

RECEIVED

SEP 19 2019

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DEPT OF WATER RESOURCES

FORM 202 Rev. 09/16

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AUG 16 2019

DEPARTMENT OF
WATER RESOURCESDEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 74-16220

1. Name of applicant(s) Eagle Valley Ranch LLC Phone 2087561376
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 446 Bohannon Creek Rd City Salmon
 State ID ZIP 83467 Email eaglevalleyranch.salmon@gmail.com
2. Name of representative, if any _____ Phone _____
 Mailing address _____ City _____
 State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Spring which is a tributary of Bohannon 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 #
~~21N~~	~~23E~~	~~28~~		~~NW~~	~~NE~~	~~NW~~	~~Lemhi~~	~~Spring~~	
~~21N~~	~~23E~~	~~28~~		~~NW~~	~~NW~~	~~NW~~	~~Lemhi~~	~~Spring~~	
<u>21N</u>	<u>23E</u>	<u>28</u>		<u>SE</u>	<u>NW</u>	<u>NW</u>	<u>Lemhi</u>	<u>Spring</u>	
<u>21N</u>	<u>23E</u>	<u>28</u>		<u>NW</u>	<u>NE</u>	<u>NW</u>	<u>Lemhi</u>	<u>Spring</u>	
<u>21N</u>	<u>23E</u>	<u>28</u>		<u>SW</u>	<u>NE</u>	<u>NW</u>	<u>Lemhi</u>	<u>Spring</u>	

5. Water will be used for the following purposes:
- Amount 0.07 for Stockwater purposes from Jan 1 to Dec 31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.07 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. Spring head boxes piped to stockwater tanks
- 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. _____.

Received by [Signature] Date 9/16/19 Time 10:58 Preliminary check by [Signature]
 Fee \$ 100 Receipted by [Signature] Receipt No. C101597 Date 9/16/19

NDM
9/10/19

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

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. Up to 400 cattle
- c. Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
- d. Domestic; show number of households _____
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

NAM
9/10/19

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	23E	28		S	S	X	S	S	S	S	S	S	S			X			
21N	23E	29													S				

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? _____

11. a. Who owns the property at the point of diversion? Eagle Valley Ranch LLC

b. Who owns the land to be irrigated or place of use? Eagle Valley Ranch LLC

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. Eagle Valley Ranch LLC proposes to develop the springs (blue dots on map 1) for the beneficial use of adding stockwater tanks on the Wellard Fields (yellow dots on map 1). If both Spring boxes are

developed, they will be tied together.

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

NIKOLAOS D. MONDYIUS manager
Print Name (and title, if applicable)

Signature of Applicant

NIKOLAOS D. MONDYIUS manager
Print Name (and title, if applicable)

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DEPARTMENT OF
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DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 74-16220

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 State ID ZIP 83467 Email eaglevalleyranch.salmon@gmail.com
2. Name of representative, if any _____ Phone _____
 Mailing address _____ City _____
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- 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.
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- 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. _____.

Received by [Signature] Date 9/16/19 Time 10:58 Preliminary check by [Signature]
 Fee \$ 100 Received by [Signature] Receipt No. C1013917 Date 9/16/19

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

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. Up to 400 cattle
- c. Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
- d. Domestic; show number of households _____
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TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	23E	28		S	S	S	S	S	S			S				S			

Total number of acres to be irrigated: _____

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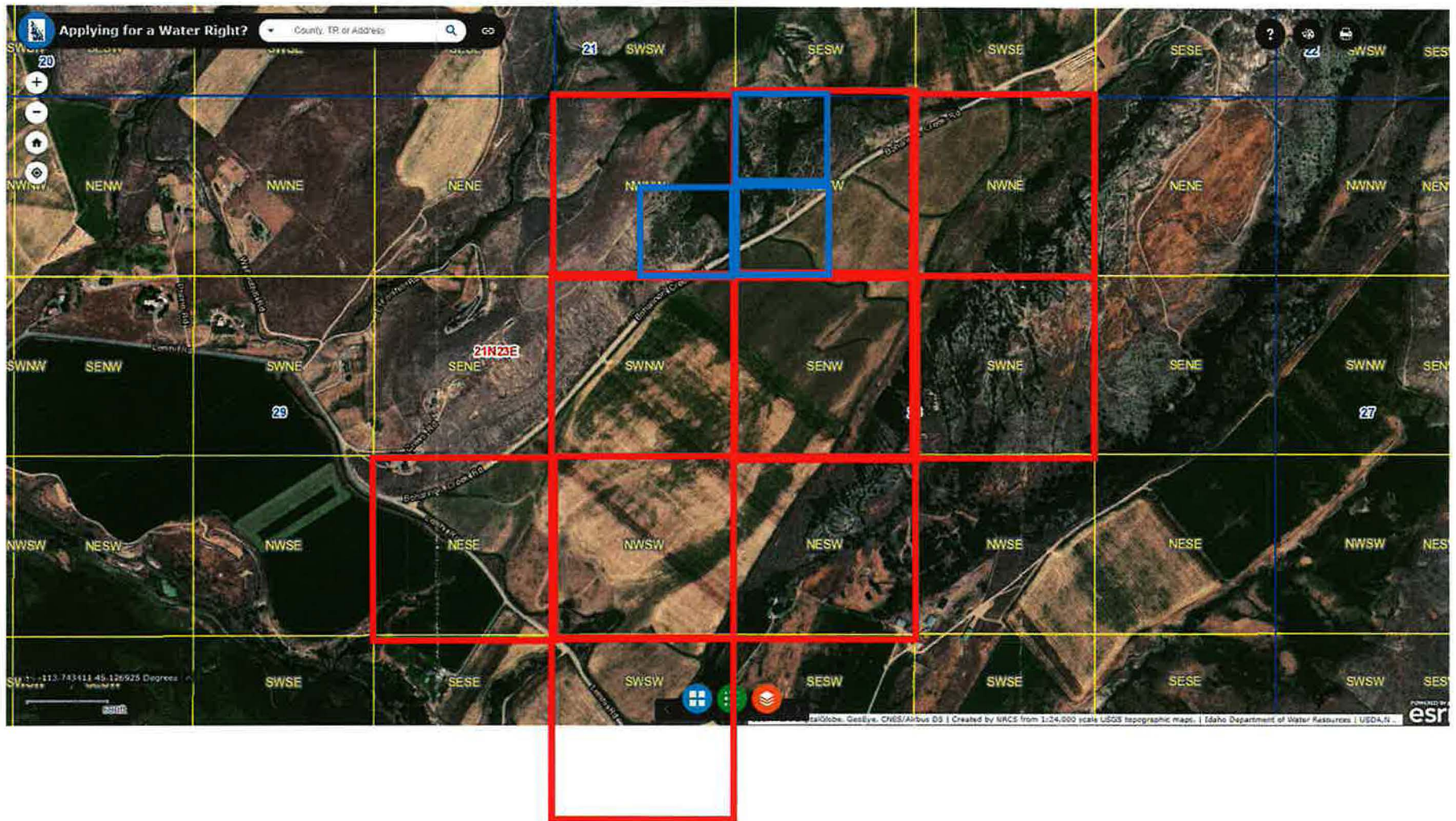
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

NIKOLAOS D. MONAYIOS manager
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)



The stockwater point of diversion will consist of a number of perforated pipes within T21N R23E Sec 28 SENWNW, NWNENW, and SWNENW all of which will be connected to one single POD spring box in a location to be determined but also falling within T21N R23E Sec 28 SENWNW, NWNENW, or SWNENW (Light Blue Squares). The stockwater troughs (point of use) will fall within T21N R23E Sec 28 NWNE, SWNE, NENW, NWNW, SWNW, SENW, NESW, NWSW, SWSW, and T21N R23E Sec 29 NESE (Red Squares).

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WATER RESOURCESSTATE OF IDAHO
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APPLICATION FOR PERMIT
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- 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 _____;
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Received by [Signature] Date 8/16/19 Time 10:58 Preliminary check by [Signature]
 Fee \$ 100 Received by [Signature] Receipt No. C101397 Date 8/16/19

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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

NIKOLAOS P. MOUNAYIOS manager

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)



Upper Salmon Basin Watershed Program

Homegrown, Common-Sense
Conservation

Coordinated by:

Idaho Governor's Office of
Species Conservation
Scott Pugrud, Administrator

Mike Edmondson
Program Manager
Mike.Edmondson@osc.idaho.gov

Daniel Bertram
Project Coordinator
Daniel.bertram@osc.idaho.gov

USBWP Advisory Committee
Bruce Mulkey, Chairman

955 Riverfront Drive, Suite B
Salmon, Idaho 83467

Phone 208-756-6322

Facsimile 208-756-6376

www.modelwatershed.org

April 25, 2019

Re: New Stockwater Water Right Application

The Upper Salmon Basin Watershed Program is assisting Eagle Valley Ranch LLC in the attached application for a new stockwater right as a part of the Wellard Field irrigation efficiency project.

The existing springs on the north side of the driveway into Eagle Valley Ranch currently run at approximately 0.07 cfs. Spring Boxes will be installed at the springs and piped to stockwater tanks on the adjacent Wellard Field.

The Lemhi Soil and Water Conservation District is the project sponsor and the stockwater system is being designed by the NRCS Salmon Field Office.

Please let me know if you have any questions.

Sincerely,

Chris Gaughan
USBWP Project Planner
955 Riverfront Dr. Suite B
Salmon, Idaho 83467
(208)756-6322
Chris.Gaughan@osc.idaho.gov

Map attached



Upper Salmon Basin Watershed Program

Homegrown, Common-Sense
Conservation

Coordinated by:

Idaho Governor's Office of
Species Conservation
Scott Pugnud, Administrator

Mike Edmondson
Program Manager
Mike.Edmondson@osc.idaho.gov

Daniel Bertram
Project Coordinator
Daniel.bertram@osc.idaho.gov

USBWP Advisory Committee
Bruce Mulkey, Chairman

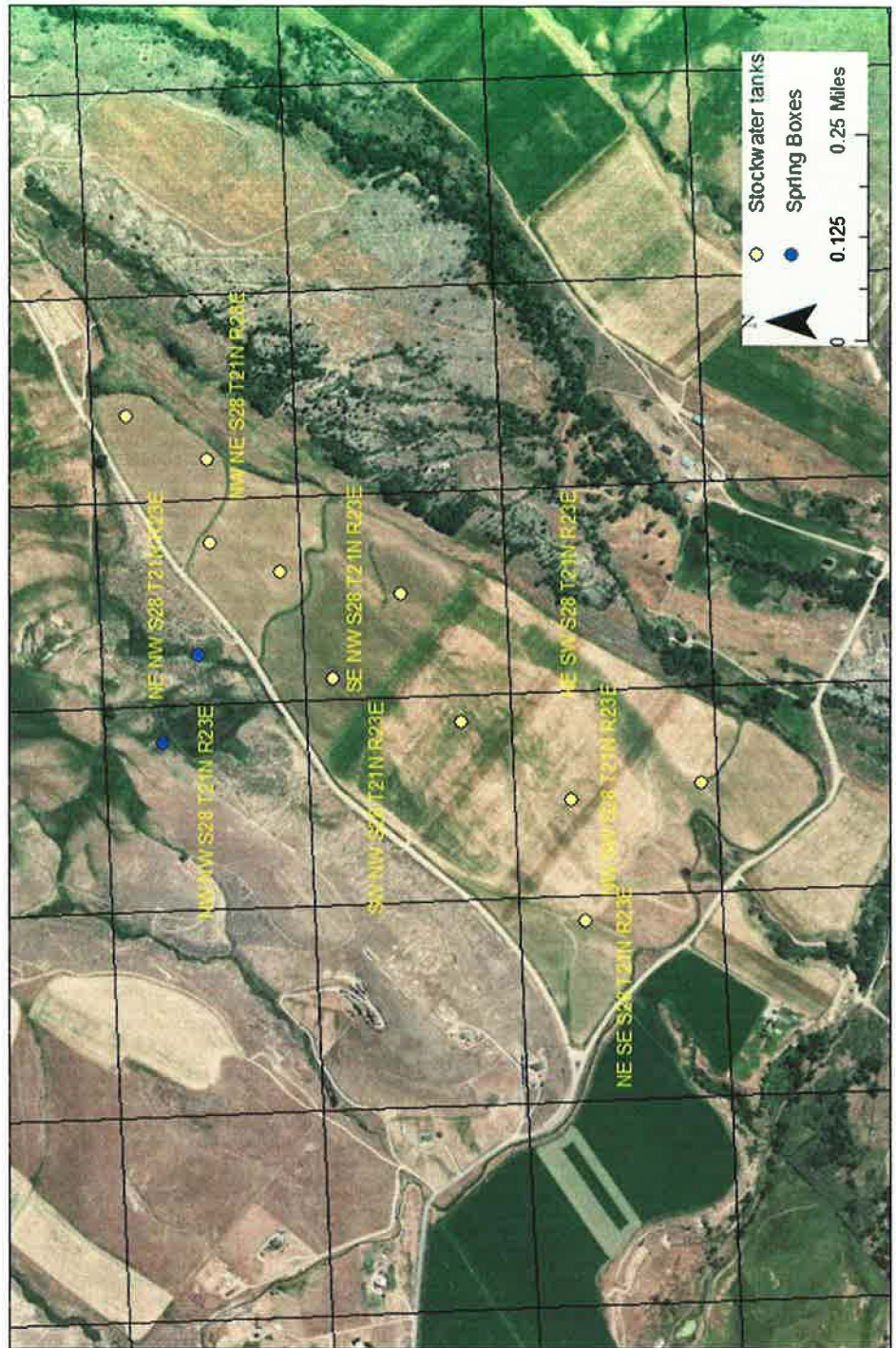
955 Riverfront Drive, Suite B
Salmon, Idaho 83467

Phone 208-756-6322

Facsimile 208-756-6376

www.modelwatershed.org

DRAFT - Wellard Stockwater for Eagle Valley Ranch LLC



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 October 21, 2019. 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:

74-16220

EAGLE VALLEY RANCH LLC
446 BOHANNON CREEK RD
SALMON, ID 83467-5045
Point of Diversion NWENW S28 T21N R23E LEMHI County
Source SPRING Tributary BOHANNON CREEK
Point of Diversion SWENW S28 T21N R23E LEMHI County
Source SPRING Tributary BOHANNON CREEK
Point of Diversion SENWNW S28 T21N R23E LEMHI County
Source SPRING Tributary BOHANNON CREEK
Use: STOCKWATER

01/01 to 12/31

0.07 CFS

Total Diversion:

0.07 CFS

Date Filed: 8/16/2019

Place Of Use: STOCKWATER

T21N R23E S28 NWNE SWNE NENW NWNW SWNW SENW NESW NWSW SWSW

T21N R23E S29 NESE

This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for Stockwater purposes.

75-14948

DAVID PARMENTER
JEFFREY PARMENTER
LAYNE PARMENTER
JAN PARMENTER
MICHELLE LIDDIARD
139 CEMETERY LN
SALMON, ID 83467-5058

Point of Diversion SENE S17 T21N R22E LEMHI County

Source WASTE WATER Tributary SALMON RIVER

Use: IRRIGATION

04/01 to 10/31

0.34 CFS

Total Diversion:
0.34 CFS
Date Filed: 5/20/2019
Place Of Use: IRRIGATION
T21N R22E S17 SENE
Total Acres: 17

This application proposes the diversion and use of waste from wastewater, which is tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

75-14964

STANLEY W POTEET
DONNA J POTEET
456 NICKMAN ST
CHULA VISTA, CA 91911-1911
Point of Diversion SWNW S34 T20N R21E LEMHI County
Source WILLIAMS LAKE Tributary LAKE CREEK
Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 8/22/2019

Place Of Use: DOMESTIC

T20N R21E S34 L1(SWNW)

This application proposes the diversion and use of water from Williams Lake 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 10/21/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/3/2019 and 10/10/2019

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 83533

CHARLES W MUALEM, 74 SAVAGE RANCH RD, SALMON, ID 83467; has filed Application No. 83533 for changes to the following water rights within LEMHI County(s): Right No(s). 75-14551, 75-14552; The purpose of the transfer is to change a portion of the above rights as follows:

to add a point of diversion on the Salmon River in the NWNE, Sec. 6, T22N, R22E. This is approximately 1.0 mile downstream from the existing point of diversion on Wallace Creek.

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. 42-222. 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 10/21/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/3/2019 and 10/10/2019

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, September 26, 2019 9:36 AM
To: rhlegals@custertel.net
Subject: legal notices for your paper
Attachments: Recorder Herald.doc

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 October 21, 2019. Your cooperation is appreciated.

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



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

September 26, 2019

EAGLE VALLEY RANCH LLC
446 BOHANNON CREEK RD
SALMON, ID 83467-5045

Application For Permit No. 74-16220

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 10/3/2019 and 10/10/2019. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

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

Sincerely,

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

Jean Hersley
Technical Records Specialist



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

September 26, 2019

IDAHO DEPT FISH AND GAME
ATTN: JEFF RICHARDS
99 HWY 93 N
SALMON ID 83467

RE: Applications for Permit No. 74-16220, 75-14948, 75-14965
Application for Transfer No. 83533

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. You can find a copy of the application at:

<http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the applications 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.

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

Sincerely,

A handwritten signature in black ink that reads "Jean Hersley". The signature is written in a cursive, flowing style.

Jean Hersley
Technical Records Specialist II



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

September 26, 2019

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
900 NORTH SKYLINE SUITE B
IDAHO FALLS ID 83402

RE: Applications for Permit No. 74-16220, 75-14948, 75-14965
Application for Transfer No. 83533

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. You can find copies of the applications at:

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

Sincerely,

Jean Hersley
Technical Records Specialist II

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, September 26, 2019 9:36 AM
To: Jeff Richards
Subject: Comment Request

Applications for Permit: 74-16220, 75-14948 & 75-14964 and Application for Transfer 83533
Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. You can find a copy of the application at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

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

Sincerely,

Jean Hersley
Technical Records Specialist II

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

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, September 26, 2019 9:36 AM
To: Yenter, Cindy; Clark, Cynthia Bridge; Cassel, Amy; Golden, Kala
Subject: Applications for Permit 74-16220, 75-14948 & 75-14964 & Application for Transfer 83533

These application will be published on October 3 & 10. The protest end date is October 21. Please let me know if you have any questions. The documents will be scanned by the end of the day. Thank you.

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

MEMORANDUM

Date: September 19, 2019
To: Application for Permit 74-16220
From: Dave Betts
Re: Pre-Advertisement Application Review

Applicant: Eagle Valley Ranch LLC submitted an application for permit on August 16, 2019. The application was signed by Nikolaos Monoyios, manager and co-owner of the ranch.

The original application included a letter and a map from Chris Gaughan, Project Planner for the Upper Salmon Basin Watershed Program. Mr. Gaughan described this application as part of a project with the Lehi Soil and Water Conservation District and the NRCS Salmon Office.

Mr. Gaughan was not identified as a representative in the application, but has been included in the correspondence from the Department.

There were disagreements between the map submitted with the application and the information in the application. I sent a letter on September 6, 2019, asking about amending the map or the application. A copy of the letter was sent by email to the applicant and to Mr. Gaughan.

An amended application and a new map were received on September 19, 2019. Mr. Monoyios initialed and dated the amended application.

Source & Diversion System: The applicant proposes three points of diversion (PODs), diverting from springs in the NW quarter of Section 28, Township 21 N, Range 23 East.

In the original application, the applicant proposed two points of diversion, with spring headboxes piped to stockwater tanks. The applicant stated "If both spring boxes are developed, they will be tied together".

The amended application lists three 10- acre tracts for the PODs, instead of two. On the amended map, the applicant states that the PODs "will consist of a number of perforated pipes within T21N R23E Sec 28 SENWNW, NWNENW, and SWNENW all of which will be connected to one single POD spring box" that will be located somewhere within the three identified 10-acre tracts.

Water Use: The proposed use is for 400 cattle. The original map submitted with the application identified 10 locations where stock tanks would be attached to this system. Mr. Gaughan, in his accompanying letter, identified the general location of the stock tanks as Wellard Field, which is adjacent to the proposed PODs.

The amended map for the application does not identify the proposed locations of individual stockwater tanks, but identifies the quarter-quarter sections that overlap with Wellard Field.

Additional Comments: This application proposes the diversion of surface water that is tributary to the Salmon River Wild & Scenic River. Requests for comments will be sent to the Department of Environmental Quality, the Department of Fish and Game, planning and regional staff (IDWR).

The amended application corrected the legal descriptions of the PODs and POU to agree with the general area identified in the map submitted with the original application. The Department will not seek to advance the priority date at this time.

Betts, David

From: Betts, David
Sent: Tuesday, September 10, 2019 2:03 PM
To: 'Chris Gaughan'
Cc: 'eaglevalleyranch.salmon@gmail.com'
Subject: RE: Requests for Additional Information - Application for Permit 74-16220 (Eagle Valley Ranch)
Attachments: application-for-permit-instructions.pdf

Hello Chris,

Thank you for your response to my email. Unfortunately there still some problems that will keep the application from moving forward.

First, the Department requires that points of diversion (PODs) from springs be identified to the 10-acre tract - to the $\frac{1}{4}$ - $\frac{1}{4}$ - $\frac{1}{4}$. In the corrections that you emailed me today you crossed out the 10-acre designation without indicating the replacement label. I am attaching a copy of the instructions for an application for permit. The last page has an illustration of how the 10-acre tracts are identified. From my initial review it appeared that only one of the PODs needed a correction, but you may want to double check both.

Second, the application does not have you listed as a representative with signing power for the application. Even though there was a letter from you that was submitted with the application, the Department can only make amendments to an application that have been submitted by the applicant or by a representative who has been authorized (see item 2.b on the application for permit).

I looks like the corrections you submitted for the place of use (POU) agree with the map. The Department would only need the initials and date from the applicant in order to move forward with the amendment for the POU.

Please let me know if you have any questions.

Dave Betts
Water Resource Agent
Water Rights Section
Idaho Department of Water Resources
322 East Front St., PO Box 83720
Boise, ID 83720-0098

Phone: (208) 287-4826
Fax: (208) 287-6700

From: Chris Gaughan [mailto:Chris.Gaughan@osc.idaho.gov]
Sent: Tuesday, September 10, 2019 8:23 AM
To: Betts, David <David.Betts@idwr.idaho.gov>; eaglevalleyranch.salmon@gmail.com
Subject: RE: Requests for Additional Information - Application for Permit 74-16220 (Eagle Valley Ranch)

David,

I have attached the revised form and fixed the error on the map.

I will send the hard copy in the mail today.

Chris

Chris Gaughan
Project Planner
Upper Salmon Basin Watershed
955 Riverfront Dr. Suite B
Salmon, ID 83467
Office (208) 756-6322
Cell (208) 515-6484

From: Betts, David <David.Betts@idwr.idaho.gov>
Sent: Friday, September 06, 2019 10:42 AM
To: eaglevalleyranch.salmon@gmail.com
Cc: Chris Gaughan <Chris.Gaughan@osc.idaho.gov>
Subject: Requests for Additional Information - Application for Permit 74-16220 (Eagle Valley Ranch)

Dear Applicant,

I have attached two letters that are going out in today's mail in the same envelope.

I am emailing you a copy of these letters because each letter has a 30-day waiting period, to give you time to respond. If the Department receives your responses before the end of the 30 days, I can continue processing your application at that time.

One of the letters refers to disagreements between the information on your application and the map submitted with the application. The following link may be of assistance in identifying the locations of the points of diversion and the place of use: [Create and Print a Map for Water Right Applications](#)

Please contact me if you have any questions.

Dave Betts
Water Resource Agent
Water Rights Section
Idaho Department of Water Resources

Phone: (208) 287-4826



State of Idaho

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

September 6, 2019

EAGLE VALLEY RANCH, LLC
446 BOHANNON CREEK RD
SALMON ID 83467

RE: Application for Permit 74-16220 – Incomplete application

Dear Water Right Applicant:

There are disagreements between the map submitted with the application and the information you provided in the application (Items 4 and 9). In order to proceed with the review of your application, the information in the application and the map need to describe the points of diversion (PODs) and the place of use (POU) the same way.

One of the PODs is identified in the NWNWNW of Section 28. The map appears to place the same POD in the NENWNW of Section 28. The map of the POU places a trough in the NESE of Section 29, but all of the quarter-quarter sections identified on the application are in Section 28. Those are two examples, but there appears to be additional disagreements. Please review the PODs and the POU. The locations of the PODs and the POU for your proposed water use are up to you, but the application and the map need to agree.

To make corrections, you can correct the legal descriptions in the application, submit a new map, or both. The enclosed copy of your application can be used to make corrections to the legal descriptions (items 4 and 9). Line out the original information in a manner that the original entry can still be read. Then insert the new information and initial and date the changes. Mail the initialed changes, not a copy, to the Department.

Please provide the necessary corrections within thirty (30) days, or by October 6, 2019. If the Department receives a response from you before the 30 days are over, the review of your application can continue from that time. If no additional information is provided within the 30 days the Department will have to decide whether or not to void your application for permit because the application is incomplete.

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 application and map



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

September 6, 2019

EAGLE VALLEY RANCH, LLC
446 BOHANNON CREEK RD
SALMON ID 83467

RE: Application to Appropriate Water in the Upper Salmon River Basin 74-16220

Dear Water Right Applicant:

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

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

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

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

A myriad of habitat restoration projects are being constructed/implemented in other parts of the upper Salmon River basin. These projects have been coordinated with the local communities and water users through the Upper Salmon River Basin Watershed Program and predecessor programs, including the model watersheds. Furthermore, the Snake River Water Rights Agreement of 2004 contemplates the development of additional conservation plans for other upper Salmon River basin watersheds. Accordingly, the 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 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 me at 208-287-4826, or email me at david.betts@idwr.idaho.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Betts", with a stylized flourish extending from the end.

Dave Betts
Water Resource Agent, Senior

Enclosure: Copy of Application