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RECEIVED

JAN 03 2018

DEPARTMENT 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. 74-16165

1. Name of applicant(s) CLAYNE A HANSON, JULIE HANSON Phone 208.589.0290

Name connector (check one): ☐ and ☐ or ☒ and/or

Mailing address PO BOX 98 City LEWISVILLE

State ID ZIP 83431 Email claynehanson@yahoo.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 WEST FORK SANDY CREEK

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
20N	24E	4		NW	NE	SW	LEMHI	SPRING	

5. Water will be used for the following purposes:

Amount 0.04 for DOMESTIC 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. 1.5 inch existing pipeline from spring, tap off of line to cistern storage, distribution lines to residence

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 TE Date 1/3/2018 Time 10:45 Preliminary check by TE

Fee \$ 100.00 Receipted by TE Receipt No. C104502 Date 1/3/2018

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 ¹ _____
- 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	
20N	24E	8													D				

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? 74-7249 from same spring for irrigation and stockwater in other areas. 74-15590 for irrigation from WF Sandy Creek. Spring will also be used for irrigation around residence.

- Who owns the property at the point of diversion? applicant
- Who owns the land to be irrigated or place of use? applicant
- 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. Pipeline was developed under 74-7249 and runs near new building site. Cistern size approx 3000 gals. Cistern overflow will return to Sandy Creek.

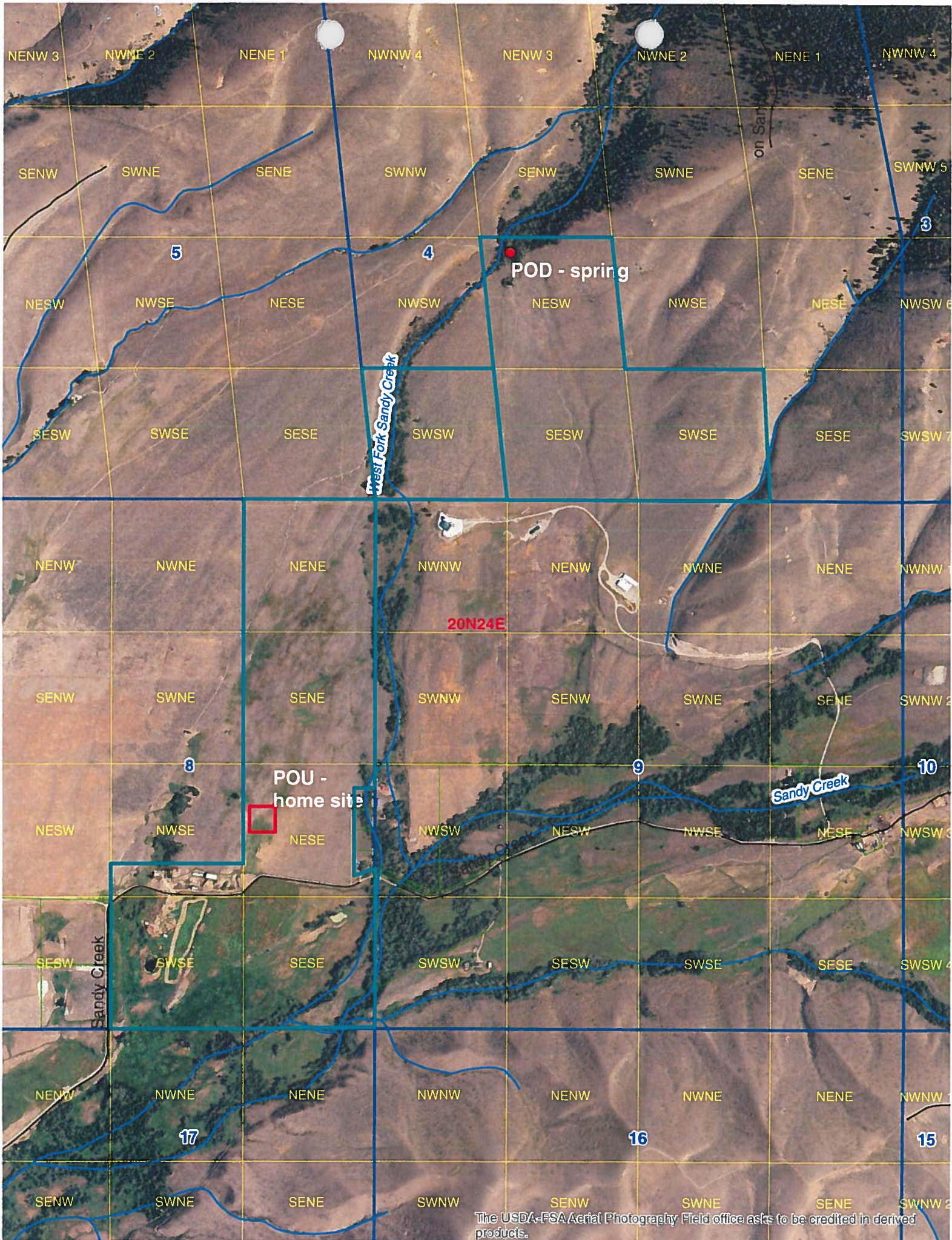
13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

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.

Clay A. Hanson
Signature of Applicant
CLAYNE A. HANSON
Print Name (and title, if applicable)

Julie Hanson
Signature of Applicant
Julie Hanson
Print Name (and title, if applicable)



Hersley, Jean

From: Hersley, Jean
Sent: Friday, January 26, 2018 10:22 AM
To: rhlegals@custertel.net
Subject: CORRECTED LEGAL NOTICE

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find **CORRECTED** legal notices which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). This notice supersedes the notice you received earlier today from me. 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 February 20, 2018. 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

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82018**

DEAN MURPHY and CYNTHIA MURPHY, PO BOX 1089, SALMON, ID 83467; has filed Application No. 82018 for changes to the following water rights within LEMHI County(s): Right No(s). 74-15999, 74-16000; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

to change the place of use of 37.4 acres of irrigation use to a field located in Section 17, T19N, R24E, south of Pattee Creek and east of the Lemhi River, approximately a mile north of Tendoy.

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 **2/20/2018**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 2/1/2018 and 2/8/2018

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

74-16165

CLAYNE A HANSON

JULIE HANSON

PO BOX 98

LEWISVILLE, ID 83431

Point of Diversion NWNESW S4 T20N R24E LEMHI County

Source SPRING Tributary WEST FORK SANDY CREEK

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 1/3/2018

Place Of Use: DOMESTIC

T20N R24E S8 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 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 **2/20/2018**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 2/1/2018 and 2/8/2018

Hersley, Jean

From: Hersley, Jean
Sent: Friday, January 26, 2018 9:45 AM
To: rhlegals@custertel.net
Subject: Legal Notice
Attachments: Legal Notice.docx

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 February 2, 2018. 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



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

January 26, 2018

CLAYNE A HANSON
JULIE HANSON
PO BOX 98
LEWISVILLE, ID 83431

Application For Permit No. 74-16165

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 2/1/2018 and 2/8/2018. 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

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Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

January 26, 2018

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

RE: Applications for Permit No. 74-16165
Transfer 81861 & 82018

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 application.

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 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

January 26, 2018

CURTIS R FAYLE
WATER DISTRICT #74G
1480 LEMHI RD
SALMON ID 83467

RE: Application for Permit: 74-16165

Dear Watermaster:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced water right application for permit. You can find a copy of the application at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's 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,

Jean Hersley
Technical Records Specialist

Enclosure(s)

Hersley, Jean

From: Hersley, Jean
Sent: Friday, January 26, 2018 10:35 AM
To: Clark, Cynthia Bridge
Subject: Application for Permit and Transfers

Application for Permit No. 74-16165

Applications for Transfer No. 81861 & 82018

These applications will be advertised on February 1 & 8. Protest end date is the 20th of February. The files will be scanned by the end of the day. Please let me know if you have any comments or concerns. Thank you.

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

Hersley, Jean

From: Hersley, Jean
Sent: Friday, January 26, 2018 10:32 AM
To: Yenter, Cindy
Subject: Watermaster recommendation form
Attachments: Watermaster recommendation form.docx

Application for Permit 74-16165 and Transfer 81816 & 82018 will be advertised on February 1 & 8. The protest end date is February 20, 2018. Please let me know if you have any comments or concerns. Documents will be scanned by the end of the day. I have attached a watermaster comment form for transfer 81861.

Jean

RECEIVED

JAN 19 2018

DEPARTMENT OF
WATER RESOURCES

Dept of water Resources
322 E Front Street
P.O Box 83720
Boise, ID 83720-0098

RE: Application For permit
Ident NO. 74-16165

ATTN: Pamela Skaggs

MS. Skaggs

In Response to your request for additional
information pertaining to our application Ident NO
74-16165.

We have no additional information to
submit at this time. we request that
resume processing of our application
based upon the information included on
the application.

Thank you
Clayne + Julie Hanson
Clayne A. Hanson

MEMORANDUM

Date: January 9, 2017
To: Application for Permit 74-16165 Hanson
From: Rachael Smith
Re: Application Review

Applicant

Clayne and Julie Hanson submitted an application for permit on January 3, 2018. Clayne owns the land that will be used for the point of diversion and the place of use.

Source & POD

The application identifies that the source of water is a spring, tributary of West Fork Sandy Creek. The point of diversion is located at 20N 24E in the NWNESW Corner of Section 4 in Lemhi County. Clayne is the owner of the land for the point of diversion.

Water Use

The application proposes use of the surface water for domestic purposes. The proposed diverting works include use of an existing 1.5" pipeline from the spring (developed under Right 74-7249) diverting to a cistern for storage followed by distribution lines to the residence. Cistern overflow will return to Sandy Creek. The proposed diversion rate of 0.04 cfs is within domestic limits.

POU

The proposed place of use is within the NESE quarter corner of Section 21. Use of the water will be at the residence and irrigation not to exceed ½ acre.

POU/POD overlap analysis

Water right 74-15590 overlaps the POU for this permit and is also owned Clayne Hanson. The use for this overlapping right is for 98 acres of irrigation and the POD is from the West Fork Sandy Creek downstream of the proposed POD for this application. A condition should be added to the permit to limit the overlapping rights to 98 acres when combined.

There is a POD overlap with water right 74-7249 that is also owned by Clayne and Julie Hanson.

Conditions

This permit should include standard conditions for domestic use and overlapping POU and shared POD. 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. The POU and POD are located within Water District 74G.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

January 9, 2018

CLAYNE HANSON
JULIE HANSON
PO BOX 98
LEWISVILLE ID 83431

RE: Application to Appropriate Water in the Upper Salmon River Basin 74-16165

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 208-287-4951, or email me at pam.skaggs@idwr.idaho.gov.

Sincerely,



For Pamela Skaggs
Water Rights Supervisor

Enclosures: Copy of Application