

RECEIVED

FEB 14 2019

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Lorett Kinnicutt-Rogers, Patrick Rogers Phone 208-572-9047Name connector (check one): ☐ and ☐ or ☒ and/orMailing address 131 Redwood Rd City SalmonState ID ZIP 83467 Email salmongypsycamp@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 Ground Water which is a tributary of _____

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
18N	21E	22	2		SW	NW	Lemhi	ground water	existing domestic
18N	21E	22	2		SW	NW	Lemhi	ground water	existing irrigation

5. Water will be used for the following purposes:

Amount 0.04 for Commercial purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)6. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

7. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Existing wells, pipeline to 3 rental units.
No new wells will be constructed.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 ☐ Noe. If well is already drilled, when? _____; drilling firm _____;
well was drilled for (well owner) _____; Drilling Permit No. _____

Received by sc Date 2/14/19 Time _____ Preliminary check by AD 3-13-19

Fee \$ 100 Receipted by sc Receipt No. ED04712 Date 2/14/19

For Department Use

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. Commercial use is for a bed and breakfast establishment utilizing three custom-built RV units.
MAX # of people using is 6 per day + 2 permanent residents. - PLEASE SEE NOTE FROM EASTERN IDAHO PUBLIC HEALTH.
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	
18N	21E	22							C										
									L2										

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? 75-14933 pending permit for irrigation use from the existing irrigation well. There will be no irrigation use under this application. Existing residential use from the domestic well, no recorded right. This property is not served by Salmon River Meadows Mutual Water Co 75-7294A.
11. a. Who owns the property at the point of diversion? applicant
- b. Who owns the land to be irrigated or place of use? applicant
- 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. Wells may be interconnected to provide backup water for both residence and rental units, or only one well may be used to develop commercial use. Both are included on the application to provide flexibility during development.
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.

Robert Kinnebrew - Rogers
 Signature of Applicant
ROBERT KINNEBREW - ROGERS
 Print Name (and title, if applicable)

Patrick Rogers
 Signature of Applicant
PATRICK ROGERS
 Print Name (and title, if applicable)

Kinnicutt-Rogers, Loretta A

From: Merrill Hemming <mhemming@eiph.idaho.gov>
Sent: Monday, February 11, 2019 2:36 PM
To: Kinnicutt-Rogers, Loretta A
Cc: Rogers, Patrick; Kellye Eager; Yenter, Cindy; Melinda Cockrell; Nathan Taylor
Subject: RE: Salmon Gypsy Bed and Breakfast

Loretta,

After reviewing the declaration, the Salmon Gypsy Bed & Breakfast will not be a public water system. Thank you for sending the form with the number of people the system will serve.

It is recommended that you collect a bacteria and nitrate sample each year to ensure the water being served is free of any contamination or concerns. Sample bottles can be obtained from a lab which can provide sampling instructions.

If there are more questions concerning the drinking water, please feel free to reach out to me. Thanks.

Merrill Hemming
Environmental Health Specialist
1250 Hollipark Drive
Idaho Falls, ID 83401
208-533-3129
mhemming@eiph.idaho.gov



From: Kinnicutt-Rogers, Loretta A <kinnicutt-rogers@csus.edu>
Sent: Monday, February 11, 2019 3:29 PM
To: Merrill Hemming <mhemming@eiph.idaho.gov>
Cc: Rogers, Patrick <rogersp@csus.edu>; Kellye Eager <keager@eiph.idaho.gov>; Yenter, Cindy <Cindy.Yenter@idwr.idaho.gov>; Melinda Cockrell <MCockrell@eiph.idaho.gov>; Nathan Taylor <NTaylor@eiph.idaho.gov>
Subject: RE: Salmon Gypsy Bed and Breakfast

Good Afternoon Merrill:

Thank you so much for taking the time to call and explain to me how this works. I do appreciate it.

I am attaching the completed General Information About the Water Source for your files. Once a determination is formally made, may I have a copy of that document or note for our files and to send off to the Water Resources board?

Again, thank you and enjoy your day!

Loretta Kinnicutt-Rogers | *Procurement & Travel Coordinator*
College of Continuing Education, Sacramento State



Use Typewriter or Ballpoint Pen

Lat: : : Long: : :

☒ Alr ☐ Flowing Artesian**PERMIT NO.**

Ref No. D000 4508

OWNER:

Name D. J. O'Donnell

Address HC 61 Box 149-7

City Salmon State Id Zip 83427

Sketch map location must agree with written location.

N
 W E S
 Twp. 18 North ☒ or South ☐
 Rge. 21 East ☒ or West ☐
 Sec. 10 1/4 SW 1/4 SW 1/4
 Gov't Lot _____ County Lincoln 10 acres 40 acres 160 acres
 Lat. : : Long. : :
 Address of Well Site Elk Bend
 City Sumner

(Give at least name of road + Distance to Road or Landmark)

Lt. 49 Blk. 1 Sub. Name Scholarship

Mendel's Expt

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

☐ New Well ☐ Modify ☐ Abandonment ☐ Other_____

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	1	20	250	gun bore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) _____

Was drive shoe seal tested? ☐ Y ☒ N How? _____

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6	1	40	350	5 + 1	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

Perforations	Method
Screens	Screen Type

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10 ft. below ground Artesian pressure lb.

Depth flow encountered _____ ft. Describe access port or _____

control devices: 30 miles per hour speed

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
25		40'	2 hrs

Water Temp. 51° Bottom hole temp. _____

Water Quality test or comments: clear

Depth first Water Encountered 10'

Water

[illegible]Completed Depth 4/0' (Measurable)

Date: Started 3/17/98 Completed 3/17/98

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Harbor Drilling Firm No. 0930

Firm Official W. H. H. H. H. Date 3-29-78

and

Supervisor or Operator _____ Date _____

(Sign once if Firm Official & Operator)

STANDARD
INSTALL
Ramp for
surveys
on 6/11/10

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

Office Use Only			
Inspected by _____			
Twp _____	Rge _____	Sec _____	
1/4 _____	1/4 _____	1/4 _____	
Lat _____	Long _____	_____	

WELL TAG NO. D 0000398

DRILLING PERMIT NO. 75 99 E 0056

Other IDWR No. _____

2. OWNER:

Name Oldham, Bill (William A.)Address HC 61 Box 149-7City SalmonState ID Zip 83467

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N	
W	E
S	

Twp. 18 North ☒ or South ☐
Rge. 21 East ☒ or West ☐
Sec. 16 1/4 SW 1/4 SW 1/4
Gov't Lot _____
County Lemhi
Lat _____ Long _____
Address of Well Site Elk Bend

(Give at least name of road + Distance to Road or Landmark)
LL _____ Blk. _____ Sub. Name Sim River Meadows

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☒ Other other, as specified

5. TYPE OF WORK: check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES:

Seal/Filter Pack			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
bentonite	0	20	300	overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 40'Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6	+1	40	.250	steel	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS:

☐ Perforations Method _____
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

10 ft. below ground Artesian pressure _____ lb.

Depth flow encountered _____ ft. Describe access port or control

devices: sanitary well seal

11. WELL TESTS:

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
25		40'	2 hours

Water Temp. 52 Bottom hole temp. 52Water Quality test or comments: clearDepth first Water Encounter 20

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water	
12	0	6	top soil		
12	6	20	boulders		
6	20	30	boulders gravel	X	
6	30	35	sand		
6	35	40	gravel sand	X	

Completed Depth 40' (Measurable)
Date: Started 11/23/99 Completed 11/23/99

13. DRILLER'S CERTIFICATION:

We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Harber Drilling Company Firm No. 0430Firm Official _____ Date 11/27/99

and _____

Driller or Operator _____ Date 11/27/99

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

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 June 3, 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:

75-14933

LORETT KINNICUTT ROGERS
PATRICK ROGERS
131 REDWOOD RD
SALMON, ID 83467-5206
Point of Diversion L2(SWNW) S22 T18N R21E LEMHI County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
0.04 CFS
Total Diversion:
0.04 CFS
Date Filed: 12/14/2018
Place Of Use: IRRIGATION
T18N R21E S22 L2(SWNW)
Total Acres: 1.8

This application proposes the diversion and use of water 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 the diversion rate and acre will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

75-14934

LORETT KINNICUTT ROGERS
PATRICK ROGERS
131 REDWOOD RD
SALMON, ID 83467-5206
2 Points of Diversion L2(SWNW) S22 T18N R21E LEMHI County
Source GROUND WATER
Use: COMMERCIAL
01/01 to 12/31
0.04 CFS
Total Diversion:
0.04 CFS
Date Filed: 2/14/2019
Place Of Use: COMMERCIAL
T18N R21E S22 L2(SWNW)

This application proposes the diversion and use of water from ground water 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 it is for commercial 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 6/3/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/16/2019 and 5/23/2019

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, May 09, 2019 11:17 AM
To: rhlegals@custertel.net
Subject: Recorder Herald
Attachments: Recorder Herald.doc

Please publish the attached notice on the dates indicated. Thank you.

*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

May 9, 2019

LORETT KINNICUTT ROGERS
PATRICK ROGERS
131 REDWOOD RD
SALMON, ID 83467-5206

Application For Permit No. 75-14933 & 75-14934

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the RECORDER HERALD on 5/16/2019 and 5/23/2019. 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,

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

May 9, 2019

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

RE: Applications for Permit No. 75-14933 & 75-14934

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 applications 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,

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

May 9, 2019

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

RE: Applications for Permit No. 75-14933 & 75-14934

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:

<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 these applications, 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,

Jean Hersley
Technical Records Specialist II

Hersley, Jean

To: Jeff Richards
Subject: Applications for Permit 75-14933 & 75-14934

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 applications 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,

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

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, May 09, 2019 11:25 AM
To: Jeff Richards
Subject: Applications for Permit 75-14933 & 75-14934

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 applications 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,

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

MEMORANDUM

Date: April 23, 2019
To: Water Right File 75-14934
From: Alex Dagleish
Re: Application for Permit Review

Applicant

Lorett Kinnicutt-Rogers and Patrick Rogers submitted their application to the Dept. on February 14, 2019. Additional information was requested on 2/15/19 regarding the proposed wells to be used. This letter also requested a map since no map was initially provided with the application.

Source & POD

Ground water will be sourced from existing domestic and irrigation wells. The domestic and commercial wells are in the same legal description, SW NW quarter-quarter Sec 2, T18N R21E Govt. Lot 2.

Department records do not show wells in these locations.

The application proposes using two different wells and its uncertain if the wells are hydrologically connected using the same diversion. Though, the application states that the wells may be interconnected to provide backup water to both residence and rental units, or only one well may be used to develop the commercial use. Both are included in the application to provide flexibility during the requested 5 year development period. Patrick Noel Rogers is listed as the owner of the land at the PODs as shown by Department records. The ground water is sourced within a Wild and Scenic area and subject to those processing steps.

Water Use

The application proposes the use of ground water for commercial use. Use is to develop the Salmon Gypsy Bed and Breakfast utilizing three custom-built RV units. The applicants contacted Eastern Idaho Public Health (EIPH) to discuss drinking water issues and if the use qualified as a public drinking water system. According to Merrill Hemming, and environment health specialist of EIPH, the use will not be classified as a public water system. These documents were included with the application.

A pipeline will divert the water to the rental units. Applicants previously applied for permit 75-14933 in December 2018 for irrigation use of .04 cfs. The prior application proposes to use water from the irrigation well listed on this application. The applicant states there will be no irrigation use under this permit, only commercial use and the property is not served by the Salmon River Meadows Mutual Water Co water right 75-7294A. Season of use requested is 01/01 to 12/31. The applicant also states that a maximum of 8 people per day will use the water, 6 guests and 2 permanent residents (the applicants).

POU

The place-of-use is in Lots 53, 54 and 55 of the Salmon River Meadows Annex. All lots are owned by Patrick Noel Rogers according to Department records. The POU borders the Salmon River South of Salmon, Idaho. No ownership concerns with the POU.

POU/POD overlap analysis

Application 75-14933, also submitted by Lorett Kinnicutt-Rogers and Patrick Rogers overlaps the POU and also shares the Domestic POD. The application has not been advertised or permitted as of 3/15/19.

75-14933 proposes using .04 cfs for irrigation. Bill Oldham diverts .05 cfs under water right 75-14265, which also uses the same domestic well. Water right 75-7294A, owned by Salmon River Meadows Mutual Water Co overlaps the POU. No injury is apparent.

Conditions

The application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River so conditions pertinent to this will be added to the permit if approved. The proposed points of diversion are not currently in a water district. However, if approved, the permit should include measuring device and watermaster control conditions in anticipation of future inclusion in water district 170 (Upper Salmon River Basin).

Dalgleish, Alex

From: Dalgleish, Alex
Sent: Friday, March 15, 2019 3:04 PM
To: Cefalo, James
Subject: Application for Permit 75-14934
Attachments: 75-14934 App Review Memo.rtf; 75-14934 Application Map.pdf

James,

I have an application for permit. Please respond with comments/recommendations within 7 days.

Thanks,

Alex Dalgleish
Water Resource Agent
Phone (208) 287-4913
alex.dalgleish@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 15, 2019

PATRICK ROGERS
LORETT KINNICUTT-ROGERS
131 REDWOOD RD
SALMON ID 83467

RE: Application to Appropriate Water in the Upper Salmon River Basin 75-14934

Dear Water Right Applicant:

The Department of Water Resources' (IDWR) records show you filed applications to establish new uses of water in the upper Salmon River basin. Idaho Code § 42-203A(5) requires IDWR to determine whether each water right application satisfies all the criteria necessary for appropriating water in Idaho. One statutory criterion requires IDWR to determine the local public interest relative to the proposed water 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

Page 2

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 208-287-4913, or email me at alex.dalgleish@idwr.idaho.gov.

Sincerely,

Alex Dalgleish
Water Resource Agent

Enclosure:

Hersley, Jean

From: Kinnicutt-Rogers, Loretta A <kinnicutt-rogers@csus.edu>
Sent: Friday, February 15, 2019 5:21 PM
To: Hersley, Jean
Cc: Rogers, Patrick
Subject: application for permit
Attachments: Kinnicutt commercial.jpg; Well Drilling Reports_both.pdf

Good Afternoon Jean:

Thank you for allowing me the opportunity to repair my error in not completing the form. I really do appreciate it.

I now note that I did not complete section 7e. I tried to put the information into the application and re-send it to you, but there is not enough space. I am hopeful that providing the information here will suffice. I am fortunate that the previous owner provided me with copies of the paper work for the wells so I am able to provide the following information we purchased the property in October of 2016).

The first well was drilled on the north side of the property in March of 1998, permit #D0004508. The second well was drilled on the south side of the home in November of 1999, permit #85 99 E 0056.

Both wells were drilled by Harber Drilling Company, Firm No. 0430 for the then owner, Bill Oldham.

I do have a map that was done showing the location of both wells and the location of the three RVs that will be used for the bed and breakfast and I am attaching it here.

I am hopeful that this will assist in moving our request forward. If not, and if there is anything further that I can provide, please reach out to me as I will be more than happy to do what I can to comply.

Enjoy your weekend!

Loretta Kinnicutt-Rogers | *Procurement & Travel Coordinator*

College of Continuing Education, Sacramento State
3000 State University Drive | Sacramento, CA 95819
T. 916.278-4845 | F. 916.278.3680 | csus.edu/cce



csus.edu/cce



----- Forwarded message -----

From: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Date: Fri, Feb 15, 2019, 7:21 AM
Subject: application for permit
To: salmongypsycamp@gmail.com <salmongypsycamp@gmail.com>

February 15, 2019

LORETTT KINNICUTT ROGERS

PATRICK ROGERS

131 REDWOOD RD

SALMON ID 83467

RE: Application for Permit

Dear Applicant(s):

The Department of Water Resources has received your water right application. Preliminary review of the application indicates that it is incomplete and cannot be accepted for processing. The required information is described below.

- The Map was not provided. Please mark on the attached map the place of use and point of diversion.
- Your application mentioned the well you are going to use for this has already been drilled. When was the well drilled? Who drilled the well? Who was the well drilled for? What is the Drilling permit number?

Please provide the requested information within 30 days or your application will be returned unprocessed and a refund will be requested. You can provide the information by responding to this email, fax to (208) 287-6700 or mail to: IDWR, PO Box 83720, Boise, ID, 83720-0098.

Please feel free to contact me if you have any questions. Thank you.

Sincerely,

Jean Hersley

Idaho Dept Water Resources

Technical Records Specialist II

208-287-4942

State of Idaho
Department of Water Resources
Application For Permit
75-14934



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles

