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FORM 202 Rev. 09/16

MAR 09 2020

MAR 19 2020

STATE OF IDAHO

Ident. No. 74-16230

DEPARTMENT OF WATER RESOURCES

DEPARTMENT OF
WATER RESOURCESDEPARTMENT OF
WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) US Dept of the Interior - Bureau of Land Management Phone 208-756-5495
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 1206 South Challis Street City Salmon
 State ID ZIP 83467 Email mwhitson@blm.gov
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 Unnamed Spring which is a tributary of Agency Creek
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
20N	24E	34		NE	SE	SW	Lemhi	Stinkbug Spring	

5. Water will be used for the following purposes:
- Amount 0.04 for Recreation purposes from 01/01 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) _____ 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. Corrugated metal pipe installed in spring as part of cold water supply system for BLM Sharkey Hot Springs Recreation Site.
- 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 KU Date 3-9-2020 Time 3:34 Preliminary check by _____
 Fee \$ 100 Receipted by KU Receipt No. C108425 Date 3-9-2020

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	
19N	24E	23																	
19N	24E	4	R																

Total number of acres to be irrigated: N/A

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? 74-7396 and 74-15989 are also used as cold water supply to decrease temperature of geothermal water used at hot springs pools.
11. a. Who owns the property at the point of diversion? US Federal lands administered by the Bureau of Land Mgmt.
b. Who owns the land to be irrigated or place of use? US Federal lands administered by the Bureau of Land Mgmt.
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Diversion and infrastructure are installed. This source was discovered as part of a water rights review during licensing of 74-7396. Was originally listed as part of 74-7396 application, but water under this right is sourced from a spring adjacent to Warm Spring Creek, rather than from the creek itself.
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

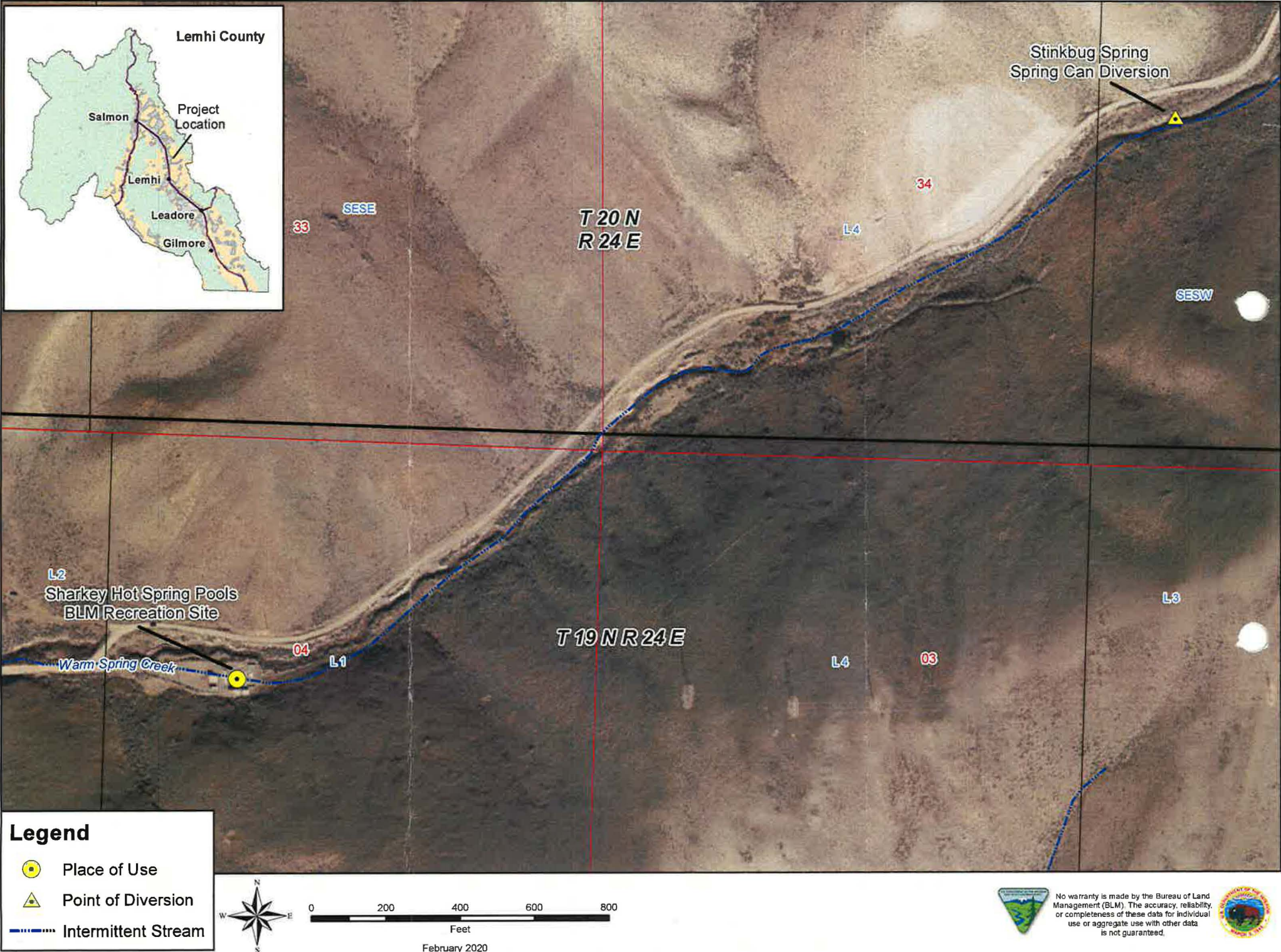
Linda R. Price, Field Manager

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

Sharkey Hot Spring - Stinkbug Spring Cold POD





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

May 1, 2020

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1206 S CHALLIS ST
SALMON, ID 83467

RE: Application for Permit No. 74-16230 & 74-16232

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 5/7/2020 and 5/14/2020. Protests to this application may be submitted for a period ending ten (10) days after the second publication. In this case, it will be eleven (11) days after the second publication due to a holiday.

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 "Jean Hersley".

Jean Hersley
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 May 26, 2020. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

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

74-16230

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1206 S CHALLIS ST
SALMON, ID 83467
Point of Diversion NESESW S34 T20N R24E LEMHI County
Source UNNAMED SPRING Tributary WARM SPRING CREEK
Use: RECREATION
01/01 to 12/31
0.04 CFS
Total Diversion:
0.04 CFS
Date Filed: 03-09-2020
Place Of Use: RECREATION
T19N R24E S4 L1(NENE)

This application proposes the diversion and use of water from a tributary of 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 non-consumptive purposes.

74-16232

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1206 S CHALLIS ST
SALMON, ID 83467
Point of Diversion L5(SWSENE) S23 T19N R25E LEMHI County
Source UNNAMED SPRING Tributary AGENCY CREEK
Use: DOMESTIC
04/01 to 10/31
0.02 CFS
Total Diversion:
0.02 CFS
Date Filed: 03-09-2020
Place Of Use: DOMESTIC
T19N R25E S23 L5(SENE)

This application proposes the diversion and use of water from a tributary of 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.

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/WRApplicationResults/>. 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, 322 E Front St, PO Box 83720, Boise, ID 83720 together with a protest fee of \$25.00 for each application on or before 5/26/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/7/2020 and 5/14/2020

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
EXCHANGE NO. 83641**

JUNE PLAYFAIR and MARIE MAHAFFEY, PO BOX 38, LEMHI, ID 83465-0038 has filed Application No. 83641 for changes to the following water rights within LEMHI County(s): Right No(s). 74-15535; The purpose of the exchange is to change a portion of the above rights as follows:

to move a point of diversion for right 74-15535 from an unnamed stream tributary to Little Sawmill Creek, to the L-43B on the Lemhi River in the SWNW, Sec. 33, T18N, R24E. The current location of the point of diversion on record is in the SWSW QQ, Sec. 33, T18N, R24E from an unnamed stream known locally as Indian Springs Creek. The POD is currently diverted in the SWNW QQ, Sec. 33, T18N, R24E at a physical headgate on Little Sawmill Creek below the confluence with Indian Springs Creek. The new POD location would be at the L-43B, a screened diversion on the Lemhi River which is at a point upstream of the confluence of Little Sawmill Creek and the Lemhi River.

For additional information concerning the property location, contact IDWR State office at (208) 287-4800; or for a full description of the transfer, please see <http://www.idwr.idaho.gov/water-rights/transfers/search.html>

Protests may be submitted based on the criteria of Idaho Code Sec. 42-240.

Any protest against the proposed change must be filed with the Department of Water Resources, 322 E Front St, PO Box 83720, Boise ID 83720-0098 together with a protest fee of \$25.00 for each application on or before 5/26/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/7/2020 and 5/14/2020

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, April 30, 2020 8:38 AM
To: rhlegals@custertel.net
Subject: Recorder Herald.doc
Attachments: Recorder Herald.doc

Please see attached Legal Notice. Let me know if you have any questions. Thank you.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, April 30, 2020 8:38 AM
To: 'jeff.richards@idfg.idaho.gov'
Subject: Application for Permit of 74-16230 & 74-16232 and Application for Exchange 83641

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 applications. You can find a copy of the applications

at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Documents will be available by end of day, Friday, May 1, 2020.

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.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, April 30, 2020 8:38 AM
To: Yenter, Cindy; Clark, Cynthia Bridge; Cassel, Amy; Golden, Kala
Subject: Application for Permit 74-16230 & 74-16232 Exchange 83641

These three applications will be advertised on May 7th and 14th. The protest end date is May 26, 2020. Please let me know if you have any comments or concerns with the applications. Documents will be available by end of day, tomorrow.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, April 30, 2020 8:38 AM
To: 'rick375@centurytel.net'
Subject: Application for Permit of 74-16230 & Exchange 83641
Attachments: RecommendationForm New Appropriation5.docx; RecommendationForm Exchange 83641.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 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.

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

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

MEMORANDUM

Date: April 25, 2020
To: Application for Permit No. 74-16230
From: Dave Betts
Re: Pre-Advertisement Application Review

Applicant

The US Department of Interior – Bureau of Land Management (BLM) submitted an application for permit on March 9, 2020. Corrections to the legal description for the place of use were submitted on March 19, 2020. The application was signed by Linda R. Price, Field Manager for the Salmon Office of the BLM.

Source & Diversion System

The proposed diversion is from an unnamed spring that is tributary to Warm Spring Creek. The applicants identified the local name of the spring as Stinkbug Spring.

The applicants incorrectly identified the spring as tributary to Agency Creek in item 3 of the application. In item 12 the applicants recognize that the spring is tributary to Warm Spring Creek. I have corrected the data entry for the tributary of this application.

The proposed diversion is a corrugated metal pipe as part of a cold water supply system for BLM Sharkey Hot Springs Recreation Site. The applicants stated that the diverting works are already in place. The diversion at the spring was intended to be part of the development of water right 74-7396, but water right 74-7396 only authorizes diversion from Warm Spring Creek. Rather trying to amend 74-7396, the applicants filed this application for permit to seek authorization to divert water from the spring that is tributary to Warm Spring Creek.

Water Use

This application proposes to supply additional water to the same system as water rights 74-7396 and 73-15989. The existing rights supply cold water to two recreational hot pools at BLM Sharkey Hot Springs Recreation Site. The existing rights and this application for permit are identified as non-consumptive uses.

In an email received on March 27, Michael Whitson of the BLM confirmed that legal description of the place of use should be recorded as Government Lot 5 (SENE), Section 23, Township 19 N, Range 25 E.

Additional Comments

The proposed point of diversion is located within water districts 74 and 170. Comments will be requested from the watermasters.

This application proposes to divert water from a tributary to the Salmon River Wild & Scenic River. Therefore, the application will be subject to additional steps in the review process with respect to Wild & Scenic Rivers. Comments will be requested from the Department of Environmental Quality, Idaho Fish & Game, the Department of Water Resource's Planning section, and from Regional staff.

Betts, David

From: Betts, David
Sent: Friday, March 27, 2020 4:35 PM
To: 'Whitson, Michael D'
Subject: RE: [EXTERNAL] Specification of Government Lots for places of use (Applications for Permit 74-16230 & 74-16232)

Yes, I did make a type on the Section number for the POU of 74-16232. It should have read T. 19 N., R. 25 E., Section 23, Government Lot 5 (SENE).

Thank you for your reply.

Dave Betts
Water Resource Agent
Water Rights Section
Idaho Department of Water Resources
322 East Front St
Boise, ID 83720

Phone: (208) 287-4826

From: Whitson, Michael D [mailto:mwhitson@blm.gov]
Sent: Friday, March 27, 2020 2:05 PM
To: Betts, David <David.Betts@idwr.idaho.gov>
Subject: RE: [EXTERNAL] Specification of Government Lots for places of use (Applications for Permit 74-16230 & 74-16232)

Dave-

I reviewed those applications, the legal description and government lot for 74-16230 is correct: T. 19 N., R. 24 E., Section 4, Government Lot 1 (NENE).

For 74-16232 the legal description should be: T. 19 N., R. 25 E., **Section 23**, Government Lot 5 (SENE).

You have it listed as Section 4 in your previous email. Can you verify that was a typo? If so, then these descriptions should be accurate.

Please feel free to contact me if needed. I'm currently teleworking, so if you need to call it's (208) 490-2477.

Thanks,

MDW
Michael D. Whitson, P.G.

Geologist

US Dept of the Interior – Bureau of Land Management
Salmon Field Office
1206 South Challis Street
Salmon, ID 83467
(208) 756-5495
mwhitson@blm.gov

From: Betts, David <David.Betts@idwr.idaho.gov>

Sent: Thursday, March 26, 2020 3:52 PM

To: Whitson, Michael D <mwhitson@blm.gov>

Subject: [EXTERNAL] Specification of Government Lots for places of use (Applications for Permit 74-16230 & 74-16232)

Dear Applicant,

The standards for describing the geographic location of a place of use (POU) require that the Department identify the Government Lot, if there is one. The POUs for both applications appear to be within Government Lots, but those lots appear to make up the entire quarter-quarter sections identified as the POUs in the applications.

Can you confirm that the following Government Lots correspond to the locations of the POUs for each of your applications:

- * Application for Permit 74-16230
- Lot 1 (NENE), Sec 4, Township 19N, Range 24E
- * Application for Permit 74-16232
- Lot 5 (SENE), Sec 4, Township 19N, Range 25E

Once the Government Lots are confirmed I should be able to submit your applications for advertising, which is the next step in the review process.

Thank you for your help.

--

Dave Betts
Water Resource Agent
Water Rights Section
Idaho Department of Water Resources
322 East Front St
Boise, ID 83720

Phone: (208) 287-4826

Pink Checklist – updates for 74-16230

PRE ADVERTISEMENT PROCESSING (Yes = Required and Completed, No = Not Required):

☒ Yes ☐ No Local Public Interest Letter - Date sent 03/24 Response received None
☐ Yes ☒ No Wastewater - Send letter (water availability and legal access)
☒ Yes ☐ No Fee amount, receipt date, & No. on application, correct receipt no. data entered
☒ Yes ☐ No W&S - Subordinated use or rate remaining? W&S data entry
☒ Yes ☐ No Summary memo complete, initial the preliminary check line on application form
☒ Yes Application data entry complete and accurate

SEND COPIES TO:

<input checked="" type="checkbox"/> IDEQ	<input type="checkbox"/> US FS	<input checked="" type="checkbox"/> Planning (MSF, protected reach)
<input checked="" type="checkbox"/> IDFG	<input type="checkbox"/> ADJ	<input checked="" type="checkbox"/> Water District 170 WM (Cindy)
<input type="checkbox"/> IDL	<input type="checkbox"/> Dam Safety (embankment)	<input type="checkbox"/> Other (POD/POU owner, protestants,
<input type="checkbox"/> BLM	<input checked="" type="checkbox"/> Water District <u>74</u> WD No.	write in Name and Address below)

Pink Checklist – updates for 74-16232

PRE ADVERTISEMENT PROCESSING (Yes = Required and Completed, No = Not Required):

☒ Yes ☐ No Local Public Interest Letter - Date sent 03/24 Response received None
☐ Yes ☒ No Wastewater - Send letter (water availability and legal access)
☒ Yes ☐ No Fee amount, receipt date, & No. on application, correct receipt no. data entered
☒ Yes ☐ No W&S - Subordinated use or rate remaining? W&S data entry
☒ Yes ☐ No Summary memo complete, initial the preliminary check line on application form
☒ Yes Application data entry complete and accurate

SEND COPIES TO:

<input checked="" type="checkbox"/> IDEQ	<input type="checkbox"/> US FS	<input checked="" type="checkbox"/> Planning (MSF, protected reach)
<input checked="" type="checkbox"/> IDFG	<input type="checkbox"/> ADJ	<input checked="" type="checkbox"/> Water District 170 WM (Cindy)
<input type="checkbox"/> IDL	<input type="checkbox"/> Dam Safety (embankment)	<input type="checkbox"/> Other (POD/POU owner, protestants,
<input type="checkbox"/> BLM	<input checked="" type="checkbox"/> Water District <u>74M</u> WD No.	write in Name and Address below)



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

March 24, 2020

US DEPT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
1206 S CHALLIS ST
SALMON, ID 83467

RE: Applications to Appropriate Water in the Upper Salmon River Basin 74-16230 & 74-16232

Dear Water Right Applicant:

The Department of Water Resources' (IDWR) records show you filed applications to establish new uses 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 uses. 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 Comprehensive State Water Plan revised 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.

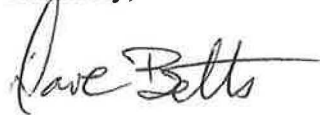
Because of the ESA-listed species recovery efforts in the upper Salmon River basin, IDWR must determine on a case-by-case basis whether it is in the local public interest to authorize proposed water uses that would further deplete flow-limited stream reaches.

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 applications, IDWR requests you submit additional information about how your proposals 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 applications 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 applications before it is processed, please notify IDWR in writing.

If you have any questions, please call me at 208-287-4826, or email me at david.betts@idwr.idaho.gov.

Sincerely,



Dave Betts
Water Resource Agent, Senior

Enclosure: Copy of Applications



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

March 10, 2020

USDI
BUREAU OF LAND MANAGEMENT
1206 S CHALLIS ST
SALMON ID 83467

RE: Application for Permit 74-16230

Dear Applicant(s):

The Department of Water Resources has received your water right application. Preliminary review of the application indicates that it is incomplete and cannot be accepted for processing. We are returning your application to allow you to complete the necessary items. The required information is described below.

- The Place of Use was not provided correctly. Item # 9 on the application does not match the place of use marked on the map. The map lists the place of use in Township 19N, Range 24E, Section 4, Gov't. Lot 1, NENE. Please correct item # 9 or provide a new map with the correct location of the place of use.

Please provide the requested information within 30 days or your application will be returned unprocessed and a refund will be requested. You can provide the information by mail to: 322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098.

Please feel free to contact me at (208) 287-4942 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist 2

Enclosures

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

Ident. No. 74-16230

1. Name of applicant(s) US Dept of the Interior - Bureau of Land Management Phone 208-756-5495
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address 1206 South Challis Street City Salmon
State ID ZIP 83467 Email mwhitson@blm.gov
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 Unnamed Spring which is a tributary of Agency Creek
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
20N	24E	34		NE	SE	SW	Lemhi	Stinkbug Spring	

5. Water will be used for the following purposes:
- Amount 0.04 for Recreation purposes from 01/01 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) _____ 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. Corrugated metal pipe installed in spring as part of cold water supply system for BLM Sharkey Hot Springs Recreation Site.
- 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 KU Date 3-9-2020 Time 3:37 Preliminary check by _____
Fee \$ 100 Received by KU Receipt No. C108425 Date 3-9-2020

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	
19N	24E	23												R					

Total number of acres to be irrigated: N/A

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? 74-7396 and 74-15989 are also used as cold water supply to decrease temperature of geothermal water used at hot springs pools.
11. a. Who owns the property at the point of diversion? US Federal lands administered by the Bureau of Land Mgmt.
b. Who owns the land to be irrigated or place of use? US Federal lands administered by the Bureau of Land Mgmt.
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Diversion and infrastructure are installed. This source was discovered as part of a water rights review during licensing of 74-7396. Was originally listed as part of 74-7396 application, but water under this right is sourced from a spring adjacent to Warm Spring Creek, rather than from the creek itself.
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
 Linda R. Price, Field Manager

 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

Sharkey Hot Spring - Stinkbug Spring Cold POD

