

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 36-15683

RECEIVED
AUG 29 2003
Department of Water Resources
Southern Region

Priority: July 09, 2001

Maximum Diversion Rate: 0.10 CFS
Maximum Diversion Volume: 3.0 AF

This is to certify, that KIRT L MARTIN
PO BOX 296
HAGERMAN ID 83332

has applied for a permit to appropriate water from:

Source: BILLINGSLEY CREEK Tributary: SNAKE RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
AESTHETIC STORAGE	01/01 to 12/31		3.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.10 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BILLINGSLEY CREEK NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 11, Twp 07S, Rge 13E, B.M GOODING County

PLACE OF USE: AESTHETIC STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S 13E 2			X														
			L 2														

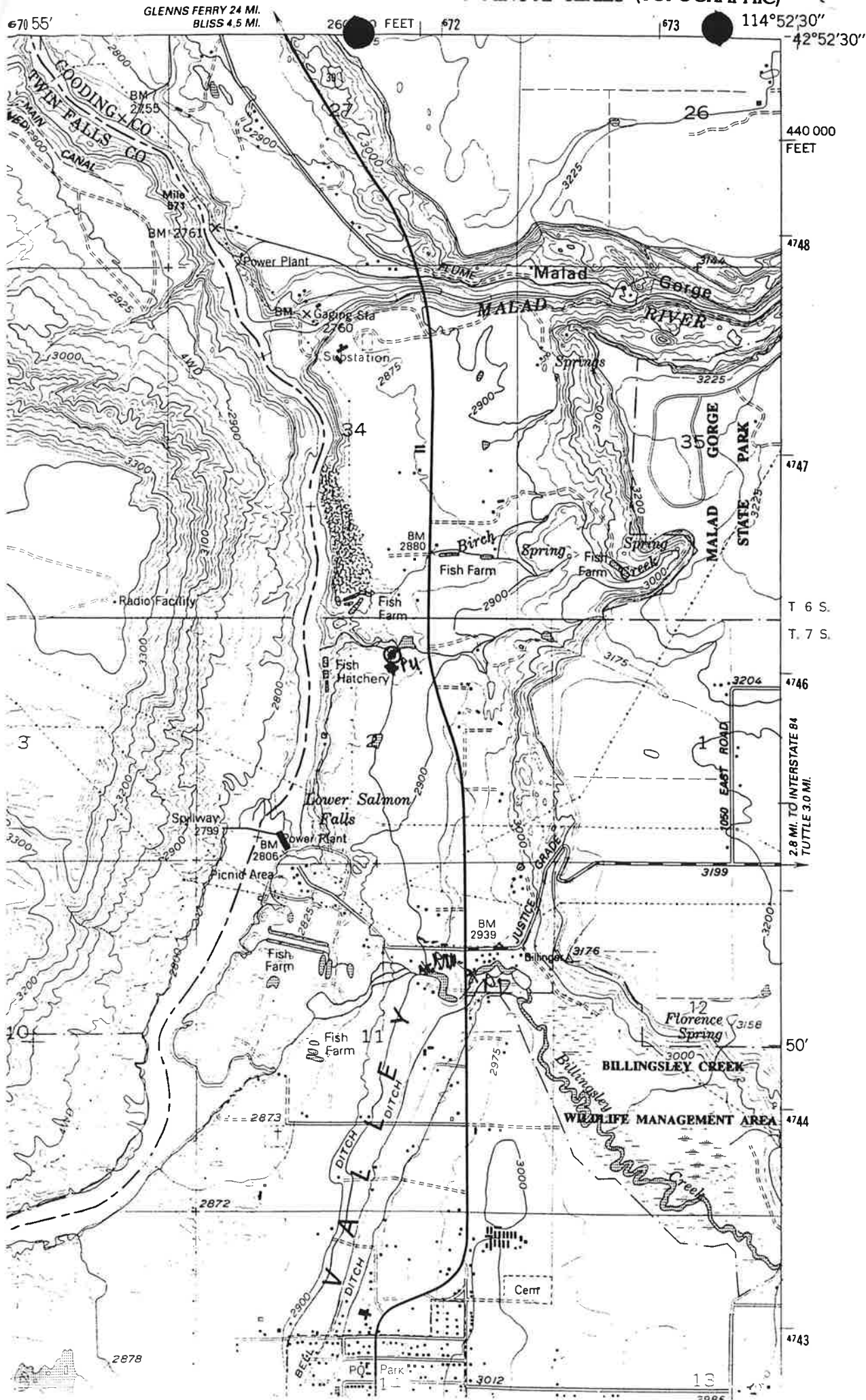
CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 1, 2004**.
2. Subject to all prior water rights.
3. Aesthetic storage use is for a pond no larger than 1/2 acre in size.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 36A.
5. 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.
6. Rights 36-15683 and 36-96A when combined shall not exceed a total diversion rate of 0.10 cfs from 2/15 to 11/30 each year and 0.02 cfs during the remainder of the year.
7. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 27th day of July, 2003.


for KARL J DREHER, Director

GLENN'S FERRY 24 MI.
BLISS 4.5 MI.



440 000
FEET

4748

4747

T. 6 S.
T. 7 S.

4746

2.8 MI. TO INTERSTATE 84
TUTTLE 3.0 MI.

50'

4744

4743

2878

13



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 29, 2003

Frank Erwin Watermaster
WATER DISTRICT #36A
2628 S 975E
Hagerman ID 83332

Re: **APPROVED** Water Permit No 36-15683

Dear Mr. Erwin

For your information, we have enclosed a copy of an **APPROVED** Water Permit within your District.

If you have any questions about an application, please contact this office or the applicant.

Very truly yours,

Mary A. Baldwin
Administrative Assistant I

MB

Enclosure

OCT 09 2001

MEMO

FROM: Allen Merritt

DATE: October 4, 2001

TO: Application for Permit No: 36-15683 *Ab*

In the Name of: Kirt Martin

SUBJECT: Review and Recommendation

This application is for aesthetic storage which essentially is for a pond (According to Jim Stanton's 7/27/01 memo the pond has already been built and the application covers what has been constructed.). The site of the development is on what appears to be previously irrigated lands according to NAPP.

This application was processed since the area of the pond area is small and could be considered non-consumptive and the use is being mitigated by the reduction in irrigated land.

The application was processed without protest. Comments were requested from IF&G, the watermaster of Water District 36 and the stream channel section. No comments have been received.

I recommend that the permit be approved subject to the following or similar conditions:

- This water right is non-consumptive. The director retains jurisdiction to require additional mitigation if it is later determined the pond is consumptive.
- This application does not authorize additional water to be diverted during the irrigation season. This application does not authorize the re-filling of the pond separate and apart from the use of existing water rights authorized for diversion using the Padgett Ditch.
- The use of this permit is under control of the watermaster of district 36.
- As mitigation for development of the aesthetic any underlying irrigation rights shall remain appurtenant to the property and not allowed to be transferred to other uses or allowed to develop additional irrigated lands.
- A measuring device and control works must continue to be maintained at the point of diversion on the Padgett Ditch.

36-15683

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

1. Name: KIRT L MARTIN
17865 US HWY 30
HAGERMAN ID 83332
(208)837-6227

2. Source: BILLINGSLEY CREEK Tributary to: SNAKE RIVER

3. Location of Point of Diversion:

#1 BILLINGSLEY CREEK NW1/4SE1/4NE1/4 Sec. 11, Twp 07S, Rge 13E, B.M.
GOODING County

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u> <u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
AESTHETIC STORAGE	01/01 to 12/31		3.0 AF

5. Total quantity to be appropriated is: 3.0 AF

6. Proposed diverting works:

POINT OF DIVERSION #1

a. Type and size of devices used to divert water from the source: HEADGATE & PADGETT DITCH; DITCH HAS BEEN WIDENED TO FORM POND.

b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;.

c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85F being sought?

e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year(s).

8.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

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PLACE OF USE: AESTHETIC STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 13E 2			X														

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

~~APPLICANT~~ Unknown Kfm

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

I have irrigation rights in ditch, Kfm

11. Map of proposed point of diversion and place of use attached? ☐

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.


Applicant

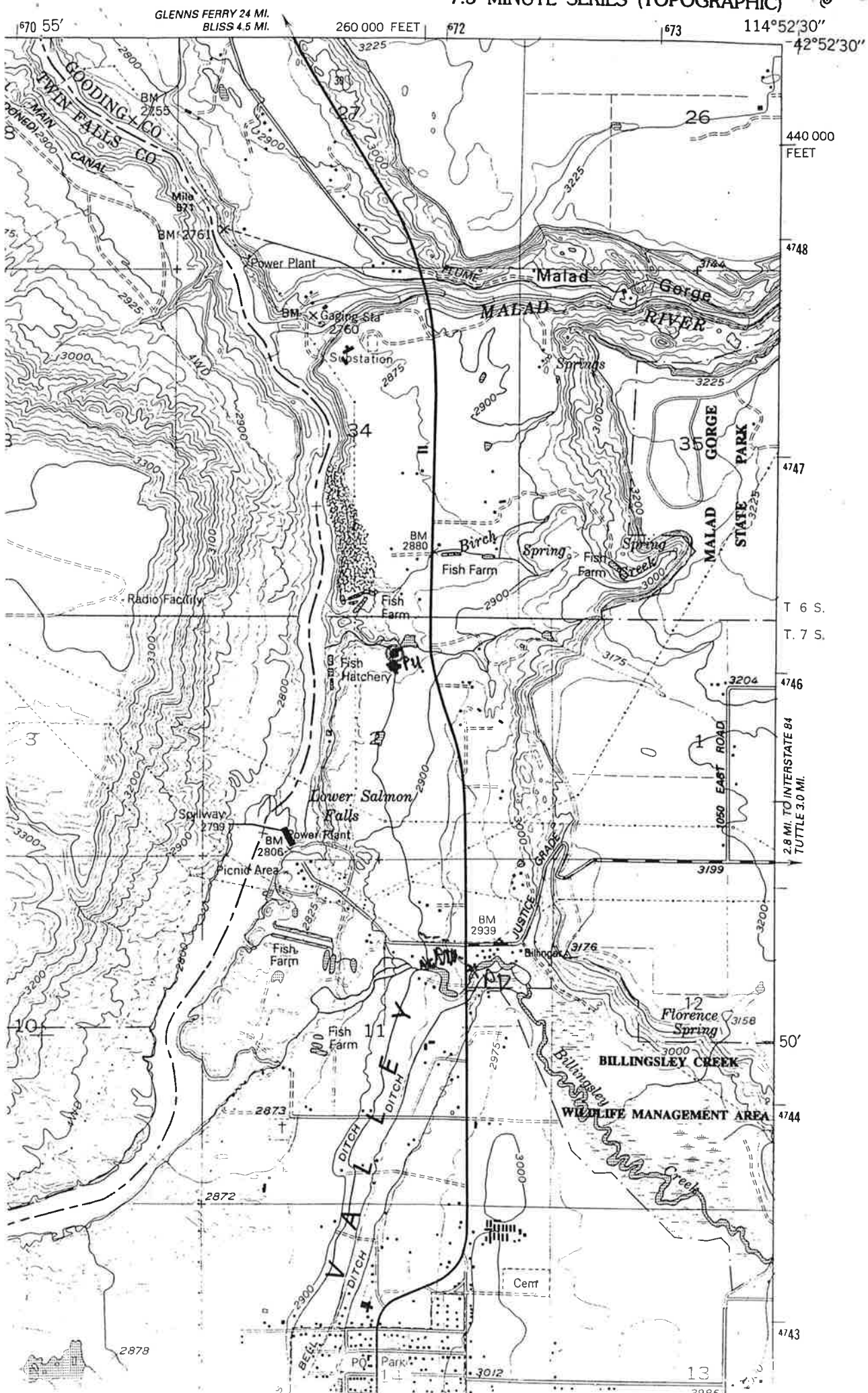
Received by JF Stanton Date 7-9-01 Time 4:09 Preliminary check by JL
Publication prepared by ms Date 8/28/01 Published in Shoshone Co. Leader
Publication approved _____ Date _____

Receipt No. 5024107

Date: 7-9-01

Received by: JF Stanton

7.5 MINUTE SERIES (TOPOGRAPHIC)



Nº 7 SOUTH, RANGE Nº 13 EAST, BOISE MERI.

Sec. 31

Sec. 32

Sec. 33

Sec. 34

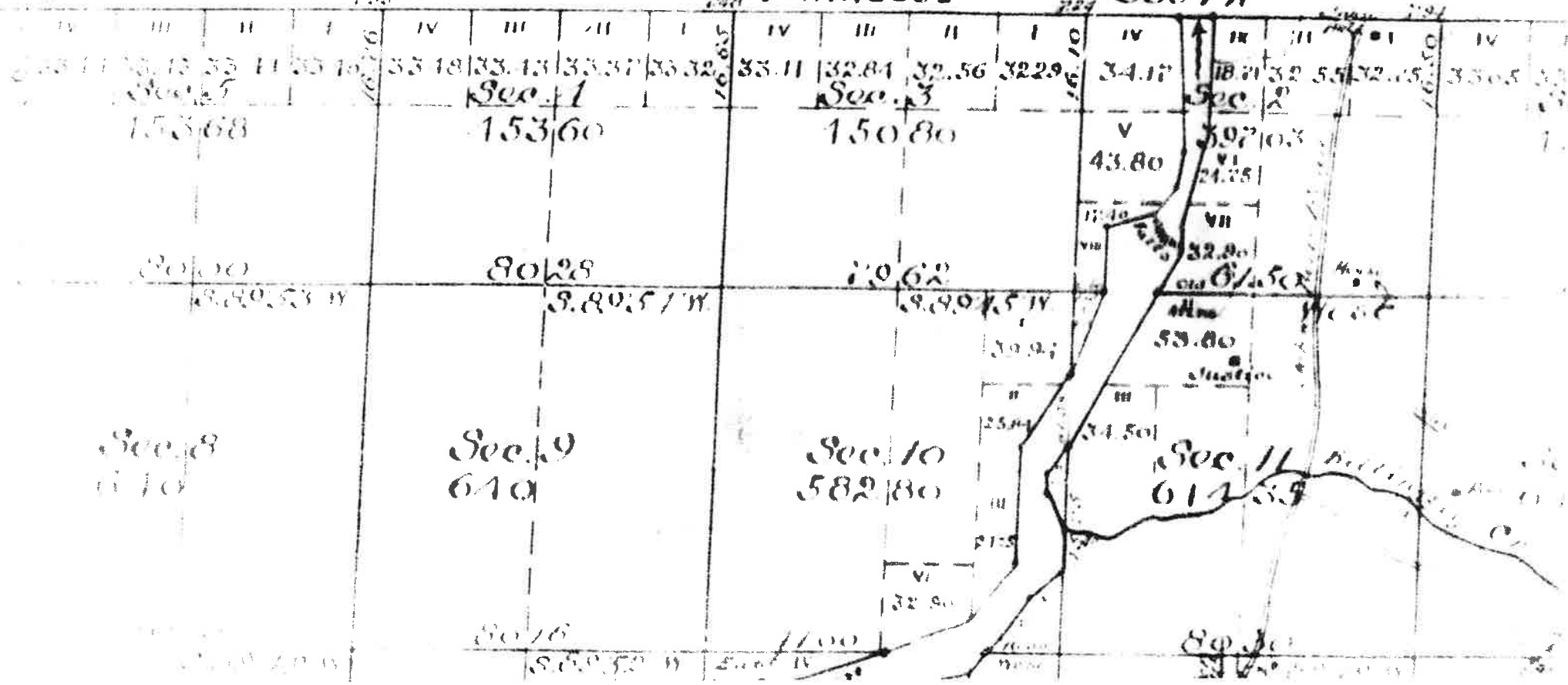
S.

FIRST

STANDARD

PARALLEL

SOUTH



MEMO

TO: FILE DATE: 7-27-01
FROM: JIM STANTON

RE: App for Permit 36-15683, Kirt Martin

Today I met with the applicant. We viewed the Padgett Ditch, which diverts from Billingsley Creek on the east side of Hwy 30 at the Rock Lodge motel. The quad map seemed to show that the headgate was on the west side of the highway, but this is not correct. The ditch goes under the highway, the angles northwesterly before crossing the county road to Lower Salmon Falls power plant. After crossing the road, the ditch runs west along the road before turning north into the channel shown on the quad map.

We then drove north on the highway, then to the pond (which already exists). The applicant dug out an area on the east side of the existing ditch, forming an upside-down L. At the north end of the pond, there is a waterfall as the ditch turns westerly into a stream channel heading for the Snake River. There appear to be no irrigation diversions that would be affected by this pond. The pond is a little further north than what was shown on the original application map. Now that the actual locations are verified, I will launch ArcView from Workflow to mark the proper locations.

It does not appear that this application will affect other water users in the Hagerman Valley. This is a small pond, which is partially covered with floating algae during the summer (which should help minimize evaporation losses). I am not aware of any complaints that we have received. The pond is visible from the highway, so its existence should already be known to local residents. I see no reason to deny this application.



Diversion On Billingsley Cr. To Padgett Ditch



Ditch Looking West (downstream) from Diversion

36-15683
7-27-01
JE Stanton



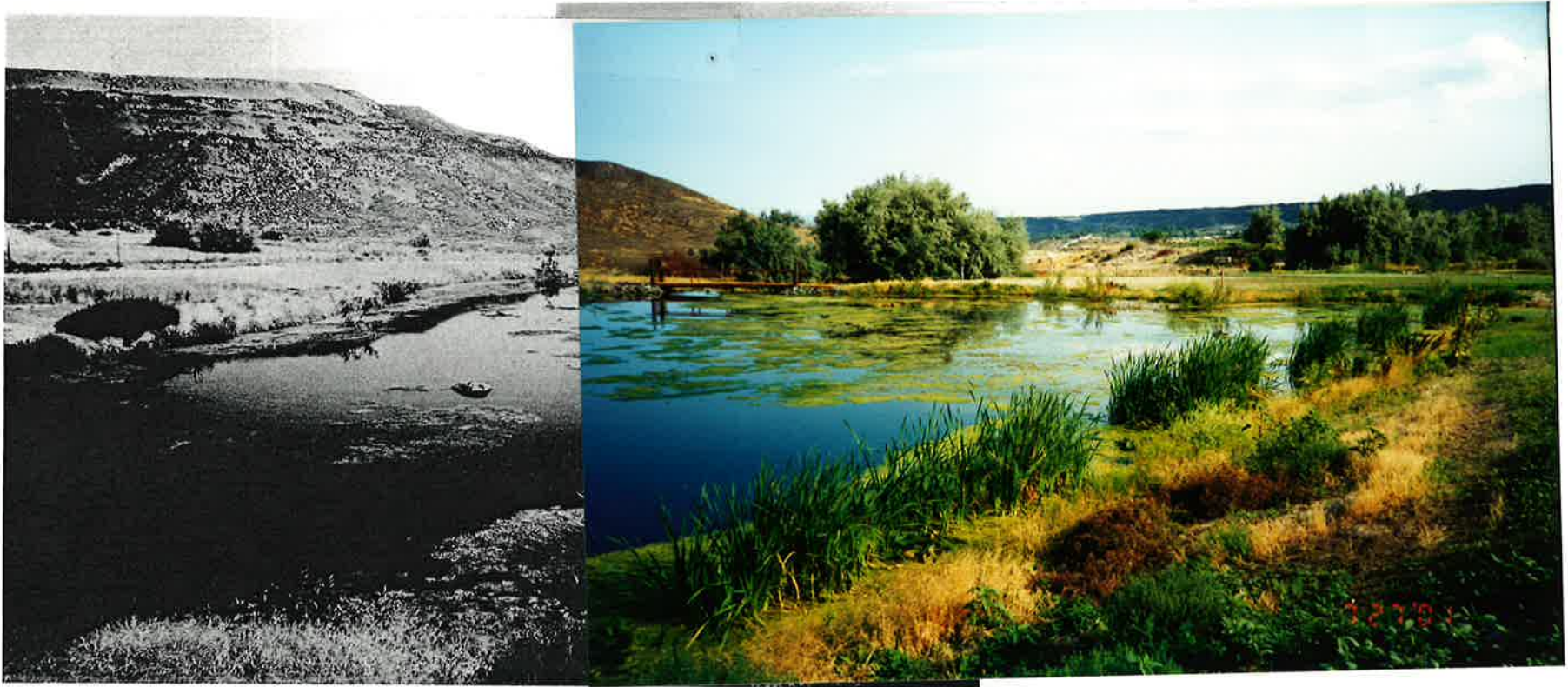
Thumb Area On East Side of Pond (Looking W Toward Pond)



36-15683
7-27-01
JE Stanton

OUTLET ↓

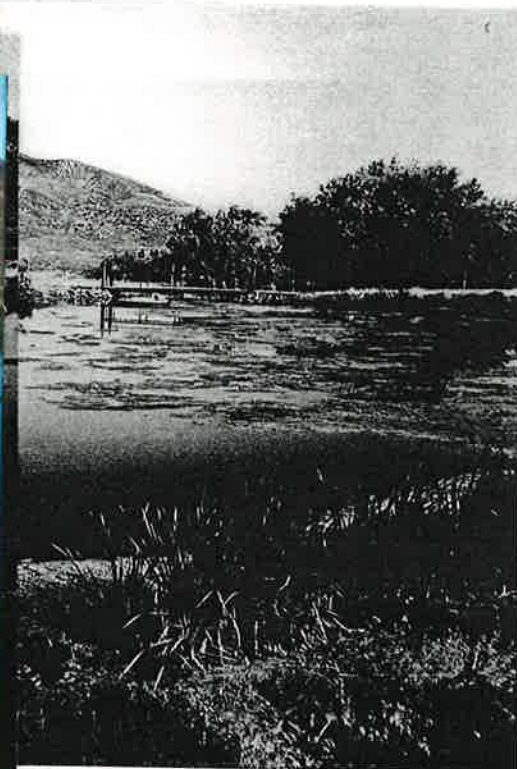
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36-15683
7-27-01
JE Stanton

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36-15683
7-27-01
JE Stanton