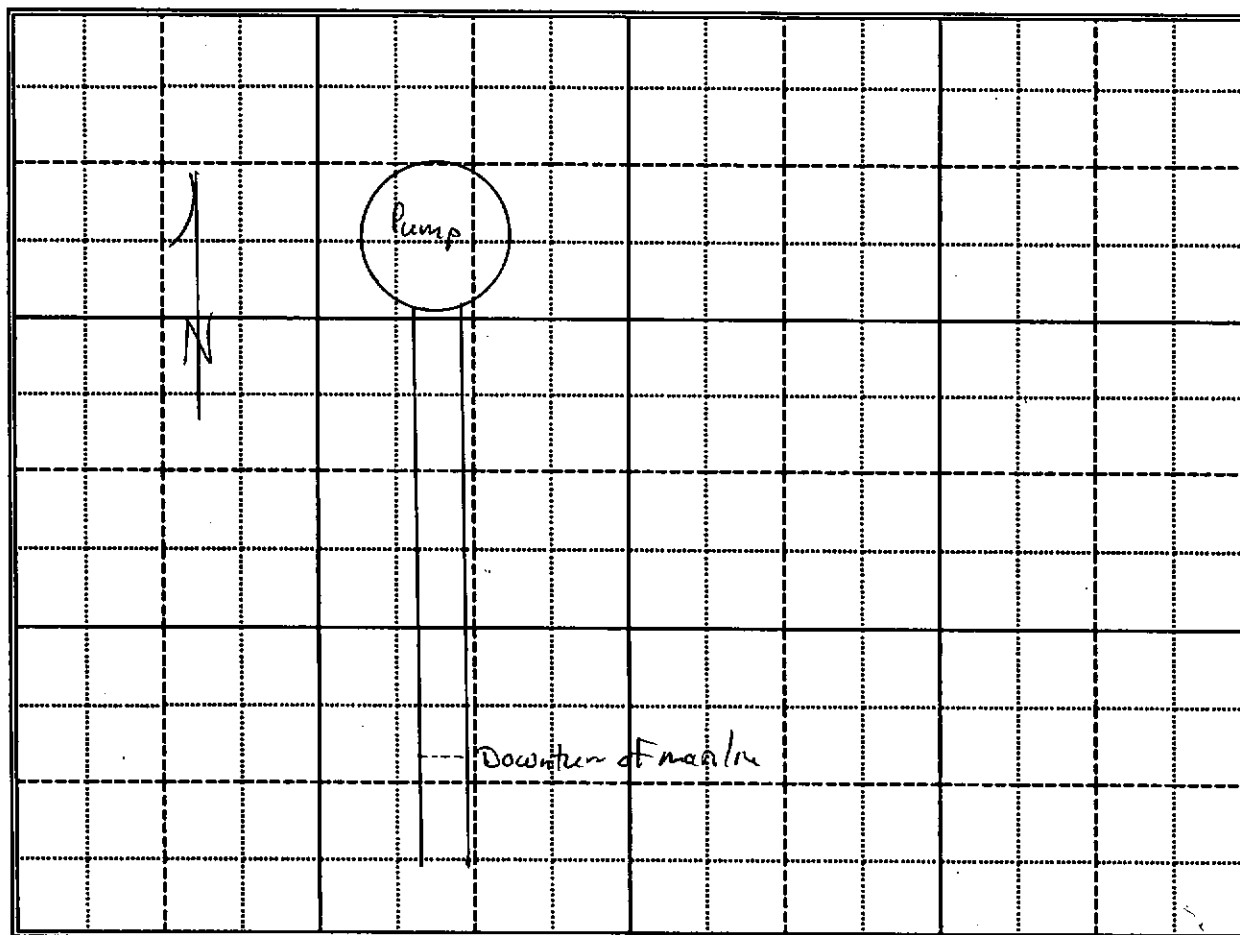
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	21E	16		34			34			34									102

* See Remarks

MICROFILMED

MAR 20 2003

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	US Electric	75	R6326-03-237	Floway	# 13462
			R2114363S		

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Sonic Meter						

2. Measurements: 10' od 0.106" thickness

MICROFILMED

MAR 20 2003

E. NARRATIVE/REMARKS/COMMENTS

Low Pressure 8 tower center pivot with end gun (end gun on @ time of exam)

* Overlap: 73-2092 has not been filed in SRBA

73-00132 filed under A73-10112 in SRBA

73-00095 filed under A73-10111 in SRBA

Have conditions of permit approval been met? ☒ yes ☐ no

MICROFILMED
MAR 20 2003

F. FLOW CALCULATIONS Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (102)(3.5) = 357 \text{ afa}$$
$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.88(214)1.9835 = 798.0$$
$$V = \text{Smaller of } V_{LR} \text{ and } V_{D.R.} = 357 \text{ afa}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	4/1	1.88 cfs	357.0 afa
Totals:			1.88 cfs	357.0 afa

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name KETH C WILSON Date 7-12-2002

Reviewer _____ Date _____

SEAL

MICROFILMED
MAR 20 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATIONPermit No: **73-7121**Exam Date: 07/12/2002

1. Current Owner: B P BAR RANCH INC
C/O JIM SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340-0987
(208)726-4421

2. Accompanied by: Stan Downton
Phone No: (208) 876-4200
Address: HC 62, Box 1180, Ellis, ID 83235
Relationship to Permit Holder: Leasee

3. SOURCE TRIBUTARY
GROUND WATER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 73-2092*, 73-4097, A73-10112
2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM1. LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE1/4NE1/4NW1/4 Sec. 16, Twp 15N, Rge 21E, B.M.
LEMHI County

Method of Determination: On site inspection, USGS Map, FSA Aerial

2. PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N21E 16	34.0				34.0				34.0								102.0

Total Acres: 102

Method of Determination: FSA Aerial, Arc View, On Site

3. X Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
 Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
X Aerial Photo Attached (required for irrigation of 10+ acres).
NO** Photo of Diversion and System Attached

* See remarks

** Photo file corrupted on digital camera.

MICROFILMED
MAR 20 2003

73-7121

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	US Electric	75	R6326-03-233 R2114363S	Floway	S/N 13462

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Portaflow	Sonic	Fuji	1011	7K00891B	State I.D. 240333	1997

2. Measurements: 10" OD, 0.106" Thickness, Steel Mainline

Max. Flow = 1.88 cfs (844.5 gpm)

Average Flow = 837.9 gpm = 1.87 cfs

E. FLOW CALCULATIONS☒ Additional Computation Sheets Attached

Measured Method: Max. Flow = 1.88 cfs (844.5 gpm)

Average Flow = 837.9 gpm = 1.87 cfs

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (102)(3.5) = 357.0 \text{ afa}$ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = (1.88)(214)(1.9835) = 798.0$ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 357.0 \text{ afa}$

2. Volume Calculations for Other Uses:

G. NARRATIVE/REMARKS/COMMENTS

Well pump to low pressure, 8 tower, 3/4 center pivot with end gun. End gun on at time of exam.

* 73-2092 NOT filed in SRBA, 73-00132 Filed SRBA 73-10112, 73-00095 Filed SRBA 73-10111

Have conditions of permit approval been met? ☒ Yes ☐ No**H. RECOMMENDATIONS****1. Recommended Amounts**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	1.880 CFS	357.00 AF

Totals: 1.880 CFS 357.00 AF

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

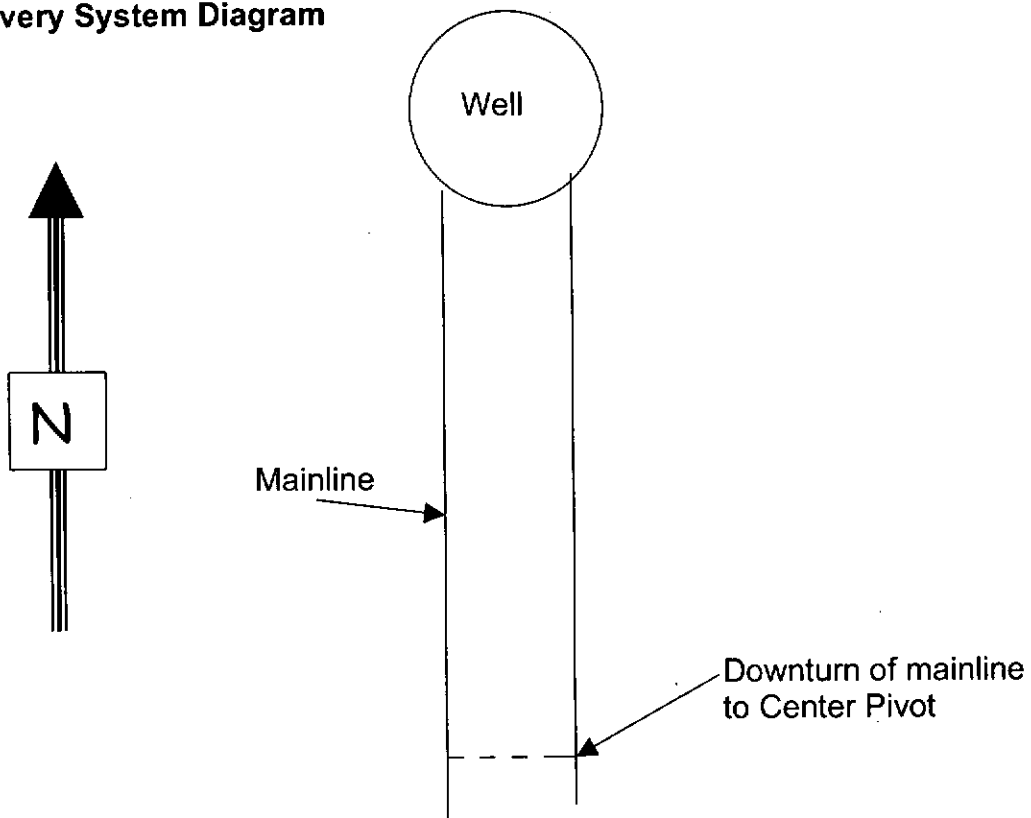
I. AUTHENTICATIONField Examiner's Name Keith Culver Date 8/26/2002

Reviewer _____ Date _____

MICROFILMED
MAR 20 2003

73-7121

Delivery System Diagram



73-7121

MICROFILMED

MAR 20 2003

Flow Measurement

LOG NAME: 73-07121

START: 07-12-2002 12:20

END: 07-12-2002 12:30

INTERVAL: 00:00:01

07-12-2002 12:20:00

+3.548E+0 ft/s

+8.322E+2 gal/m

+1.854E+0 ft3/s

+TOTAL 0000000 gal

-TOTAL 0000000 gal

NORMAL

07-12-2002 12:21:00

+3.564E+0 ft/s

+8.359E+2 gal/m

+1.862E+0 ft3/s

+TOTAL 0000822 gal

-TOTAL 0000000 gal

NORMAL

07-12-2002 12:22:00

+3.604E+0 ft/s

+8.454E+2 gal/m

+1.883E+0 ft3/s

+TOTAL 0001662 gal

-TOTAL 0000000 gal

NORMAL

07-12-2002 12:23:00

+3.603E+0 ft/s

+8.451E+2 gal/m

+1.883E+0 ft3/s

+TOTAL 0002501 gal

-TOTAL 0000000 gal

NORMAL

07-12-2002 12:24:00

+3.578E+0 ft/s

+8.393E+2 gal/m

+1.870E+0 ft3/s

+TOTAL 0003343 gal

-TOTAL 0000000 gal

NORMAL

07-12-2002 12:25:00

+3.601E+0 ft/s

+8.445E+2 gal/m

+1.881E+0 ft3/s

+TOTAL 0004180 gal

-TOTAL 0000000 gal

NORMAL

07-12-2002 12:26:00

+3.570E+0 ft/s

+8.373E+2 gal/m

+1.865E+0 ft3/s

+TOTAL 0005020 gal

-TOTAL 0000000 gal

NORMAL

07-12-2002 12:27:00

+3.575E+0 ft/s

+8.384E+2 gal/m

+1.868E+0 ft3/s

+TOTAL 0005858 gal

-TOTAL 0000000 gal

NORMAL

07-12-2002 12:28:00

+3.601E+0 ft/s

+8.445E+2 gal/m

+1.881E+0 ft3/s

+TOTAL 0006699 gal

-TOTAL 0000000 gal

NORMAL

07-12-2002 12:29:00

+3.564E+0 ft/s

+8.358E+2 gal/m

+1.862E+0 ft3/s

+TOTAL 0007538 gal

-TOTAL 0000000 gal

NORMAL

07-12-2002 12:30:00

+3.563E+0 ft/s

+8.358E+2 gal/m

+1.862E+0 ft3/s

+TOTAL 0008379 gal

-TOTAL 0000000 gal

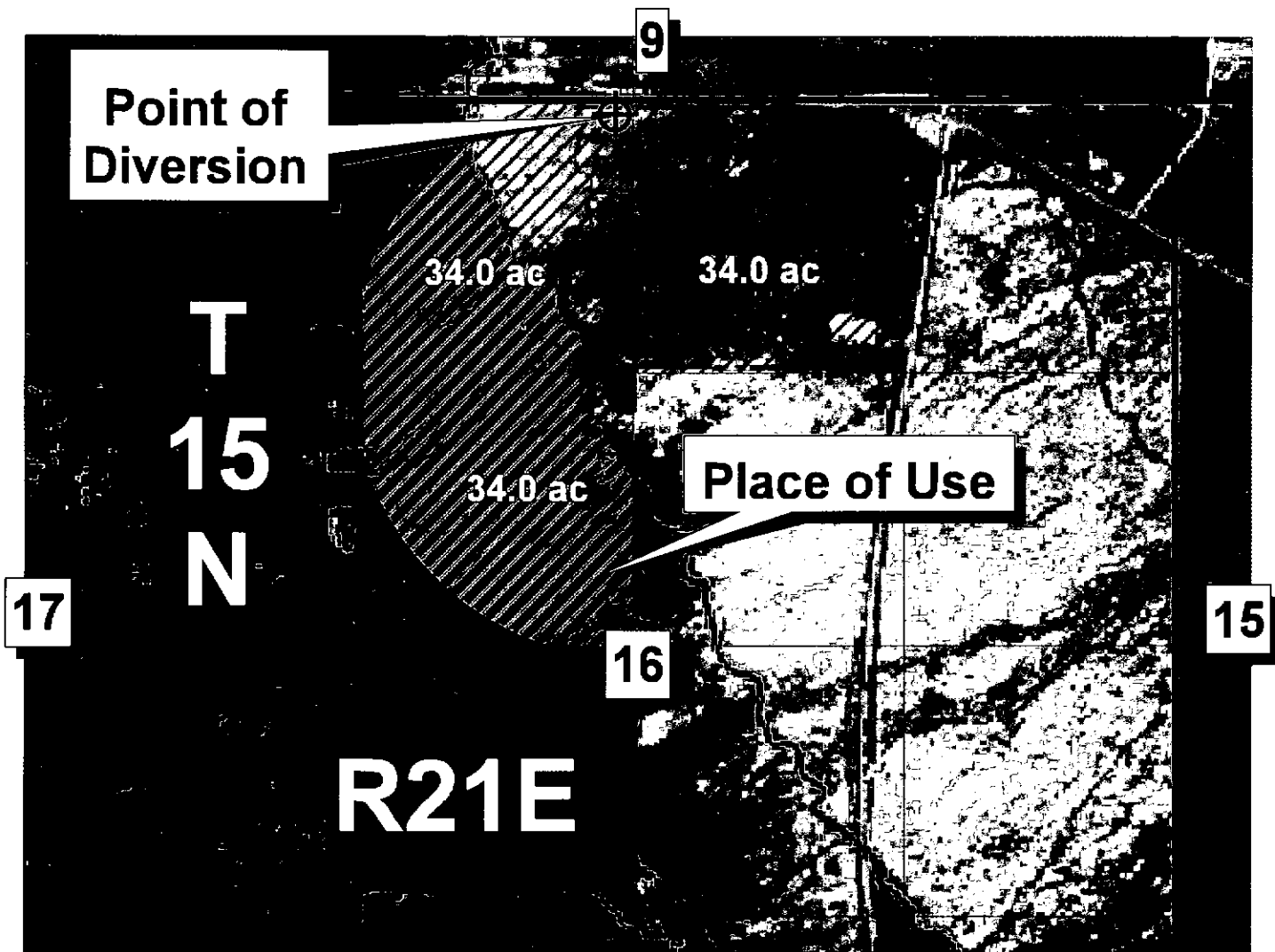
NORMAL

 $Q_{MAX} = 1.88 \text{ cfs} = 845.4 \text{ gpm}$ $Q_{AVG} = 837.9 \text{ gpm} = 1.87 \text{ cfs}$

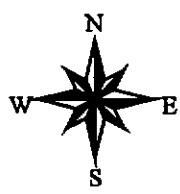
73-7121

MICROPILOT

MAR 20 2003



-  POD-Water RightRight POD
-  Sections
-  GCDB15N21E GCDB
-  Inters29.shp

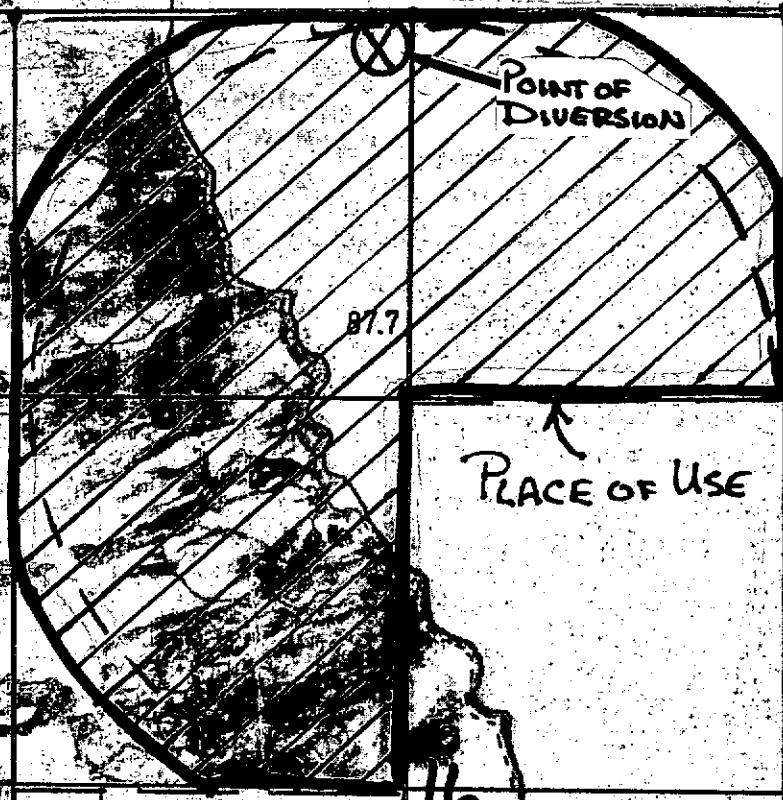


73-07121

MICRO...
MAR 20 2003

8 9
17 16

9
16 16



475
T-477

T
15
N

RZIE

embi County

①
37.4

73-07121

16
17 16
20 21

16
16 11
21



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

August 6, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BP BAR RANCH INC
C/O JAMES P SPECK
PO BOX 987
KETCHUM ID 83340-0987

RE: ASSIGNMENT OF PERMIT 73-07121

Dear Permit Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced permit to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
AUG 11 1999

RECEIVED

AUG 05 1999

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

Department of Water Resources

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

August 4, 1999

Kari Lynn Townsend
IDWR
PO Box 83720
Boise, ID 83720-0098

**RE: Assignment of Permit 73-07121
Last Chance Ranch, Inc. - BP Bar Ranch, Inc.**

Dear Ms. Townsend:

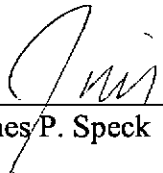
Enclosed you will find an Assignment of Permit for Permit No. 73-07121 together with our check payable to the Department for the \$25 filing fee and a copy of the Special Power of Attorney granting me the authority to sign water right documents on behalf of Last Chance Ranch, Inc. Please process this assignment at your earliest convenience and send me confirmation of the new ownership of the Permit.

The Proof of Beneficial Use which Last Chance Ranch, Inc. filed for this Permit in 1998, identifies Jim Dowton as the person to contact to accompany the Department representative during the field examination. My client asks that this contact be changed to me. Therefore, the field agent must call me before he or she heads out to the property to conduct the field examination and I will make the appropriate arrangements for someone to meet the field agent and go over the system. Please call me right away if you have any questions or concerns about this request.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:rsd
enclosures
cc: client, w/encl.
Harold Jones, IDWR, w/encl.

MICROFILMED
AUG 11 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 9, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BP BAR RANCH INC
C/O JIM SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

RE: Change of Ownership for Permit 73-07121

Dear Mr. Speck:

Paperwork that you submitted to the IDWR office to change ownership of several water rights has been forwarded to me for processing. The number listed on the form (as referenced above) is for a permit.

Ownership change for permits is handled with an *Assignment of Permit* form (copy enclosed) which requires a \$25.00 filing fee.

We will be happy to complete the processing of your change of ownership request upon receipt of the completed Assignment of Permit forms and filing fees.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

Kari Lynn Townsend
Secretary

/k

Enclosure

MICROFILMED

AUG 11 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

November 12, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Last Chance Ranch Inc
c o James P Speck
SPECK AND AANESTAD
PO Box 987
Ketchum ID 83340

PROOF ACKNOWLEDGMENT LETTER

RE: Permit No. 73-07121

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order reinstating the permit since proof was submitted after the proof due date. Note that the priority date has been advanced to July 4, 1993, as provided in Section 42-218a.2, Idaho Code.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, you may contact the **EASTERN** Regional Office of the department in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

NOV 27 1998

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 73-07121 Reviewed by [Signature] Date 11-10-98

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
NO Proof timely received?
If not, complete calculation below.

TYPES OF USE

IRR.
Correct Uses? yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

NO Copy in the file? Drilling Permit No. 73-94-E-0001-000

200- Amount paid for permit

yes Correct?

yes Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
150- Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
? Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>9-28-98</u>	<u>271</u>
Date proof due	<u>9-1-98</u>	<u>- 244</u>
No. of days late	<u>27</u>	<u>= 27</u>
Priority Date	<u>6-7-93</u>	<u>+ 158</u>
New Priority Date	<u>7-4-93</u>	<u>185</u>

7 7/4/93

DEFICIENCIES OR ACTION ITEMS

Reinstate + advance priority to July 4, 1993.
Proof Acceptable

DATA ENTRY

New Address [Signature] Proof Made 9-28-98

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

September 25, 1998

Mr. L. Glen Saxton
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720-9000

RE: Permit No. 73-07121

Dear Glen:

Enclosed you will find a completed and signed Proof of Beneficial Use for the above-referenced permit together with the \$150 fee for the Beneficial Use Field Examination. I have also enclosed a copy of the Proof of Beneficial Use and ask that it be marked with the date of receipt by the Department and returned to me in the stamped and addressed envelope I have enclosed for that purpose.

Please call me if there are any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____


James P. Speck

JPS:rsd
enclosures

MICROFILMED

NOV 27 1998

September 8, 1998

LAST CHANCE RANCH INC
C/O JAMES SPECK
PO BOX 987
KETCHUM ID 833400987

LAPSE NOTICE

RE: PERMIT NO. 73-07121

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated June 30, 1998. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 9/8/98
~~a copy~~/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

MICROFILMED
NOV 27 1998

Jley

CONVERSATION MEMORANDUM

Date 8/23/93 File # 73-7121

NAME OF PARTY Jim Speck

EMPLOYEE Cindy Zimmerman

RE Corporate officers

Pres. - Charles Porter

39 Fairweather St

Cambridge MA 02138

VP/Sec. - Patrick R. Wilmerding

68 Dudley

Brookline MA 02146

Tres. - Peter Whitman (no address)

RECORDED
INDEXED
OCT 25 1993

OCT 25 1993

June 30, 1998

LAST CHANCE RANCH INC
C/O JAMES SPECK
PO BOX 987
KETCHUM ID 833400987

PROOF DUE NOTICE

RE: PERMIT NO. 73-07121

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1998. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

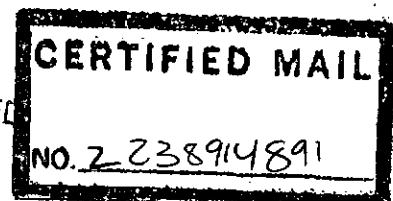
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
NOV 27 1998



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESUSE TYPEWRITER OR
BALLPOINT PEN

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Last Chance Ranch Inc
Address % James P. Spick P.O. Box 987
Reichenbach ID 83340
Drilling Permit No. 73-946-001-000
Water Right Permit No. 73-07121

2. NATURE OF WORK

- ☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase ☐ Modification
☐ Abandoned (describe abandonment or modification procedures
such as liners, screen, materials, plug depths, etc. in lithologic
log, section 9.)

3. PROPOSED USE

- ☐ Domestic ☒ Irrigation ☐ Monitor
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

- ☐ Rotary ☐ Air ☐ Auger ☐ Reverse rotary
☒ Cable ☐ Mud ☐ Other _____
(backhoe, hydraulic, etc.)

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>360</u> inches	<u>20</u> inches	<u>0</u> feet	<u>18</u> feet
<u>250</u> inches	<u>16</u> inches	<u>18</u> feet	<u>173</u> feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ NoWas a packer or seal used? ☐ Yes ☐ NoPerforated? ☒ Yes ☐ NoHow perforated? ☐ Factory ☒ Knife ☐ Torch ☐ GunSize of perforation? 1/2 inches by 3 inches

Number	From	To
<u>4,000</u> perforations	<u>60</u> feet	<u>169</u> feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer _____ Type _____

Top Packer or Headpipe _____

Bottom of Tailpipe _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

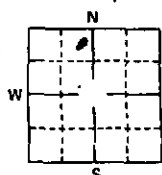
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 18 Material used in seal: ☒ Cement grout☒ Bentonite ☐ Pudding clay ☐ _____Sealing procedure used: ☐ Slurry pit☐ Temp. surface casing ☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☐ Welded☐ Solvent Weld ☐ Cemented between strataDescribe access port 2" Pipe

6. LOCATION OF WELL

Sketch map location must agree with written location



Subdivision Name _____

Lot No. _____ Block No. _____

County LemhiAddress of Well Site Elles to May Road
(give at least name of road)T. 15 N ☒ or S ☐NE 1/4 NW 1/4 Sec. 16, R. 21 E ☒ or W ☐

7. WATER LEVEL

Static water level 2 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
20"	0	20	boulders Top Soil		☒
20"	2	25	boulders Clay & Gravel		☒
16"	25	30	Small Gravel Red Clay		☒
16"	30	60	Clay large Gravel		☒
16"	60	173	Gravel Sand & Clay CONGLOMERATE		☒

RECEIVED

JUN 06 1994

Department of Water Resources

RECEIVED

MAY 25 1994

Department of Water Resources
Southern Region Office

RECEIVED

MAY 26 1994

Department of Water Resources
Eastern District Office

10.

Work started 4-13-94 finished 5-17-94

11. DRILLER'S CERTIFICATION

We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name Volkmann Well Drilling Firm No. 383Address 320 E. Custer Aberdeen Date 05/18/94Signed by Drilling Supervisor James P. Spick

and

(Operator) John S. Seltzer
(If different than the Drilling Supervisor)



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 8, 1993

LAST CHANCE RANCH INC
C/O JAMES SPECK
PO BOX 987
KETCHUM ID 833400987

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 73-07121

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as

OCT 25 1993

far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

A handwritten signature in dark ink, appearing to be 'JJ' followed by a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECEIVED

OCT 25 1993

APPLICATION FOR PERMIT
STATE OFFICE REVIEW

Application #: 73-7121 Date: 8/16/93 Reviewer: Cindy Zimmerman

AREA OF CONCERN? - No/Yes S/C Mor
SYSTEM COMPLETED:
No - 26A-P17
Complete in 1 year - P16
Yes
Proof not submitted - P16
Proof submitted - N/A
GROUNDWATER:
+ 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing), NMR
- 0.2 cfs - NMR <flow chart>
Drilling Permit:
Included w/permit - P99 Permit No. _____
Existing well - N/A (if drilled before 7/1/87)
No WD permit? - 046-46A(IRR)-46B-P23 (if drilled after 7/1/87)
SURFACE WATER: not in WD - 01C-P03 (+.2 w/pump), NMR <flow chart>
LOCATION:
Water District - WD No. 73
Surface water - 005 or 005-01J-P08(+.2)
or 005-01H-P01(-.2 w/pump); NMR
Groundwater - P05 (if well has not been drilled)
Irrigation Dist. - 023
Canal Co. Areas - 023
Drainage Districts - 024
Flood Control Dist. - 063
Boise Front (63) - 058 (Groundwater temperature)
Swan Falls Flag - B (1, Blank or Other)
Trust - 051-052-053-P74 (Consumptive Uses)
Non Trust <1> - 048-049
RIVER BASINS (Surface): Water District Control Condition (005) &....
Boise (63) - 05A (req), 11E (non-domestic use)
Payette (65) - 047-P04, _____ -P
Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)
USE:
Fish Propagation - 06A, 09E-P10 (WQ/Choose One) & 010, 042 (req),
002-P06(MD), 07A(Special), 044(Policy 5G)
Power - 08A, 17K, 025, 027 (req); 01F-P19; 09E-P10;
+25 cfs-P18; 17G or 17M; 18B-P09
Mining - 06A, 010, or 09E-P10 & 054 (req)
Storage(✓ 3 compo.) - 18A-for multi MD in WD, 18B-P09 (+10' Size)
Rec/Wildlf/Aesthetic - 027-if +½ A. pond (Non-Consumptive)
Domestic (surface - 021 - Boise River upstream from L Peak
restricted areas) 27A - Payette River & main tributaries
OWNERSHIP:
Non land owner - 004
PROTESTED:
Hearing agreement - 020
REMARKS:

OTHER CONDITIONS: - 803
BENEFICIAL USE DUE: - 9-1-1998
COMMENTS: - ① Mor Exempt ② Div Desc ③ Corp. officers



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 16, 1993

LAST CHANCE RANCH INC
% JAMES P SPECK
HOGUE, SPECK & AANESTAND
PO BOX 987
KETCHUM ID 83340-0987

RE: Application for Permit No. 73-07121

Dear Sirs:

I have received your application for permit for irrigation use for final review. However, I need a list of the names, titles, and addresses of all the corporate officers of Last Chance Ranch Inc.

Please submit this information as quickly as possible to prevent any further undue delay in processing your application.

If you have any questions, please feel free to contact me at (208) 327-7944.

Sincerely,

Cindy Zimmerman
CINDY ZIMMERMAN
Water Resource Agent

c: Eastern Region

RECORDED

OCT 25 1993

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

3 NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

73-07121

LAST CHANCE RANCH INC
PO BOX 987

KETCHUM, ID 83340

Source: GROUNDWATER

County: LEMHI

Diversion Pt: NENENW Sec 16

T 15N R 21E

Use: IRRIGATION (2.780 CFS)

Total Diversion: (2.780 CFS)

Date Filed: 6/7/1993.

In: LEMHI County

T15N R21E S16 NWNE NENW

NWNW SWNW SENW

139.0 ACRES TOTAL

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Eastern Region,
900 N Skyline, Idaho Falls, Idaho
83402 on or before AUGUST 2, 1993.

R. Keith Higginson, Director

Published: 7/15/1993 & 7/22/1993

7-15-2tc

BUY FROM THE ADVERTISERS

RICKY G. HODGES
being first duly sworn, deposes
and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published
weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Application for Water Rights
73-07121

is a true
printed copy of which is attached to the margin hereof, has been and was correctly printed and pub-
lished in the regular and entire issue of every number of said newspaper and not in any supplement
thereof or thereto for two (2) consecutive issues, commencing with the issue
dated July 15, 1993 and ending with the issue dated July 22, 1993.

STATE OF IDAHO

COUNTY OF LEMHI

On this 22 day of July, 1993, In the year of 1993,
before me, A Notary Public, personally appeared RICKY G. HODGES
known or identified to me to be the person whose name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he
executed the same.

Rachel E. Snook
Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 10/18/97

Publication Fee \$ 32.40

#630

RECEIVED

OCT 25 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
900 N Skyline

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 8, 1993

RECORDER-HERALD
P.O. BOX 310
SALMON, ID 83467

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.

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 AUGUST 2, 1993.

Yours truly,

Rita Bodell
Secretary

Encl.

NOT RECORDED

OCT 25 1993

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

MICROFILMED

OCT 25 1993

73-07121

LAST CHANCE RANCH INC
PO BOX 987
KETCHUM, ID 83340

Source: GROUNDWATER

Diversion Pt: NENENW Sec 16 T 15N R 21E in LEMHI County.

Use: IRRIGATION (2.780 CFS)
Total Diversion: (2.780 CFS)

Date Filed: 6/ 7/1993

In: LEMHI County
T15N R21E S16

NWNE
SENE

NENW

NWNW

SWNW

139.0 ACRES TOTAL

NOT RECORDED

OCT 25 1993

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before AUGUST 2, 1993.

R. KEITH HIGGINSON, Director

Published: 7/15/1993 & 7/22/1993

RECEIVED
OCT 25 1993

Advantage

Dist. for staffing 6-9-93
Submitted for advertising 6-14-93

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWT
Last Chance Ranch, Inc.
REQUIRED INFORMATION

DATE 6-14-93

APPLICATION NO. 73-7121

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

ADDITIONAL INFORMATION

- Overlapping place of use (Describe source & relationship to present application on the back.)
Overlapping point of diversion
Yes ☐ No ☒ Field check required
Field check by _____
Yes ☐ No ☒ Field report attached
Yes ☐ No ☒ Critical groundwater area
Yes ☐ No ☒ Groundwater management area
Yes ☐ No ☒ Send dam safety information
Yes ☐ No ☒ Send power requirement letter
Yes ☐ No ☒ Send fish farm requirement letter
Yes ☐ No ☒ Power residency affidavit
Yes ☐ No ☒ Power efficiency form
Yes ☐ No ☒ Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
Yes ☐ No ☒ Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

RECEIVED
AUG 5 1993

Department of Water Resources

Date Requested _____

1
PROCESSING ☒ Yes ☒ No In form for advertising
☒ Yes ☒ No Statewide advertising
☒ Yes ☒ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO none ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 8-2-93
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations, attached
☐ Yes ☒ No Measuring device required
☒ Yes ☐ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. _____
☒ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information
Date of priority recommended 8-2-93 6-08-91
By _____ Date 8-02-93

STATE OFFICE REVIEW

See below for additional information
By _____ Date _____

ADDITIONAL INFORMATION

016

7

COMMENTS

[illegible]

13-Jul-1993

LAST CHANCE RANCH INC
PO BOX 987
KETCHUM ID 83340

RE: Application No. 73-07121

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Recorder Herald on July 15 & 22, 1993. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

Harold W. Jones
Harold W. Jones *rb*
Water Right Supervisor

HWJ:rb

FILED

OCT 25 1993

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP
JOHN A. SEILLER

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

June 2, 1993

RECEIVED

JUN 07 1993

Department of Water Resources
Eastern District Office

Mr. Keith Wilson
Department of Water Resources
Eastern Regional Office
900 N. Skyline Drive
Idaho Falls, Idaho 83402

Re: Application for Permit - Last Chance Ranch, Inc.

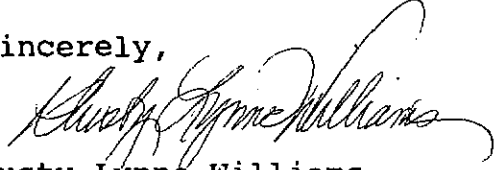
Dear Mr. Wilson:

Please find enclosed an Application for Permit concerning Last Chance Ranch, Inc. along with a check in the amount of \$85.00 to cover the filing fee. Mr. Speck asked that you kindly keep us advised of the advertising schedule.

Mr. Speck will be returning to the office early August of 1993. If you have any questions concerning this application please feel free to contact me in his absence. If I cannot help you, I will contact Mr. Speck with any concerns or questions you may have. Thank you.

HOGUE, SPECK & AANESTAD

Sincerely,


Dusty Lynne Williams
Secretary

dlw
Enclosures

RECEIVED

OCT 25 1993