

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**  
To appropriate the public waters of the State of Idaho  
No. 74-16258

**1. Applicant(s)**

JENNIE SMITH  
156 LEMHI RD  
SALMON ID 83467-5140  
208-871-8583, jnrsm@yahoo.com

**2. Representative(s)**

ROGER SMITH (Representative)  
178 LEMHI RD  
SALMON ID 83467-5140  
208-871-8259, roger@smithadventure.com

- a.  
b.

**3. Source of Water Supply:**

Source : WASTE WATER

Tributary: LEMHI RIVER

**4. Location of Point(s) of Diversion:**

|                                  |                                                                                                                                      |
|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Heading                          | Point of Diversion # 1                                                                                                               |
| Source                           | WASTE WATER                                                                                                                          |
| Tributary of                     | LEMHI RIVER                                                                                                                          |
| Township                         | 21N                                                                                                                                  |
| Range                            | 22E                                                                                                                                  |
| Section                          | 9                                                                                                                                    |
| Govt. Lot                        |                                                                                                                                      |
| QQQ/QQ/Quarter                   | NE¼NE¼                                                                                                                               |
| County                           | LEMHI                                                                                                                                |
| Diversion Type                   |                                                                                                                                      |
| Local name or Tag#               |                                                                                                                                      |
| Type and size of devices         | Divert from existing ditch via existing headgate into other existing ditch to existing irrigation pump for groundwater right 74-434. |
| Height of storage dam            |                                                                                                                                      |
| Active/ Total Reservoir capacity |                                                                                                                                      |
| Dam Application required?        | No                                                                                                                                   |
| Proposed well diameter/ depth    |                                                                                                                                      |
| Water Temp > 85°F?               |                                                                                                                                      |
| Drilled Date                     |                                                                                                                                      |
| Drilling firm                    |                                                                                                                                      |
| Property Owner                   | Applicant                                                                                                                            |
| Access Arrangement Description   | N/A                                                                                                                                  |

**5. Water will be used for the following purposes:**

| Purposes   | Season         | Rate     | Volume | Description |
|------------|----------------|----------|--------|-------------|
| IRRIGATION | 3 /15 to 11/15 | 0.25 CFS |        |             |

**6. Total quantity to be appropriated is (a) 0.25 cubic feet per second (cfs) and/or (b) Not Stated acre-feet / year (af).**

**For Department Use**

Received by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ Preliminary check by MH  
Fee \$ 250 Receipted by SM Receipt No. T112495 Date 4/15/22

74-16258

**7. Proposed diverting works:**

a. If an existing well, who was the well drilled for? N/A

**8. Describe other proposed water uses : N/A****9. Description of place of use:**

**Place of Use:** IRRIGATION

| Twp | Rng | Sec | NE |    |    |    | NW |      |    |    | SW |    |    |    | SE |    |    |    | No QQ | Totals |
|-----|-----|-----|----|----|----|----|----|------|----|----|----|----|----|----|----|----|----|----|-------|--------|
|     |     |     | NE | NW | SW | SE | NE | NW   | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |       |        |
| 21N | 22E | 10  |    |    |    |    |    | 13.0 |    |    |    |    |    |    |    |    |    |    |       | 13.0   |

Total Acres: 13.0

**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?**  
74-434

**11.**

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

**12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.**

Divert seasonal irrigation surface waste water to existing ditches and pump to supply existing sprinkler irrigation system for 13 acres. (Current water right and source for existing system no longer provides sufficient water due to expansion of pivot irrigation on surrounding ranches.)

**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

Signature of Applicant

JENNIE SMITH

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT  
To appropriate the public waters of the State of Idaho  
No. 74-16258

1. Applicants

Jennie Smith  
156 Lemhi Rd  
Salmon, ID 83467  
(208) 871-8583  
jnsm@yahoo.com

2. Representatives

Roger Smith  
178 Lemhi Rd  
Salmon, ID 83467  
(208) 871-8259  
roger@smithadventure.com

Application submitted on behalf of one of the applicants

3. Source of Water Supply

Source : WASTE WATER tributary to LEMHI RIVER

4. Location of Point(s) of Diversion

| POD # | Source      | Tributary Of | Diversion Type | Township | Range | Section | Govt Lot | QQQ/Q/Q/Q | County |
|-------|-------------|--------------|----------------|----------|-------|---------|----------|-----------|--------|
| 0     | WASTE WATER | LEMHI RIVER  |                | 21N      | 22E   | 9       |          | /NE/NE    | LEMHI  |

5. Water will be used for the following purposes:

| Purposes   | Season        | Rate | Volume | Description |
|------------|---------------|------|--------|-------------|
| IRRIGATION | 3/15 to 11/15 | 0.25 | 0.00   |             |

6. Total quantity to be appropriated is (a) 0.25 cfs and/or 0 afa

7. Proposed Diverting Works:

POD No :0

Description: Divert from existing ditch via existing headgate into other existing ditch to existing irrigation pump for groundwater right 74-434.

8. Description of Place Of Use:

| IRRIGATION |       |         |    |    |        |                |
|------------|-------|---------|----|----|--------|----------------|
| Township   | Range | Section | QQ | Q  | County | Govt Lot Acres |
| 21N        | 22E   | 10      | NW | NW | LEMHI  | 13.00          |

9. 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.

Ground water right 74-434 is assigned to same place of use, however it no longer provides sufficient water due to surrounding ranches switching from surface irrigation to pivot irrigation systems. This resulted in lower available water level and flow at our spring.

10. Land Ownership

- Who owns the land to be irrigated or place of use? Applicant
- Who owns the land at the point of diversion? Applicant

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

Divert seasonal irrigation surface waste water to existing ditches and pump to supply existing sprinkler irrigation system for 13 acres.  
(Current water right and source for existing system no longer provides sufficient water due to expansion of pivot irrigation on surrounding ranches.)

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

RECEIVED

APR 15 2022

Department of Water Resources  
Eastern Region

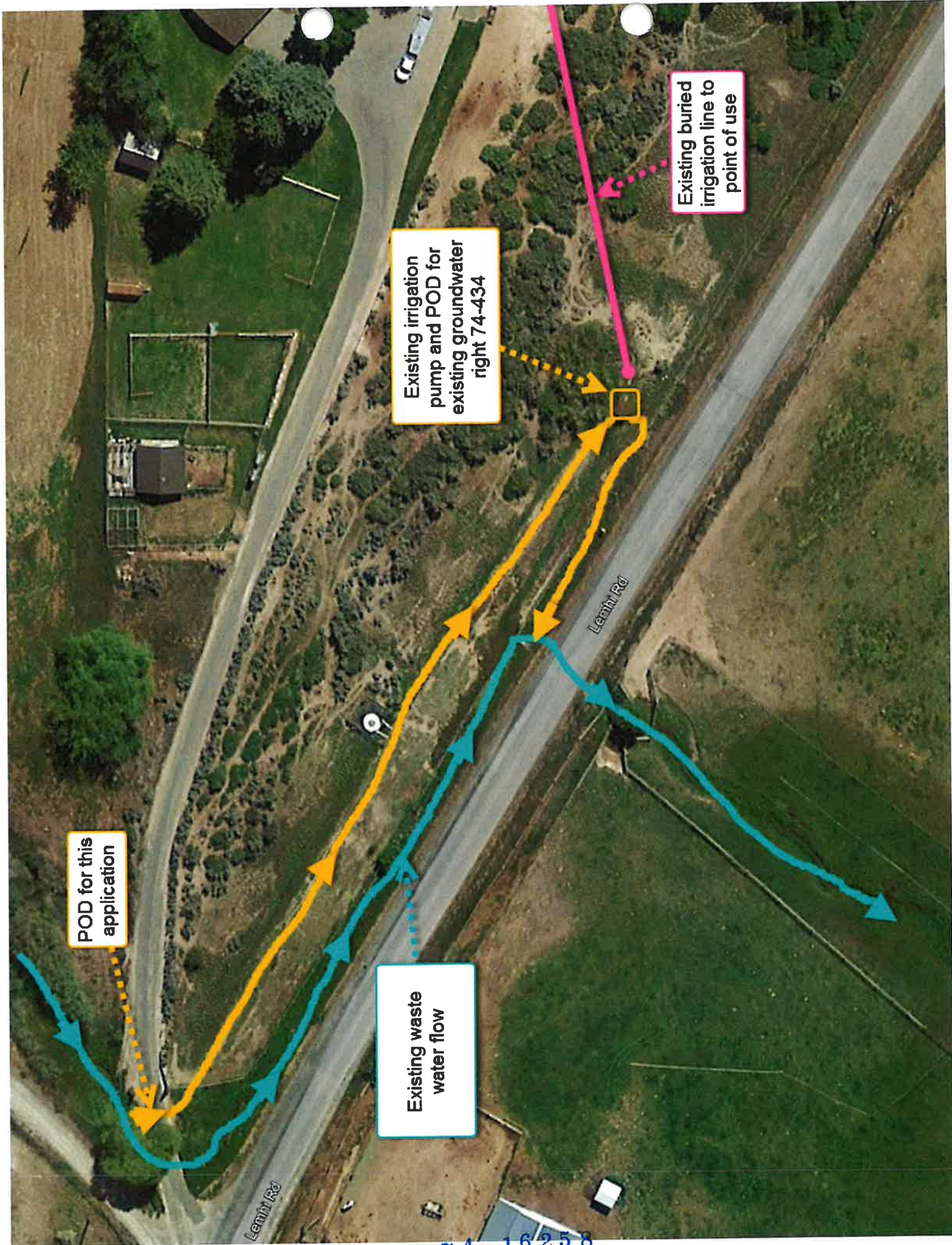
State of Idaho  
Department of Water Resources  
**Application For Permit**  
74-16258



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.0425 0.085 0.17 Miles





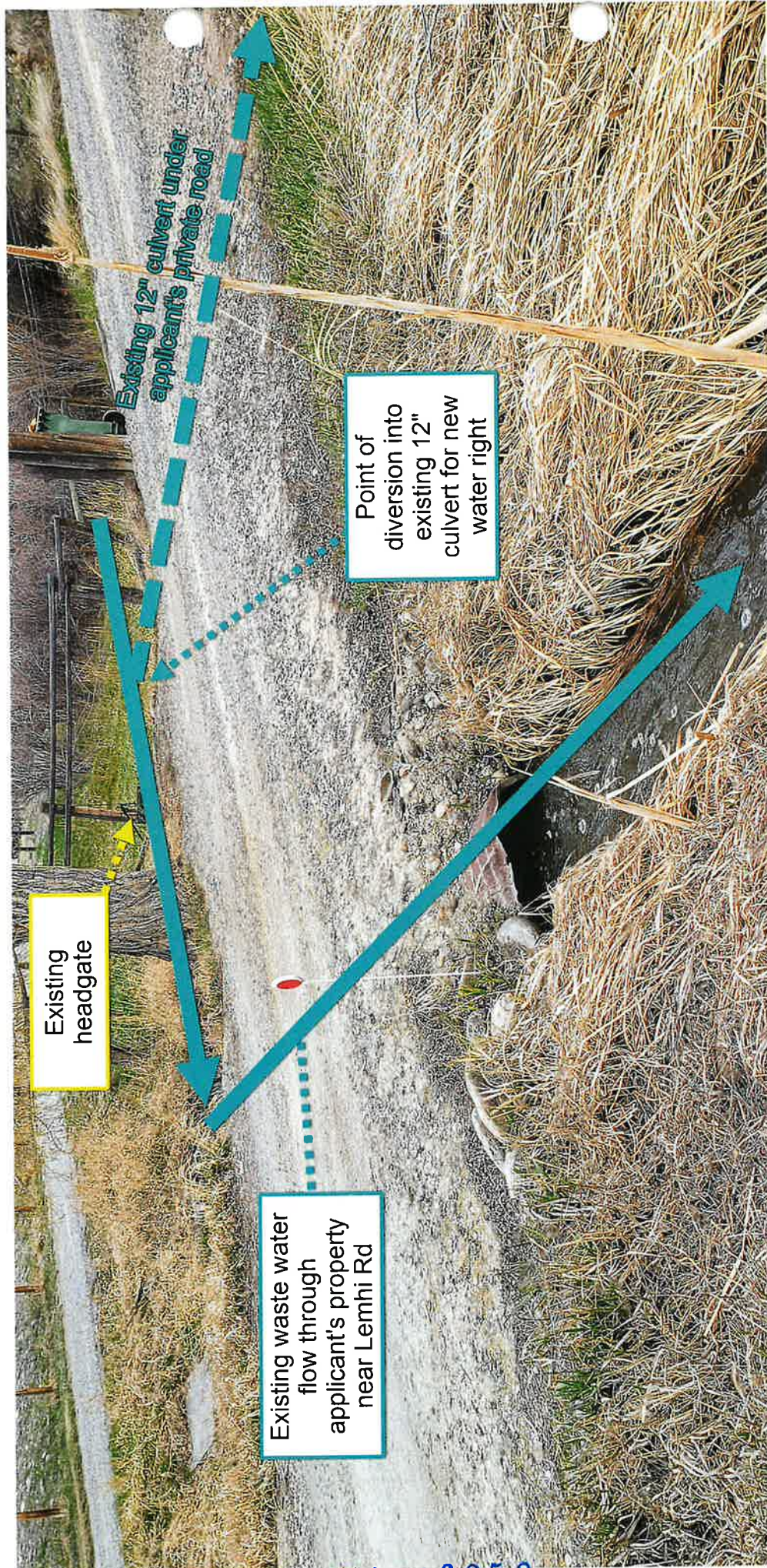
Existing irrigation pump and POD for existing groundwater right 74-434

Existing buried irrigation line to point of use

POD for this application

Existing waste water flow





Existing headgate

Point of diversion into existing 12" culvert for new water right

Existing waste water flow through applicant's property near Lemhi Rd

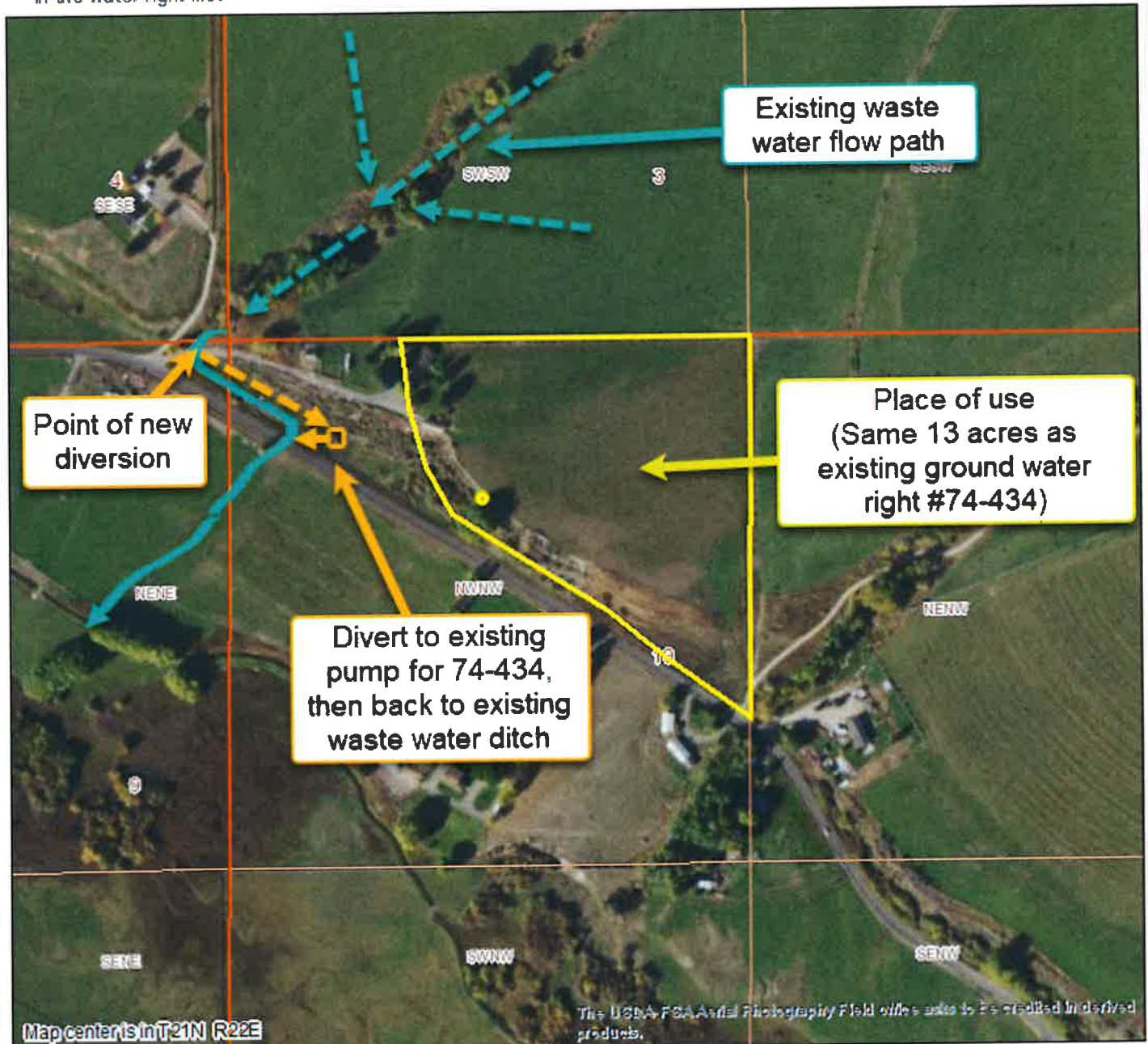
Existing 12" culvert under applicant's private road

State of Idaho  
Department of Water Resources  
**Water Right**

74-434

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 4/15/2022



**Legend**

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



74-16258

copy - Roger has original

Instrument # 312985 # Pages: 4  
LEMHI COUNTY, Idaho  
Aug 20, 2018 3:54:00 pm Fee: \$ 25.00  
For: ROBERT ALDRIDGE  
TERRI J. MORTON, Recorder  
HSMITH, Deputy

**ROBERT L. ALDRIDGE, CHARTERED**  
Attorney at Law  
1209 North Eighth Street  
Boise, Idaho 83702-4297  
Telephone: (208) 336-9880  
Fax: (208) 336-9882

## IDAHO STATUTORY FORM POWER OF ATTORNEY IMPORTANT INFORMATION

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). Your agent can make decisions and act with respect to your property (including your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in the act.

This power of attorney does not authorize the agent to make health-care decisions for you. You should select someone you trust to serve as your agent. The agent's authority will continue until your death unless you revoke the power of attorney or the agent resigns.

Your agent is entitled to reasonable compensation unless you state otherwise in the Special Instructions.

This form provides for designation of one agent. If you wish to name more than one agent you may name a coagent in the Special Instructions. Coagents are not required to act together unless you include that requirement in the Special Instructions.

If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent. You may also name a second successor agent.

This power of attorney becomes effective immediately unless you state otherwise in the Special Instructions.

**If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.**

### DESIGNATION OF AGENT

I, Jennie Howard Smith, the principal, 156 Lemhi Road, Salmon, Idaho 83467, name the following as my agent:

|                      |                                                 |
|----------------------|-------------------------------------------------|
| Name of Agent:       | Roger Rulon Smith                               |
| Agent's Address:     | 12610 West View Ridge Drive, Boise, Idaho 83709 |
| Agent's Cell Number: | (208) 871-8259                                  |

IDAHO STATUTORY FORM POWER OF ATTORNEY



PAGE 1

## DESIGNATION OF SUCCESSOR AGENTS

If my agent is unable or unwilling to act for me, I name as my successor agent:

Name of Successor Agent: Laurel Lee Smith  
Successor Agent's Address: 6160 South Basalt Trail Place, Boise, Idaho 83716  
Successor Agent's Cell Number: (208) 871-8581

If my successor agent is unable or unwilling to act for me, I name as my second successor agent:

Name of Second Successor Agent: Anita Coreen Smith  
Second Successor Agent's Address: 12610 West View Ridge Drive, Boise, Idaho 83709  
Second Successor Agent's Cell Number: (208) 412-1712

If my successor agent is unable or unwilling to act for me, I name as my third successor agent:

Name of Third Successor Agent: Mariah Ashley Smith  
Third Successor Agent's Address: 6160 South Basalt Trail Place, Boise, Idaho 83716  
Third Successor Agent's Cell Number: (208) 871-4006

## GRANT OF GENERAL AUTHORITY

I grant my agent and any successor agent general authority to act for me with respect to the following subjects as defined in the act: (INITIAL each subject you want to include in the agent's general authority. If you wish to grant general authority over all of the subjects you may initial "All Preceding Subjects" instead of initialing each subject.)

☐ Real Property  
☐ Tangible Personal Property  
☐ Stocks and Bonds  
☐ Commodities and Options  
☐ Banks and Other Financial Institutions  
☐ Operation of an Entity or Business  
☐ Insurance and Annuities  
☐ Estates, Trusts, and Other Beneficial Interests  
☐ Claims and Litigation  
☐ Personal and Family Maintenance  
☐ Benefits from Governmental Programs or Civil or Military Service  
☐ Retirement Plans  
☐ Taxes  
☒ All Preceding Subjects

## GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

My agent MAY NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below: (CAUTION: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. INITIAL ONLY the specific authority you WANT to give your agent.)

*JS*

Make a gift, subject to the limitations of the act and any special instructions in this power of attorney

Create or change rights of survivorship

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Authorize another person to exercise the authority granted under this power of attorney

Exercise fiduciary powers that the principal has authority to delegate

An agent that is not my ancestor, spouse, or descendant MAY NOT use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

**DIGITAL ASSETS, ETC.** My agent shall have the power to access, use, control, and assume the ownership rights of my digital or electronic devices, including, but not limited to, desktop, laptop, tablet, or other types of computers and their peripheral equipment, storage devices, mobile telephones, "smart" phones, personal digital assistants, electronic books, electronic watches, electronic body and activity monitoring equipment, cameras, audio and video recorders, and any similar digital or electronic devices, which I, alone or with others, own or lease. My agent shall have the power to access, manage, modify, deactivate, delete, control, sell or transfer any digital assets, electronically stored information, and/or electronic communications owned by me, alone or with others, including, but not limited to, e-mail accounts, short message and text accounts, records of electronic communications, digital music, digital photographs, digital video, digital voice and voicemail, video games and virtual "worlds" or fantasy accounts created by any such games or other programs, "apps", accounts, networking websites, blogs, file sharing accounts, financial accounts, domain registrations, names, or DNS service accounts, online accounts at stores or other organizations and entities, social media, membership or patronage accounts with all inherent rights and benefits, and other online accounts or rights, which either currently exist or may exist at any time. My agent may obtain copies of any such digital information and may authorize others to have access to such digital information. My agent may employ agents or advisors to assist in collecting such electronic data, including, but not limited to, accessing such accounts, resetting passwords, or other authenticating protocols, either decrypting or encrypting digital information, and dealing with such information in furtherance of the administration of my affairs. The powers granted to my agent by this paragraph shall be broadly construed and shall not be limited or restricted by any web or electronic service provider. My agent shall have the authority to protect or enhance my, or any other person's, privacy by directing that any stored information owned or created by me, alone or with others, about any of my past activities, or of any other person, on the internet, or all other forms of electronic activities, or about me, or any other person, be deleted and that any links to or search results about me, or any other person, and such information be deleted or otherwise deactivated. My agent shall have all the rights, authorities, and privileges that I have with regard

JS

to any such digital assets. This authorization is to be construed to be my lawful consent under the Electronic Communications Privacy Act of 1986, as amended, the Computer Fraud and Abuse Act of 1986, as amended, the Revised Uniform Fiduciary Access to Digital Assets Act under Idaho Code §§15-14-101 et seq., as amended, and any other applicable federal or state data privacy law or criminal law.

#### EFFECTIVE DATE

This power of attorney is effective immediately unless I have stated otherwise in the Special Instructions.

#### RELIANCE ON THIS POWER OF ATTORNEY

Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person knows it is terminated or invalid.

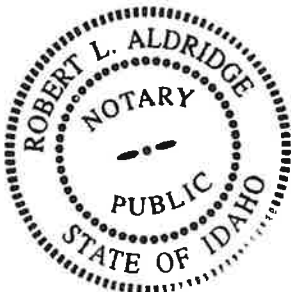
#### SIGNATURE AND ACKNOWLEDGMENT

Your signature: Jennie Howard Smith  
Date: August 16, 2018  
Your name printed: Jennie Howard Smith  
Your address: 156 Lemhi Road, Salmon, Idaho 83467  
Your phone number: (208) 871-8583

STATE OF IDAHO     )  
                              )  
County of Ada     )     ss.

On this August 16, 2018, before me, Robert L. Aldridge, a Notary Public in and for said State, personally appeared Jennie Howard Smith, personally known to me, or identified to me, or proved to me on the basis of satisfactory evidence, to be the person whose name is attached to the within instrument and acknowledged to me that said person executed the same.

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



[Signature]  
Notary Public for Idaho  
Residing at Meridian, Idaho  
My commission expires on 07-01-2024

JS



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: [easterninfo@idwr.idaho.gov](mailto:easterninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Gary Spackman**

July 13, 2022

JENNIE SMITH  
156 LEMHI RD  
SALMON, ID 83467-5140

RE: Application for Permit No. 74-16258

Dear Applicant:

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 RECORDER HERALD on 7/21/2022 and 7/28/2022. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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,

Christina Henman  
Administrative Assistant

CC:  
ROGER SMITH  
178 LEMHI RD  
SALMON, ID 83467-5140



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: [easterninfo@idwr.idaho.gov](mailto:easterninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Gary Spackman

July 13, 2022

JENNIE SMITH  
156 LEMHI RD  
SALMON, ID 83467-5140

RE: Application for Permit No. 74-16258

Dear Applicant:

The Idaho Department of Water Resources (IDWR) has received your 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 total 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 resources.” 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. Improving condition 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 the 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 another 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.

Sincerely,



Christina Henman  
Administrative Assistant

## Henman, Christina

---

**From:** Henman, Christina  
**Sent:** Wednesday, July 13, 2022 3:18 PM  
**To:** rhlegals@custertel.net  
**Subject:** Legal Notice for Recorder Herald  
**Attachments:** 74-16258, 75-15050, 86483 Recorder Herald.docx

LEGAL NOTICE DEPARTMENT  
RECORDER HERALD  
PO BOX 310  
SALMON, ID 83467

RE: Application for Permit No. 74-16258, 75-15050, 86483

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 8/8/2022. Your cooperation is appreciated.

Thank You,



**Christina Henman**  
Administrative Assistant  
IDWR, Eastern Region  
900 N Skyline Ste. A  
Idaho Falls, ID 83402  
Phone: (208) 525-7161

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

**74-16258**

**JENNIE SMITH, 156 LEMHI RD, SALMON, ID 83467-5140**

Point of Diversion NENE S9 T21N R22E LEMHI County

Source WASTE WATER Tributary LEMHI RIVER

Use: IRRIGATION

3 /15 to 11/15

0.25 CFS

Total Diversion:

0.25 CFS

Date Filed: 04-15-2022

Place Of Use: IRRIGATION

T21N R22E S10

NWNW

Total Acres: 13

This application proposes the diversion and use of water from Waste Water tributary to 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 the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

**75-15050**

**AKSLAND FAMILY 2020 REVOCABLE TRUST, PO BOX 714, MANTECA, CA 95336-1132**

Point of Diversion L9( SWSW) S1 T19N R21E LEMHI County

Source SALMON RIVER Tributary SNAKE RIVER

Use: IRRIGATION

04/01 to 10/31

0.19 CFS

Total Diversion:

0.19 CFS

Date Filed: 06-30-2022

Place Of Use: IRRIGATION

T19N R21E S1

L9(NWSW),L9(SWSW)

Total Acres: 9.5

This application proposes the diversion and use of water from 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 the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Eastern office at (208)525-7161; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. 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, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 8/8/2022. The protestant must also send a copy of the protest to the applicant.

#### **NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

**TRANSFER NO. 86483**

**BRADY DOWDING, 2455 DIANE LN, POCATELLO, ID 83201-1906** has filed Application No. 86483 for changes to the following water rights within LEMHI County(s): Right No(s): 75-14566, 75-14568, 75-2149G, 75-4033G; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion for all 4 rights, and change place of use for 2 rights. The proposed point of diversion is in SWNW Sec 36 T20N R21E for 0.46 cfs from Lake Creek and Salmon River. The proposed place of use for rights 75-4033G and 75-2149G is in Lot 5 (SWNW), SWNW, and Lot 4 (SENW) Sec 36 T20N R21E for 10.7 acres.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 8/8/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/21/2022 and 7/28/2022