

RECEIVED

JUL 29 2022

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No.

86589
71-11015

1. Name of applicant(s) STATE OF IDAHO, Idaho Fish and Game Commission Phone 208-334-3700
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address P.O. Box 25 City Boise
 State ID ZIP 83707 Email _____
2. Name of representative, if any Mike Demick - Easement Specialist Phone 208-756-6022
 Mailing address 97 Highway 93 North City Salmon
 State ID ZIP 83467 Email mike.demick@idfg.idaho.gov
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☒ Send original correspondence to the applicant and copies to the representative.
- b. ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Gold Creek which is a tributary of Salmon River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
09N	14E	17			NW	SW	Custer	Gold Creek	SGC-02/03

5. Water will be used for the following purposes:
- Amount .80 for Fish Propagation purposes from 5/01 to 10/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) .80 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Single rotary drum fish screen (30-inch dia. by 6-foot perf. plate), paddlewheel powered, 10-inch fish bypass pipe from stream to creek, lockable headgate.
- b. Height of storage dam na feet; active reservoir capacity na acre-feet; total reservoir capacity na acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☒ No
- c. Proposed well diameter is na inches; proposed depth of well is na feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? na; drilling firm na;
 well was drilled for (well owner) na; Drilling Permit No. na

For Department Use

Received by DM Date 7-29-2022 Time 1:20 PM Preliminary check by _____
 Fee \$ 250- Received by Inter Agency Receipt No. BILL016101 Date _____

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

- Hydropower; show total feet of head and proposed capacity in kW. na
- Stockwatering; list number and kind of livestock. na
- Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
- Domestic; show number of households na
- Other; describe fully. This is a non-consumptive use that enables fish entrained in ditch to return to stream through a fish bypass pipe that runs from the fish screen to the stream.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	14E	17										H							

Total number of acres to be irrigated: 0

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? Point of Diversion is shared with other water right holder. This is the only right for fish screen.

- Who owns the property at the point of diversion? Fisher Creek Partner LLC & Bill Leavell
- Who owns the land to be irrigated or place of use? Fisher Creek Partner LLC & Bill Leavell
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: IDFG has a recorded easement for ingress/egress to construct/operate/maintain fish screen on property.

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. To record a non-consumptive use of water for a fish screen/fish bypass pipe installed and currently operating.

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

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

Print Name (and title, if applicable)

Signature of Applicant

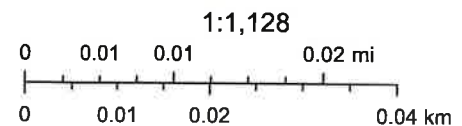
Print Name (and title, if applicable)

Application for Water Right; Gold Creek-02/03



4/13/2020, 1:03:52 PM

- Points
- Quarter Quarter
 - Section
 - Township/Range
 - Idaho Outline
 - Idaho Mask



Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Created by NRCS from 1:24,000 scale USGS topographic maps., Idaho Department of Water

71-11015



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 8, 2022

STATE OF IDAHO
IDAHO FISH & GAME COMMISSION
PO BOX 25
BOISE, ID 83707-0025

RE: Application for Permit No(s). 71-11015, 71-11017, 72-17017, 72-17018 & 72-17019

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the **CHALLIS MESSENGER** on **9/15/2022** and **9/22/2022**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **October 3, 2022**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

c: Mike Demick, Idaho Dept of Fish & Game, Salmon, Idaho

Maline, Denise

From: Maline, Denise
Sent: Thursday, September 8, 2022 4:33 PM
To: IWRB Water Use Reviews
Subject: Fish screen applications for F&G Commission
Attachments: 71-11017 F&G Commission.pdf; 72-17017 F&G Commission.pdf; 72-17018 F&G Commission.pdf; 72-17019 F&G Commission.pdf; 71-11015 F&G Commission.pdf

Good afternoon,

The department is currently processing the attached (5) water right applications located within the Stanly Basin. Any comments or input you may have is greatly appreciated.

Thank you in advance,

Denise Maline, IDWR Southern Region

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov

Maline, Denise

From: Maline, Denise
Sent: Thursday, September 8, 2022 4:18 PM
To: Graybill, David
Subject: Comment Letters for Fish & Game Commission applications
Attachments: Comment letter to WD170 for 71-11015, etc. F&G Commission.docx; 72-17017 F&G Commission.pdf; 72-17018 F&G Commission.pdf; 72-17019 F&G Commission.pdf; 71-11015 F&G Commission.pdf; 71-11017 F&G Commission.pdf

Hi David,

Attached are (5) applications that are currently being processed by the department. These applications are located within WD71, WD72D, WD72F / WD170. Please review the applications and provide any necessary comments within 21 days.

If you have any questions regarding these applications, please feel free to contact either Kent Aasa or Benny Walker.

Thank you in advance,

Denise

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 8, 2022

WATER DISTRICT 170
DAVID GRAYBILL
102 S WARPATH
SALMON ID 83467

RE: Application for Permit No(s). 71-11015, 71-11017, 72-17017, 72-17018 & 72-17019
(Fish & Game Commission)

Dear David:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, September 8, 2022 4:15 PM
To: Morgan Miller (WD71)
Subject: Comment Letters for 71-11015 & 71-11017 Fish & Game Commission
Attachments: 71-11015 F&G Commission.pdf; 71-11017 F&G Commission.pdf; Comment letter to WD71 for 71-11015 & 71-11017 F&G Commission.docx

Hi Morgan,

Attached are (2) applications that are currently being processed by the department, located within WD71. Please review the applications and provide any necessary comments within 21 days.

If you have any questions regarding these applications, please feel free to contact either Kent Aasa or Benny Walker at our office.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



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Governor Brad Little

Director Gary Spackman

September 8, 2022

WATER DISTRICT 71
MORGAN MILLER
3594 HOT SPRINGS RD
CHALLIS ID 83226-4960

RE: Application for Permit No(s). 71-11015 and 71-11017 (Fish & Game Commission)

Dear Morgan:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, September 8, 2022 11:44 AM
To: Challis Messenger
Subject: LEGAL NOTICE - Challis Messenger
Attachments: Challis Messenger cover letter.docx; Challis Messenger ad.docx

Attached please find **(1)** legal notice being submitted for publication in the *Challis Messenger* on September 15th & 22nd, 2022. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline, Administrative Assistant I
Idaho Dept. of Water Resources
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Gary Spackman

September 8, 2022

LEGAL NOTICE DEPARTMENT
CHALLIS MESSENGER
PO BOX 405
CHALLIS, ID 83226-0405

RE: Application for Permit No(s). 71-11015, 71-11017, 72-17017, 72-17018 & 72-17019

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before October 3, 2022. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

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

71-11015

STATE OF IDAHO
IDAHO FISH & GAME COMMISSION
PO BOX 25
BOISE, ID 83707-0025

Point of Diversion NWSW S17 T09N R14E CUSTER County Source GOLD CREEK Tributary SALMON RIVER
Use: FISH PROPAGATION 05/01 to 10/31 0.8 CFS

Total Diversion: 0.8 CFS

Date Filed: 07-29-2022

Place Of Use: FISH PROPAGATION

T09N R14E S17 NWSW

Application proposes the diversion of up to 0.80 cfs from Gold Creek for a fish screen / bypass located approximately 7.5 miles south and 3.8 miles east of the Highway 21 & Highway 75 intersection in Stanley. This application proposes the diversion and use of water from Gold Creek, a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for non-consumptive purposes.

71-11017

STATE OF IDAHO
IDAHO FISH & GAME COMMISSION
PO BOX 25
BOISE, ID 83707-0025

Point of Diversion SWSE S8 T09N R14E CUSTER County Source GOLD CREEK Tributary SALMON RIVER

Use: FISH PROPAGATION 05/01 to 10/31 0.8 CFS

Total Diversion: 0.8 CFS

Date Filed: 07-29-2022

Place Of Use: FISH PROPAGATION

T09N R14E S8 SWSE

Application proposes the diversion of up to 0.80 cfs from Gold Creek for a fish screen / bypass located approximately 6.9 miles south and 4.3 miles east of the Highway 21 & Highway 75 intersection in Stanley. This application proposes the diversion and use of water from Gold Creek, a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for non-consumptive purposes.

72-17017

STATE OF IDAHO
IDAHO FISH & GAME COMMISSION
PO BOX 25
BOISE, ID 83707-0025

Point of Diversion SWNW S25 T15N R19E CUSTER County Source SALMON RIVER Tributary SNAKE RIVER

Use: FISH PROPAGATION 04/01 to 10/31 0.8 CFS

Total Diversion: 0.8 CFS

Date Filed: 07-29-2022

Place Of Use: FISH PROPAGATION

T15N R19E S24 L7 (SWSW)

Application for permit proposes diversion of up to 0.80 cfs from the Salmon River for use at a fish screen / bypass located approximately 6.7 miles north and 2.8 miles east of Challis. This application proposes the diversion and use of water from the Salmon River, a tributary of the Snake River, a Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for non-consumptive purposes.

72-17018

STATE OF IDAHO
IDAHO FISH & GAME COMMISSION
PO BOX 25
BOISE, ID 83707-0025

Point of Diversion NESE S28 T09N R17E CUSTER County Source EAST FORK Tributary SALMON RIVER

Use: FISH PROPAGATION 04/01 to 10/31 0.8 CFS

Total Diversion: 0.8 CFS

Date Filed: 07-29-2022

Place Of Use: FISH PROPAGATION

T09N R17E S28 SENE

Application for permit proposes diversion of up to 0.80 cfs from Salmon River East Fork for use at a fish screen / bypass located approximately 12.3 miles south and 2.7 miles east of Clayton. This application proposes the diversion and use of water from East Fork Salmon River, a tributary of the Salmon River, a Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for non-consumptive purposes.

72-17019

STATE OF IDAHO
IDAHO FISH & GAME COMMISSION
PO BOX 25
BOISE, ID 83707-0025

Point of Diversion NWSE S35 T12N R18E CUSTER County Source LYON CREEK Tributary SALMON RIVER

Use: FISH PROPAGATION 04/01 to 10/31 0.8 CFS

Total Diversion: 0.8 CFS

Date Filed: 07-29-2022

Place Of Use: FISH PROPAGATION

T12N R18E S35 NESE

Application for permit proposes diversion of up to 0.80 cfs from Lyon Creek for use at a fish screen / bypass located approximately 4.5 miles north and 5.1 miles east of Clayton. This application proposes the diversion and use of water from Lyon Creek, a tributary of the Salmon River, a Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for non-consumptive purposes.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the right(s), please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **October 3, 2022**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on September 15th & 22nd, 2022



RECEIVED

AUG 16 2022

DEPT OF WATER RESOURCES
SOUTHERN REGION

IDAHO DEPARTMENT OF FISH AND GAME

SALMON REGION
99 Highway 93 North
Salmon, Idaho 83467

Brad Little / Governor
Ed Schriever / Director

August 15, 2022

State of Idaho Department of Water Resources
ATTN: Jim Bitzenburg, Senior Water Resource Agent
650 Addison Ave W. Ste 500
Twin Falls, ID 83301

RE: Applications to Appropriate Water in the Upper Salmon River Basin 71-11010, 71-11011, 71-11012, 71-11013, 71-11014, 71-11015, 71-11017, 71-11018, 72-17012, 72-17013, 72-17014, 72-17015, 72-17016, 72-17017, 72-17018, 72-17019 – Fish Propagation (fish screens/fish bypass)

Dear Jim:

For additional information on how our proposal for the above mentioned Water Rights (WR) invokes any local public interest concerns for ESA species recovery, the Idaho Department of Fish and Game (IDFG) submits the following:

The IDFG Anadromous Fish Screen and Habitat Program has been an integral part of improving conditions to support recovery of ESA-listed fish species - Chinook salmon, steelhead, and bull trout in the Upper Salmon Basin. IDFG works collectively with the Upper Salmon River Basin Watershed Technical Team to coordinate and prioritize projects implemented in the basin.

Over the past 60 years, our program has installed over 281 fish screens to prevent ESA-listed fish species from being entrained in irrigation ditches. In order to safely return the fish from the fish screen back to the river or stream, from which they were diverted, a bypass flow is required.

The applications for WR's represents a non-consumptive use. Where the water is diverted at the headgate, travels a short distance downstream to the fish screen (usually less than 100 yards), and is then returned to the river or stream via a bypass pipe. The bypass pipe is designed to transfer the fish back to the river or stream. Without the critical bypass flow the fish would become stranded at the face of the fish screen and would not be reverted to the river. Fish screens and the bypass flows protect irrigators from illegal take of ESA-listed species and provide a benefit to the community by protecting and enhancing ESA-listed species populations for future generations.

If you have any questions or need additional assistance, please contact the Region's Easement Specialist, Mike Demick at 208-756-2271.

Sincerely,

Tom Curet
Regional Supervisor

tc: md

Keeping Idaho's Wildlife Heritage



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

August 10, 2022

STATE OF IDAHO
IDAHO FISH & GAME COMMISSION
PO BOX 25
BOISE ID 83707-0025

STATE OF IDAHO
DEPT OF FISH AND GAME
MIKE DEMICK
97 HIGHWAY 93 N
SALMON ID 83467-5292

RE: Applications to Appropriate Water in the Upper Salmon River Basin 71-11010, 71-11011, 71-11012, 71-11013, 71-11014, 71-11015, 71-11017, 71-11018, 72-17012, 72-17013, 72-17014, 72-17015, 72-17016, 72-17017, 72-17018, 72-17019 - Fish Propagation (fish screens/fish bypass)

Dear Water Right Applicant:

The Department of Water Resources' (IDWR) records show you filed an application to establish a new use of water in the upper Salmon River basin. Idaho Code § 42-203A(5) requires IDWR to determine whether each water right application satisfies all the criteria necessary for appropriating water in Idaho. One statutory criterion requires IDWR to determine the local public interest relative to the proposed water use. Idaho Code § 42-202B(3) defines the local public interest as "the interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource." The local public interest has many facets, including the effects of a proposed water use on aquatic habitat for fish and wildlife resources.

The upper Salmon River basin is home to stocks of chinook salmon, sockeye salmon, steelhead trout, and bull trout, all of which are listed as threatened or endangered under the Endangered Species Act (ESA). Since the early 1990s, local water users, conservation districts, and federal and state agencies have cooperated to implement conservation measures intended to protect and restore habitat for ESA-listed species in the upper Salmon River watershed. For example, at the request of local water users the Idaho Legislature directed the Idaho Water Resource Board (IWRB) to establish a minimum stream flow in the lower Lemhi River for fish passage. The minimum stream flow is maintained through a water supply bank and temporary or permanent acquisition of additional water supplies by willing buyers from willing sellers.

Pursuant to the Snake River Water Rights Agreement of 2004, Idaho has been developing a long term conservation plan for the benefit of ESA-listed species in the Lemhi River basin. Improving conditions in flow-limited river reaches and streams is a fundamental component of the Lemhi plan. In addition to IDWR, numerous state agencies, including the Office of Species Conservation, Idaho Department of Fish and Game, Idaho Department of Environmental Quality,

Idaho Soil and Water Conservation Commission, and Idaho Department of Lands, have committed and continue to commit significant resources toward this objective under the following programs:

- Columbia Basin Water Transactions Program
- National Marine Fisheries Service Pacific Coastal Salmon Recovery Fund
- U. S. Fish & Wildlife Service Aquatic Species Conservation Fund
- Salmon and Clearwater River Basins Habitat Fund
- 2008 Columbia Basin Fish Accords

A myriad of habitat restoration projects are being constructed/implemented in other parts of the upper Salmon River basin. These projects have been coordinated with the local communities and water users through the Upper Salmon River Basin Watershed Program and predecessor programs, including the model watersheds. Furthermore, the Snake River Water Rights Agreement of 2004 contemplates the development of additional conservation plans for other upper Salmon River basin watersheds. Accordingly, the Comprehensive State Water Plan revised by the IWRB contains policies for the Salmon River basin that focus on the protection and restoration of instream habitat for ESA-listed species through voluntary participation in conservation programs.

Because of the ESA-listed species recovery efforts in the upper Salmon River basin, IDWR must determine on a case-by-case basis whether it is in the local public interest to authorize proposed water uses that would further deplete flow-limited stream reaches.

Pursuant to Rule 40.04.c of the Water Appropriation Rules (IDAPA 37.03.08.040.04.c), the applicant has the ultimate burden of persuasion regarding the items that must be evaluated in connection with each water right application. Before proceeding further with your application, IDWR requests you submit additional information about how your proposal invokes any local public interest concerns for ESA species recovery.

Within 30 days, please submit any additional information you believe IDWR may need to evaluate and determine the local public interest in the water you propose to divert and use. If IDWR has not received a response from you within 30 days, IDWR will assume you have no comment regarding the local public interest, and processing of your application will resume with the information currently on file. Processing will include public notice and the potential for formal protests by other interested parties. Applications that are not in the local public interest will be denied. If you wish to withdraw your application before it is processed, please notify IDWR in writing.

If you have any questions, please call me at (208) 293-9909, or email me at james.bitzenburg@idwr.idaho.gov.

Sincerely,



Jim Bitzenburg
Water Rights Supervisor

Maline, Denise

From: Maline, Denise
Sent: Friday, July 29, 2022 3:55 PM
To: IdwrPayable
Cc: Skinner, Corey; Bitzenburg, James; George, Suzanne
Subject: Interagency billing for Dept of Fish & Game
Attachments: Cover letter requesting interagency billing process.pdf

Good afternoon,

The Dept of Fish & Game filed 16 new applications for permit and are requesting Interagency Billing process be initiated. I've attached the cover letter with the billing information. Rather than attach each application to this e-mail, I have scanned them into my P: folder (see below).

Please let me know if you need anything else from me.

PublicFolders (P:) > DMaline > Idaho Dept of Fish & Game - 16 New Apps. for Permit (7-29-2022)

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Thank you in advance,

Denise @ Southern

Denise Maline, Administrative Assistant I
Idaho Dept. of Water Resources
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



IDAHO DEPARTMENT OF FISH AND GAME

600 S Walnut / P.O. Box 25
Boise, Idaho 83707

Brad Little / Governor
Ed Schriever / Director

July 25, 2022

RECEIVED

JUL 29 2022

**DEPT OF WATER RESOURCES
SOUTHERN REGION**

Idaho Department of Water Resources
Southern Regional Office
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858

Dear IDWR:

Enclosed please find 16 "Application for Permit" forms for new water rights in Basin 71 & 72.

Please initiate the Interagency Billing Process for the \$250 application fee for each of these applications, using PCA 31804 and code CINX. Please send the billing documents to IDFG Headquarter's Office, Attention: Tom Bassista, P.O. Box 25, Boise ID 83707. Tom can also be reached at 208-287-2773 or Thomas.bassista@idfg.idaho.gov.

Please send copies of the approved permits to IDFG Salmon Region, Attention: Mike Demick, 97 Hwy 93 N, Salmon, ID 83467. Please call me if you have any questions at 208-756-6022.

Sincerely,

A handwritten signature in blue ink that reads "Mike Demick".

Mike Demick
Easement Specialist

Enclosed: Sixteen (16) "Application for Permit" forms

(Bypass WR for Fish Screens: S-22, SBaC-01, SBaC-03, SchaC-09, SChaC-11, SGaC-01, SEF-19, SGC-02/03, SGC-04, SLyC-01, SSmC-01, SVC GC-06/07, SVCSLC-01, SWC-01/02, SWmC-02/03, & SWmC-04)

Keeping Idaho's Wildlife Heritage