

RECEIVED

MAR 06 2020

FORM 202 Rev. 09/16

DEPT OF WATER RESOURCES  
SOUTHERN REGION

STATE OF IDAHO

Ident. No. 71-11002

DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) United States of America USDA Forest Service Phone 208-423-7514  
 Name connector (check one): ☐ and ☐ or ☐ and/or  
 Mailing address 370 American Avenue City Jerome  
 State Idaho ZIP 83338 Email \_\_\_\_\_

2. Name of representative, if any Kathryn Conant, Director of Lands and Minerals Phone 801-625-5150  
 Mailing address 324 25th Street City Ogden  
 State Utah ZIP 84401 Email Kathryn.conant@usda.gov jill.allgoode@usda.gov

- 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 Groundwater which is a tributary of \_\_\_\_\_

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
7N	14E	7			SW	NE	Blaine	Groundwater	

5. Water will be used for the following purposes:

Amount 0.04 cfs for Domestic purposes from 1/1 to 12/31 (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) 0.04 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. Well with pump to pressure tank to recreation residence.  
 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 \_\_\_\_\_ Date 3-6-2020 Time \_\_\_\_\_ Preliminary check by \_\_\_\_\_  
 Fee \$ 1100.00 Received by SG Receipt No. 5037812 Date 3/6/20

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

- a. Hydropower; show total feet of head and proposed capacity in kW. \_\_\_\_\_
- b. Stockwatering; list number and kind of livestock. \_\_\_\_\_
- c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households One recreation residence.
- e. Other; describe fully. \_\_\_\_\_

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
7N	14E	7			D														

Total number of acres to be irrigated: \_\_\_\_\_

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? Surface water from stream tributary to sinks under 71-10226

11. a. Who owns the property at the point of diversion? United States of America

b. Who owns the land to be irrigated or place of use? United States of America

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: \_\_\_\_\_

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Valley View Recreation Residence Tract Lot 7.

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.**

Kathryn J. Conant  
Signature of Applicant

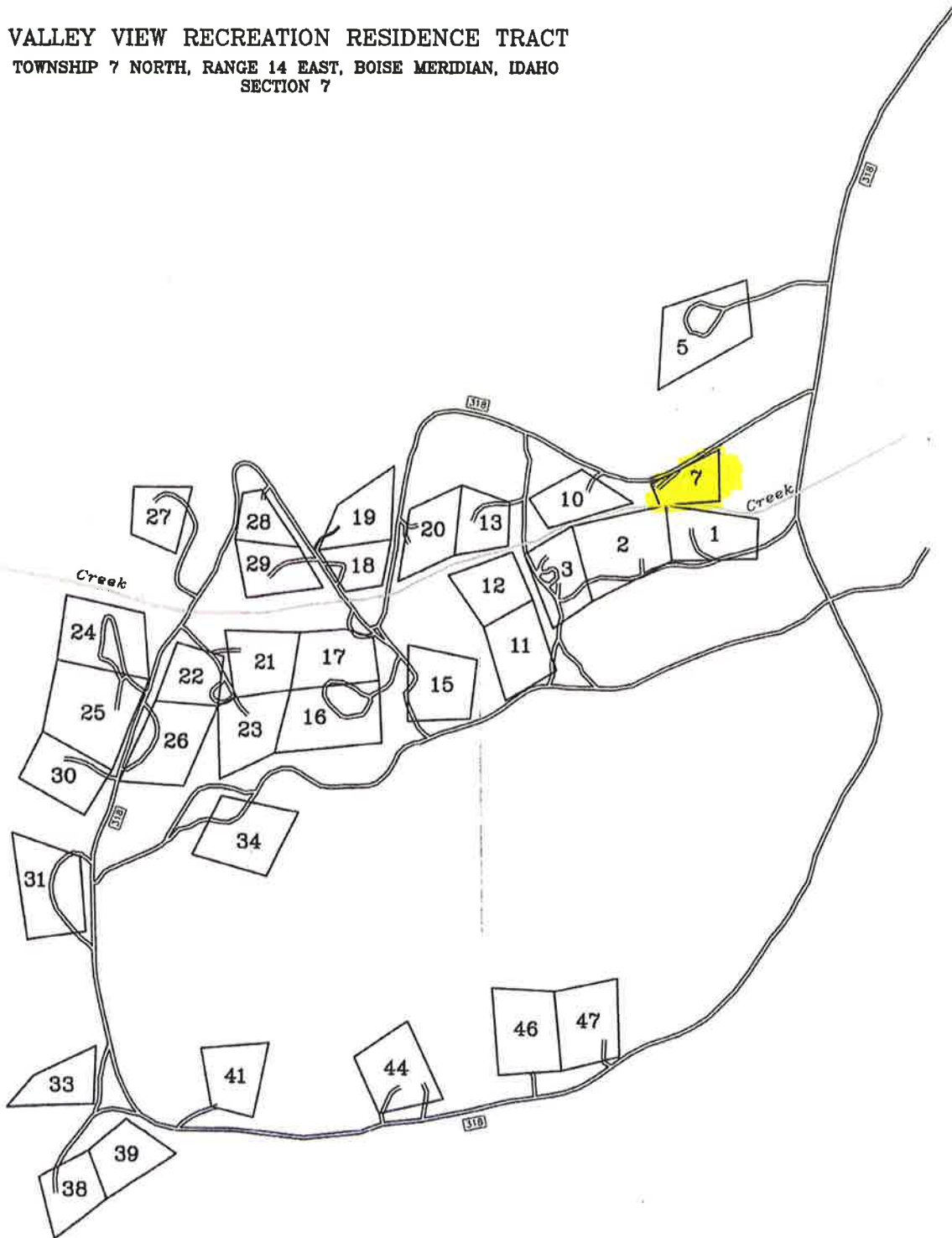
Kathryn J. Conant, Director of Lands and Minerals

Print Name (and title, if applicable)

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Print Name (and title, if applicable)

VALLEY VIEW RECREATION RESIDENCE TRACT  
TOWNSHIP 7 NORTH, RANGE 14 EAST, BOISE MERIDIAN, IDAHO  
SECTION 7



VALLEY VIEW RECREATION RESIDENCE TRACT

U.S. DEPARTMENT OF AGRICULTURE  
FOREST SERVICE

REGION 4

SANJOHNS NATIONAL FOREST

TOWNSHIP 7 NORTH, RANGE 14 EAST, B.M.

SECTION 7

BLAINE COUNTY, IDAHO

SURVEYED BY C. WORAS

DRAWN BY C. CLARK 4/09

APPROVED BY

CHECKED BY

SHEET

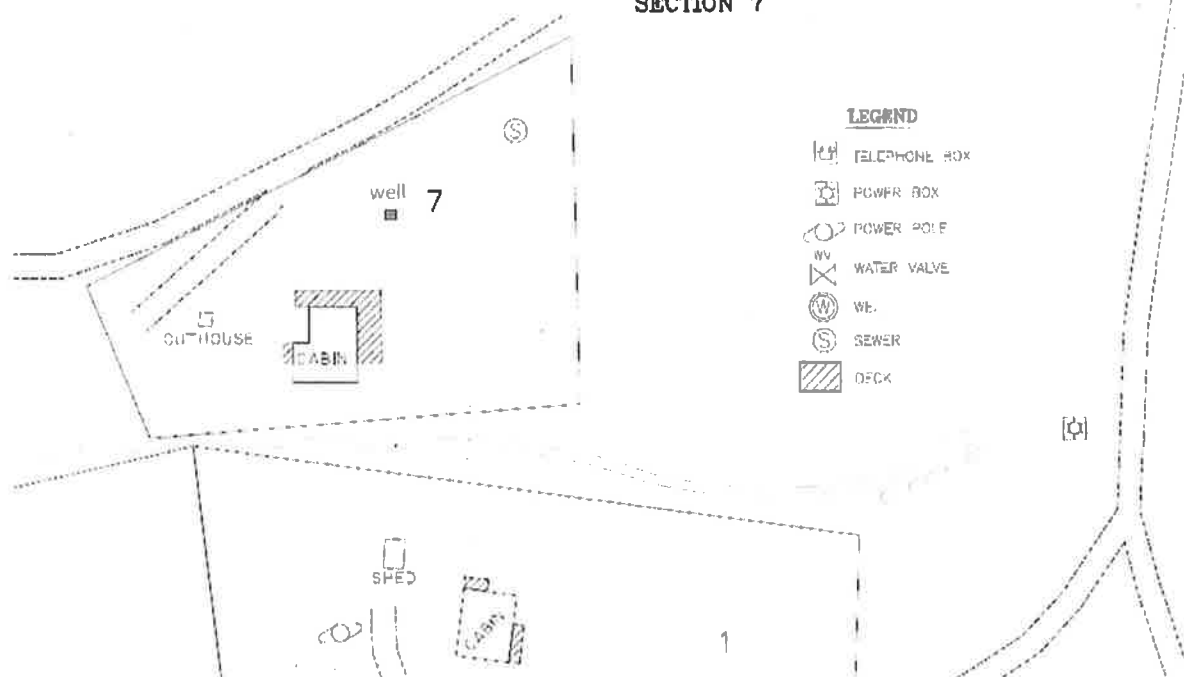
1 OF 1

Michael D. Coffey LAND SURVEYOR

DATE

71-11002

VALLEY VIEW SUMMER HOME AREA  
TOWNSHIP 7 NORTH, RANGE 14 EAST, BOISE MERIDIAN, IDAHO  
SECTION 7









consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows IHFA to use Program funds.

**OBJECTIONS TO RELEASE OF FUNDS** HUD will accept objections to its release of funds and IHFA's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the RE (b) the RE has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to HUD at CPD Director, 1220 SW 3rd Ave., Suite 400, Portland, OR 97204-2825. Potential objectors should contact HUD to verify the actual last day of the objection period.

Cory Phelps, Vice President Project Finance/Certifying Officer  
Esta notificación en español está disponible en el sitio de web de Idaho Housing and Finance Association, cual es <https://www.idahohousing.com/federal-programs/legal-notices-plans-and-reports/>.



**PUBLISH**  
**IDAHO MOUNTAIN EXPRESS**  
**MAY 6, 2020**

#### **NOTICE OF HISTORIC DEMOLITION**

On May 7, 2020, a 60-day waiting period begins for the historic demolition of the building at 660 N 4th Avenue (Lot 1, Block 1, W Ketchum Fadedown Townhomes) built in 1943. The public is invited to comment through July 7, 2020 at 5:00 PM. Comments can be sent to [participate@ketchumidaho.org](mailto:participate@ketchumidaho.org) or sent to Ketchum Planning and Building, PO Box 2415, Ketchum, Idaho 83340.

**PUBLISH**  
**IDAHO MOUNTAIN EXPRESS**  
**MAY 6, 2020**

#### **NOTICE OF BOARD OF TRUSTEES VACANCY**

**TRUSTEE ZONE NO. 4**

**Blaine County School District #61 Announces a Vacancy on the Board of Trustees in Trustee Zone No. 4**

**General Description of Trustee Zone 4 Boundary:**

Includes East of Big Wood River, North of Deer Creek Rd.; North of West Meadow Dr to Buttercup, West of Buttercup to Highway 75, West of Highway 75 to Ketchum, West of Trail Creek to rejoin Highway 75 near Big Wood Golf course, North to County Line.

Anyone interested in this vacancy should contact:  
Vicki Pitcairn, Clerk of the Board  
Blaine County School District  
118 West Bullion Street  
Hailey, ID 83333  
(208) 578-5000  
[vpitcairn@blaineschools.org](mailto:vpitcairn@blaineschools.org)

**APPLICANT LETTERS OF INTEREST ARE DUE: Friday, May 29th at 4:00 P.M.**

**PUBLISH**  
**IDAHO MOUNTAIN EXPRESS**  
**MAY 6 & 13, 2020**

#### **LEGAL NOTICE** **BLAINE COUNTY BOARD OF COUNTY COMMISSIONERS** **MAY 26, 2020**

On Tuesday, May 26, 2020, the Blaine County Board of County Commissioners will hold a public meeting upstairs in the Old County Courthouse located at 206 First Ave. So., in Hailey. Items on their agenda include the following:

**1:30 PM ACTION ITEM:**  
**Comprehensive Plan - Chapter 6, Public Services, Facilities and Utilities.** Continuation (from March 17, 2020) of public hearing and consideration of proposed amendments to Title 8, Ch. 1, Comprehensive Plan. The proposed Chapter 6 would replace two sections of the current plan: Section 13, Public Services, Facilities and Utilities and Section 4, Governmental Agencies Affecting Blaine County. The chapter also covers School Facilities & Transportation and National Interest Electric Transmission Corridors. These are required elements of a comprehensive plan per Idaho Code Section 67-6508. The Planning & Zoning Commission recommended approval of the chapter on February 23, 2017.

This meeting is open to the public but attendees are **STRONGLY ENCOURAGED** to attend by web access rather than in person. The meeting agenda will be posted to the Blaine County website at [www.blainecounty.org](http://www.blainecounty.org) by the Thursday prior to the hearing. Please check the meeting agenda for further instructions for digital web access.

The materials associated with this meeting are available for review at Land Use and Building Services located in the Blaine County Annex at 219 First Avenue South, Suite 208 in Hailey and on the Blaine County web page at [www.blainecounty.org](http://www.blainecounty.org). To receive adequate consideration, written comments in excess of one page should be forwarded to Blaine County at least 4 days prior to the public hearing by mail, e-mail to [pxcounter@co.blaine.id.us](mailto:pxcounter@co.blaine.id.us), or by fax to (208) 788-5576.

**PUBLISH**  
**IDAHO MOUNTAIN EXPRESS**  
**MAY 6, 2020**

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

**71-11002**  
**UNITED STATES OF AMERICA**  
**ACTING THROUGH**  
**USDA FOREST SERVICE**  
**370 AMERICAN AVE**  
**JEROME, ID 83338-6162**

Point of Diversion SWNE S7 T07N R14E BLAINE County Source GROUND WATER Tributary  
Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS  
Date Filed: 03-06-2020  
Place Of Use: DOMESTIC  
T07N R14E S7 SWNE

Application for permit proposes to divert 0.04 cfs from a proposed well for domestic purposes for an existing recreational summer home. Proposed point of diversion and place of use is located approximately 3.3 miles east and 18.3 miles south of the highway 21 & 75 intersection in Stanley. This application proposes the diversion and use of water from ground water tributary to the Salmon River 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 it is for domestic purposes.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT**  
**TRANSFER NO. 83946**

BLAINE COUNTY RECREATION DISTRICT, 1050 FOX ACRES RD STE 107, HAILEY, ID 83333-0020 has filed Application No. 83946 for changes to the following water rights

within BLAINE County(s): Right No(s): 37-23219, 37-23220, 37-23221, 37-23222, 37-23223. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU) and modify some points of diversion (POD) for two ground water and three Quigley Creek rights, with a total flow rate of 0.11 cfs. The ground water rights are currently authorized to divert from an existing well located approximately 0.9 mile east of the intersection of Bullion St. and Main St. in Hailey. The transfer proposes to add an existing well located approximately 1.2 miles east of Hailey to allow for diversion from two wells. One Quigley Creek right, which is currently diverted at a point approximately 1.2 miles east and 0.1 mile north of Hailey, will change its POD to an existing diversion located approximately 1.7 miles upstream on Quigley Creek. That right also proposes to change its irrigation storage POU from its current location on Quigley Creek, 1.2 miles east and 0.1 mile north of Hailey, to an existing reservoir 1.7 miles upstream on Quigley Creek. The transfer also proposes to change the irrigation POU for all five rights from its present location, approximately 1.6 miles east of Hailey, to a location approximately 1.2 miles east of Hailey.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **May 26, 2020**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

**PUBLISH**  
**IDAHO MOUNTAIN EXPRESS**  
**MAY 6 & 13, 2020**

#### **LEGAL NOTICE** **BLAINE COUNTY HEARING EXAMINER** **MAY 21, 2020 AT 6:30 P.M.**

On Thursday, May 21, 2020, the Blaine County Hearing Examiner will hold a public meeting beginning at 6:30 p.m. upstairs in the main meeting room in the Old County Courthouse located at 206 First Ave. So., in Hailey. Public comment will be taken and entered into the record for the public hearing on the following:

**ACTION ITEM: 126 TIMBERLINE RD. VARIANCE:** A continuation of a public hearing and consideration of an application by Brittany Barker for a 9'3" variance (setback of 5'9") to the 15' front yard setback off of Timberline Road. The applicant has constructed a front entrance in violation of the current required setbacks and wishes to obtain a variance to bring the new structure into compliance. The 3.391-acre property is Lot 78, Block 3, Willowood Subdivision, also known as 126 Timberline Road and is zoned Low Density Residential District (R-1) with areas of Floodplain (FP), Riparian Setback (RS) and Mountain Overlay Districts (MOD).

**ACTION ITEM: 150 BARLOW RD. SCENIC HIGHWAY OVERLAY SITE ALTERATION:** A public hearing on and consideration of an application by Frank and Karen Willey, for a site alteration permit in the Scenic Highway Overlay (SHO) District for trees planted the summer of 2019 without a permit. The 5.05-acre property is Lot 5, Barlow Subdivision, zoned Rural Residential District (R-2.5).

This meeting is open to the public but attendees are **STRONGLY ENCOURAGED** to attend by web access rather than in person. The meeting agenda will be posted to the Blaine County website at [www.blainecounty.org](http://www.blainecounty.org) by the Tuesday prior to the hearing. Please check the meeting agenda for further

instructions for digital web access.

The materials associated with this hearing are available for review at Land Use and Building Services located in the Blaine County Annex at 219 First Avenue South, Suite 208 in Hailey and on the Blaine County web page at [www.blainecounty.org](http://www.blainecounty.org). To receive adequate consideration, written comment in excess of one page should be forwarded to Blaine County at least 4 days prior to public hearing by mail, email to [pxcounter@co.blaine.id.us](mailto:pxcounter@co.blaine.id.us), or by fax to (208) 788-5576.

**PUBLISH**  
**IDAHO MOUNTAIN EXPRESS**  
**MAY 6, 2020**

#### **NOTICE OF VIRTUAL PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Sun Valley Planning & Zoning Commission will hold a **virtual public hearing on Thursday, May 21st, 2020 at 9:00 AM** to hear comments from the public concerning the following applications. VISIT [WWW.SUNVALLEYIDAHO.GOV/NOTICES](http://WWW.SUNVALLEYIDAHO.GOV/NOTICES) FOR INSTRUCTIONS ON HOW TO VIRTUALLY ATTEND AND TO READ THE CITY OF SUN VALLEY VIRTUAL PUBLIC MEETING PROTOCOL. CONTACT ASSISTANT PLANNER, LEWIS AT 208-622-4438 EXT. #133 FOR ASSISTANCE OR FURTHER INSTRUCTION.

**1. Design Review 2019-078:** Application for design review approval of a new single-family residence at 12 Backpay Way. Applicant: Elizabeth Conklin for David & Lily Strine. Location: 12 Backpay Way; Backpay Way Subdivision No 2. Lot 6.

**2. Conditional Use Permit 2020-01:** Application for conditional use approval for a proposed change of use of the Elkhorn Store to the Wood River Jewish Community Center in the Commercial Core (CC) Zoning District. Applicant: Marty Lyons for the Wood River Jewish Community. Location: 95 Badeyana Drive; Elkhorn Springs Block Plat Block 8 Building 1A

**3. Design Review 2020-18:** Application for design review approval of a remodel to the Lodge I Apartment buildings 1, 2, 3, 4, & 6. Applicant: Michael Bulls for the Lodge Apartments Owner's Association. Location: SV Lodge Apartments, Sun Valley Condo Dr.

**4. Ordinance 543:** Proposed ordinance to amend existing City Code regarding exterior lighting regulations. Applicant: City Initiated. Location: City wide.

At the aforementioned time, all interested persons may virtually attend and shall be given an opportunity to comment on the matters stated above. Comments and questions prior to the public meeting should be directed to the City of Sun Valley Community Development Department, preferably emailed to [cdcounter@sunvalleyidaho.gov](mailto:cdcounter@sunvalleyidaho.gov) or mailed to PO Box 416, Sun Valley, ID 83353. Written comments received prior to the meeting shall be made part of the public record at the meeting. Application materials are on file with the Community Development Department and can be shared for public inspection through email by request. Dated this 1st day of May, 2020 by Maya Lewis, City of Sun Valley Assistant Planner.

**PUBLISH**  
**IDAHO MOUNTAIN EXPRESS**  
**MAY 6, 13 & 20, 2020**

Proof of legal notice  
received from Idaho  
Mtn Express 5/4/2020

✓ dm 5/4/2020



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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

May 1, 2020

UNITED STATES OF AMERICA ACTING THROUGH  
USDA FOREST SERVICE  
370 AMERICAN AVE  
JEROME, ID 83338-6162

RE: Application for Permit No. 71-11002

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 **IDAHO MOUNTAIN EXPRESS** on **5/6/2020** and **5/13/2020**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **May 26, 2020**.

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,

Denise Maline  
Administrative Assistant

c: USDA Forest Service, Ogden UT

## Maline, Denise

---

**From:** Maline, Denise  
**Sent:** Friday, May 01, 2020 11:51 AM  
**To:** Cindy Yenter  
**Subject:** Comment letter for 71-11002 - Forest Service  
**Attachments:** Comment Letter to WD170 for 71-11002.docx; 71-11002 Forest Service.pdf

Hi Cindy,

Attached is an application for permit currently being processed within Water Districts 71 & 170. Please review the information and provide any necessary comments within 21 days. Feel free to contact our office if you have any questions regarding this application.

Thank you & have a good weekend,

Denise

Denise Maline  
Administrative Assistant  
Idaho Dept of Water Resources, Southern Region  
650 Addison Ave W, Ste 500  
Twin Falls, ID 83301  
(208) 293-9908  
[denise.maline@idwr.idaho.gov](mailto:denise.maline@idwr.idaho.gov)





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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

May 1, 2020

WATER DISTRICT #170  
CINDY YENTER  
102 S WARPATH  
SALMON ID 83467

RE: Application for Permit No. 71-11002

Dear Cindy:

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 21 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 21 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.

Sincerely,

*Denise Maline*

Denise Maline  
Administrative Assistant 1

Enclosure(s)

**Maline, Denise**

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**From:** Maline, Denise  
**Sent:** Friday, May 01, 2020 11:48 AM  
**To:** Morgan Miller (WD 71)  
**Cc:** 'Melodie Baker'  
**Subject:** Comment Letter for Application 71-11002 - USDA Forest Service  
**Attachments:** 71-11002 Forest Service.pdf; Comment Letter to WD71 for 71-11002.docx

Good morning,

Attached is an application for permit currently being processed within your Water District. Please review the information and provide any necessary comments within 21 days. Feel free to contact our office if you have any questions regarding this application.

Thank you & have a good weekend,

Denise

Denise Maline

Administrative Assistant

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 293-9908

[denise.maline@idwr.idaho.gov](mailto:denise.maline@idwr.idaho.gov)



**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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

May 1, 2020

WATER DISTRICT 71  
MORGAN V MILLER  
3594 HOTSPRINGS RD  
CHALLIS, ID 83226

RE: Application for Permit No. 71-11002

Dear 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 21 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 21 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.

Sincerely,

*Denise Maline*

Denise Maline  
Administrative Assistant 1

Enclosure(s)

## Maline, Denise

---

**From:** Maline, Denise  
**Sent:** Friday, May 01, 2020 8:21 AM  
**To:** Idaho Mountain Express  
**Subject:** LEGAL NOTICE  
**Attachments:** Idaho Mtn Express cover letter.docx; Idaho Mtn Express ad.docx

Attached please find **(1)** legal notice being submitted for publication on May 6<sup>th</sup> & 13<sup>th</sup>, 2020. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline  
Administrative Assistant  
Idaho Dept of Water Resources, Southern Region  
650 Addison Ave W, Ste 500  
Twin Falls, ID 83301  
(208) 293-9908  
[denise.maline@idwr.idaho.gov](mailto:denise.maline@idwr.idaho.gov)





**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

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Brad Little  
Governor

Gary Spackman  
Director

May 1, 2020

**LEGAL NOTICE DEPARTMENT**

IDAHO MOUNTAIN EXPRESS

PO BOX 1013

KETCHUM, ID 83340

RE: Application for Permit No. 71-11002

RE: Transfer No. 83946

Water Right No(s). 37-23219, 37-23220, 37-23221, 37-23222, 37-23223

Dear Legal Notice Department:

Please publish the enclosed legal notice 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 before May 26, 2020. Your cooperation is appreciated.

Sincerely,

*Denise Maline*

Denise Maline  
Administrative Assistant

Enclosure(s)

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

**71-11002**

UNITED STATES OF AMERICA ACTING THROUGH

USDA FOREST SERVICE

370 AMERICAN AVE

JEROME, ID 83338-6162

Point of Diversion SWNE S7 T07N R14E BLAINE County Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 03-06-2020

Place Of Use: DOMESTIC

T07N R14E S7 SWNE

Application for permit proposes to divert 0.04 cfs from a proposed well for domestic purposes for an existing recreational summer home. Proposed point of diversion and place of use is located approximately 3.3 miles east and 18.3 miles south of the highway 21 & 75 intersection in Stanley. This application proposes the diversion and use of water from ground water tributary to the Salmon River 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 it is for domestic purposes.

#### **NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 83946**

BLAINE COUNTY RECREATION DISTRICT, 1050 FOX ACRES RD STE 107, HAILEY, ID 83333-0020 has filed Application No. 83946 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23219, 37-23220, 37-23221, 37-23222, 37-23223. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU) and modify some points of diversion (POD) for two ground water and three Quigley Creek rights, with a total flow rate of 0.11 cfs. The ground water rights are currently authorized to divert from an existing well located approximately 0.9 mile east of the intersection of Bullion St. and Main St. in Hailey. The transfer proposes to add an existing well located approximately 1.2 miles east of Hailey to allow for diversion from two wells. One Quigley Creek right, which is currently diverted at a point approximately 1.2 miles east and 0.1 mile north of Hailey, will change its POD to an existing diversion located approximately 1.7 miles upstream on Quigley Creek. That right also proposes to change its irrigation storage POU from its current location on Quigley Creek, 1.2 miles east and 0.1 mile north of Hailey, to an existing reservoir 1.7 miles upstream on Quigley Creek. The transfer also proposes to change the irrigation POU for all five rights from its present location, approximately 1.6 miles east of Hailey, to a location approximately 1.2 miles east of Hailey.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **May 26, 2020**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on May 6<sup>th</sup> & 13<sup>th</sup>, 2020

## Skinner, Corey

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**From:** Richman, Michelle  
**Sent:** Thursday, April 30, 2020 9:29 AM  
**To:** Skinner, Corey  
**Subject:** Fwd: New Application for Permit, Basin 71, Wild & Scenic

Sent from my iPhone

Begin forwarded message:

**From:** "Richman, Michelle" <[Michelle.Richman@idwr.idaho.gov](mailto:Michelle.Richman@idwr.idaho.gov)>  
**Date:** April 28, 2020 at 3:56:05 PM MDT  
**To:** "Clark, Cynthia Bridge" <[Cynthia.Clark@idwr.idaho.gov](mailto:Cynthia.Clark@idwr.idaho.gov)>  
**Subject:** New Application for Permit, Basin 71, Wild & Scenic

Hi Cynthia,

We are forwarding a new application for permit, 71-11002, for advertising. The application will be in the papers in the next couple of weeks, and the file will be scanned and available in a few days. Application for permit proposes to divert 0.04 cfs of water for domestic use for an existing recreational cabin. Proposed point of diversion and place of use is located approximately 3.3 miles east and 18.3 miles south of the Highway 21/Highway 75 intersection in Stanley, Idaho.

Please let me know if you have any questions or concerns.

Thanks!

Michelle Richman



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

**BRAD LITTLE**  
Governor

**GARY SPACKMAN**  
Director

March 18, 2020

UNITED STATES OF AMERICA  
USDA FOREST SERVICE  
370 AMERICAN AVENUE  
JEROME ID 83338

RE: Application to Appropriate Water in the Upper Salmon River Basin

Dear Water Right Applicant:

The Department of Water Resources' (IDWR) records show you filed an application to establish a new use of water in the upper Salmon River basin. Idaho Code § 42-203A(5) requires IDWR to determine whether each water right application satisfies all the criteria necessary for appropriating water in Idaho. One statutory criterion requires IDWR to determine the local public interest relative to the proposed water use. Idaho Code § 42-202B(3) defines the local public interest as "the interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource." The local public interest has many facets, including the effects of a proposed water use on aquatic habitat for fish and wildlife resources.

The upper Salmon River basin is home to stocks of chinook salmon, sockeye salmon, steelhead trout, and bull trout, all of which are listed as threatened or endangered under the Endangered Species Act (ESA). Since the early 1990s, local water users, conservation districts, and federal and state agencies have cooperated to implement conservation measures intended to protect and restore habitat for ESA-listed species in the upper Salmon River watershed. For example, at the request of local water users the Idaho Legislature directed the Idaho Water Resource Board (IWRB) to establish a minimum stream flow in the lower Lemhi River for fish passage. The minimum stream flow is maintained through a water supply bank and temporary or permanent acquisition of additional water supplies by willing buyers from willing sellers.

Pursuant to the Snake River Water Rights Agreement of 2004, Idaho has been developing a long term conservation plan for the benefit of ESA-listed species in the Lemhi River basin. Improving conditions in flow-limited river reaches and streams is a fundamental component of the Lemhi plan. In addition to IDWR, numerous state agencies, including the Office of Species Conservation, Idaho Department of Fish and Game, Idaho Department of Environmental Quality, Idaho Soil and Water Conservation Commission, and Idaho Department of Lands, have committed and continue to commit significant resources toward this objective under the following programs:

- Columbia Basin Water Transactions Program
- National Marine Fisheries Service Pacific Coastal Salmon Recovery Fund
- U. S. Fish & Wildlife Service Aquatic Species Conservation Fund
- Salmon and Clearwater River Basins Habitat Fund
- 2008 Columbia Basin Fish Accords



A myriad of habitat restoration projects are being constructed/implemented in other parts of the upper Salmon River basin. These projects have been coordinated with the local communities and water users through the Upper Salmon River Basin Watershed Program and predecessor programs, including the model watersheds. Furthermore, the Snake River Water Rights Agreement of 2004 contemplates the development of additional conservation plans for other upper Salmon River basin watersheds. Accordingly, the draft Comprehensive State Water Plan under revision by the IWRB contains policies for the Salmon River basin that focus on the protection and restoration of instream habitat for ESA-listed species through voluntary participation in conservation programs.

Because of the ESA-listed species recovery efforts in the upper Salmon River basin, IDWR must determine on a case-by-case basis whether it is in the local public interest to authorize proposed water uses that would further deplete flow-limited stream reaches.

Pursuant to Rule 40.04.c of the Water Appropriation Rules (IDAPA 37.03.08.040.04.c), the applicant has the ultimate burden of persuasion regarding the items that must be evaluated in connection with each water right application. Before proceeding further with your application, IDWR requests you submit additional information about how your proposal invokes any local public interest concerns for ESA species recovery. Within 30 days, please submit any additional information you believe IDWR may need to evaluate and determine the local public interest in the water you propose to divert and use. If IDWR has not received a response from you within 30 days, IDWR will assume you have no comment regarding the local public interest, and processing of your application will resume with the information currently on file. Processing will include public notice and the potential for formal protests by other interested parties. Applications that are not in the local public interest will be denied. If you wish to withdraw your application before it is processed, please notify IDWR in writing.

If you have any questions, please call Angie Grimm at 208-287-4951, or email her at [angie.grimm@idwr.idaho.gov](mailto:angie.grimm@idwr.idaho.gov). For applications in administrative basins 73-75, you may also contact IDWR's Eastern Region office in Idaho Falls at 208-525-7161. For applications in administrative basins 71 or 72, you may also contact IDWR's Southern Region office in Twin Falls at 208-736-3033.

Sincerely,



Kent L. Aasa  
Water Resource Agent, Senior