

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

Ident. No. 74-16233

RECEIVED
APR 30 2020
Department of Water Resources
Eastern Region

1. Name of applicant(s) ERIC P MILLER Phone 208-756-1212
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 892 HWY 28 City SALMON
 State ID _____ ZIP 83467 Email bcm@ibyfax.com
2. Name of representative, if any _____ Phone _____
 Mailing address _____ City _____
 State _____ ZIP _____ Email _____
- 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 WIMPEY CREEK which is a tributary of LEMHI RIVER
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
21N	23E	34			SE	SE	Lemhi	Wimpey Creek	Wimpey 1

5. Water will be used for the following purposes:
- Amount 0.20 for IRRIGATION purposes from 03/15 to 11/15 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.20 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Existing headgate and ditch, pump from ditch to sprinkler system
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ 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 ct ph Date 4/30/2020 Time 10:00 am Preliminary check by _____
 Fee \$ 100.00 Received by ct ph Receipt No. E045856 Date 4/30/2020

74-16233

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. _____
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	
21N	23E	34												2.8			7.2		10

Total number of acres to be irrigated: 10

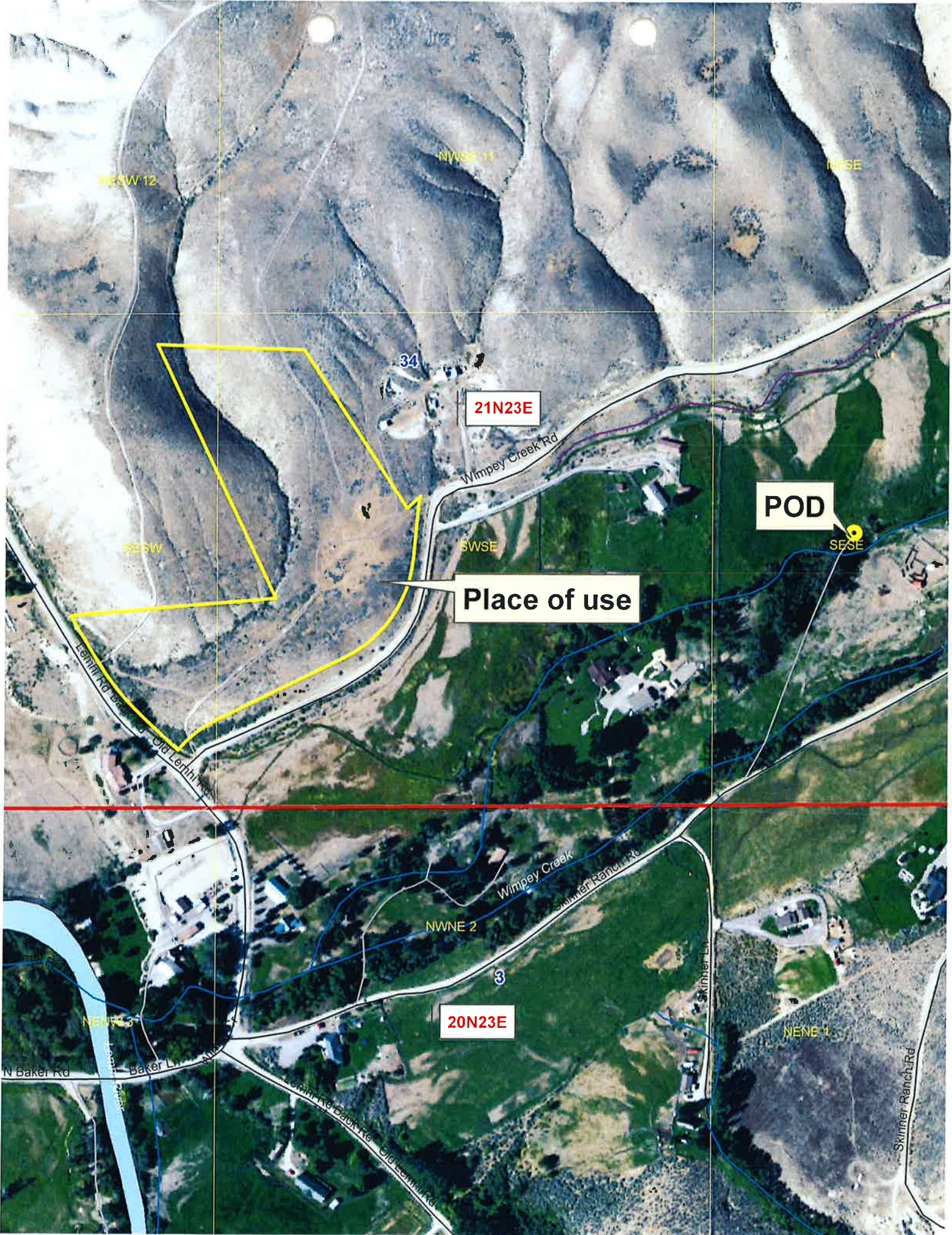
10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? none
11. a. Who owns the property at the point of diversion? Pratt Creek Ranch
- b. Who owns the land to be irrigated or place of use? applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: written consent, attached
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Application proposes new development from Wimpey Ck. Wimpey Ck is a separately administered stream, and WC1 is the lowest diversion. Due to return flows from upstream irrigation, there is usually excess water available at WC1 for most of the irrigation season. The watermaster of WD74 indicates that he would not object to this filing.
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.


 Signature of Applicant
Eric Paul Miller
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)



74-16283

I, Phil Moulton, give my consent for Eric Miller to develop a new water right that diverts from Wimpy Creek 1, which is on my property.

Signature: Phil Moulton Date: 4/25/2020

74-16233



State of Idaho

DEPARTMENT OF WATER RESOURCES

EASTERN Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

May 13, 2020

ERIC MILLER
892 HIGHWAY 28
SALMON, ID 83467-5329

RE: Application for Permit No. 74-16233

Dear Applicant(s):

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 5/21/2020 and 5/28/2020. 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,

Christina Henman
Administrative Assistant

CC:
PRATT CREEK RANCH LP
178 PRATT CREEK RD
SALMON, ID 83467-5192

Henman, Christina

From: Henman, Christina
Sent: Thursday, May 14, 2020 9:37 AM
To: RECORDER HERALD (Rhlegals@custertel.net)
Subject: Legal ad for Recorder Herald
Attachments: 74-16233 Recorder Herald.doc

Hello,

Please see attached document regarding a legal ad for your paper.

Thank You,

Christina Henman
Administrative Assistant
Idaho Dept. of Water Resources, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 497-3793

May 13, 2020

Legal Notice Department

Recorder Herald
PO Box 310
Salmon ID 83467

RE: Application for Permit No. 74-16233

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice 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 (900 N Skyline Dr Ste A, Idaho Falls ID 83402) along with the publication bill. Please send the affidavit and bill to this office before 6/8/2020. Your cooperation is appreciated.

Sincerely

Christina Henman
Idaho Department of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-497-3793 – telephone
208-525-7177 – Fax
Christina.Henman@idwr.idaho.gov

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

74-16233

ERIC MILLER
892 HIGHWAY 28
SALMON, ID 83467-5329
Point of Diversion SESE S34 T21N R23E LEMHI County
Source WIMPEY CREEK Tributary LEMHI RIVER
Use: IRRIGATION
03/15 to 11/15
0.2 CFS
Total Diversion:
0.2 CFS
Date Filed: 04-30-2020
Place Of Use: IRRIGATION
T21N R23E S34
SWSE, SESW
Total Acres: 10

This application proposes the diversion and use of water from Wimpey Creek 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 & Scenic River listed above.

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 6/8/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director Published on 5/21/2020 and 5/28/2020

Henman, Christina

From: Henman, Christina
Sent: Wednesday, May 13, 2020 3:11 PM
To: Yenter, Cindy
Subject: Application for Permit of 74-16233
Attachments: RecommendationForm New Appropriation3.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you 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>. Please review the application, then complete the enclosed recommendation form and return it to this office within 14 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 14 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

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

Henman, Christina

From: Henman, Christina
Sent: Wednesday, May 13, 2020 2:49 PM
To: 'rick375@centurytel.net'
Subject: Application for Permit of 74-16233
Attachments: RecommendationForm New Appropriation4.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you 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>. Please review the application, then complete the enclosed recommendation form and return it to this office within 14 days of the date of this letter.

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

Henman, Christina

From: Henman, Christina
Sent: Wednesday, May 13, 2020 3:38 PM
To: 'jeff.richards@idfg.idaho.gov'
Subject: Application for Permit of 74-16233
Attachments: 74-16233 F&G COMMENT.docx

Dear Interested Party:

Please find attached document regarding the above referenced application. Please respond within 21 days from the date of this email.

Thank You,

Christina Henman



Brad Little
Governor

State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Gary Spackman
Director

May 13, 2020

IDAHO DEPT OF FISH & GAME *via e-mail*
JEFF RICHARDS
Jeff.richards@idfg.idaho.gov

RE: Application for Permit: 74-16233

Dear Jeff,

The Idaho 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 complete copy of the application(s) at:* <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

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 after final publication (**on or before June 6, 2020**).

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

Sincerely,

Christina Henman
Administrative Assistant 1

Enclosure(s)