

Preview Permit

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho
No. 75-15024

RECEIVED
AUG 05 2021
Department of Water Resources
Eastern Region

1. Applicants

Judy Justice
2070 E Geronimo St
Chandler, AZ 85225
4802276391

Jerry Justice
2070 E Geronimo St
Chandler, AZ 85225
4802276855

2. Representatives

Submitter is one of the applicants

3. Source of Water Supply

Source : GROUND WATER

4. Location of Point(s) of Diversion

POD #	Source	Tributary Of	Township	Range	Section	Govt Lot	QQQ/QQ/Q	County	Div Type	Tag #	Height of Dam	Active/Total Cap	Dam App Required	Prop Well diameter/depth	Water Temp>85	Drilled Date	Drilling Firm	Property Owner	Access Arrangement
0	GROUND WATER		25N	21E	14		/SW/NW	LEMHI		0078118				0.00	False	9/16/2018	AK Drilling	Applicant	

5. Water will be used for the following purposes:

Purposes	Season	Rate	Volume	Description
DOMESTIC	01/01 to 12/31	0.03 cfs	0.00 afa	Household usage, house perimeter watering, garden, stock tank.

6. Total quantity to be appropriated is (a) 0.03 cfs and/or 0 afa

7. Proposed Diverting Works:

a. If an existing well, who was the well drilled for? Drilling permit No.
Original Owner : Judy Justice Driller Permit No : 887056

8. Describe other proposed water uses :

9. Description of Place Of Use:

DOMESTIC								
Township	Range	Section	QQ	Q	County	Govt Lot	Acres	
25N	21E	15	SE	NE	LEMHI		0.20	
25N	21E	14	SW	NW	LEMHI		2.10	

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.

None

11. Land Ownership

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

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

Well and pump are functional. House construction completion estimated for fall 2022

14. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum is 1 year).

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho
No. 75-15024

1. Applicant(s)

JUDY JUSTICE
2070 E GERONIMO ST
CHANDLER AZ 85225-2387
480-227-6391

JERRY JUSTICE
2070 E GERONIMO ST
CHANDLER AZ 85225-2387
480-227-6855, JAJUSTICE81@GMAIL.COM

2. Representative(s) N/A**3. Source of Water Supply:**

Source : GROUND WATER

4. Location of Point(s) of Diversion:

Heading	Point of Diversion # 1
Source	GROUND WATER
Tributary of	
Township	25N
Range	21E
Section	14
Govt. Lot	
QQQ/QQ/Quarter	SW¼NW¼
County	LEMHI
Diversion Type	
Local name or Tag#	0078118
Type and size of devices	WELL tag 0078118, 6 gal/min, pump submersible Grundfos Model 7S15-26
Height of storage dam	
Active/ Total Reservoir capacity	
Dam Application required?	No
Proposed well diameter/ depth	6 inches / 500 feet
Water Temp > 85°F?	No
Drilled Date	9/16/2018 12:00:00 AM
Drilling firm	AK Drilling
Property Owner	Applicant
Access Arrangement Description	N/A

5. Water will be used for the following purposes:

Purposes	Season	Rate	Volume	Description
DOMESTIC	1 /1 to 12/31	0.03 CFS		1 Home(s)

6. Total quantity to be appropriated is (a) 0.03 cubic feet per second (cfs) and/or (b) Not Stated acre-feet / year (af).

7. Proposed diverting works:

a. If an existing well, who was the well drilled for? Judy Justice Drilling Permit No. 887066

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

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ _____ Receipted by _____ Receipt No. **75-15024** Date _____

Place of Use: DOMESTIC

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		
25N	21E	14							X											
25N	21E	15				X														

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?
None. Household usage, house perimeter watering, garden, stock tank.

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.
Well and pump are functional. House construction completion estimated for fall 2022

13. Time required for completion of works and application of water to proposed beneficial use is 2 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

JUDY JUSTICE

JERRY JUSTICE

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/2/2021

Water Application 75-15024

Owner Type **Name and Address**
Current Owner JUDY JUSTICE
2070 E GERONIMO ST
CHANDLER, AZ 85225-2387
(480) 227-6391

Current Owner JERRY JUSTICE
2070 E GERONIMO ST
CHANDLER, AZ 85225-2387
(480) 227-6855

Priority Date: 8/5/2021

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1 /1	12/31	0.030 CFS	
	<u>Total Diversion</u>		0.030 CFS	

Source and Point(s) of Diversion

GROUND WATER SWNW Sec. 14, Twp 25N, Rge 21E, LEMHI County

Place Of Use

DOMESTIC within LEMHI County

T25N R21E S14 SWNW
T25N R21E S15 SENE

Comments:

1. Applicant 8/26/2021 Water Use Description
DOMESTIC: Household usage, house perimeter watering, garden, stock tank.
2. Applicant 8/26/2021 POD Ownership
POD Ownership : Owned by Applicant
3. Applicant 8/26/2021 Existing Well Information
Metal Tag No: 0078118 Drilling Permit ID : 887066 Drilled For Judy Justice
4. Applicant 8/26/2021 Submitter Information
Submitter is one of the applicants

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/2/2021

Dates and Other Information

Application Received Date: 8/5/2021

Number of Protests: 0

Application Type: New Appropriation

Applicant Remarks: Well and pump are functional. House construction completion estimated for fall 2022

Time to Complete works: 2

Mitigation Plan: False

Combined Use Limits

N/A

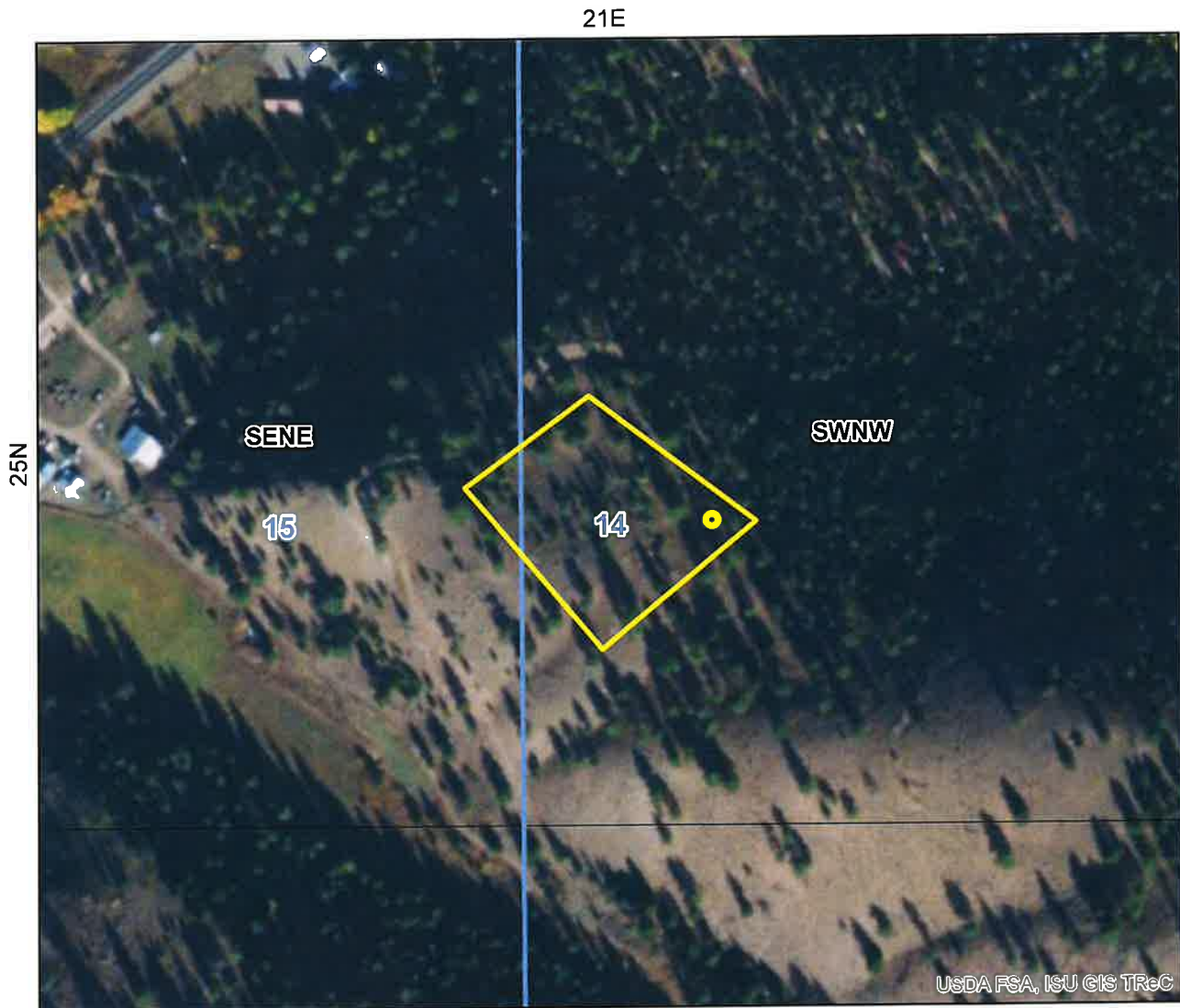
SubCase:

N/A

Water Supply Bank:

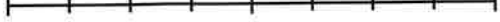
N/A

State of Idaho
Department of Water Resources
Application For Permit
75-15024



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

0 0.035 0.07 0.14 Miles





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 • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 8, 2021

JUDY & JERRY JUSTICE
2070 E GERONIMO ST
CHANDLER, AZ 85225

RE: Application for Permit No. 75-15024

Dear Applicants:

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 9/16/2021 and 9/23/2021. 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



IDAHO DEPARTMENT OF
WATER RESOURCES

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

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Governor Brad Little

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September 8, 2021

JUDY & JERRY JUSTICE
2070 E GERONIMO ST
CHANDLER, AZ 85225

RE: Application for Permit 75-15024

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, September 8, 2021 3:04 PM
To: 'rhlegals@custertel.net'
Subject: Legal Notice for Recorder Herald
Attachments: 75-15024, 85090 Recorder Herald.docx

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

RE: Application Nos. 75-15024, 85090

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 10/4/2021. 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:

75-15024

JUDY AND JERRY JUSTICE

2070 E GERONIMO ST

CHANDLER, AZ 85225

Point of Diversion SWNW S14 T25N R21E LEMHI County

Source GROUND WATER Tributary

Use: DOMESTIC

1 /1 to 12/31

0.03 CFS

Total Diversion:

0.03 CFS

Date Filed: 08-05-2021

Place Of Use: DOMESTIC

T25N R21E S14

SWNW

Place Of Use: DOMESTIC

T25N R21E S15

SENE

This application proposes the diversion and use of water from ground 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 it is for domestic purposes.

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 10/4/2021. The protestant must also send a copy of the protest to the applicant.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 85090

TWJ PROPERTIES LLP, PO BOX 1005, SALMON, ID 83467-1005 has filed Application No. 85090 for changes to the following water rights within LEMHI County(s): Right No(s). 75-14870, 75-14871, 75-14901, 75-14902; 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. The proposed point of diversion is a pump in the Salmon River located in Lot 4 (SENW) Sec 36 T20N R21E for a total of 0.51 cfs. The source for 0.25 cfs is Lake Creek and the source for 0.26 cfs is the Salmon River.

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 10/4/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/16/2021 and 9/23/2021