



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](http://idwr.idaho.gov) • Email: [idwrinfo@idwr.idaho.gov](mailto:idwrinfo@idwr.idaho.gov)

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

September 10, 2019

CHRISTOPHER STENLUND  
AMY STENLUND  
1009 BRYAN AVE  
SALMON ID 83467

**RE: Application for Permit No. 75-14951- Additional Information Required**

Dear Applicant:

On June 28, 2019, the Department received an Application for Permit from you proposing to divert water from Little Fourth of July Creek for domestic use. Some additional information is required to insure the diversion of water proposed on the application will not injure senior water rights on the creek.

Please submit information showing that there is a sufficient supply of water in Little Fourth of July Creek and that the proposed diversion of 0.04 cfs will not injure other senior users on Little Fourth of July Creek.

Water appropriation rule IDAPA 37.03.08.040.05 (enclosed) describes the additional information requirements for an application for permit to appropriate water in the State of Idaho. Information specific to the flowing requirements must be submitted:

- Section 40.05.c.i and iii
- Section 40.04.d.i and ii

We are holding your application for 30 days to allow you to submit the additional information. If the requested information is not received within 30 days, the Department will take action to void your application. You may seek additional time to provide the information required by making a formal request in writing.

IDWR rules, forms and other general information is available on the internet at [www.idwr.gov](http://www.idwr.gov). If you have any questions concerning this letter please contact me at (208)-287-4913.

Sincerely,

Alex Dagleish  
Water Resource Agent

Cc: Robert & Cindy Hallen, Arne Vetrhus, Daniel and Nicole Schuler

**Water Appropriation Rules 40.05.c through 40.05.h**

**c. Information relative to the effect on existing water rights, Section 42-203A(5)(a), Idaho Code, shall be submitted as follows:**

i. For applications appropriating springs or surface streams with five (5) or fewer existing users, either the identification number, or the name and address of the user, and the location of the point of diversion and nature of use for each existing water right shall be submitted.

ii. For applications appropriating groundwater, a plat shall be submitted locating the proposed well relative to all existing wells and springs and permitted wells within a one-half mile radius of the proposed well.

iii. Information shall be submitted concerning any design, construction, or operation techniques which will be employed to eliminate or reduce the impact on other water rights.

**d. Information relative to sufficiency of water supply, Section 42-203A(5)(b), Idaho Code, shall be submitted as follows:**

i. Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year.

ii. Information shall be submitted on the quantity of water available from the source applied for, including, but not limited to, information concerning flow rates for surface water sources available during periods of peak and average project water demand, information concerning the properties of the aquifers that water is to be taken from for groundwater sources, and information on other sources of supply that may be used to supplement the applied for water source.

**e. Information relative to good faith, delay, or speculative purposes of the applicant, Section 42-203A(5)(c), Idaho Code, shall be submitted as follows:**

i. The applicant shall submit copies of deeds, leases, easements or applications for rights-of-way from federal or state agencies documenting a possessory interest in the lands necessary for all project facilities and the place of use or if such interest can be obtained by eminent domain proceedings the applicant must show that appropriate actions are being taken to obtain the interest. Applicants for hydropower uses shall also submit information required to demonstrate compliance with Sections 42-205 and 42-206, Idaho Code.

ii. The applicant shall submit copies of applications for other needed permits, licenses and approvals, and must keep the department apprised of the status of the applications and any subsequent approvals or denials.

**f. Information Relative to Financial Resources, Section 42-203A(5)(d), Idaho Code, shall be submitted as follows:**

i. The applicant shall submit a current financial statement certified to show the accuracy of the information contained therein, or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the beneficial use proposed.

ii. The applicant shall submit plans and specifications along with estimated construction costs for the project works. The plans shall be definite enough to allow for determination of project impacts and implications.

**g. Information Relative to Conflict with the Local Public Interest, Section 42-203A(5)(e), Idaho Code, shall be submitted as follows:**

The applicant shall seek comment and shall submit all letters of comment on the effects of the construction and operation of the proposed project from the governing body of the city and/or county and tribal reservation within which the point of diversion and place of use are located, the Idaho Department of Fish and Game, the Idaho Department of Environmental Quality, and any irrigation district or canal company within which the proposed project is located and from other entities as determined by the director.