

AMENDED

FORM 202 Rev. 09/16

RECEIVED**OCT 21 2020**

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

Ident. No. 75-14970**DEPARTMENT OF
WATER RESOURCES**

1. Name of applicant(s) Murray Family Trust Phone 208-756-1966
Name connector (check one): ☐ and ☐ or ☐ and/or City _____
Mailing address PO Box 916 Email plpkatana@earthlink.net
State ID _____ ZIP 83467 Phone cell (909)-732-4348
2. Name of representative, if any John Murray City _____
Mailing address PO Box 916 Email bajajohn@earthlink.net
State ID _____ ZIP 83467
- 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 Tower Creek and Groundwater which is a tributary of Salmon River and sinks

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
23N	22E	17			NW	NE	Lemhi	Tower Creek	
23N	22E	17			SE	NW	Lemhi	Groundwater	

5. Water will be used for the following purposes:

Amount 0.01 for irrigation purposes from 4/01 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount 0.04 for diversion to storage purposes from 4/01 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount 2.5 for Irrigation Storage purposes from 1/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount 2.5 for Fire protection storage purposes from 4/01 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount 2.5 for irrigation from storage purposes from 4/01 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)

6. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) 2.5 acre-feet per year (af).

7. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. Existing ditch to excavated pond, pumps in pond to sprinklers and fire hoses.
- b. Height of storage dam N/A feet; active reservoir capacity 1 acre-feet; total reservoir capacity 1 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 _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____;
well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ _____ Received by _____ Receipt No. _____ Date _____

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

- Hydropower; show total feet of head and proposed capacity in kW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; must complete and attach the Municipal Water Right Application Checklist.
- Domestic; show number of households _____
- Other; describe fully. pond for fire protection

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	
23N	22E	17								0.5									0.5
23N	22E	17								F	fire	protection	and	irrigation	storage				
23N	22E	17								0.5	irrigation	from	storage						

Total number of acres to be irrigated: 0.5

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? domestic well, not used for irrigation. This right will be used to irrigate lawn and trees. NOTE: other water rights from Tower Creek in the QQ use a separate diversion on the opposite side of the creek.

- Who owns the property at the point of diversion? Randall Call
- 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: written consent of property owner

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Existing ditch is not in use at this time. Pond will be excavated and bermed to approx 1/4 acre surface area by 4 feet deep for total volume of 1 AF. Pond will overflow back to Tower Ck. Refill is requested to cover evaporative losses and full volume for irrigation. Pond is expected to intercept shallow ground water and so no seepage loss is anticipated.

13. Time required for completion of works and application of water to proposed beneficial use is 5 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.

John S. Murray
Signature of Applicant
John S. Murray
Print Name (and title, if applicable)

Petice L. Murray
Signature of Applicant
Petice L. Murray
Print Name (and title, if applicable)

AMENDED
10/5/2020

RECEIVED

OCT 05 2020

DEPARTMENT OF
WATER RESOURCES

FORM 202 Rev. 09/16

STATE OF IDAHO

Ident No. 75-14970

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

AMENDED

1. Name of applicant(s) Murray Family Trust Phone 208-756-1966
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address PO Box 916 City Salmon
State ID _____ ZIP 83467 Email plpkatana@earthlink.net

2. Name of representative, if any John Murray Phone 208-756-1966 cell #
Mailing address PO Box 916 City Salmon 909 732 4242
State ID _____ ZIP 83467 Email bajajohn@earthlink.net

- 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 Tower Creek which is a tributary of Salmon River

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	%	%	%	County	Source	Local name or tag #
23N	22E	17			NW	NE	Lemhi	Tower Creek	
23N	22E	17			SE	NW	Lemhi	PLUS POSSIBLE GROUND WATER	

5. Water will be used for the following purposes:

Amount 0.01 for irrigation purposes from 4/01 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)
Amount 0.04 for diversion to storage purposes from 4/01 to 10/31 (both dates inclusive)
(cfs or acre-feet per year) irrigation storage
Amount 2.5 for Fire protection storage purposes from 1/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
Amount 2.5 for Irrigation from Storage purposes from 4/01 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)

6. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) 4.2 acre-feet per year (af).
2.8

7. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. Existing ditch to excavated pond, pumps in pond to sprinklers and fire hoses.
b. Height of storage dam N/A feet; active reservoir capacity 1 acre-feet; total reservoir capacity 1 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 _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
e. If well is already drilled, when? _____; drilling firm _____;
well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ _____ Receipted by _____ Receipt No. _____ Date _____

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- 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	
23N	22E	17								0.5									0.5
23N	22E	17								F	fire protection and ir storage								
23N	22E	17								0.5	irrigation from storage								

Total number of acres to be irrigated: 0.5

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? domestic well, not used for irrigation. This right will be used to irrigate lawn and trees. NOTE: other water rights from Tower Creek in the QQ use a separate diversion on the opposite side of the creek.

- Who owns the property at the point of diversion? Randall Call
- 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: written consent of property owner

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Existing ditch is not in use at this time. Pond will be excavated and bermed to approx 1/4 acre surface area by 4 feet deep for a total volume of 1 AF. Pond will overflow back to Tower Ck. Refill is requested to cover evaporative losses and full volume for irrigation. Pond is expected to intercept shallow ground water and so no seepage loss is anticipated.

13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8 1/2" 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.

John S. Murray
 Signature of Applicant
JOHN S. MURRAY
 Print Name (and title, if applicable)
 Cell # 909-732-4348

Patrice L. Murray
 Signature of Applicant
Patrice L. Murray
 Print Name (and title, if applicable)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

October 30, 2020

MURRAY FAMILY TRUST
C/O JOHN MURRAY
PO BOX 916
SALMON, ID 83467-0916

RE: Application for Permit No. 75-14970

Dear Applicant(s):

The Department of Water Resources has received your amended 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 11/5/2020 and 11/12/2020. 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,

A handwritten signature in cursive script that reads "Amanda Veibell".

Amanda Veibell
Technical Records Specialist

Legal Notice Department

Recorder Herald
PO Box 310
Salmon ID 83467

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notices which we wish to have published in your newspaper 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, PO Box 83720, Boise, Idaho, 83720-0098 before November 23, 2020. Your cooperation is appreciated.

Sincerely

Amanda Johnson-Veibell
Technical Records Specialist I
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4945
Amanda.veibell@idwr.idaho.gov

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

75-14970

MURRAY FAMILY TRUST

C/O JOHN MURRAY

PO BOX 916

SALMON, ID 83467-0916

Point of Diversion SENW S17 T23N R22E LEMHI County

Source GROUND WATER

Point of Diversion NWE S17 T23N R22E LEMHI County

Source TOWER CREEK Tributary SALMON RIVER

Use: IRRIGATION

04/01 to 10/31

0.01 CFS

Use: IRRIGATION STORAGE

04/01 to 10/31

2.5 AF

Use: IRRIGATION FROM STORAGE

04/01 to 10/31

2.5 AF

Use: DIVERSION TO STORAGE

04/01 to 10/31

0.04 CFS

Use: FIRE PROTECTION STORAGE

01/01 to 12/31

2.5 AF

Total Diversion:

0.04 CFS

Date Filed: 10-15-2019

Place Of Use: FIRE PROTECTION STORAGE,IRRIGATION,IRRIGATION FROM STORAGE,IRRIGATION
STORAGE

T23N R22E S17 SENW

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

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State Office at 208-287-4800; 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, STATE OFFICE PO BOX 83720, BOISE IDAHO 83720-0098 together with a protest fee of \$25.00 for each application on or before 11/23/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/5/2020 and 11/12/2020

Veibell, Amanda

From: Veibell, Amanda
Sent: Friday, October 30, 2020 9:39 AM
To: 'rhlegals@custertel.net'
Subject: Legal Notice for your Paper
Attachments: Recorder Herald.pdf

Legal Notice Department

Recorder Herald
PO Box 310
Salmon ID 83467

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notices which we wish to have published in your newspaper 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, PO Box 83720, Boise, Idaho, 83720-0098 before November 23, 2020. Your cooperation is appreciated.

Sincerely

Amanda Johnson-Veibell

Technical Records Specialist I
Idaho Dept Water Resources
PO Box 83720 Boise ID 83720-0098
208-287-4945



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

October 30, 2020

STATE OF IDAHO
DEPT OF ENVIRONMENTAL QUALITY
900 N SKYLINE DR STE B
IDAHO FALLS, ID 83402

RE: Application for Permit No. 75-14970

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization 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>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

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

Sincerely,

Amanda Johnson-Veibell
Technical Records Specialist 1

Enclosure(s)



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

October 30, 2020

RANDALL CALL
105 OLD STATE RD
SALMON, ID 83467

RE: Amended Application for Permit 75-14970

Dear Interested Party:

The Department of Water Resources is notifying you of an application for transfer that may be of interest to you. A full description concerning property location may be found at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

You are receiving this notice because the point of diversion is located on your property.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25 protest fee for each application protested must be received by November 23, 2020.

Please contact this office at (208) 287-4800 if you have any questions regarding the application.

Sincerely,

A handwritten signature in black ink that reads "Amanda Johnson-Veibell". The signature is written in a cursive, flowing style.

Amanda Johnson-Veibell
Technical Records Specialist II

Enclosure(s)

Veibell, Amanda

From: Veibell, Amanda
Sent: Friday, October 30, 2020 9:32 AM
To: Golden, Kala; Clark, Cynthia Bridge; Cassel, Amy; Yenter, Cindy
Subject: Application for Permit of 75-14970

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced amended water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

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

Amanda Johnson-Veibell

Technical Records Specialist I
Idaho Dept Water Resources
PO Box 83720 Boise ID 83720-0098
208-287-4945

Veibell, Amanda

From: Veibell, Amanda
Sent: Friday, October 30, 2020 9:29 AM
To: 'jeff.richards@idfg.idaho.gov'
Subject: Application for Permit of 75-14970

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced amended water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

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

Amanda Johnson-Veibell

Technical Records Specialist I
Idaho Dept Water Resources
PO Box 83720 Boise ID 83720-0098
208-287-4945

MEMORANDUM

Date: October 22, 2020
To: WR No. 75-14970
From: Alex Dalgleish
Re: Application Review

Applicant

On 10/15/19 the Department received an application for permit in the name of Murray Family Trust. The application was signed by John S. and Patrice L. Murray. A certificate of trust existence and authority was included with the application authorizing John and Patrice as trustees of the Murray Family Trust. The application also lists John Murray as a representative with the authority to sign on behalf of the trust.

The application included several maps with one representing the places of use (POU's) and point of diversion (POD). This map had two areas labeled "POU irrigation". This was confusing since the application did not list any irrigation use. A letter requesting clarification was sent to John Murray on 10/22/19.

After sending the clarification letter, I completed an estimated pond loss calculation for the storage uses. From the calculations, the proposed pond had an estimated seepage of 18.2 AF. So on 10/25/19, I called Patrice Murray and suggested that the application be amended increased storage volume from 2.0 Af to 20 Af. I also recommended that the amended application include a domestic *from* storage use. The applicants met with Cindy Yenter at the Salmon office and submitted the amended application on 10/28/19. Cindy scanned and emailed the application to me the same day and the priority date was advanced to 10/28/19, as the application was considered complete.

The amended application was advertised on 12/5/19 and 12/12/19. A single protest was received from the Idaho Fish and Game (IDFG). The protest was withdrawn through a stipulated agreement between the IDFG and the applicants. The following items were requested by the IDFG in the agreement/ withdrawal:

- Adding conditional language regarding a fish screen
- The applicants agreed to add an adjustable headgate and a separate water return point to Tower Creek

Additionally, the IDFG had concerns regarding the domestic uses and the total storage volume of 20.0 Af.

In order to address the concerns of the IDFG, the application was amended for a second time and changed the domestic uses to irrigation and to decrease the total volume requested from 20 AF to 2.5 AF. The second amended application was received at the Salmon office on 2/24/2020. The priority date was advanced to this date due to the change in beneficial use of water.

Although the protest withdrawn by IDFG, IDAPA 37.03.08 rule 35, rule subsection 035.04 part a, discusses amendments to applications when significant changes occur to the

proposed use of water. Due to the changes in the beneficial use from domestic to irrigation, the application needed to be advertised again. I requested a re-advertising fee of \$50 from the applicants on 5/4/2020. Re-advertising occurred in the local paper on 6/18 and 6/25 and no protests were received.

When the application was advertised a second time in June 2020, the Wild and Scenic legal language on the advertisement was not updated to reflect the irrigation uses of water. This language remained pertinent to domestic uses of water. Therefore, Department needed to advertise the application again but with the updated and correct Wild and Scenic legal language. The \$50 fee for re-advertising the application a third time was not requested from the applicants since the Department made the mistake of not updating the Wild and Scenic advertising language on the second legal notice. The application was re-advertised a third time on 11/5/2020 and 11/12/2020.

Additionally, the second amended application included language under item 12 on the application stating "the pond is expected to intercept shallow ground water and so no seepage loss is anticipated". Due to this, the Department determined that groundwater needed to be added as a second source. I called and emailed the applicants on 9/30/2020 and requested them to amend the application to include the groundwater source in addition to surface water from Tower Creek. At the same time, it was suggested that they update the total storage volume from 2.5 AF to 4.2 AF. The increase in volume was recommended by the Department to help ensure that if approved, the permit would authorize an adequate amount of water for the irrigation from storage and fire protection storage uses. If the storage remained at 2.5 AF, the applicants would not be able to divert 2.5 AF into the pond for fire protection storage and divert 2.5 AF from the pond for the irrigation from storage component. The Murrays sent the amended application by email on 10/5/2020. The amendment listed groundwater but did not include the PLSS information for the location of the new POD. With the applicant's permission, I added this information to the application for them. The priority date was advanced once again to 10/5/2020 as the application was considered complete. According to current Department records, this application for permit is the most recent appropriation from Tower Creek, so advancing the date should not cause issues with seniority since the Murray's are most junior.

Upon preparing to advertise the application a third time, I contacted the IDFG in order to notify them of the changes to the application, since they had previously protested the proposal and subsequently withdrawn on. I spoke to Jeff Richards and Ann Vonde on 10/13/2020 regarding the increase in total volume from 2.5 Af to 4.2 Af and the additional source of groundwater. Both were concerned about the increase in volume and indicated that any increase from 2.5 Af would result in a protest/disapproval from the IDFG.

I contacted the applicants on 10/20/2020 to inform them of their path forward. Either the Department could advertise the application as is with 4.2 Af and the IDFG would likely protest, or the volume could be reduced back to 2.5 Af and the IDFG may not protest the application. The applicants were frustrated about the overall process and the issues that arose from the Department's recommendation to increase the volume from 2.5 Af to 4.2 Af. I explained that the 4.2 Af would allow them to fulfill their water uses as proposed and that 2.5 Af would limit their use. In order to avoid another almost certain protest from the IDFG, the Murray's chose to reduce the volume back to 2.5 Af. With all of the past amendments to the application, I decided to complete a new application with the most recent information. I

sent them the new completed application for permit by email on 10/20/2020 and requested their signature. The application was received by email on 10/21/2020. The priority date remained at 10/5/2020 since there was not an increase in the requested amounts of water.

On 10/20/2020, I sent an email to Ann Vonde and Jeff Richards at the IDFG informing them of the reduction in volume back to 2.5 AF. Ann emailed me on 10/21/2020 and stated that the IDFG was satisfied with the application.

Source & Diversion System

Through the amended applications, the location of the POD from Tower Creek has not changed. The application requests to divert water from the creek in the NWNE quarter-quarter of Sec. 17, T23N, R22E. The amended application received on 2/24/2020 describes the proposed diversion works as an existing ditch to an excavated pond with pumps in the pond to sprinklers and fire hoses. Section 12 on the application states that the existing ditch is not in used at this time. According to the amended application, the pond will be excavated and bermed to approximately a .25 acre surface area by 4 feet deep for a total volume of 1 acre-foot. This excavated pond will flow back to Tower Creek. Refilling the pond is requested to cover evaporative losses and full volume for irrigation. As stated above the pond is expected to intercept shallow groundwater and no seepage loss is anticipated. The application was amended a third time to add groundwater as a source in addition to Tower Creek. The groundwater source is located in the SENW QQ of Sec. 17, T23N, R22E.

The second amended application lists irrigation, diversion to storage, irrigation storage and irrigation from storage uses request the standard irrigation season of use in the area from 04/01 to 10/31.

The proposed POD from Tower Creek is on property owned by Randall K. Call. An agreement was included with the application authorizing the diversion of water and transport through the ditch on Mr. Call's property. The groundwater POD is on property owned by the Murray Family Trust. Authorization, ownership and access to the POD's are not a concern at this time.

Water Use

After the amendments, water will be used for irrigation, diversion to storage, irrigation storage, irrigation from storage and fire protection storage uses. Section 10 of the application states that this right will be used to irrigate lawn and trees. An existing domestic well is present but not used for irrigation. There are other rights in the same quarter-quarter but they use a separate diversion on the opposite side of the creek.

The first amended application requested to appropriate 20 AF for fire protection storage. The application was amended to reduce this amount to 2.5 AF. A total volume of 2.5 AF was derived from the 0.5 acres requested for irrigation multiplied by the local consumptive irrigation requirement of 2.5 AF/acre. In this case the irrigation is only 0.5 acres so it was multiplied by 5 AF which produces 2.5 AF ($0.5 \text{ acres} \times 5 \text{ AF} = 2.5 \text{ AF}$). In this reduction in total storage volume, the pond size was not proposed to be reduced which presented confusion as to how the volume could be reduced so greatly without a parallel reduction in the pond size or capacity. The estimated volume of 20 AF was calculated through the Department's pond analysis spreadsheet. Much of the pond volume was needed to account for an estimated 18.2 AF of seepage loss. However, further information lead to the

understanding that seepage losses would not occur due to the storage component of the application co-mingling with groundwater. To get to 2.5 AF, the applicants took an estimated 0.7 Af of evaporation losses, 0.8 Af for the pond capacity and 1.0 Af to meet the from storage component.

The second amended application requested to appropriate 0.04 cfs for the irrigation storage and diversion to storage uses while the irrigation use requests 0.01 cfs. The fire protection storage and irrigation from storage propose to use 2.5 AF/year.

When the application was amended for the third time, the Department recommended the applicants increase the total storage from 2.5 Af to 4.2 Af. This total annual volume is the combination of the pond capacity (1.0 Af), the volume needed to replace evaporation losses (0.7 Af), and the volume diverted "from storage" for irrigation use (2.5 Af) which totals 4.2 Af. Increasing the volume to 4.2 Af would have given the applicants the most amount of water if the permit is approved.

The application was amended to reduce the total volume to 2.5 Af in order to satisfy the concerns of the IDFG. So, the final application requested diversions from Tower Creek and groundwater as well as .01 cfs for irrigation, .04 cfs for diversion to storage, 2.5 AF for fire protection storage and 2.5 Af for irrigation from storage.

Additional Comments

The application asks to divert water from a tributary to the Salmon Wild and Scenic River. Therefore, the application is subject to the appropriate processing steps. While the use is not in an active water district, comments were requested from watermaster Cindy Yenter of District 170 (Upper Salmon River Basin). After the second round of advertising, she responded by email on 6/25/2020 requesting that relevant conditions 01H, 197 and 198 be added to the permit if approved.

Dalgleish, Alex

From: Vonde, Ann <ann.vonde@ag.idaho.gov>
Sent: Wednesday, October 21, 2020 11:41 AM
To: Dalgleish, Alex
Subject: RE: Murray Application for Permit 75-14970

IDFG is okay with this.

Ann Vonde

Deputy Attorney General
Natural Resources Division
Office of Attorney General
P.O. Box 83720
Boise ID 83720-0010
(208) 334-4141
fax (208) 854-8072
ann.vonde@ag.idaho.gov

From: Dalgleish, Alex [<mailto:Alex.Dalgleish@idwr.idaho.gov>]
Sent: Tuesday, October 20, 2020 2:59 PM
To: Vonde, Ann <ann.vonde@ag.idaho.gov>; jeff.richards@idfg.idaho.gov
Subject: Murray Application for Permit 75-14970

Ann and Jeff,

I spoke with the Murrays this afternoon regarding their application for permit near Tower Creek. I informed them that IDFG is concerned about increasing the total requested volume beyond 2.5 AF. The Murray's subsequently agreed to amend the application to reduce the total volume from 4.2 Af back down to 2.5 AF. In doing so, they hope to avoid the related protest and concerns of the IDFG.

if there are no other interruptions, the amended application will be advertised in The Recorder Herald on 11/5/2020 and 11/12/2020.

I have attached the most recent amended application to this email for reference. Please feel free to contact me if you have other concerns or additional comments.

Regards,

Alex Dalgleish
Water Resource Agent
Phone (208) 287-4913
alex.dalgleish@idwr.idaho.gov

Dalgleish, Alex

From: Dalgleish, Alex
Sent: Wednesday, October 21, 2020 10:48 AM
To: 'Patrice'
Subject: RE: Application for Permit 75-14970

I've received it, thank you.

Alex Dalgleish
Water Resource Agent
Phone (208) 287-4913
alex.dalgleish@idwr.idaho.gov

From: Patrice [mailto:plpkatana@earthlink.net]
Sent: Wednesday, October 21, 2020 10:23 AM
To: Dalgleish, Alex <Alex.Dalgleish@idwr.idaho.gov>
Subject: Re: Application for Permit 75-14970

Hi Alex,

Here you go. Please let us know if you need anything else.

John and Patrice Murray

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

From: "Dalgleish, Alex"
Sent: Oct 20, 2020 2:34 PM
To: "plpkatana@earthlink.net"
Subject: Application for Permit 75-14970

John and Patrice,

I have attached the application for permit that I filled out with the updated information- a groundwater source and a total volume of 2.5 AF.

Please review the application, sign it and email it back to me.

Barring any other issues, the application will go to advertising next week and appear in The Recorder Herald on 11/5/2020 and 11/12/2020.

Regards,

Alex Dagleish
Water Resource Agent
Phone (208) 287-4913
alex.dagleish@idwr.idaho.gov

Dalgleish, Alex

From: Richards,Jeff <jeff.richards@idfg.idaho.gov>
Sent: Tuesday, October 13, 2020 12:44 PM
To: Vonde, Ann
Cc: Dalgleish, Alex
Subject: RE: Re-advertising Application for Permit 75-14970

Ann:

The math is wrong , it does not equal 4.2! It equals 3.2 cfs, which we did not agree too. I called Alex and left a message that we were not ok with these amendments.

Sincerely,

Jeff Richards

From: Vonde, Ann <ann.vonde@ag.idaho.gov>
Sent: Thursday, October 8, 2020 3:48 PM
To: Richards,Jeff <jeff.richards@idfg.idaho.gov>
Subject: Fwd: Re-advertising Application for Permit 75-14970

This seems strange. And not what we agreed to. I can't take a look at this until Monday. Can you investigate?

Sent from my iPhone ☒

Begin forwarded message:

From: "Dalgleish, Alex" <Alex.Dalgleish@idwr.idaho.gov>
Date: October 8, 2020 at 1:54:02 PM MDT
To: "Vonde, Ann" <ann.vonde@ag.idaho.gov>
Subject: Re-advertising Application for Permit 75-14970

Good afternoon Ann,

The IDFG initially protested application for permit 75-14970 from the Murray Family Trust. The protest was later withdrawn through a stipulated agreement. Since the protest withdrawal, the application has been amended by the Murray's to add groundwater as a second source and point of diversion. The groundwater source was added because the second amended application from the Murray's included language stating that the proposed pond may intercept shallow groundwater and no seepage loss in anticipated.

Additionally, the application amendment increased the total requested volume from 2.5 AF to 4.2 AF. The application listed a pond capacity of 1 AF and the "irrigation from storage" amount at 2.5 AF. Using the Department's Pond Loss Analysis Spreadsheet the evaporation was estimated at 0.7 AF. These amounts total 4.2 AF. Increasing to total volume to 4.2 AF would help prevent the water use from being limited in the future.

As a result of the amendments and a separate Department error regarding Wild and Scenic advertising language, the application will need to be advertised again. Before the application is re-advertised, the Department would like to ensure the IDFG does not have concerns.

Ideally, the Murray's application would go to the next round of advertising tomorrow morning. I understand the timing is tight but I have attached the amended application for permit from the Murrys showing the additional groundwater source and increased total volume.

I called and left a voicemail this afternoon informing you of these changes. Please review the amended application and contact me with any questions or concerns you may have with the amended application.

The Department will not advertise the application until we know that the IDFG does not have concerns with the amended application.

Thank you,

Alex Dalglish
Water Resource Agent
Phone (208) 287-4913
alex.dalglish@idwr.idaho.gov

Total Storage Calculations

FILE NUMBER	75-14970
REVIEWER	Alex Dalglish
DATE	9/30/2020

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.

User Input
Calculated value
Formula Explanations

Surface Area (AC.)	0.25	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	1.6	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
Pond Capacity (AF)	0.4	Pond Capacity is calculated by multiplying the Pond Surface Area by the Average Pond Depth. If you know the capacity, divide the capacity by surface area and enter the average pond depth in the space above. Note: If pond capacity is determined using a method shown on the "Pond Capacity" sheet, the user may need to modify the value of "Pond Capacity" (cell B9) manually. Note that if the value is modified manually, the formula will be altered for future use.

Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	1	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a <i>from storage</i> component if the <i>from storage</i> component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: if a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.
Estimated Seepage Loss (AF)	0.0	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	0.7	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	2.1	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.

Flow Rate into Pond (CFS)	0.04	The "Flow Rate into Pond" depicts the actual flow, either measured or estimated, into the pond. For offstream facilities, this will be equivalent to "diversion to storage" rate.
Highest Daily Evaporation Rate From Evaporation Tab. (mm/Day)	4.68	This number is carried over from the "Evaporation Loss" sheet. It is the highest recorded number in the "Precipitation Deficit Table".
Required Daily Maintenance Volume (AF/Day)	0.00	"Required Daily Maintenance Volume" is the maximum volume of water needed on any given day during the year to maintain pond volume. It is calculated by adding the highest daily evaporation loss to the average daily seepage loss in acre feet. The average daily seepage loss is calculated by dividing the "Estimated Seepage Loss" by 365 days. This is acceptable, since the seepage rate shouldn't vary throughout the season unless the pond completely freezes over during the winter months. The highest daily evaporation loss is calculated by dividing the Highest Daily Evaporation Rate by the 304.8 conversion factor and multiplying this number by the pond surface area to attain a combined daily acre feet requirement.
Minimum Maintenance Flow (CFS)	0.00	The "Minimum Maintenance Flow" is the minimum amount of flow required to maintain the level of the pond. This number is determined by dividing the "Maximum Required Daily Maintenance Volume" by 1.9835. This flow can be used to determine if the flow rate into the pond is adequate to maintain the pond level.
Days Required to Fill the Pond	5	The "Days Required to Fill the Pond" is calculated by dividing the "Pond Capacity" by the "Flow Rate" minus "Minimum Maintenance Flow" multiplied by 1.9835. This section will assist you in determining if the flow rate being diverted to the pond is adequate to fill the pond while maintaining the pond level. The length of time to fill the pond will help determine if the flow rate is adequate for the size of pond being proposed. If this number is approximately 6 months (180 days) or more, the reviewer should have a discussion with the applicant to make sure he/she understands that it will take a significant length of time to fill the pond.
Days Required to Fill the Pond at 13,000 Gallons per Day	11	Some water users may want to fill a pond under the 13,000 gallons per day domestic exemption. The "Days Required to Fill the Pond at 13,000 Gallons per Day" is calculated by converting the "Pond Capacity" and the "Required Daily Maintenance Volume" to gallons. The "Pond Capacity" is then divided by 13,000 gallons minus the "Required Daily Maintenance Volume" in gallons to determine the number of days to fill pond. If this number is approximately 6 months (180 days) or more, the reviewer should have a discussion with the applicant to make sure he/she understands that it will take a significant length of time to fill the pond. Negative values indicate that the supply of 13,000 gallons per day is not enough volume to overcome the required daily maintenance volume; the pond will never fill.

Dalgleish, Alex

From: plpkatana@earthlink.net
Sent: Monday, October 5, 2020 3:27 PM
To: Dalgleish, Alex
Subject: Re: RE: Application for Permit 75-14970 Amendment

That sounds good. The groundwater diversion is possibly going to be where the pond will be dug, can you add that please.

Sent using myEarthLink

On Mon Oct 05 12:36:08 MDT 2020 "Dalgleish, Alex" wrote:

The amendment looks good. The only item I see still needing attention is number 4- the location of the groundwater point of diversion.

The added groundwater point of diversion is located in the SENW quarter-quarter, Section 17, Township 23 North, Range 22 East. This information is absent from the amendment.

With your permission, I will add in the PLSS information for the groundwater point of diversion. This way, you won't have to send in the amendment again.

If you have questions or concerns please contact me.

Thanks,

Alex Dalgleish
Water Resource Agent
Phone (208) 287-4913

alex.dalgleish@idwr.idaho.gov

From:

Patrice [mailto:

plpkatana@earthlink.net

]

Sent: Monday, October 5, 2020 10:49 AM

To:

Dalgleish, Alex <

Alex.Dalglish@idwr.idaho.gov

>;

bajajohn@earthlink.net

Subject: Re: Application for Permit 75-14970 Amendment

Hello Alex,

Please find attached amended application.

Let us know if you need anything else.

Thank you,

John & Patrice Murray

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

From: "Dalglish, Alex"

Sent: Sep 30, 2020 2:31 PM

To: "

plpkatana@earthlink.net

" "

bajajohn@earthlink.net

"

Subject: Application for Permit 75-14970 Amendment

Good afternoon John and Patrice Murray,

I called and left John a voicemail earlier this morning to inform you that unfortunately your application for permit needs to be amended once again. When the application was amended last time to change the domestic uses to irrigation uses, item 12 on the application included language stating that the "pond is expected to intercept shallow groundwater...".

When ponds intercept shallow groundwater, the Department considers the source as groundwater. Therefore, **the application needs to be amended to include groundwater as a source.** This will be in addition to the current source from Tower Creek. As before, you can hand write in the information on the application and initial and date the application in the left margin.

With the last re-advertisement of the application, the Department requested a \$50 fee. We will **not** request another \$50 for having to re-advertise your application again. This is partially due to an error by the Department pertaining to Wild and Scenic language included on legal advertisements. This language is different if the use is considered non-consumptive such as domestic uses or consumptive as for irrigation uses.

In addition to adding the groundwater source, the Department recommends that the total storage volume be increased from 2.5 Af to 4.2 AF.

As the application is now, the pond would have to remain empty after using the 2.5 Af requested for irrigation from the storage pond. If you want to irrigate from the pond and have it full for fire protection storage, the total storage volume needs to be increased.

The total volume of 4.2 Af was calculated from the combination of the pond capacity stated on the application(1.0 AF), the volume needed to replace evaporation losses (0.7 AF) estimated by the Department's pond analysis spreadsheet, and the irrigation from storage volume (2.5 AF). There are no seepage losses included since the pond will co-mingle with shallow groundwater.

$1.0 \text{ AF} + 0.7 \text{ AF} + 2.5 \text{ AF} = 4.2 \text{ AF}$.

I have attached the application so you may add the groundwater source and adjust the total requested volume.

If you have questions please reach out. Please do what you can to send the amended application to the Department ASAP. You can amend it, scan it and email it to me or the Salmon Office can email it to me as well. Once the amended application is received, I will send it to the next round of advertising.

Regards,

Alex Dalglish
Water Resource Agent
Phone (208) 287-4913

alex.dalglish@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 13, 2020

MURRAY FAMILY TRUST
C/O JOHN MURRAY
PO BOX 916
SALMON ID 83467

RE: Application for Permit No. 75-14970- Draft Permit

Dear Parties:

The Idaho Department of Water Resources (Department) is working to complete processing the above referenced application proposing diversion of water from Tower Creek for irrigation and storage. On March 4, 2020, the Department received a request to withdraw the protest that resolves the Idaho Department of Fish and Game's (IDFG) protest provided the Department include conditions on any permit approval issued.

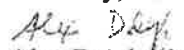
In any conditional withdrawal, the Department must review the agreement to ensure that conditions to be included in the approval are acceptable. Further, the Department may modify the conditions as written to fit the approval format, improve clarity, and may substitute standard conditions of the Department with essentially the same language and intent.

The enclosed draft permit approval incorporates the Department's standard conditions, as well as other conditions intended to address some of the issues in the stipulated agreement. The conditions on the draft approval do not address all actions or responsibilities agreed to by the parties as some of these are outside the scope of the Department's authority to impose or enforce. The Department considers these actions and responsibilities part of an agreement between the parties.

Please review the draft approval carefully. If you think the draft approval is not substantially in conformance with your stipulated conditions, contact the Department within 14 days of the date of this letter with your concerns. The application has not remaining protest, therefore, if we do not hear from you, the Department will take the steps necessary to bring the application to final resolution. You may file and petition for reconsideration within 14 days after the preliminary order approving the permit is issued.

Please contact me at 208-287-4913 if you have any questions regarding this matter.

Sincerely,


Alex Dalglish

Water Resource Agent, IDWR State Office

Cc: STATE OF IDAHO IDFG 99 WY 93 N SALMON ID 83467

Enclosure(s): Draft Permit Approval and Map



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 13, 2020

STATE OF IDAHO
DEPT OF FISH AND GAME
99 HIGHWAY 93 N
SALMON ID 83467-5292

RE: Application for Permit No. 75-14970- Draft Permit

Dear Parties:

The Idaho Department of Water Resources (Department) is working to complete processing the above referenced application proposing diversion of water from Tower Creek for irrigation and storage. On March 4, 2020, the Department received a request to withdraw the protest that resolves the Idaho Department of Fish and Game's (IDFG) protest provided the Department include conditions on any permit approval issued.

In any conditional withdrawal, the Department must review the agreement to ensure that conditions to be included in the approval are acceptable. Further, the Department may modify the conditions as written to fit the approval format, improve clarity, and may substitute standard conditions of the Department with essentially the same language and intent.

The enclosed draft permit approval incorporates the Department's standard conditions, as well as other conditions intended to address some of the issues in the stipulated agreement. The conditions on the draft approval do not address all actions or responsibilities agreed to by the parties as some of these are outside the scope of the Department's authority to impose or enforce. The Department considers these actions and responsibilities part of an agreement between the parties.

Please review the draft approval carefully. If you think the draft approval is not substantially in conformance with your stipulated conditions, contact the Department within 14 days of the date of this letter with your concerns. The application has not remaining protest, therefore, if we do not hear from you, the Department will take the steps necessary to bring the application to final resolution. You may file and petition for reconsideration within 14 days after the preliminary order approving the permit is issued.

Please contact me at 208-287-4913 if you have any questions regarding this matter.

Sincerely,

Alex Dagleish

Water Resource Agent, IDWR State Office

Cc: Murray Family Trust PO Box 916 Salmon ID 83467

Enclosure(s): Draft Permit Approval and Map

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 2.5 AF

MURRAY FAMILY TRUST
C/O JOHN MURRAY
PO BOX 916
SALMON ID 83467-0916

Tributary: SALMON RIVER

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
FIRE PROTECTION STORAGE	01/01 to 12/31		2.5 AF
DIVERSION TO STORAGE	04/01 to 10/31	0.04 CFS	
IRRIGATION	04/01 to 10/31	0.01 CFS	
IRRIGATION STORAGE	01/01 to 12/31		2.5 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		2.5 AF

TOWER CREEK NW¼ NE¼, Sec. 17, Twp 23N, Rge 22E, B.M. LEMHI County

[illegible]

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	22E	17								0.5									0.5

[illegible][illegible]

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 75-14970

Total Acres: 0.5

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2025**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
5. The right holder shall install or construct a straight length of conduit or ditch suitable for installation of a device for measuring the entire flow of water being diverted in connection with this right. If the right holder uses conduit, the straight length of conduit shall be at least fifteen times the diameter of the conduit and shall be above ground or otherwise easily accessible.
6. Upon specific notification by the Department, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
7. When notified by the Department or by a watermaster with regulatory authority over this right, the right holder shall report the amount of water diverted in connection with this right. The report shall be submitted in the manner and frequency specified by the Department or the watermaster.
8. Point of diversion is located within Lot 5, Norton II Subdivision.
9. Right 75-14970 authorizes the storage of an annual total of 2.5 acre-feet, comprised of 1.0 acre-feet to be used for the initial filling or carryover storage of the pond, 0.7 for the replacement of losses due to evaporation, and up to 0.8 acre-feet for additional refills for irrigation from storage use.
10. The pond established by the storage of water under this right shall not exceed a total capacity of 1.0 acre-feet or a total surface area of 0.25 acres.
11. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
12. Failure of the right holder to comply with any condition of approval is cause for the Director to cancel this permit.
13. Water shall not be diverted from fire protection storage except to fight or repel an existing fire.
14. The diversion and use of water described in this right may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

75-14970

This map depicts the IRRIGATION and IRRIGATION FROM STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

22E

23N



- ⊙ Point of Diversion
- Place Of Use Boundary

- Townships
- PLS Sections
- Quarter Quarters

0 0.0425 0.085 0.17 Miles



State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water




75-14970

This map depicts the IRRIGATION STORAGE and FIRE PROTECTION STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.


22E



- ⊙ Point of Diversion
- Place Of Use Boundary

-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles



Dalglish, Alex

From: Yenter, Cindy
Sent: Thursday, June 25, 2020 1:39 PM
To: Hersley, Jean; Dalglish, Alex
Subject: 75-14970 comments

This permit is not yet in an active water district. Permit conditions 01H, 197, 198 are suitable.

WDFlag = NWD

*Cindy Yenter
Idaho Dept of Water Resources
Salmon Field Office
102 S Warpath, Salmon ID 83467
cindy.yenter@idwr.idaho.gov
208-742-0655
208-731-0901 cell*