



State of 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

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

June 23, 2019

Trout Unlimited
c/o Matthew Green
102 Courthouse Drive, Suite E
Salmon, ID 83467

RE: Temporary Approval of Water Use TP-74-48

Dear Mr. Green:

Enclosed is an approval for temporary water use from Indian Springs. The proposed source is ultimately tributary to the Lemhi River, which is fully appropriated during the summer months. Temporary Approval TP-74-48 includes a condition that diversion shall not occur when junior water rights are curtailed on the Lemhi River. It is unlikely that this temporary approval will be available during the latter half of the summer. If you require water throughout the entire summer, you should consider renting existing water rights through the Water Supply Bank, if any rights are available. Please contact Rick Sager, the watermaster for the Lemhi River (Water District 34) about the timing of curtailment of junior water rights on the Lemhi River. Feel free to call me if you have any questions about these temporary approvals.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Cefalo', written over a horizontal line.

James Cefalo
(208) 525-7161

Cc: Rick Sager, Water District 74
Cindy Yenter, Water District 170

RECEIVED

JUN 05 2020

Department of Water Resources
Eastern Region

2. Location of point(s) of diversion. If more than two, attach a Point of Diversion/Place of Use Supplement. ☐

[illegible]

3. Location of place of use. If more rows are needed, attach a [Point of Diversion/Place of Use Supplement](#). ☐

[illegible]

Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources ("Department") has examined this application for temporary approval to use water under the provisions of Idaho Code § 42-202A and has determined that:

 A. The application for temporary approval should be denied because _____

- ☒ B. The application for temporary approval should be approved, since
1. The temporary approval can be properly administered.
 2. Other water sources are not readily available.
 3. The approval is in the public interest.
 4. The approval will not injure known public values associated with the water source or any known water rights.
 5. If the temporary approval is within a water district, the Department has sought and considered the recommendations of the watermaster.

This application is therefore hereby:

 A. DENIED

- ☒ B. APPROVED, subject to the following conditions:
1. Diversion and use of water under this approval is subject to all valid existing water rights.
 2. The applicant assumes all risk of the use of the water under this approval.
 3. This approval authorizes a maximum diversion volume of 5 AF and a maximum diversion rate of 0.10 cfs.
 4. This approval does not grant a right-of-way across the land of another.
 5. The Department may cancel or reduce the rate of flow or volume authorized by this approval. For example, the Department may cancel or reduce this approval if it concludes the water use is injuring other water rights or adversely affecting fish, wildlife or other public values.
 6. The applicant shall not divert water when downstream minimum flow water rights are not being satisfied.
 7. This approval does not create a continuing right to use water.
 8. A temporary approval for ground water recharge or prevention of flood damage shall be an opportunistic use of surplus water and shall not interfere with the filling of surface water reservoirs.
 9. For a temporary approval authorizing ground water recharge or ground water or surface water remediation, the applicant shall measure and record the weekly quantity of water diverted and report the diversion data to the Department upon request.
 10. This temporary approval is not an authorization for the described water use to be used as mitigation or credit for any other purpose.
 11. Other: Water shall not be diverted under this temporary approval when junior rights are curtailed on the Lemhi River.
 12. This approval expires on Nov 15, 2020.

Signed this 23rd day of June, 2020.



For the Department



Upper Salmon Basin Watershed Program

Homegrown, Common-Sense
Conservation

Coordinated by:

Idaho Governor's Office of
Species Conservation

Mike Edmondson
Program Manager
Mike.Edmondson@osc.idaho.gov

Daniel Bertram
Project Coordinator
Daniel.Bertram@osc.idaho.gov

USBWP Advisory Committee
Bruce Mulkey, Chairman

955 Riverfront Drive, Suite B
Salmon, Idaho 83467

Phone 208-756-6322

Facsimile 208-756-6376

www.modelwatershed.idaho.gov

June 2, 2020

IDWR
Eastern Regional Office
900 N Skyline Dr. Ste A
Idaho Falls, ID 83402-1718

Dear IDWR Staff,

Re: Application for Temporary Approval of Water Use

The Upper Salmon Basin Watershed Program and Trout Unlimited completed a project to increase fish habitat on the property of Kathleen and Andy Knight in the fall 2018. A temporary water use was granted by IDWR to irrigate the newly seeded area within the channel restoration using a pod system, during the summer and fall of 2019. The project sponsor is once again requesting temporary water use to irrigate the channel restoration area using a pod system during the summer and fall of 2020. A NOAA-approved fish screen provided by the Idaho Fish and Game Screen Shop in Salmon, ID will be placed in Indian Springs and connected by hose to a pump. The Knight family has granted access to their property by Trout Unlimited and Upper Salmon Basin Watershed Program staff for the duration of the irrigation (see Access Agreement, included).

Please let me know if you have any questions regarding our application for temporary water use.

Sincerely,

Justin Saydell
USBWP Project Planner
955 Riverfront Dr. Suite B
Salmon, ID 83467
(208) 756-6322
Justin.saydell@osc.idaho.gov

RECEIVED
JUN 05 2020
Department of Water Resources
Eastern Region

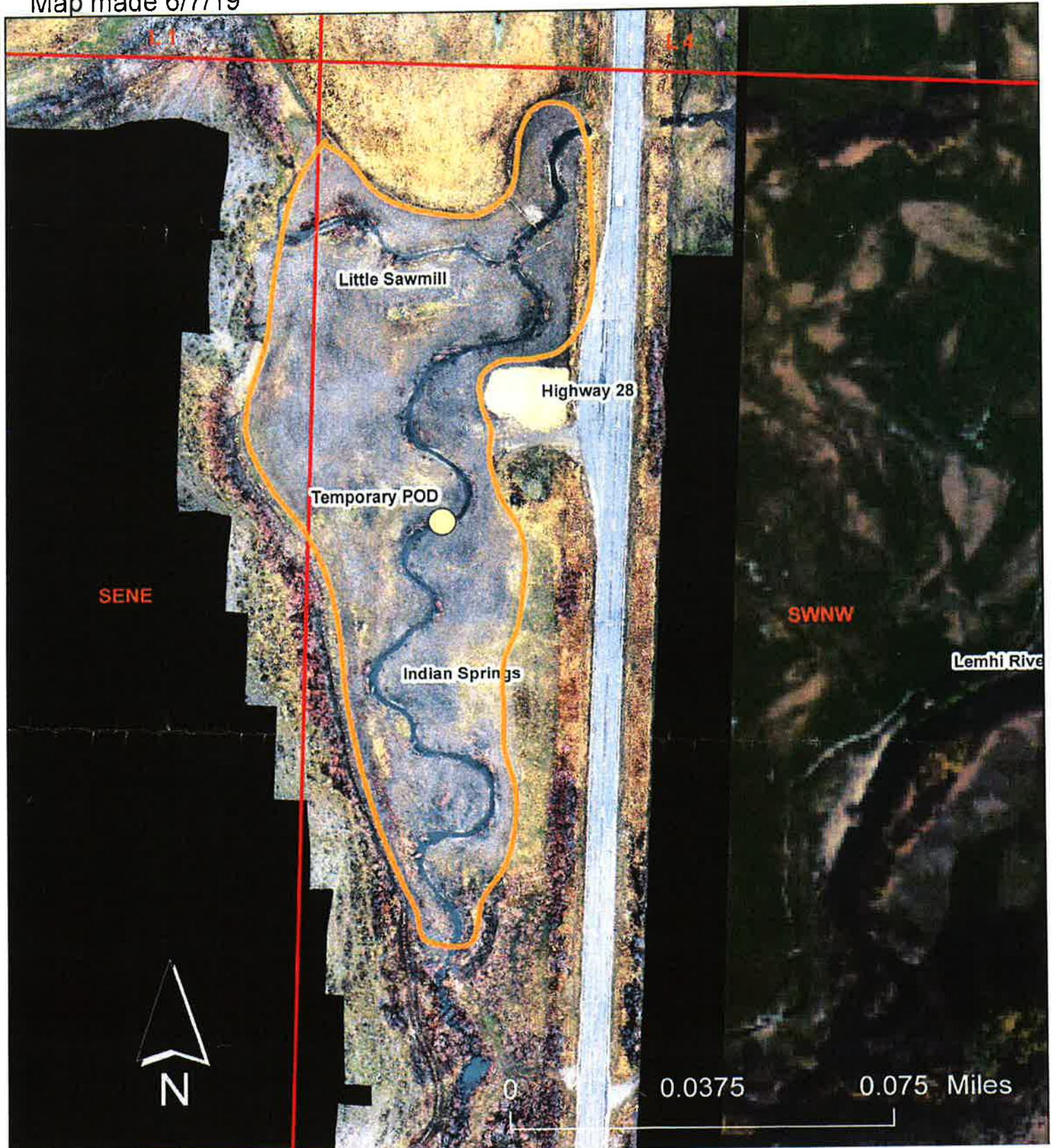
Indian Springs Temporary Water Right Application

Orange poly outlines POU (3.6 acres)

POD is located at approx 44.847399, -113.620797; pod application

Image is an orthomosaic of the completed restoration project

Map made 6/7/19



Post-Project Access Agreement

In consideration of the construction and installation of the **Little Sawmill Creek Restoration and Irrigation Project**, the Grantors do hereby permit Trout Unlimited (TU), Lemhi Soil and Water Conservation District (LSWCD), and/or the Upper Salmon Basin Watershed Program (USBWP) or their assignees an access agreement.

1. PURPOSE: The purpose of the agreement is to allow access on the property of the landowner, **Kathleen and Andrew Knight**, for monitoring of the new channel and irrigation system, irrigation of new seeding/plantings, weed treatment, and aerial photography of the project area.

2. LOCATION AREA: The location is in Lemhi County, approximately 28 miles southeast of Salmon, Idaho on State Highway 28; Latitude: 44.848455, Longitude: -113.620592.

3. NOTIFICATION: Prior to accessing the property, TU, LSWCD, and/or USBWP will provide the landowner notice via phone, text, or email.

4. AMENDMENT: This agreement may be modified or amended if the amendment is made in writing and is signed by both parties.

5. NO COST USE: This is a no cost use agreement, and does not constitute an easement. There are no encumbrances to the Landowner property.

6. TERMINATION: This Access Agreement will terminate at the completion of the 20 year contract with Trout Unlimited and Lemhi Soil and Water Conservation District, but in any event, no later than December 31, 2039.

MTG
AK KK 6/12/19

Kathleen Knight Cindy Knight

Landowner or Representative

Date

6-12-19

Matt Green - Matt Green - Upper Salmon PM

TU Representative

Date

6/12/19

Albi Dwyer

USBWP Representative

Date

6/10/19

Bob Plank

LSWCD Representative

Date

6/14/19

Henman, Christina

From: Henman, Christina
Sent: Friday, June 12, 2020 1:36 PM
To: 'rick375@centurytel.net'; Yenter, Cindy
Subject: Application for Temporary Approval Number TP- 74-48
Attachments: TP-74-48.pdf

Attention Watermasters,

The Department of Water Resources is seeking comment from you regarding an application to temporarily appropriate water. A copy of the application is attached for your reference.

Please submit your comments within 7 days. No response will indicate that you have no objection, concerns or conditions you wish to be added to the issuance of any approval of this application.

If you have any questions regarding this application, please contact me via email or at (208) 497-3793.

Thank you,
Christina Henman
Administrative Asst. I