

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 75-14858

Priority: April 24, 2017

Maximum Diversion Rate: 0.13 CFS

This is to certify, that RICHARD R CALKINS JR
BRENDA S CALKINS
1203 GEORGESON LOOP
SITKA AK 99835

has applied for a permit to appropriate water from:

Source: SALMON RIVER**Tributary:** SNAKE RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 10/31	0.13 CFS

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER L8(SW1/4SE1/4) Sec. 27, Twp 19N, Rge 21E, B.M. LEMHI County

PLACE OF USE:

	IRRIGATION																			
Twp Rge Sec	NE					NW					SW					SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals			
19N 21E 27																4.4		4.4		
																L 8				

Total Acres: 4.4

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2022**.
2. Subject to all prior water rights.
3. The right holder shall install or construct a straight length of conduit or ditch suitable for installation of a device for measuring the entire flow of water being diverted in connection with this right. If the right holder uses conduit, the straight length of conduit shall be at least fifteen times the diameter of the conduit and shall be above ground or otherwise easily accessible.
4. Upon specific notification by the Department, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
5. When notified by the Department the right holder shall report the amount of water diverted in connection with this right. The report shall be submitted in the manner and frequency specified by the Department.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

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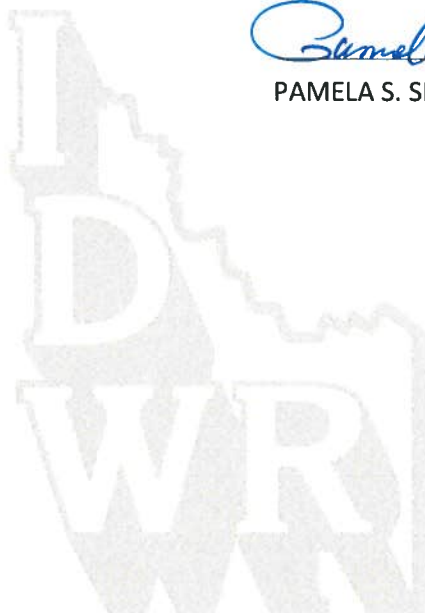
7. Place of use is located within Lot 2; Bridge Point Subdivision.
8. Point of diversion is located within Lot 2; Bridge Point Subdivision.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.

Signed this 9th day of August, 2017.

A handwritten signature in blue ink that reads "Pamela S. Skaggs".

PAMELA S. SKAGGS, Water Rights Supervisor



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This map depicts the IRRIGATION place of use boundary and point of diversion for this water right application at the time of this approval and is attached to the approval document solely for illustrative purposes.



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



0 500 1,000 Feet



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

August 14, 2017

BRENDA S CALKINS
RICHARD R CALKINS JR
1203 GEORGESON LOOP
SITKA AK 99835

RE: Permit No. 75-14858

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4951.

Sincerely,

A handwritten signature in blue ink that reads "Pamela Skaggs".

Pamela Skaggs, Water Rights Supervisor
Water Right Permits Section

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on August 15, 2017 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

75-14858

**BRENDA S CALKINS
1203 GEORGESON LOOP
SITKA AK 99835**

**RICHARD R CALKINS JR
1203 GEORGESON LOOP
SITKA AK 99835**



**Darla Block
Technical Records Specialist**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

RECEIVED

JUL 31 2017

DEPARTMENT OF
WATER RESOURCES

Affidavit of Publication

NOTICE OF APPLICATION FOR APPROPRIATION OF PUBLIC WATERS 75-14858

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

75-14858
RICHARD R CALKINS JR
BRENDA S CALKINS
1203 GEORGESON LOOP
SITKA, AK 99835
Point of Diversion L8(SWSE) S27 T19N
R21E LEMHI County
Source SALMON RIVER Tributary
SNAKE RIVER
Use: IRRIGATION
04/01 to 10/31
0.13 CFS
Total Diversion:
0.13 CFS
Date Filed: 4/24/2017
Place Of Use: IRRIGATION
T19N R21E S27 L8(SWSE)
Total Acres: 4.4

This application proposes the diver-
sion and use of water from the Salmon
River tributary to the Salmon Wild & Sce-
nic River. The decreed minimum stream
flow rights for the federal Wild & Scenic
Rivers are subordinate to certain catego-
ries of water use and to specific amounts
of water use established after the mini-
mum stream flow. The water use pro-
posed 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.

GARY SPACKMAN, Director 7-20-2tc

*Agmt
8-1-17*

STATE OF IDAHO

County of Lemhi

ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (print-
ers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and
of general circulation therein. That the **NOTICE OF APPLICATION - 75-14858**, a true printed
copy of which is attached to the margin hereof, has been and was correctly printed and published
in the regular and entire issue of every number of said newspaper and not in any supplement
thereof or thereto for **TWO (2)** consecutive issue(s), commencing with the issue dated **7-20-2017**
and ending with the issue dated **7-27-2017**.

STATE OF IDAHO

County of Lemhi

ss.

On this **27th day of July** in this year of 2017 before me, A Notary Public, personally appeared
RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the statements therein are true,
and acknowledged to me that he executed the same.

Residing At Salmon, Idaho

Notary Public for Idaho

My Commission expires: 4-10-2023

Publication Fee \$88.20

