

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 16 2020

Department of Water Resources
Eastern Region

APPLICATION FOR TEMPORARY APPROVAL OF WATER USE

For a use not intended to become an established water right and not to exceed one (1) year in duration in accordance with Idaho Code § 42-202A.

Name of applicant Lemhi County Phone (208) 756-2861
 Mailing address 206 Courthouse Dr City Salmon
 State Idaho Zip 83467 Email jdavis@custertel.net

1. Source of water various location through out county tributary to Salmon
 2. Location of point(s) of diversion. If more than two, attach a Point of Diversion/Place of Use Supplement. ☐

See Attached Maps

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #

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

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

4. Proposed use of water:

- a. ☐ Prevention of flood damage ☐ Ground water recharge ☐ Ground water or surface water remediation
☒ Other (Limited to a diverted volume of 5 acre-feet.) Describe: Lemhi County maintains gravel roads all over

- b. Attach a detailed description of how the proposal will accomplish the intended objective, such as prevention of flood damage.

5. Amount of water. Complete all three:

- a. Maximum rate of diversion: .09 cfs; or 5 gpm. ** Actual diversion rate ~ 200 gpm*
 b. Maximum daily volume: .27 AF; or gallons.
 c. Maximum volume over the duration of the request: 5 AF; or gallons.

6. Duration of diversion: from Date of Approval / March 1st (month-day) to Nov 15 (month-day).

7. Describe proposed diverting works: 2 inch hose & pump attached to water truck

8. a. Who owns the property at the requested point of diversion? Lemhi County
 b. Who owns the facilities that will convey water to the place of use? Lemhi County
 c. Who owns the land to be irrigated or place of use? Lemhi County
 d. If any of the items above is owned by a person or entity other than the applicant, describe the arrangement allowing access and attach written evidence of the arrangement.

9. Attach an 8 1/2" x 11" map identifying the water source, point(s) of diversion, place(s) of use and conveyance system.

I hereby acknowledge that I assume all risk of the diversion and use of the water under this approval. I certify this is a temporary use and is not intended to become an established water right.

Curt Rosin Road and Bridge Supervisor 1-8-2020
 Signature of Applicant Title, if any Date

Received by ca Date 1/16/2020 Time 2:25
 \$50.00 fee receipted by ca # E045567 Date 1/16/2020
 Watermaster comments received? Date

Question #4 answer is:

Lemhi County maintains gravel roads throughout the county; water is used during the maintenance and construction activities. Water is needed to properly grade and maintain public rights of way.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

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

☒ B. The application for temporary approval should be approved, since

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

This application is therefore hereby:

 A. DENIED

☒ B. APPROVED, subject to the following conditions:

1. Diversion and use of water under this approval is subject to all valid existing water rights.
2. The applicant assumes all risk of the use of the water under this approval.
3. This approval authorizes a maximum diversion volume of 5 AF and a maximum diversion rate of 0.45 cfs.
(200gpm)
4. This approval does not grant a right-of-way across the land of another.
5. The Department may cancel or reduce the rate of flow or volume authorized by this approval. For example, the Department may cancel or reduce this approval if it concludes the water use is injuring other water rights or adversely affecting fish, wildlife or other public values.
6. The applicant shall not divert water when downstream minimum flow water rights are not being satisfied.
7. This approval does not create a continuing right to use water.
8. A temporary approval for ground water recharge or prevention of flood damage shall be an opportunistic use of surplus water and shall not interfere with the filling of surface water reservoirs.
9. For a temporary approval authorizing ground water recharge or ground water or surface water remediation, the applicant shall measure and record the weekly quantity of water diverted and report the diversion data to the Department upon request.
10. This temporary approval is not an authorization for the described water use to be used as mitigation or credit for any other purpose.
11. Other: See additional conditions 13 & 14
12. This approval expires on November 15, 2020.

Signed this 12th day of February, 2020.

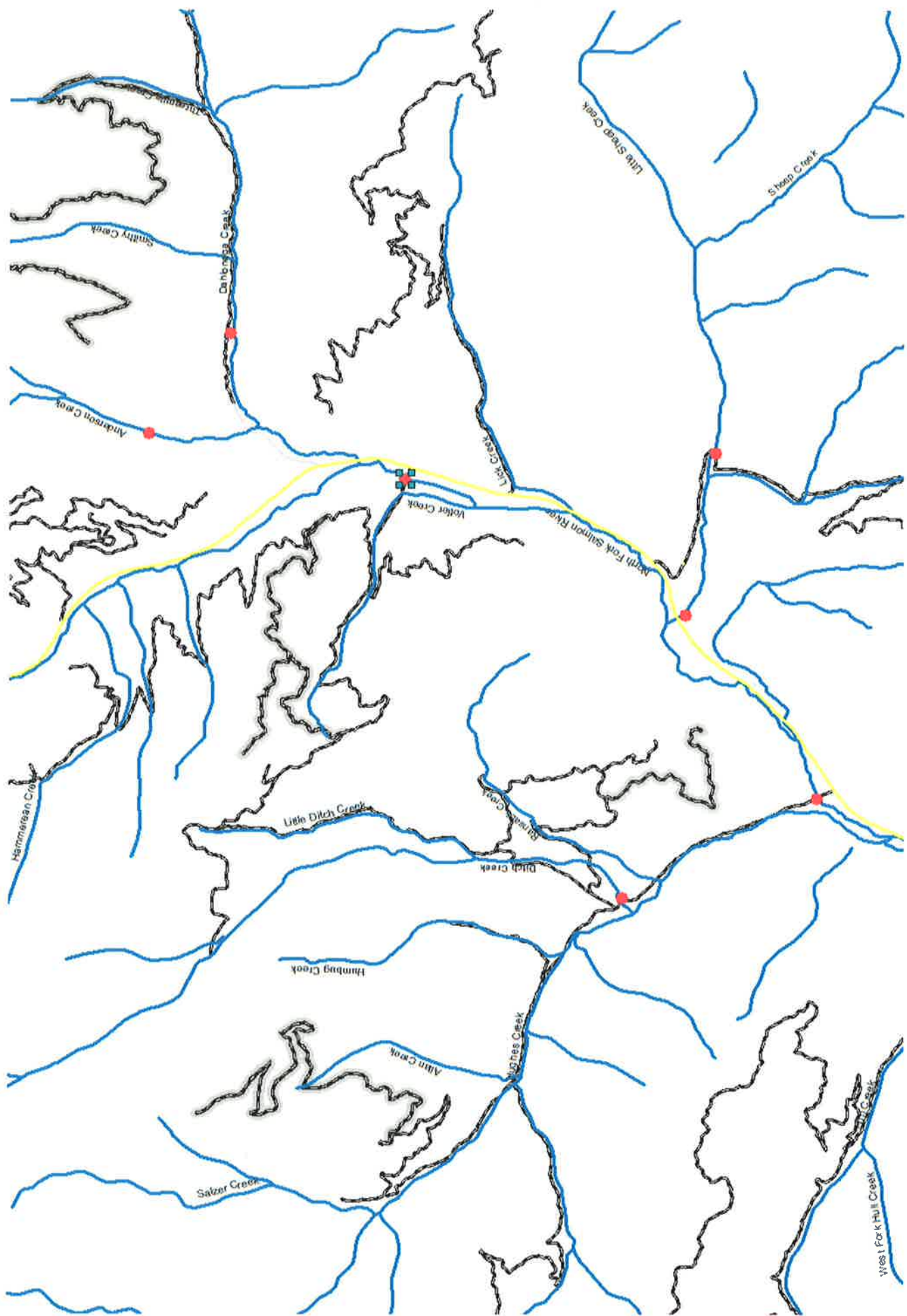

For the Department

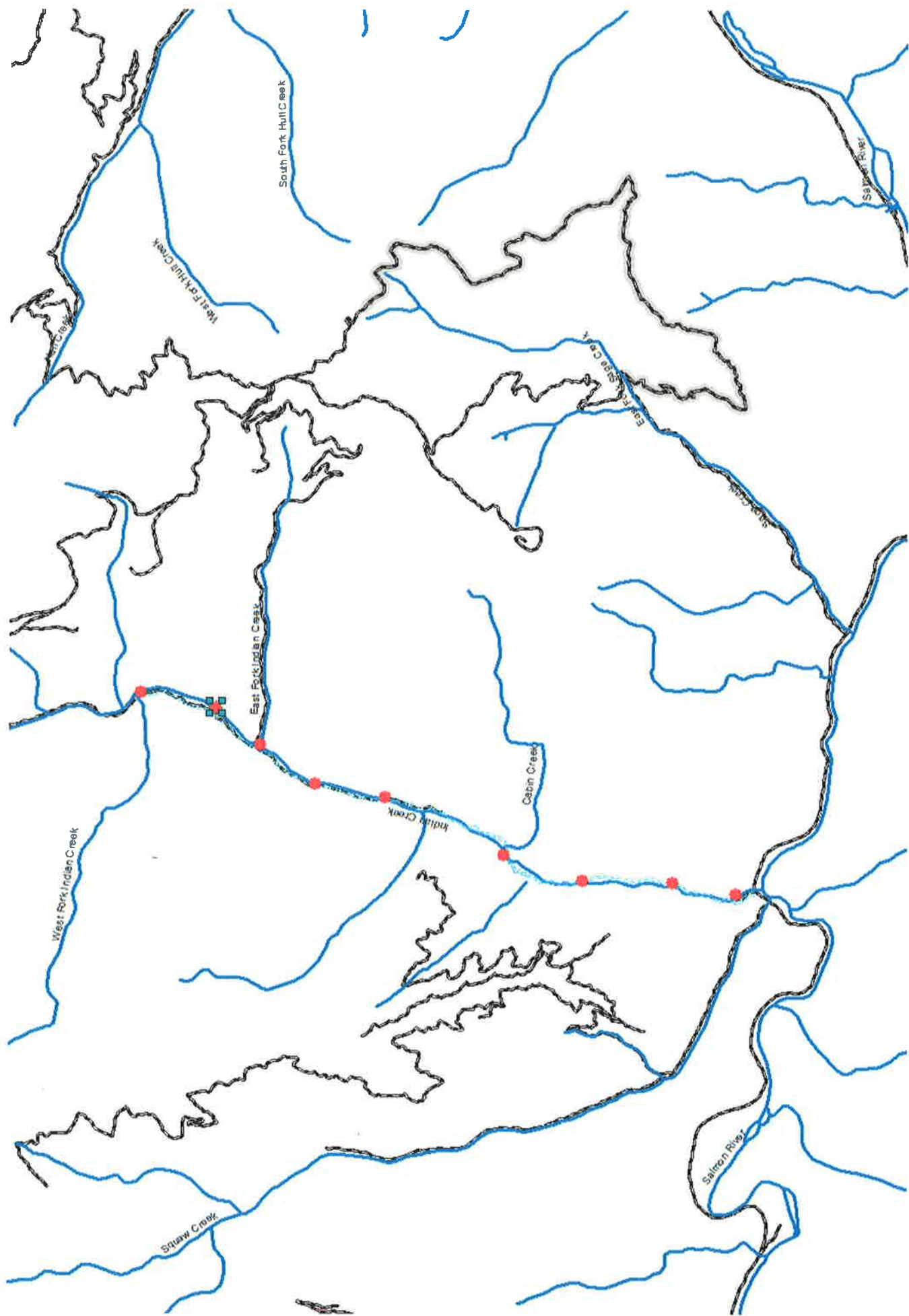
TP-74-46

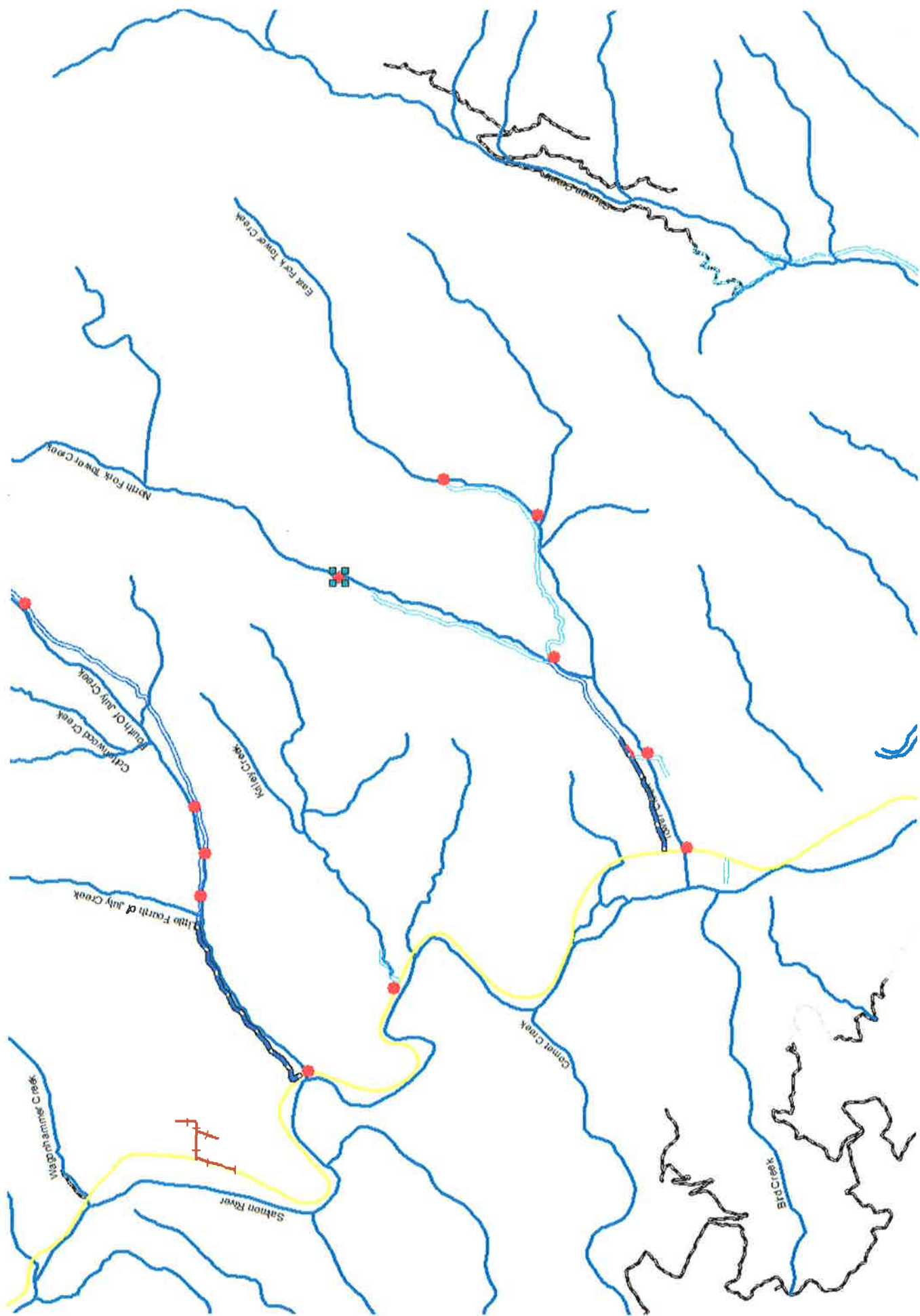
Lemhi County Road & Bridge

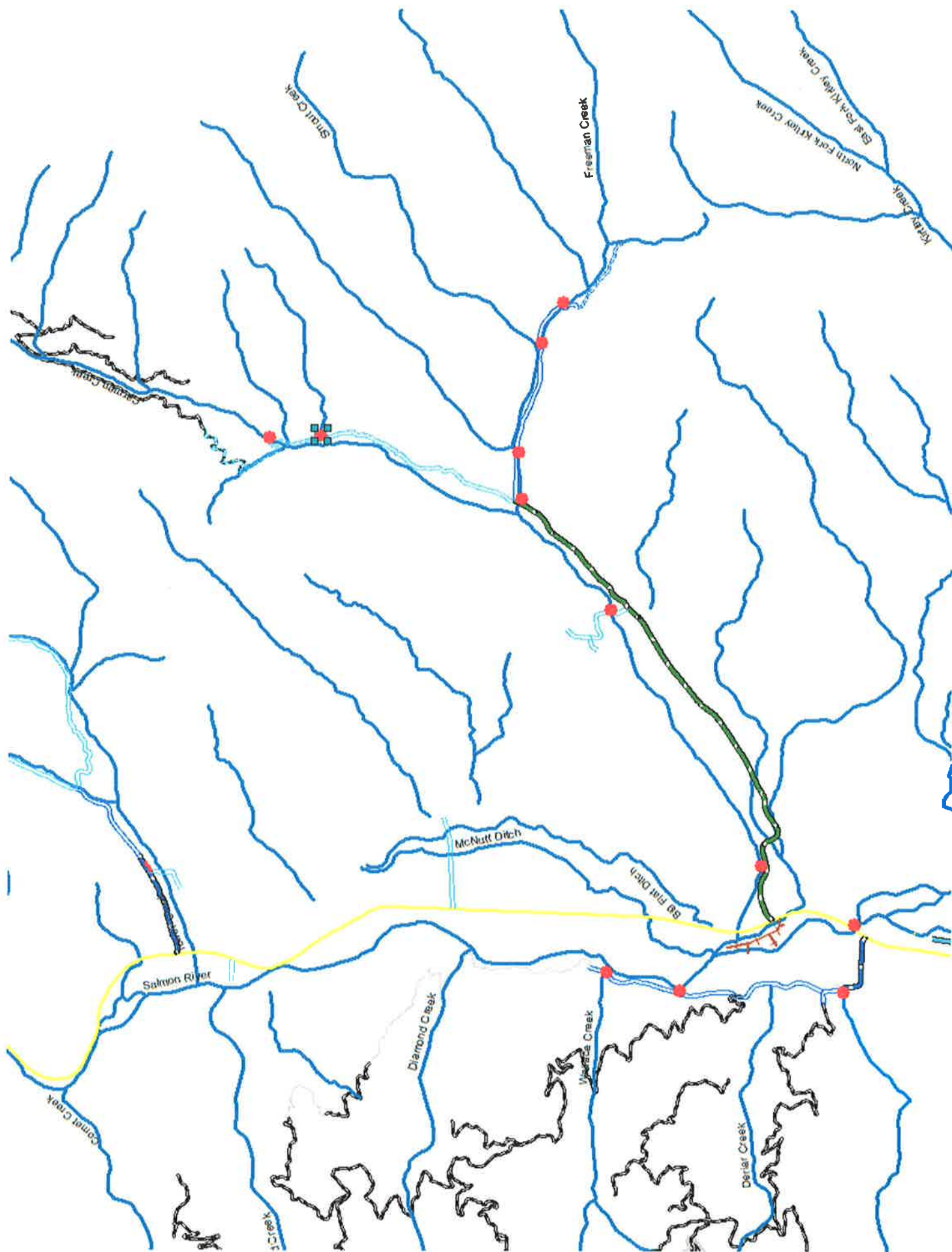
Additional Conditions of Approval:

13. Many of the proposed points of diversion are on creeks or streams that are fully appropriated during the summer months. Prior to diversion from any regulated stream the applicant shall first contact the local watermaster to verify that water is available for diversion under this temporary approval.
14. Diversion under this temporary approval shall not dewater any stream or ditch.

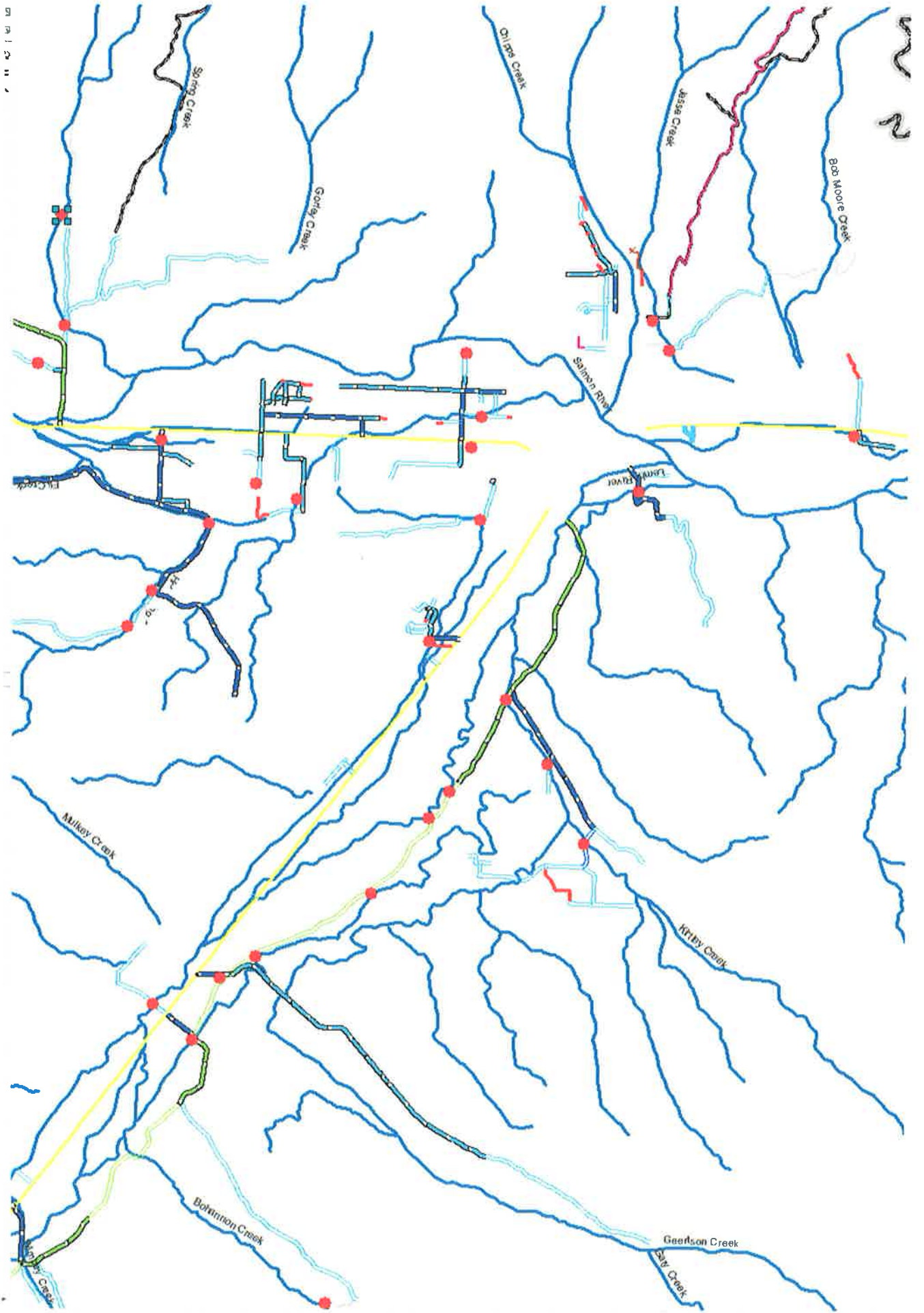


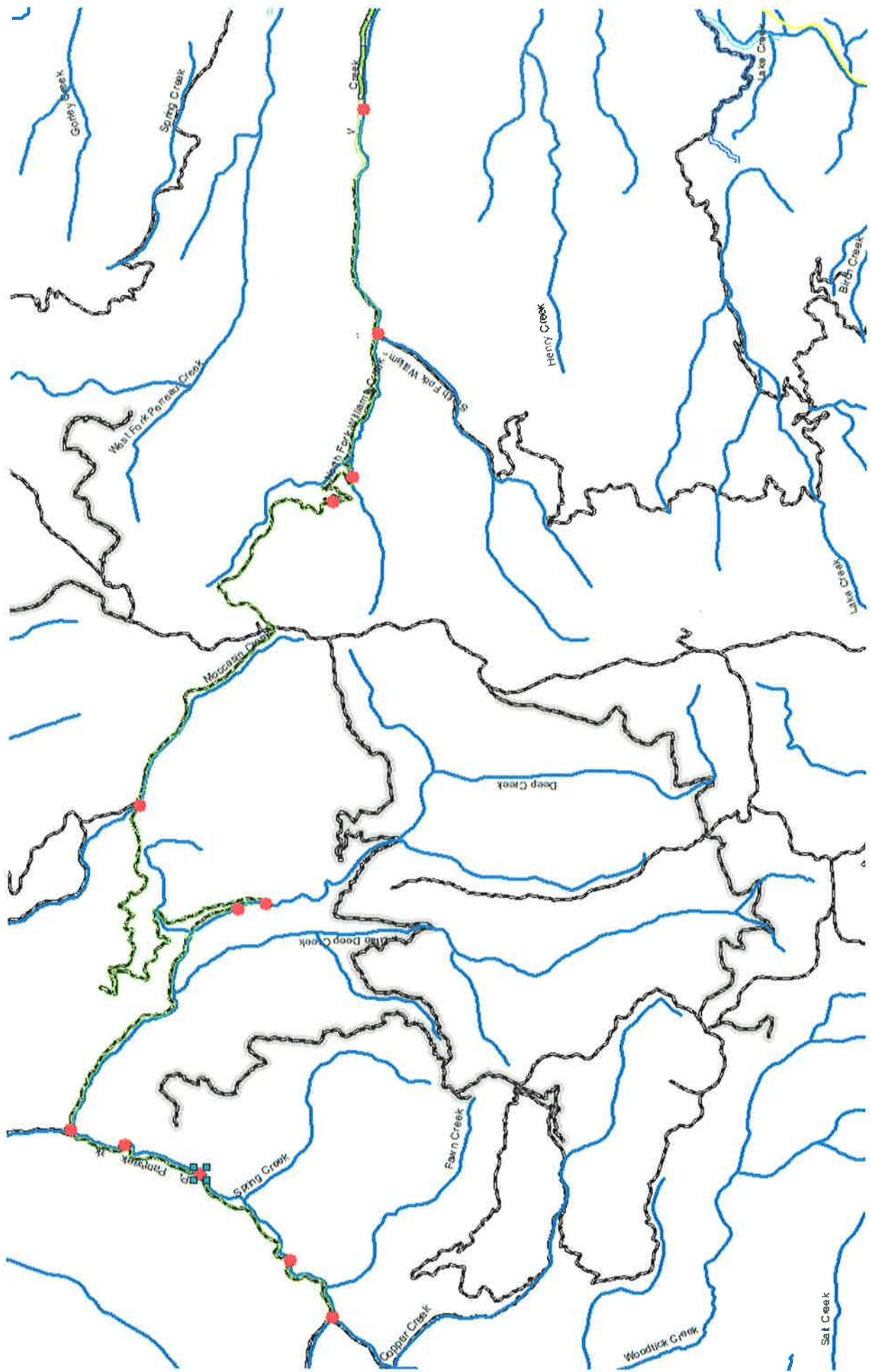


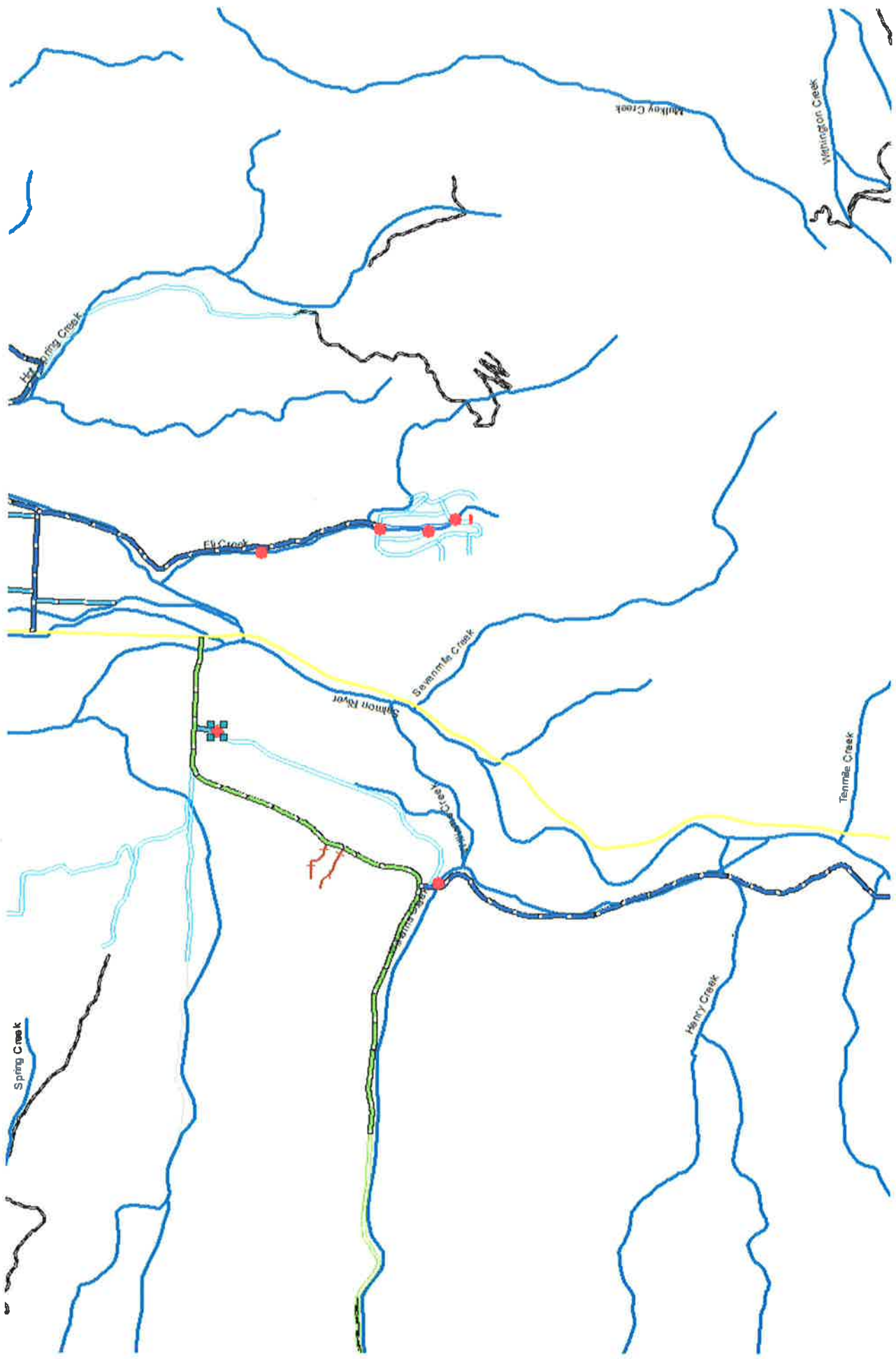


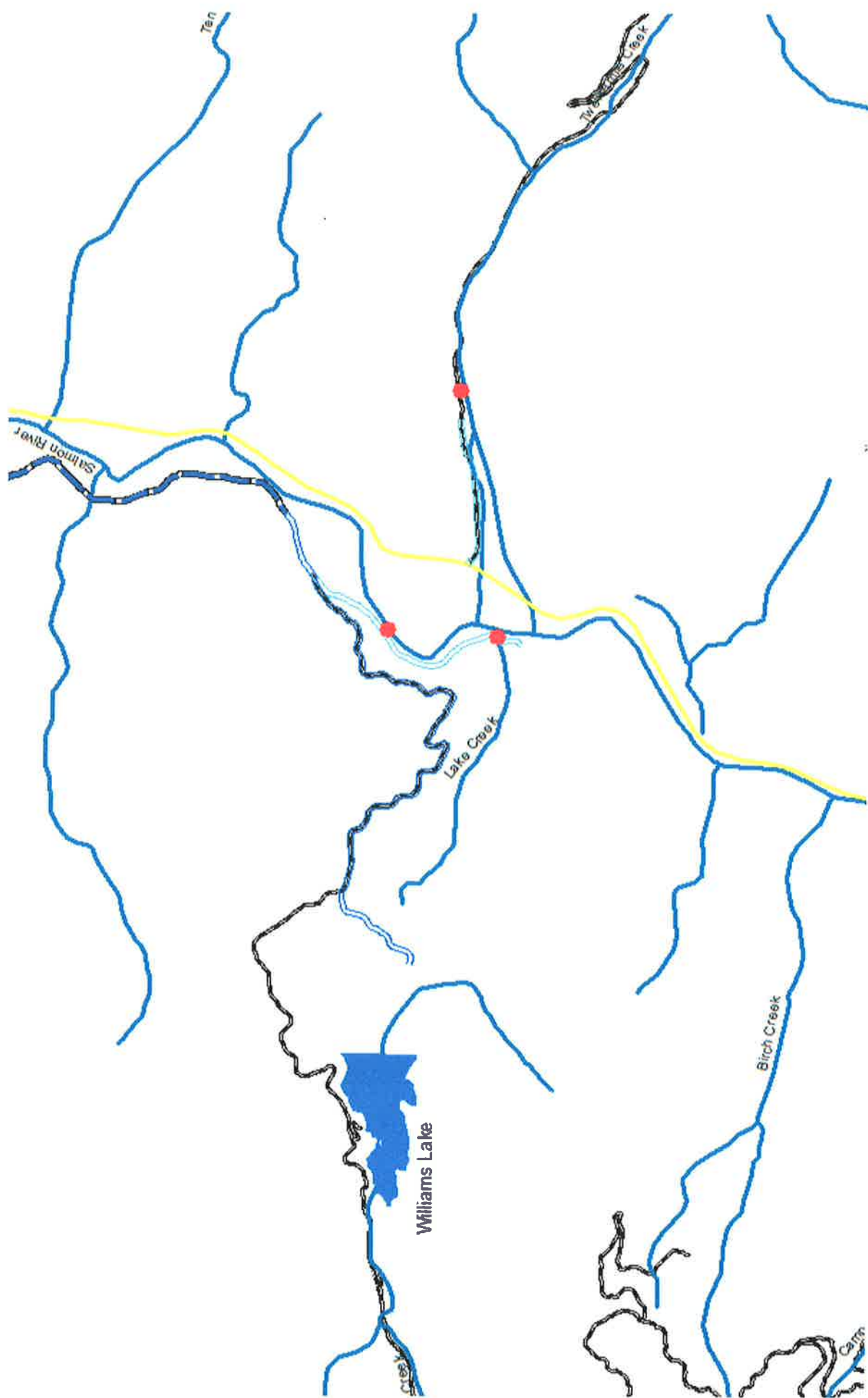


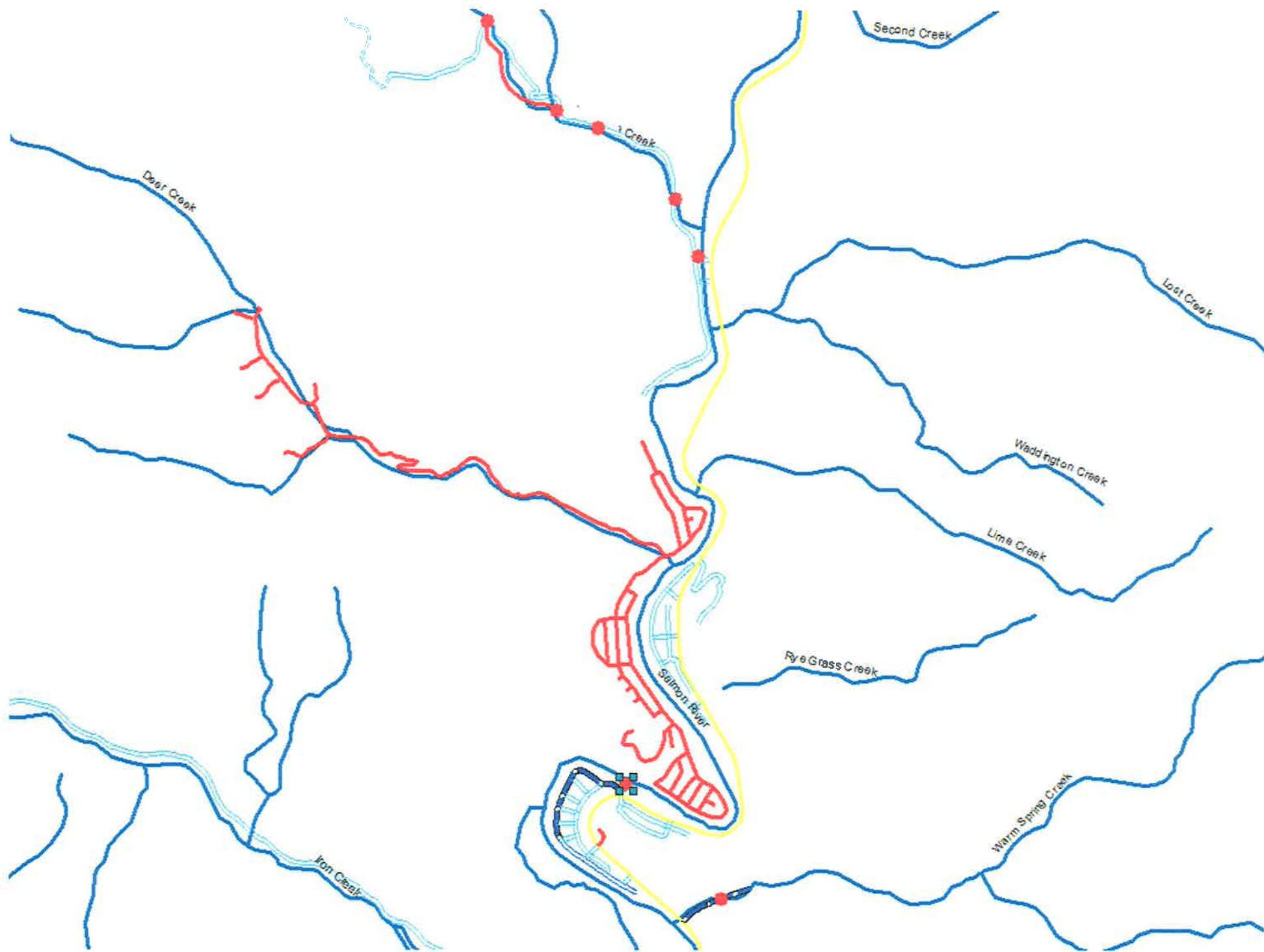
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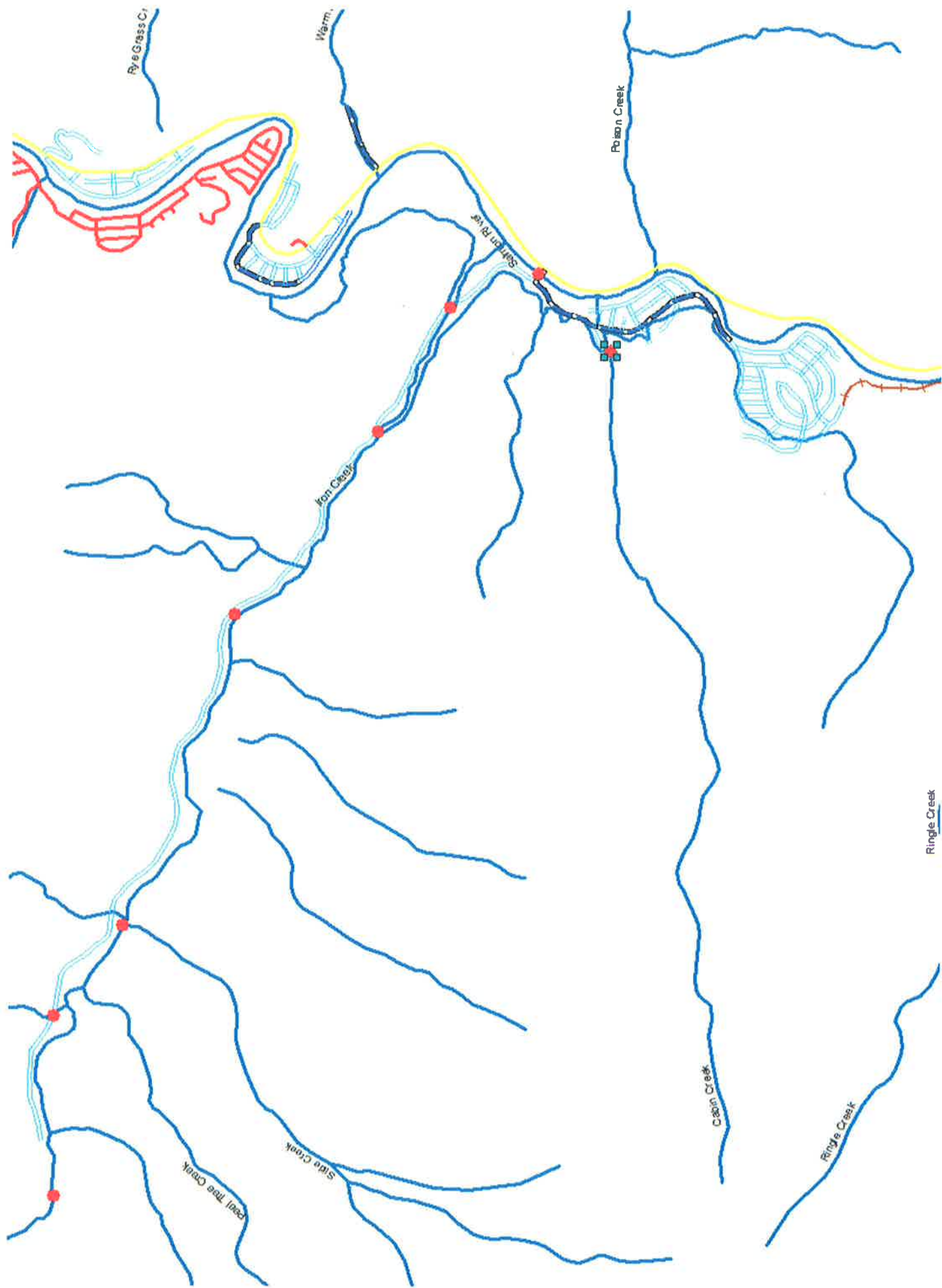




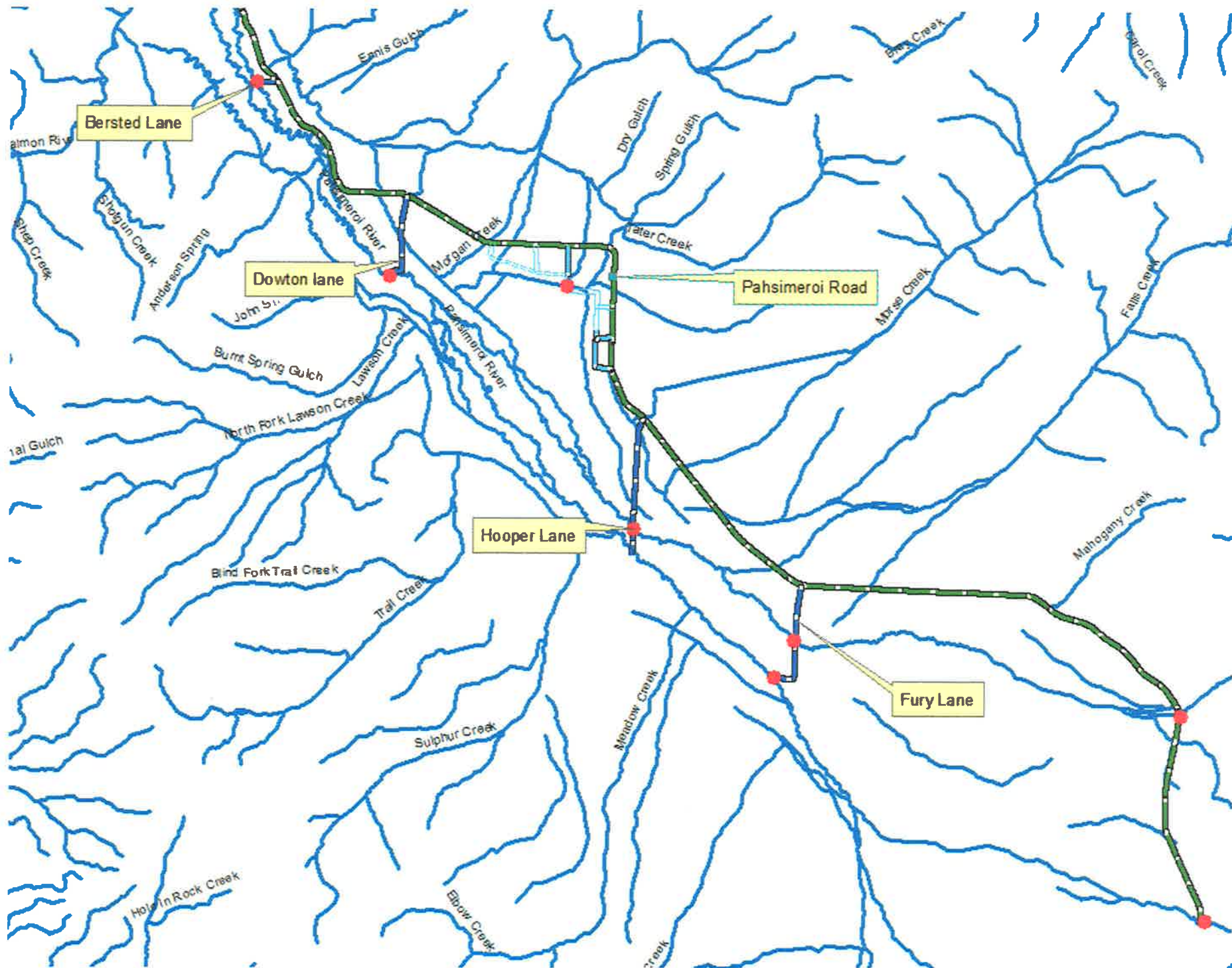


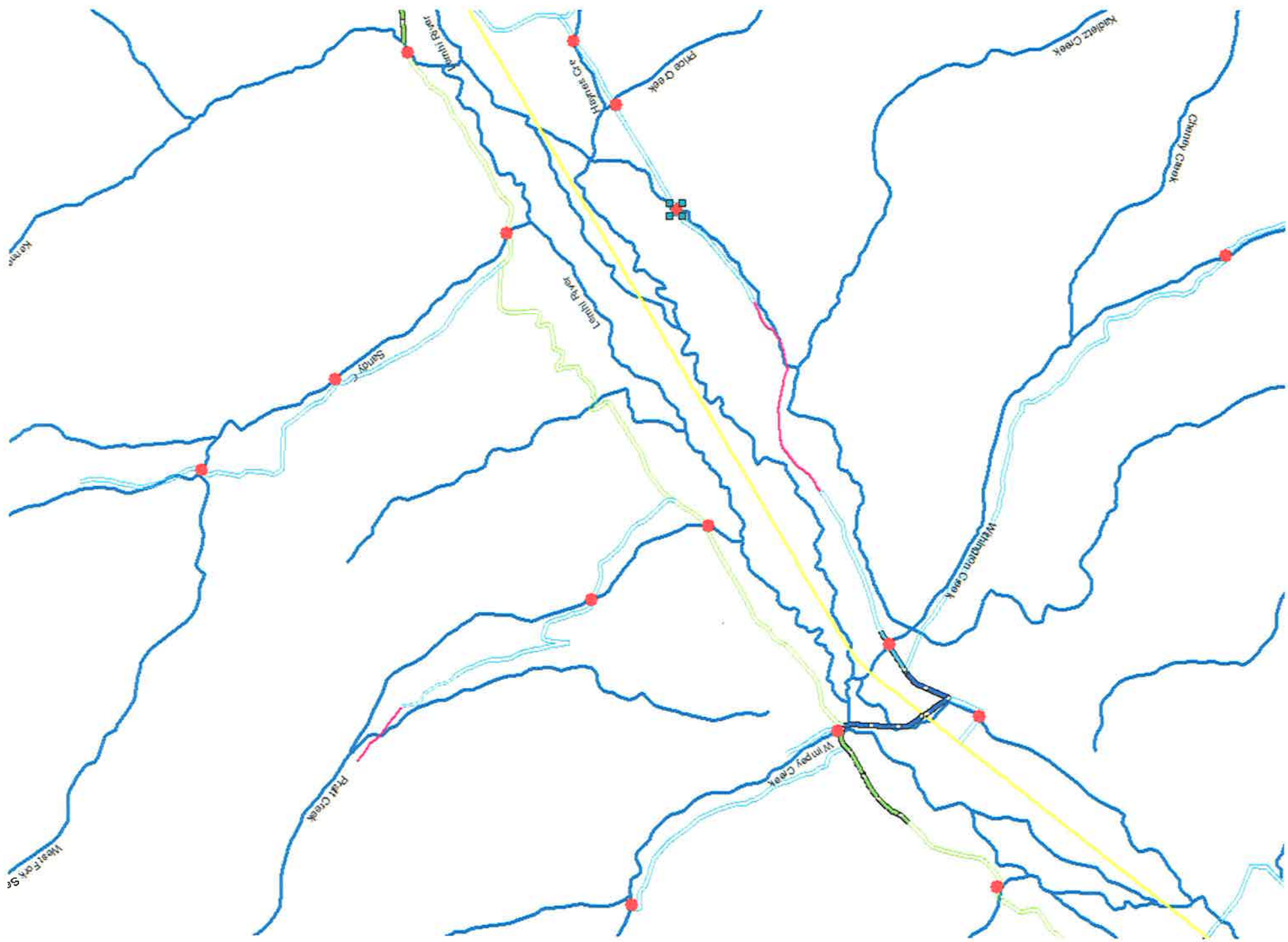


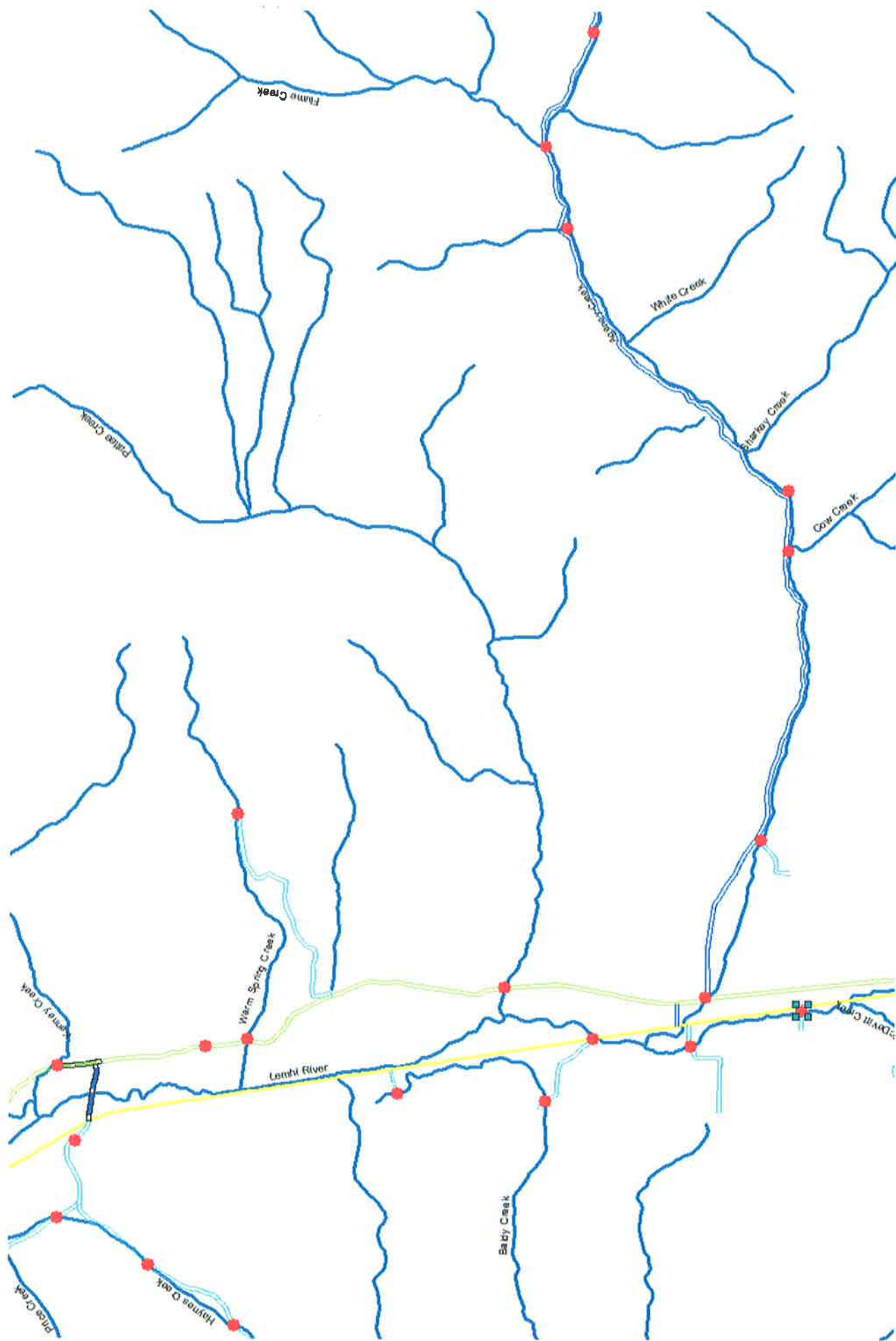


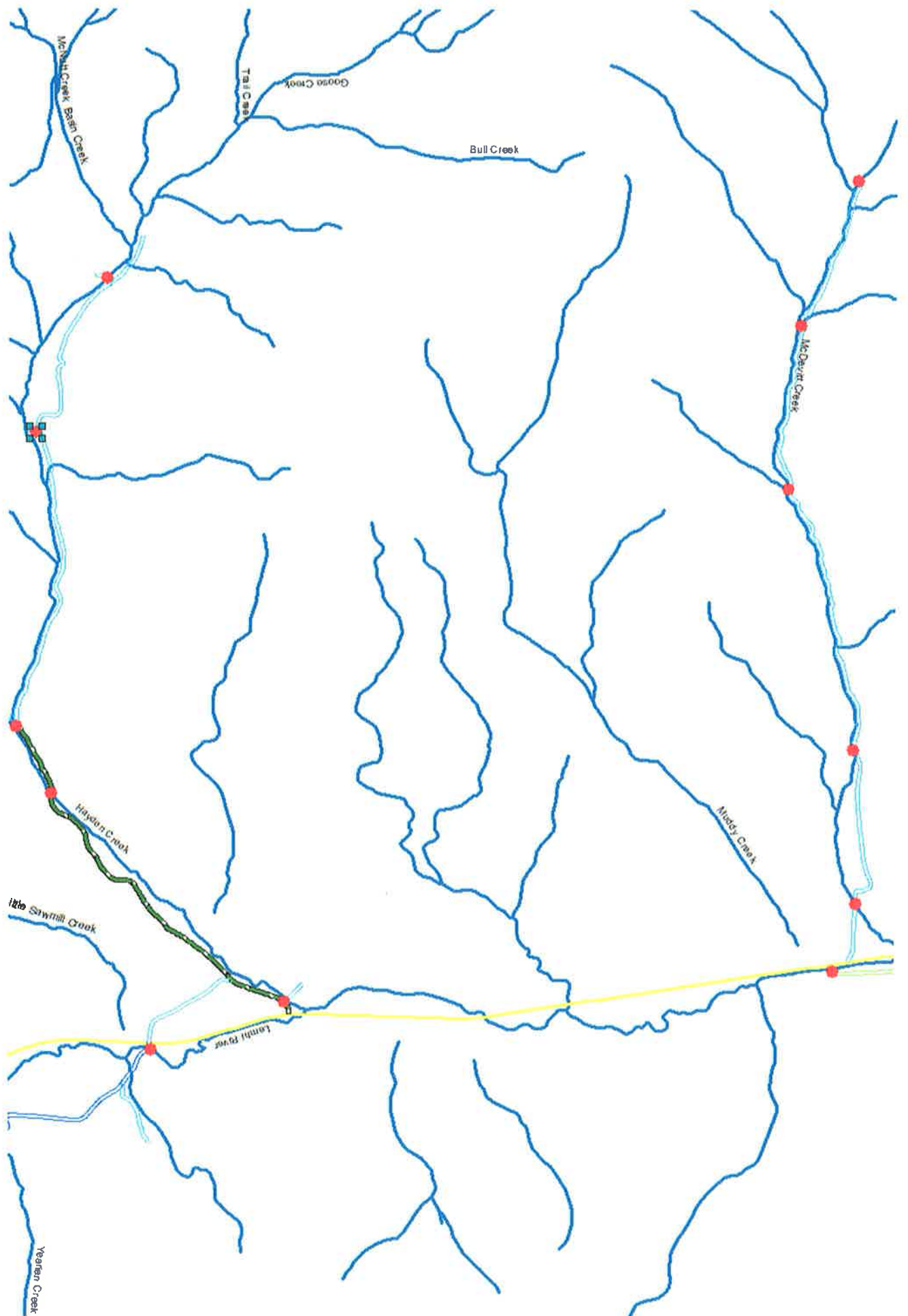


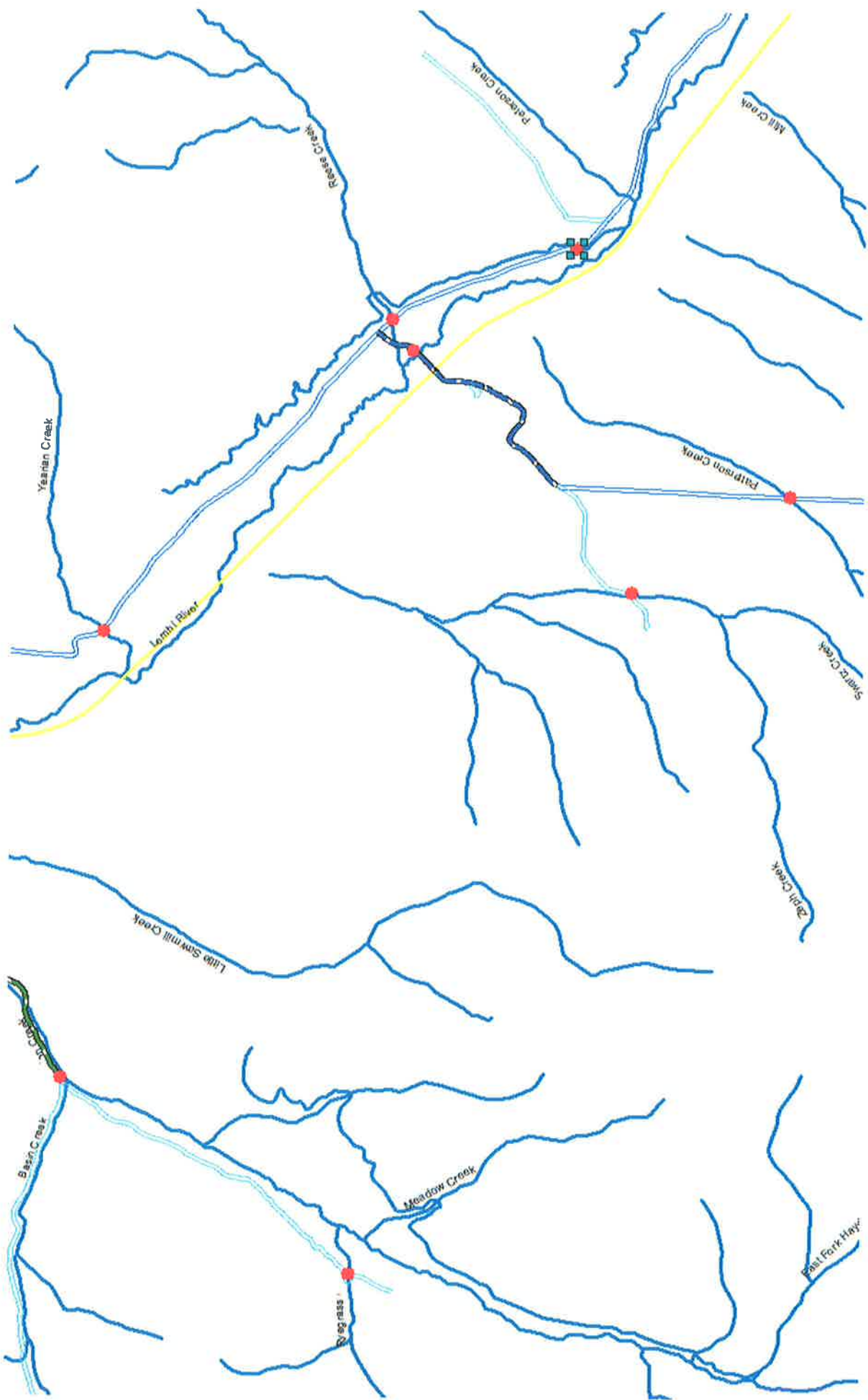


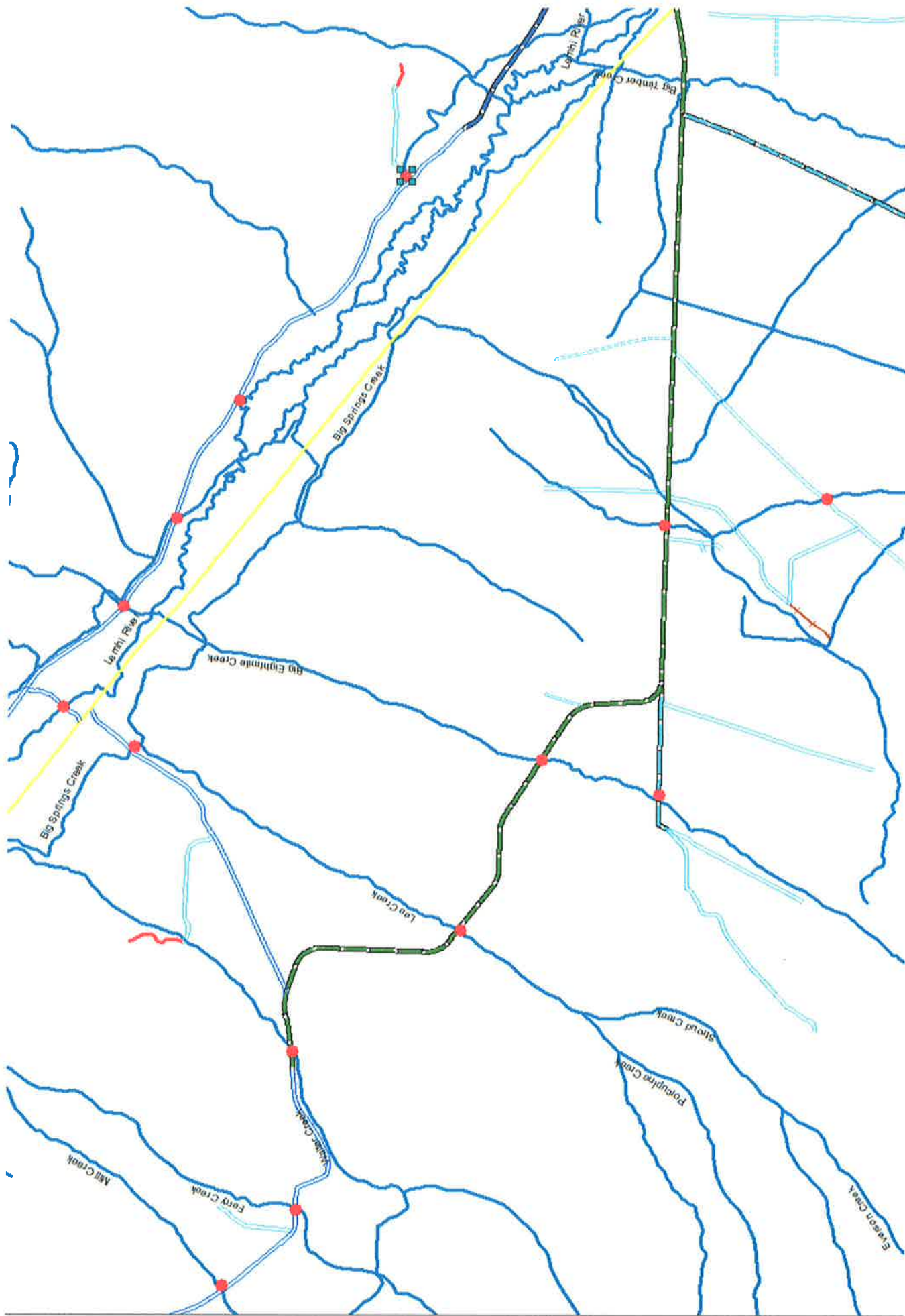


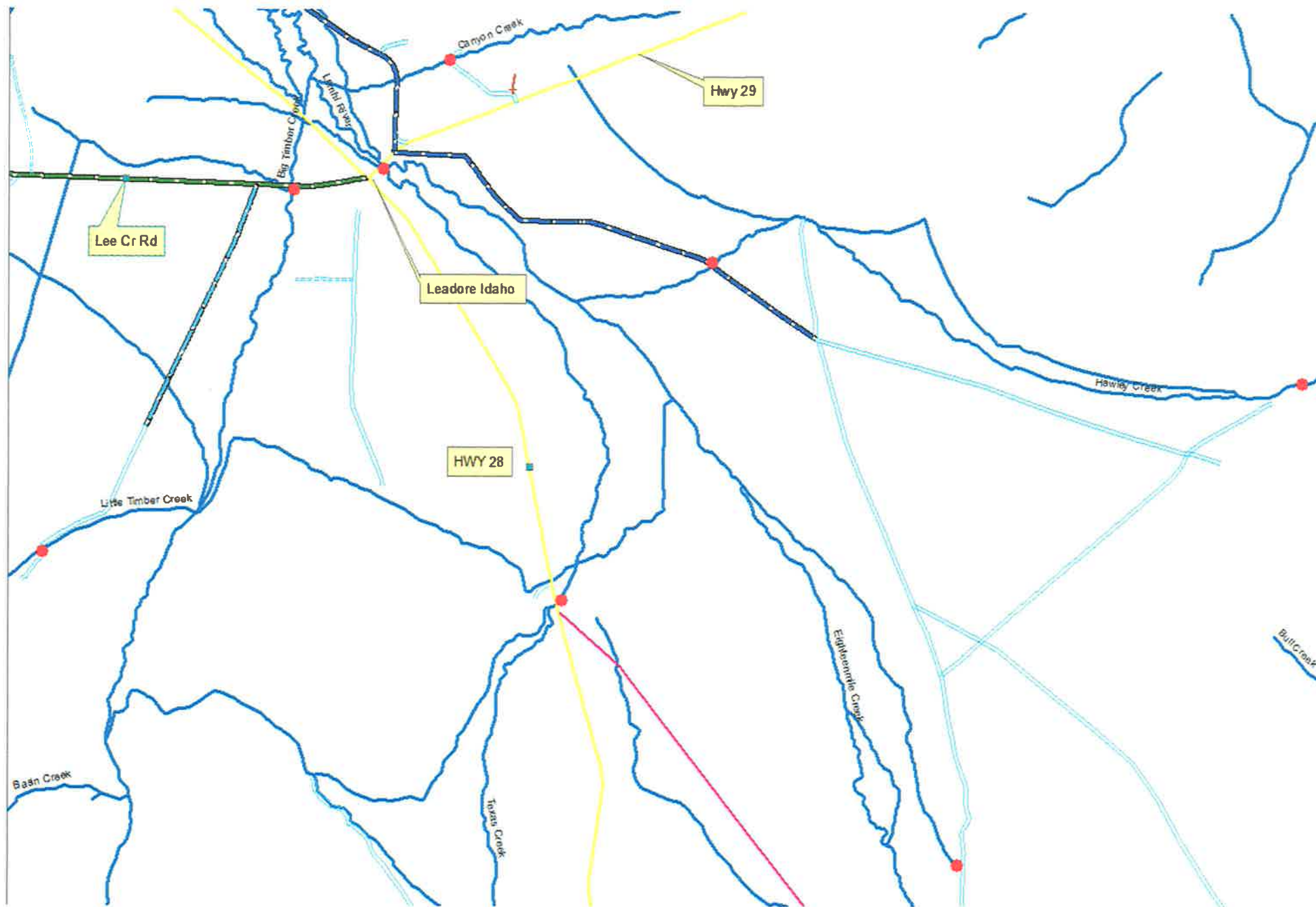


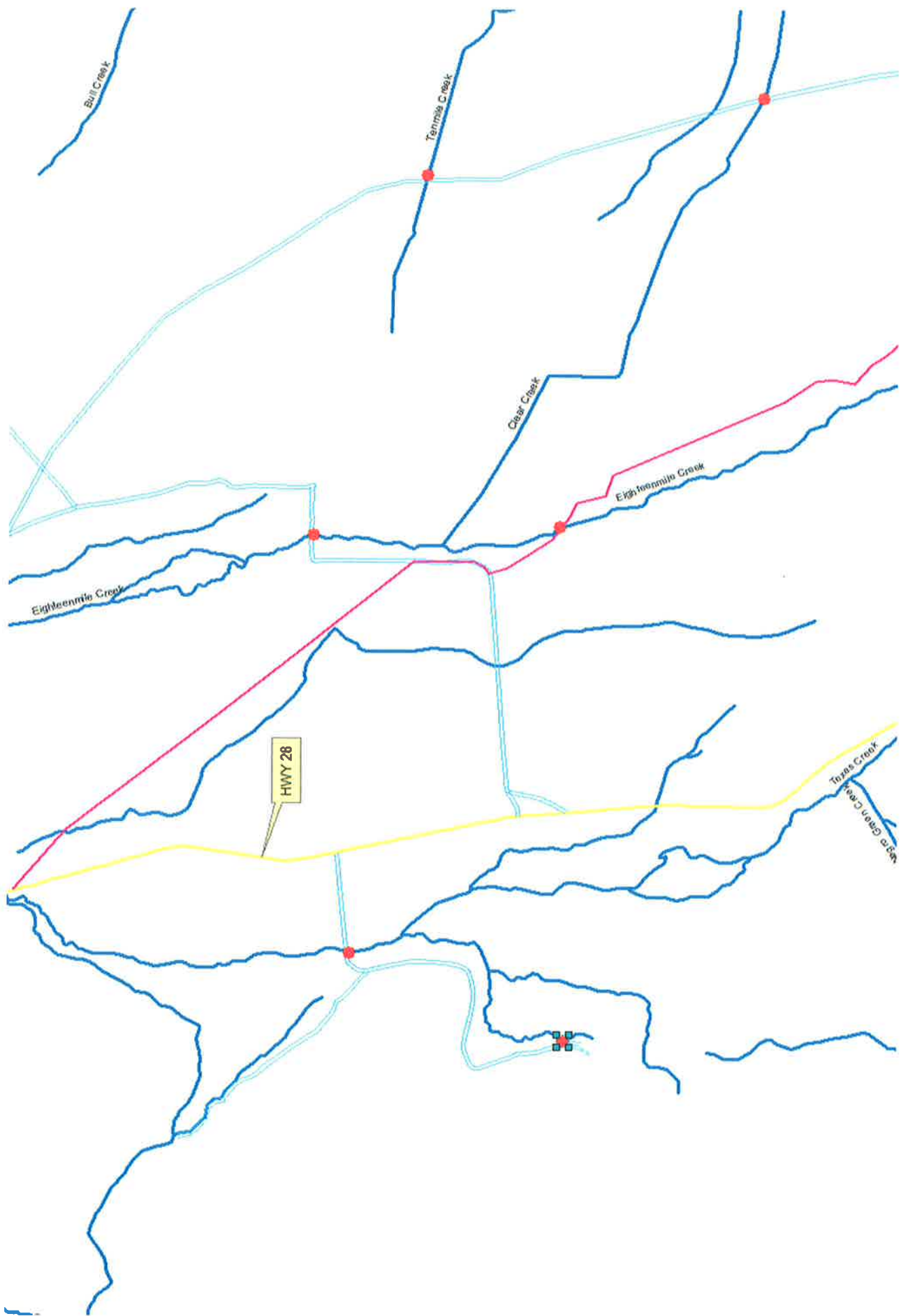


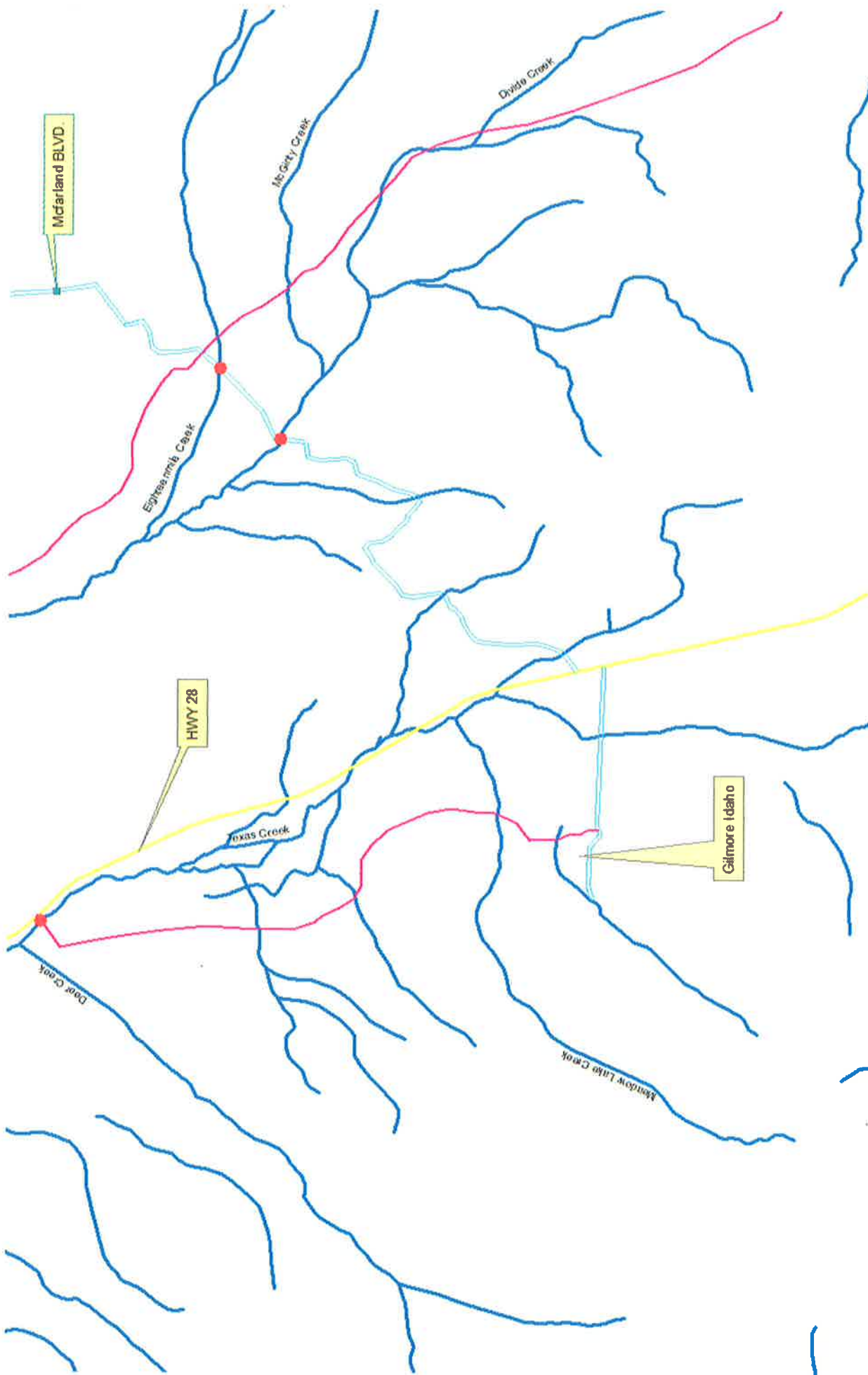


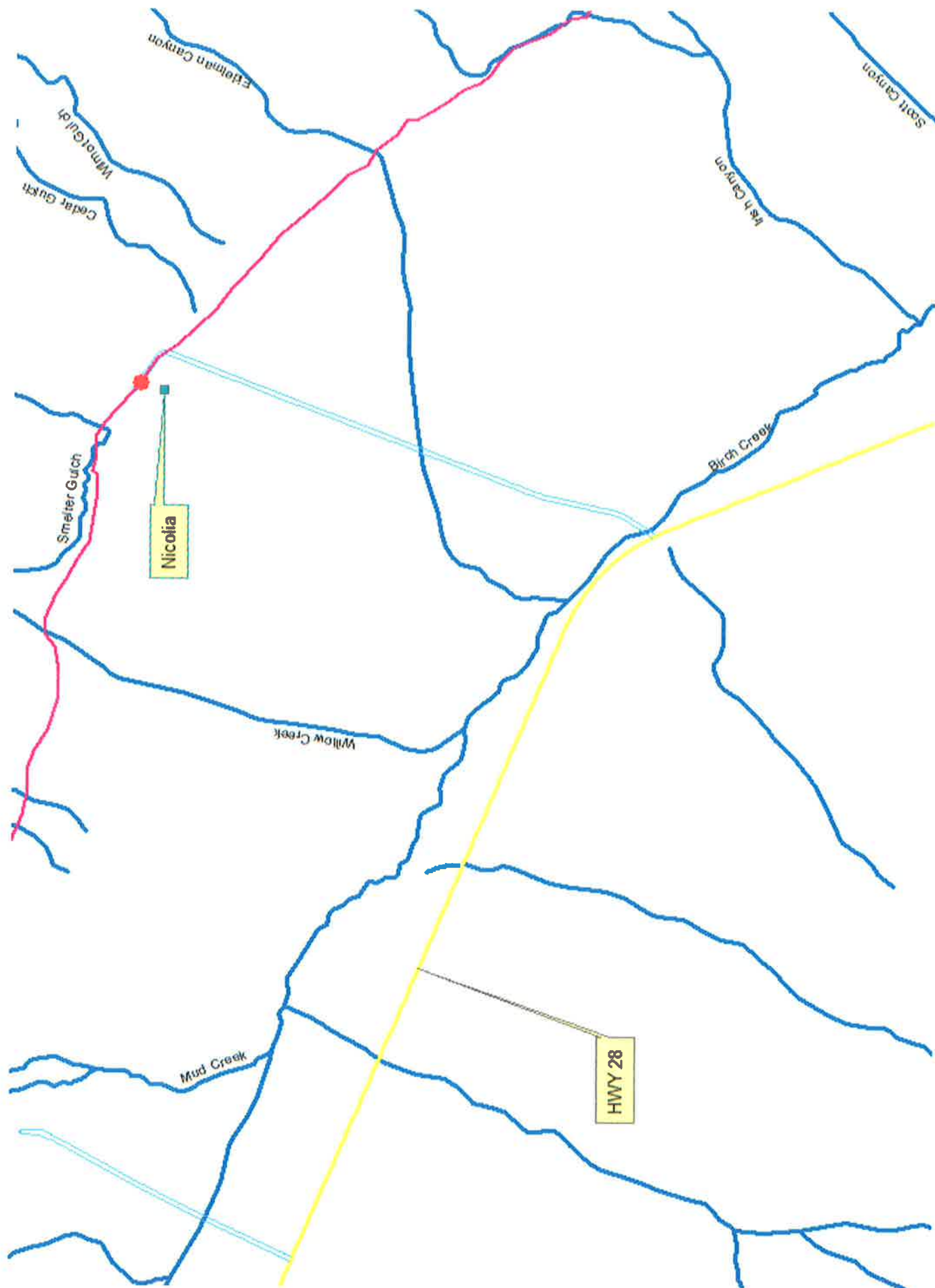














State of Idaho

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

February 12, 2020

LEMHI COUNTY ROAD & BRIDGE
206 COURTHOUSE DR
SALMON ID 83467-3900

RE: Application for Temporary Approval of Water Use: TP-74-46

Dear Applicant:

Your application for temporary water appropriation has been approved and is enclosed. The approval authorizes the temporary use of water and does not grant trespass or other activity on public land or on private property.

Please review the **conditions of approval on page 2 of the Application for Temporary Approval form** to understand the limitations associated with the temporary use of water.

This temporary approval **expires on** November 15, 2020. The expiration date cannot be extended under this temporary approval.

If you have any questions, please feel free to contact this office, and any of our agents will be able to assist you.

If you require additional information regarding this matter, please call me at (208) 497-3793 or email me at Christina.Henman@idwr.idaho.gov.

Sincerely,

Christina Henman
Administrative Asst. I.

Enclosure: TP-74-46

cc: CINDY YENTER, Water District 170.

RECEIVED
JAN 30 2020
Department of Water Resources
Eastern Region

Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application for Temporary Approval of Water Appropriation

TP-74-45

LEMHI COUNTY

Watermaster's Recommendation:

- a) X I do not oppose approval of this application.
b) _____ I do not oppose approval of this application if it is conditioned as follows:

- c) _____ I oppose approval of this application for the following reasons:

- d) _____ Additional Comment:

Dated this 27th day of January, 20 20.

Water District No: 75-C

Larryd. Perry
Watermaster's Signature

Summary of Phone Conversation

Kevin Rice, watermaster for Water District 75B (Williams Creek), called to discuss the Application for Temporary Approval of Water Use TP-74-46 filed by Lemhi County Road & Bridge. Mr. Rice said that he does not oppose the temporary water use, but said that water should not be diverted from Williams Creek if water rights on the creek are curtailed. Once water rights are cut on Williams Creek, Lemhi County should get water from the Salmon River or other creeks in the area without water shortages.

Henman, Christina

From: Yenter, Cindy
Sent: Friday, January 24, 2020 4:17 PM
To: Henman, Christina
Subject: FW: Application for Temporary Approval Number TP- 74-46
Attachments: Lemhi Road Bridge Temp App.xlsx

Additional watermaster comments:

Lemhi Road and Bridge could be required to log the total number of loads (truck fills) diverted under this approval, and the general location/source where each diversion was made, in the event that total withdrawals need to be verified.

*Cindy Yenter
Watermaster, Water District 170
IDWR Salmon Field Office
102 S Warpath, Salmon ID 83467
cindy.yenter@idwr.idaho.gov
208-742-0655
208-731-0901 cell*

From: Yenter, Cindy
Sent: Friday, January 24, 2020 2:48 PM
To: Henman, Christina <Christina.Henman@idwr.idaho.gov>
Subject: FW: Application for Temporary Approval Number TP- 74-46

WD170 does not object to this approval, but would request that:

1. The rate of flow on the application be adjusted to a more realistic value. Attached is a spreadsheet with the results of my conversations with Jay Davis and Ed Tolman, both county employees. Mr. Tolman confirmed that a 3200 gallon water truck will fill in 15-20 minutes, resulting in a average diversion rate of around 200 gpm. Based on the average number of fills per day and estimated number of days the trucks are out, I was also able to approximate that the county's total use for one summer is right around 5 AF. The estimates are likely on the high side.
2. Conditions be imposed to prevent dewatering of any stream or ditch. I recommend that pumping be limited to no more than 30 minutes at any location, and the stream or ditch may not be dewatered downstream of the pump.

*Cindy Yenter
Watermaster, Water District 170
IDWR Salmon Field Office
102 S Warpath, Salmon ID 83467
cindy.yenter@idwr.idaho.gov
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cindy.yenter@idwr.idaho.gov
208-742-0655
208-731-0901 cell*

From: Yenter, Cindy
Sent: Tuesday, January 21, 2020 9:22 AM
To: Henman, Christina <Christina.Henman@idwr.idaho.gov>
Subject: RE: Application for Temporary Approval Number TP- 74-46

Christina – the rates of flow on this application do not match, and I believe they are way too low..... 0.09 cfs is 36 gpm, and the matching line reads 5 gpm. I believe the pumps that fill those water trucks likely divert upward of 100 gpm, otherwise the driver would be there for hours filling the truck. I have spoken with Jay Davis and he's going to get me some additional information. We should make an attempt to get these approvals as realistic as possible.

There are a few sources identified that are very flow limited in late season, and others where transactions projects have sought to reconnect streams and where pumping in the wrong location at the wrong time could be very detrimental. I will identify those areas and provide a list back to you and to the county, and will ask Jay to try and avoid those locations especially late season.

I know this is basically a repeat application and no one has ever questioned it. We do need to try and protect fisheries projects and streamflows in flow limited areas. A general condition which does not allow dewatering of a stream or ditch, or pumping for more than one hour at any location, would probably do the trick.

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Sent: Tuesday, January 21, 2020 9:22 AM
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102 S Warpath, Salmon ID 83467
cindy.yenter@idwr.idaho.gov
208-742-0655
208-731-0901 cell*

From: Henman, Christina
Sent: Friday, January 17, 2020 9:58 AM
To: Yenter, Cindy <Cindy.Yenter@idwr.idaho.gov>; rick375@centurytel.net; prattcreekranch71@yahoo.com; kestrel1691@yahoo.com; wwwcma3432@hotmail.com; sadams1411@gmail.com
Subject: Application for Temporary Approval Number TP- 74-46

Attention Watermasters,

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

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

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

Thank you,
Christina Henman
Administrative Asst. I

Cefalo, James

From: Yenter, Cindy
Sent: Tuesday, January 21, 2020 2:41 PM
To: Cefalo, James
Subject: FW: Application for Temporary Approval Number TP- 74-46
Attachments: TP-74-46.pdf

My trepidation with these is that most temp applicants have no idea what 5 gpm even looks like, and actual diversion rates are many times higher. For instance, the attached Lemhi County app cites 0.09 cfs/5 gpm (which doesn't even match). Since I've talked with the county, I've got info indicating the actual pumping rate is about 200 gpm. I have requested some more specific volume info and then I'll send comments. I'm ok with approving but the rate and volume need to be appropriate. On this one I'll be requesting restrictions against pumping in some sensitive areas. I sent an email to Christina earlier.

From: Henman, Christina
Sent: Friday, January 17, 2020 9:58 AM
To: Yenter, Cindy <Cindy.Yenter@idwr.idaho.gov>; rick375@centurytel.net; prattcreekranch71@yahoo.com; kestrel1691@yahoo.com; wwwcma3432@hotmail.com; sadams1411@gmail.com
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Thank you,
Christina Henman
Administrative Asst. I

Cefalo, James

From: Henman, Christina
Sent: Tuesday, January 21, 2020 9:23 AM
To: Cefalo, James
Subject: FW: Application for Temporary Approval Number TP- 74-46

James,

Please see Cindy's feedback below.

Thank You,

Christina Henman

From: Yenter, Cindy
Sent: Tuesday, January 21, 2020 9:22 AM
To: Henman, Christina <Christina.Henman@idwr.idaho.gov>
Subject: RE: Application for Temporary Approval Number TP- 74-46

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Thank you,
Christina Henman
Administrative Asst. I

Henman, Christina

From: Rick Sager <rick375@centurytel.net>
Sent: Saturday, January 18, 2020 10:07 AM
To: Henman, Christina
Subject: Re: Application for Temporary Approval Number TP- 74-46

Christina,
I have to problem with this application.

Rick Sager Water District 74

From: [Henman, Christina](#)
Sent: Friday, January 17, 2020 9:58 AM
To: [Yenter, Cindy](#) ; rick375@centurytel.net ; prattcreekbranch71@yahoo.com ; kestrel1691@yahoo.com ; wwwcma3432@hotmail.com ; sadams1411@gmail.com
Subject: Application for Temporary Approval Number TP- 74-46

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Thank you,
Christina Henman
Administrative Asst. I



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 17, 2020

Watermasters: Districts 170, 74, 74A, 74B, 74C, 74F, 74G, 74J, 74M, 74Q, 74W, 74Z,
75A, 75B, 75C, 75D, 75E

RE: Application for Temporary Water Use TP-74-45 LEMHI COUNTY

Dear Watermasters:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office as soon as possible. My email address is: Christina.Henman@idwr.idaho.gov.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'CH', is written over a light blue horizontal line.

Christina Henman
Administrative Assistant

Enclosure(s)

RECEIVED
FEB 18 2020

Department of Water Resources
Eastern Region

Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application for Temporary Approval of Water Appropriation
TP-74-46
LEMHI COUNTY

Watermaster's Recommendation:

a)

☒

I do not oppose approval of this application.

b)

I do not oppose approval of this application if it is conditioned as follows:

That water is taken from Kirtley Creek at designated locations, but not out of Cockrell's river ditch.

c)

I oppose approval of this application for the following reasons:

d)

Additional Comment:

Dated this 13 day of February, 2020.

Water District No: 74B

Lamar Cockrell

Watermaster's Signature