

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

72-16980  
IDENT. No. RECEIVED  
DEC 09 2019  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

**AMENDED**

1. Name of applicant(s) Robert Paul Lind Phone 208-681-5754  
 Name connector (check one): ☐ and ☐ or ☐ and/or  
 Mailing address 24055 HWY 75 City Challis  
 State Idaho ZIP 83226 Email paullind@challisrunning.com
2. Name of representative, if any None 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 Salmon River which is a tributary of Snake River
4. Location of point(s) of diversion:

| Twp | Rge | Sec | Govt Lot | 1/4 | 1/4 | 1/4 | County | Source       | Local name or tag #             |
|-----|-----|-----|----------|-----|-----|-----|--------|--------------|---------------------------------|
| 13N | 19E | 28  | 8        |     | NW  | SW  | Custer | Salmon River | Lot-3 Bradshaw Lane Subdivision |
|     |     |     |          |     |     |     |        |              |                                 |
|     |     |     |          |     |     |     |        |              |                                 |
|     |     |     |          |     |     |     |        |              |                                 |

5. Water will be used for the following purposes:
- Amount 0.05 for Irrigations purposes from 04/01 to 10/31 (both dates inclusive)  
 (cfs or acre-feet per year)
- Amount 0.02 for Stockwater 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)
6. Total quantity to be appropriated is (a) 0.07 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.  
Small pump with screen and poly lines to field.
- 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 12.9.2019 Time \_\_\_\_\_ Preliminary check by \_\_\_\_\_  
 Fee \$ see original Received by \_\_\_\_\_ Receipt No. \_\_\_\_\_ Date \_\_\_\_\_

**AMENDED APPLICATION**

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 |        |
| 13N | 19E | 28  |    |    |    |    |    |    |    |    |    | 2.5 |    |    |    |    |    |    | 2.5    |
| 13N | 19E | 28  |    |    |    |    |    |    |    |    |    | 0.1 |    |    |    |    |    |    | 0.1    |
| 13N | 19E | 28  |    |    |    |    |    |    |    |    |    | S   |    |    |    |    |    |    |        |
| 13N | 19E | 28  |    |    |    |    |    |    |    |    |    | S   |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |     |    |    |    |    |    |    |        |

Total number of acres to be irrigated: 2.6

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? \_\_\_\_\_

11. a. Who owns the property at the point of diversion? Myself - Robert Paul Lind
- b. Who owns the land to be irrigated or place of use? Myself - Robert Paul Lind
- 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. \_\_\_\_\_

Use Existing pump on currently owned Lots 1&2. See dwgs provided in original forms.

13. Time required for completion of works and application of water to proposed beneficial use is 1 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.

Robert Paul Lind  
Signature of Applicant

ROBERT PAUL LIND  
Print Name (and title, if applicable)

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

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

T83-6

Challis 

STANLEY ←

Current Point  
of Suction for  
Pump

① I  
Currently own  
WR  
72-10113

2.65  
Acres  
Lot 3  
Newly  
Purchased  
Land

SALMON RIVER

③ Potential Pt. of suction for Lot 3 solely

My preference to irrigate Lot 3 is to use my existing pump and its current point of suction which I use for lots 1+2 under WR# 72-10113.

Optional point of suction for Lot 3 (solely) would be a new pump installed @ Lot 3 to take independent suction. Should this property be sold ~~and~~ and WR ownership transferred. I do not intend to sell this property for the foreseeable future.

**72-16980**

-Robert Paul Lind

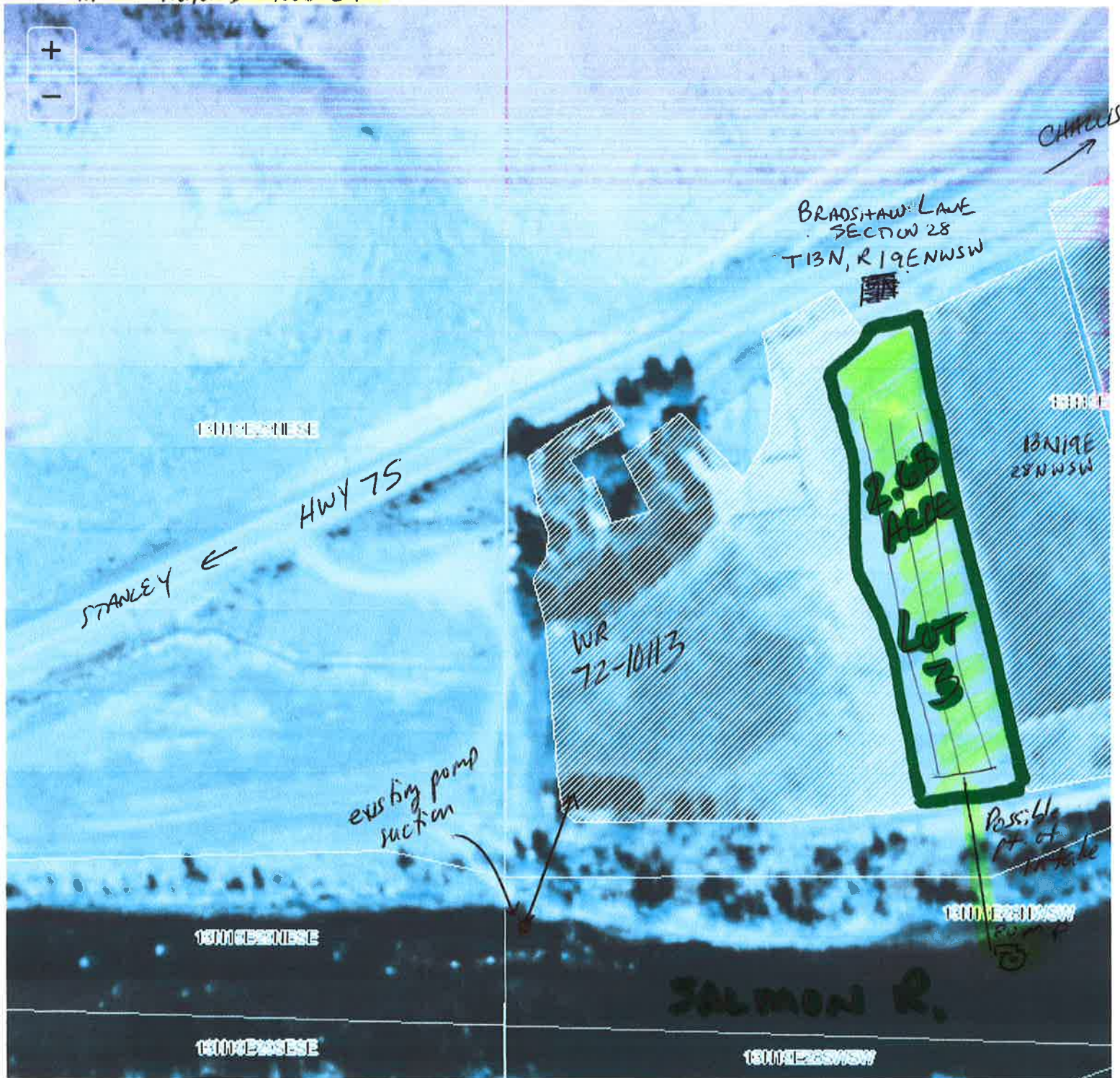


### Search Results

| Water Right Number | Process     | Owner            |
|--------------------|-------------|------------------|
| 72-10113           | Water Right | ROBERT PAUL LIND |

**Disclaimer:** Shapes represent an approximation of the water right extent. Please review each water right of Interest either on-line (choose the Details link) or by contacting IDWR (208-287-4800).

+



# BRADSHAW LANE

SECTION 28

T 13N., R. 19E., BM

LOT 3

8 OT 1

LOT 7

This sketch is made solely for the purpose of assisting in locating certain premises and no liability is assumed for variations, if any, in directions and locations ascertained by actual survey.

## Custer County Title

use existing pump suction

Skunk  
@Skunk.  
(alternate option)

**Tuesday, Oct 22, 2019 02:21 PM**

72-16980

RECEIVED

NOV 22 2019

DEPT OF WATER RESOURCES  
SOUTHERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**  
To appropriate the public waters of the State of IdahoIdent. No. 72-16980

1. Name of applicant(s) ROBERT PAUL LIND Phone 208-681-5754  
 Name connector (check one): ☐ and ☐ or ☐ and/or  
 Mailing address 24055 HWY 75 City Challis  
 State Idaho ZIP 83226 Email paullind@challisrunning.com
2. Name of representative, if any None 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.
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☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply \_\_\_\_\_ which is a tributary of \_\_\_\_\_
4. Location of point(s) of diversion:

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6. Total quantity to be appropriated is (a) 0.09 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.  
I own Lots 1 and 2 and have Water Right #72-10113 to irrigate these. I have recently purchased Lot 3, and I
- 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 DM Date 11-22-2019 Time 12:35PM Preliminary check by \_\_\_\_\_  
 Fee \$ 100- Received by DM Receipt No. 5037642 Date 11-22-2019

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](#).
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|-----|-----|-----|----|----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13N | 19E | 28  |    |    |    |    |    |    | 2.6 |    |    |    |    |    |    |    |    |    | 2.65   |
|     |     |     |    |    |    |    |    |    | S   |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |        |

Total number of acres to be irrigated: 2.65

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? \_\_\_\_\_  
None

11. a. Who owns the property at the point of diversion? Myself - Robert Paul Lind
- b. Who owns the land to be irrigated or place of use? Myself - Robert Paul Lind
- 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.

Use existing pump on currently owned Lots 1&2.

See attached drawings with narrative.

13. Time required for completion of works and application of water to proposed beneficial use is 1 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.**

Robert Paul Lind  
Signature of Applicant

ROBERT PAUL LIND  
Print Name (and title, if applicable)

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

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

POST REGISTER  
AD INSERTION ORDER

Salesperson: TAYLOR WINGER

Printed at 12/24/19 12:25 by twing-cy

Acct #: 69104

Ad #: 180526

Status: New

IDAHO DEPARTMENT OF WATER RESOURCES  
650 ADDISON AVE W STE 500  
TWIN FALLS ID 83301

Start: 01/01/2020 Stop: 01/08/2020  
Times Ord: 2 Times Run: \*\*\*  
ILEG 1.00 X 52.00 Words: 333  
Total ILEG 52.00  
Class: 9000 LEGALS  
Rate: LEGL  
# Affidavits: 1

Contact: DENISE MALINE

Phone: (208) 736-3033

Fax#:

Email: denise.maline@idwr.idaho.gov

Agency:

Ad Descrpt: 72-16980

Given by: DENISE.MALINE@IDWR.IDAHO.GOV

P.O. #:

Created: twing 12/24/19 12:11

Last Changed: twing 12/24/19 12:25

COMMENTS:

Insertion order sent. No affidavit sent. TWinger 12/24 12:25

PUB ZONE EDT TP RUN DATES  
CM A 95 S 01/01,08

(CONTINUED ON NEXT PAGE)

✓ *DM* 12/24/2019

Proof of legal notice received

From Challis Messenger 12/24/2019

POST REGISTER  
AD INSERTION ORDER (CONTINUED)

Salesperson: TAYLOR WINGER

Printed at 12/24/19 12:25 by twing-cy

Acct #: 69104

Ad #: 180526

Status: New

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

**72-16980**

ROBERT PAUL LIND

24055 HIGHWAY 75 CHALLIS, ID 83226-1604

Point of Diversion L8(NWSW) S28 T13N R19E

CUSTER County Source SALMON RIVER

Tributary SNAKE RIVER

Use: IRRIGATION 04/01 to 10/31 0.05 CFS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.07 CFS

Date Filed: 11/22/2019

Place Of Use: IRRIGATION & STOCKWATER

T13N R19E S28 L8(NWSW)

Total Acres: 2.6

Application proposes to divert 0.05 cfs from the Salmon River for the irrigation of 2.6 acres and 0.02 cfs for stock water. The proposed POD and POU are located approximately 5.5 miles south and 0.26 miles west of the Main Street/Highway 93 intersection in Challis. This application proposes the diversion and use of water from 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 the diversion rate of 0.02 cfs for 2.6 acres and 0.02 cfs for stock water will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the right(s), please see [research.idwr.idaho.gov](http://research.idwr.idaho.gov). 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, 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 **January 21, 2020**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

**Published: 1/1, 1/8, 2020 (180526-69104)**

✓ *DM* 12/24/2019



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) • Email: [southerninfo@idwr.idaho.gov](mailto:southerninfo@idwr.idaho.gov)

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

December 24, 2019

ROBERT PAUL LIND  
24055 HIGHWAY 75  
CHALLIS, ID 83226-1604

RE: Application For Permit No. 72-16980

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 **CHALLIS MESSENGER** on **1/1/2020** and **1/8/2020**. 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 **January 21, 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

**Maline, Denise**

---

**From:** Maline, Denise  
**Sent:** Tuesday, December 24, 2019 1:36 PM  
**To:** Cindy Yenter  
**Subject:** Comment Letter for 72-16980 Robert Lind  
**Attachments:** 72-16980 Robert Lind.pdf

Hi Cindy,

Attached is an application for permit currently being processed within your District. Please review the information and provide any necessary comments.

*This application is being advertised on January 1 & 8, with a protest deadline of Tuesday, January 21, 2020.*

Thank you,

Denise



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

December 24, 2019

WATER DISTRICT #170 *via e-mail*  
CINDY YENTER  
102 S WARPATH  
SALMON ID 83467

RE: Application for Permit No. 72-16980

Dear Cindy:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, 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 water master, 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's regional offices 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  
Administrative Assistant

Enclosure(s)

## Maline, Denise

---

**From:** Maline, Denise  
**Sent:** Tuesday, December 24, 2019 1:38 PM  
**To:** Jeff Richards  
**Subject:** Comment Letter for Application for Permit 72-16980 Robert Lind  
**Attachments:** 72-16980 Robert Lind.pdf; Comment letter to F&G for 72-16980.docx

Good afternoon,

Attached is an application for permit which is currently being processed by the Department. 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 in advance,

Denise Maline, IDWR Twin Falls

Denise Maline  
Administrative Assistant I  
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) • Email: [southerninfo@idwr.idaho.gov](mailto:southerninfo@idwr.idaho.gov)

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

December 24, 2019

IDAHO DEPT OF FISH & GAME *via e-mail*  
JEFF RICHARDS  
99 HWY 93 N  
SALMON ID 83467

RE: Application for Permit No. 72-16980

Dear Fish & Game:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days. In addition, detailed information regarding this application(s) can be found on our website at [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

The Department can publish notice of the application as soon as the initial review is completed. Therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication (**on or before January 21, 2020**).

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

Sincerely,

A handwritten signature in blue ink that reads "Denise Maline". The signature is fluid and cursive, with the first name "Denise" and last name "Maline" clearly distinguishable.

Denise Maline  
Administrative Assistant

Enclosure(s)

## Maline, Denise

---

**From:** Maline, Denise  
**Sent:** Tuesday, December 24, 2019 10:06 AM  
**To:** Challis Messenger  
**Subject:** LEGAL NOTICE  
**Attachments:** Challis Messenger ad.doc; Challis Messenger cover letter.docx

Attached please find **(1)** legal notice being submitted for publication on January 1<sup>st</sup> & 8<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 & Happy Holidays,

Denise @ IDWR Twin Falls

Denise Maline  
Administrative Assistant I  
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

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**BRAD LITTLE**  
Governor

**GARY SPACKMAN**  
Director

December 24, 2019

**LEGAL NOTICE DEPARTMENT**

CHALLIS MESSENGER

PO BOX 405

CHALLIS, ID 83226

RE: Application For Permit No.(s): 72-16980

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 January 21, 2020. Your cooperation is appreciated.

Sincerely,

Denise Maline  
Administrative Assistant

Enclosure(s)

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**72-16980**

ROBERT PAUL LIND

24055 HIGHWAY 75

CHALLIS, ID 83226-1604

Point of Diversion L8(NWSW) S28 T13N R19E CUSTER County Source SALMON RIVER Tributary  
SNAKE RIVER

Use: IRRIGATION 04/01 to 10/31 0.05 CFS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.07 CFS

Date Filed: 11/22/2019

Place Of Use: IRRIGATION & STOCKWATER

T13N R19E S28 L8(NWSW)

Total Acres: 2.6

Application proposes to divert 0.05 cfs from the Salmon River for the irrigation of 2.6 acres and 0.02 cfs for stock water. The proposed POD and POU are located approximately 5.5 miles south and 0.26 miles west of the Main Street/Highway 93 intersection in Challis. This application proposes the diversion and use of water from 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 the diversion rate of 0.02 cfs for 2.6 acres and 0.02 cfs for stock water will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the right(s), please see [research.idwr.idaho.gov](http://research.idwr.idaho.gov). 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, 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 **January 21, 2020**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on January 1<sup>st</sup> & 8<sup>th</sup>, 2020

## Aasa, Kent

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**From:** Aasa, Kent  
**Sent:** Monday, December 23, 2019 2:01 PM  
**To:** Clark, Cynthia Bridge  
**Subject:** Application in Basin 72

Hi Cynthia,

We are forwarding a new application for permit, 72-16980, 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 0.05 cfs of water for the irrigation of 2.6 acres and 0.02 cfs for stock water. Proposed point of diversion and place of use is located on Highway 75 approximately 0.26 miles west and 5.5 miles south of the Main Street/Highway 93 intersection in Challis.

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

Kent Aasa  
Water Resource Agent  
Southern Region/Twin Falls  
(208) 736-3033

RECEIVED

DEC 09 2019

DEPT OF WATER RESOURCES  
SOUTHERN REGION

Robert Paul Lind  
24055 Highway 75  
Challis, ID 83226  
12/06/2019

Idaho Department of Water Resources  
Southern Region  
650 Addison Ave W, Suite 500  
Twin Falls, Idaho 83301-5858

Subject: Water Rights Application Wild and Scenic Letter and Local Public Interest

Idaho Department of Water Resources:

With respect to the water rights application I have filed for Lot 3 of Bradshaw Lane Subdivision in Custer County, Idaho, I am not aware of any public interest concerns nor have any of the neighbors contacted me about any concerns. I also do not believe my water diversion will affect the ESA program".

Sincerely,



Robert Paul Lind

## Aasa, Kent

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**From:** Aasa, Kent  
**Sent:** Monday, December 02, 2019 4:38 PM  
**To:** 'paullind@challisrunning.com'  
**Subject:** Application for a Water Right  
**Attachments:** Application with suggested changes.pdf; Application Changes.pptx

Mr. Lind,

I am working on your water right application and I have identified some corrections and some changes that are needed on the form you sent us.

- Line 3: Source of water supply is "Salmon River" and tributary of is "Snake River"
- Line 4: "NW" and "SW"
- Line 5: I suggest 2.6 acres for irrigation; 0.02 cfs per acre is what Idaho recognizes as an adequate irrigation rate.  $2.65 \text{ acres} \times 0.02 = 0.053$  and our database will round that down to 0.05 cfs. I think 2.6 acres is a good number because most likely there will be some kind of road or driveway plus a home and/or shop footprint that will not be irrigated. I know from experience that if an application for irrigation exceeds 0.02 cfs per acre the Idaho Water Resource Board will protest and that will stop the processing of the application.
- Line 6: "0.07"
- Line 7: I suggest a description of the system such as "a pump with 2 inch poly pipe and sprinklers"; just a general description of the irrigation system you intend to use.
- Line 9: Most of Lot 3 is located in NW SW govt lot 8 and 0.13 acres of Lot 3 is located in NW SW (no govt lot); that is why there are more rows for the Place of Use entry on the attachment I included. Also the Total number of acres will round down to "2.6".

I included a list of the above changes in an envelope with the "Wild and Scenic" letter I sent last week however that list does not have the "Line 7" description.

I have attached a copy of the form you originally sent that has the above suggested changes noted. Please look it over and let me know what you think.

Respectfully,

Kent Aasa  
Water Resource Agent  
Southern Region/Twin Falls  
(208) 736-3033



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

November 26, 2019

Robert Paul Lind  
24055 HWY 75  
CHALLIS ID 83226

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

Letter to Upper Salmon River Basin Water Right Applicants

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