

FORM 202 Rev. 09/16
RECEIVED
MAY 22 2017

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

Ident. No. 75-14865

DEPARTMENT OF
WATER RESOURCES

1. Name of applicant(s) JANET M HERMAN Phone 707.530.1864
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address 5 PEACOCK LANE City SALMON
State ID ZIP 83467 Email hermanjm55@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 SALMON RIVER which is a tributary of SNAKE RIVER

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
19N	21E	34			SW	SE	LEMHI	SALMON RIVER	

5. Water will be used for the following purposes:

Amount 0.09 for IRRIGATION purposes from 04/01 to 10/31 (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) 0.09 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

7. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. pump in river to mainline and sprinklers
- 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 VC Date 5/22/17 Time 11:23am Preliminary check by _____
Fee \$ 100 Received by VC Receipt No. C1031203 Date 5/22/17

For Department Use

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. _____
- 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.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	21E	34														1.1	1.9		3.0
																L5	L8		

Total number of acres to be irrigated: 3.0

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? unrecorded domestic well used for minor irrigation around house

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. Second recorded property owner Larry K Herman is deceased. Death certificate is attached. Applicant is the sole owner.

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.

Janet M. Herman
Signature of Applicant

Janet M. Herman
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

LF
CFSTATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
CERTIFICATE OF DEATH

STATE FILE NUMBER

3462978

1. DECEDENT'S NAME (First, Middle, Last) Larry Kim Herman		2. DATE OF BIRTH (Month, Day, Year) June 7, 1953		3. SEX Male		4. DATE OF DEATH (Month, Day, Year) February 2, 2012			
5. NAME AT BIRTH OR OTHER NAME USED FOR PERSONAL BUSINESS (include AKA's if any)				6a. AGE - Last Birthday (Years) 58		6b. UNDER 1 YEAR MONTHS DAYS		6c. UNDER 1 DAY HOURS MINUTES	
7a. LOCATION OF DEATH (Enter place officially pronounced dead in 7a, 7b, 7c) HOSPITAL OR OTHER INSTITUTION - Name (if not in either, give street and number and zip code) Sparrow Health Systems Sparrow Campus; 48912				7b. CITY, VILLAGE, OR TOWNSHIP OF DEATH City of Lansing		7c. COUNTY OF DEATH Ingham			
8a. CURRENT RESIDENCE - STATE California		8b. COUNTY Lake		8c. LOCALITY (check the box that describes the location) ☒ CITY OR VILLAGE (inside limits of) ☐ TOWNSHIP ☐ UNINCORPORATED PLACE Lower Lake		8d. STREET AND NUMBER (Include Apt. No. if applicable) 13011 South Highway 29			
8e. ZIP CODE 95457		9. BIRTHPLACE (City and State or Country) Alma, Michigan		10. SOCIAL SECURITY NUMBER [REDACTED]		11. DECEDENT'S EDUCATION - What is the highest degree or level of school completed at the time of death? High School Graduate			
12. RACE - American Indian, White, Black, etc. (If Asian, give nationality; if Chinese, Filipino, Asian Indian, etc.) (Enter all that apply) White		13a. ANCESTRY - Mexican, Cuban, Arab, African, English, French, Dutch, etc. (Enter all that apply) If American Indian race, enter principal tribe Irish		13b. HISPANIC ORIGIN (Yes or No) No		14. WAS DECEDENT EVER IN THE U.S. ARMED FORCES? (yes or no) No			
15. USUAL OCCUPATION Give kind of work done during most of working life. Do not use retired. Water Well Driller		16. KIND OF BUSINESS OR INDUSTRY Agriculture		17. MARITAL STATUS - Married, Never Married, Widowed, Divorced (Specify) Married		18. NAME OF SURVIVING SPOUSE (if wife, give name before first married) Janet Mae Higgins			
19. FATHER'S NAME (First, Middle, Last) Charles Herman				20. MOTHER'S NAME BEFORE FIRST MARRIED (First, Middle, Last) Phyllis Beebe					
21a. INFORMANT'S NAME (Type/Print) Janet M. Herman		21b. RELATIONSHIP TO DECEDENT Wife		21c. MAILING ADDRESS (Street and Number or Rural Route Number, City or Village, State, Zip Code) P.O. Box 1152, Lower Lake, California 95457					
22. METHOD OF DISPOSITION (Burial, Cremation, Entombment, Donation, Removal, Storage (Specify)) Cremation		23a. PLACE OF DISPOSITION (Name of Cemetery, Crematory, or other location) Central Michigan Crematory		23b. LOCATION - City or Village, State Mason, Michigan					
24. SIGNATURE OF MORTUARY SCIENCE LICENSEE [Signature]		25. LICENSE NUMBER (of Licensee) 7340		26. NAME AND ADDRESS OF FUNERAL FACILITY Gorsline Runciman Funeral Homes 900 E. Michigan Avenue, Lansing, Michigan 48912					
27a. CERTIFIER (Check only one) ☒ Certifying Physician - To the best of my knowledge, death occurred due to the cause(s) and manner stated. ☐ Medical Examiner - On the basis of examination, and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner stated. Signature and Title Cy O'Brien DO (Physician)		28a. ACTUAL OR PRESUMED TIME OF DEATH 2005 M Feb. 2, 2012		28b. PRONOUNCED DEAD ON (Mo, Day, Yr) 2005 M Feb. 2, 2012		28c. TIME PRONOUNCED DEAD 2005 M			
29. MEDICAL EXAMINER CONTACTED? (Yes or No) No		30. PLACE OF DEATH (Home, Hospice, Nursing Home, Hospital, Ambulance) (Specify) Hospital		31. IF HOSPITAL, Inpatient, Outpatient, Emergency Room, DOA (Specify) Inpatient					
27b. DATE SIGNED (Mo, Day, Yr) 2/03/12		27c. LICENSE NUMBER 15101018050		32. MEDICAL EXAMINER'S CASE NUMBER (if applicable)		33. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print)			
34. NAME AND ADDRESS OF CERTIFYING PHYSICIAN (Type or Print) Corey O'Brien DO 1200 E. Michigan Ave. #415 Lansing, MI. 48912									
35a. REGISTRAR'S SIGNATURE [Signature]				35b. DATE FILED (Month, Day, Year) FEB 07 2012					
36. PART I. Enter the chain of events, in sequence, which directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology. Enter only one cause on a line. If diabetes was an immediate, underlying or contributing cause of death be sure to record diabetes in either Part I or Part II of the cause of death section, as appropriate. IMMEDIATE CAUSE (Final disease or condition resulting in death) a. Hemorrhagic Shock DUE TO (OR AS A CONSEQUENCE OF) b. Necrotizing Pancreatitis DUE TO (OR AS A CONSEQUENCE OF) c. DUE TO (OR AS A CONSEQUENCE OF) d. DUE TO (OR AS A CONSEQUENCE OF) Sequentially list conditions, (ICD-10), leading to the cause listed on line a. Enter the UNDERLYING CAUSE (disease or injury that initiated the events resulting in death) LAST								Approximate Interval Between Onset and Death Hours Days	
PART II. OTHER SIGNIFICANT CONDITIONS contributing to death but not resulting in the underlying cause given in Part I									
39. MANNER OF DEATH - Accident, Suicide, Homicide, Natural, Indeterminate or Pending (Specify) Natural		40a. WAS AN AUTOPSY PERFORMED? (Yes or No) No		40b. WERE AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH? (Yes or No)		37. DID TOBACCO USE CONTRIBUTE TO DEATH? ☐ Yes ☐ Probably ☐ No ☒ Unknown			
41a. DATE OF INJURY (Mo, Day, Yr)		41b. TIME OF INJURY M		41c. DESCRIBE HOW INJURY OCCURRED					
41d. INJURY AT WORK (Yes or No)		41e. PLACE OF INJURY - At home, farm, street, construction site, wooded area, etc. (Specify)		41f. IF TRANSPORTATION INJURY - Driver/Operator, Passenger, Pedestrian, etc. (Specify)		41g. LOCATION - Street or RFD No. City, Village or Twp. State			

D2012-0261
2/7/12 9:46 AM
DEATH - SO 00
Mike Bryant, Ingham County Clerk





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

July 28, 2017

JANET M HERMAN
5 PEACOCK LN
SALMON, ID 83467

Application For Permit No. 75-14865

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 8/3/2017 and 8/10/2017. 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

Hersley, Jean

From: Hersley, Jean
Sent: Friday, July 28, 2017 8:31 AM
To: rhlegals@custertel.net
Subject: Recorder Herald
Attachments: Recorder Herald.doc

Enclosed you will find a legal notice 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 19, 2017. Your cooperation is appreciated.

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

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 notice 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 19, 2017. 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:

74-16092

DEBBIE LYNN LINGER
WILLIAM FLOYD LINGER
PO BOX 51
TENDON, ID 83468
Point of Diversion NWNW S28 T18N R24E LEMHI County
Source LEMHI RIVER Tributary SALMON RIVER
Use: IRRIGATION
03/15 to 11/15
0.6 CFS
Total Diversion:
0.6 CFS
Date Filed: 3/29/2017
Place Of Use: IRRIGATION
T19N R24E S28 L3(NWSW) L4(SWSW)
T19N R24E S33 L1(NWNW)
Total Acres: 30

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 the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

74-16111

LEADORE LAND PARTNERS LP
PO BOX 16025
MISSOULA, MT 59808
Point of Diversion NWSE S26 T16N R26E LEMHI County
Source GROUND WATER
Use: STOCKWATER
01/01 to 12/31
0.02 CFS
Total Diversion:
0.02 CFS
Date Filed: 5/12/2017
Place Of Use: STOCKWATER

T16N R26E S26 SWNE NWSW NWSE

T16N R26E S35 NWNW

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 stockwater purposes.

74-16113

BRUCE L MULKEY

25 MULKEY LN

SALMON, ID 83467-5167

Point of Diversion NESW S11 T20N R23E LEMHI County

Source GROUND WATER

Use: STOCKWATER

01/01 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 6/30/2017

Place Of Use: STOCKWATER

T20N R23E S11 SENW NESW

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 the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

75-14865

JANET M HERMAN

5 PEACOCK LN

SALMON, ID 83467

Point of Diversion SWSE S34 T19N R21E LEMHI County

Source SALMON RIVER Tributary SNAKE RIVER

Use: IRRIGATION

04/01 to 10/31

0.09 CFS

Total Diversion:

0.09 CFS

Date Filed: 5/22/2017

Place Of Use: IRRIGATION

T19N R21E S34 L5(NWSE) L8(SWSE)

Total Acres: 3

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

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; or for a full description of the right(s), please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. 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 8/21/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/3/2017 and 8/10/2017

Hersley, Jean

From: Hersley, Jean
Sent: Friday, July 28, 2017 8:53 AM
To: Jeff Richards
Subject: Applications for Permit No. 73-12258, 74-16092, 74-16111, 74-16113 & 75-14865 and Transfer No. 81600 (Water Rights 73-192, 73-7041 & 73-10055)

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.

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



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

July 28, 2017

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

RE: Applications for Permit No. 73-12258, 74-16092, 74-16111, 74-16113 & 75-14865
Transfer No. 81600 (Water Rights 73-192, 73-7041 & 73-10055)

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 cursive script, appearing to read "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure(s)



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

July 28, 2017

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

RE: Applications for Permit No. 73-12258, 74-16092, 74-16111, 74-16113 & 75-14865
Transfer No. 81600 (Water Rights 73-192, 73-7041 & 73-10055)

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 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 cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure(s)

Hersley, Jean

From: Hersley, Jean
Sent: Friday, July 28, 2017 8:53 AM
To: Yenter, Cindy
Subject: Comment Letter to Watermaster for application for permit 73-12258 and transfer 81600
Attachments: Comment Letter to Watermaster.docx

We are also advertising water rights 74-16092, 74-16111, 74-16113 & 75-14865. Please let me know if you have concerns about these applications.

Jean

Hersley, Jean

From: Hersley, Jean
Sent: Friday, July 28, 2017 8:52 AM
To: Clark, Cynthia (Bridge)
Subject: applications for permit and transfer

Applications for Permit 74-16092, 74-16111, 74-16113, 75-14865 and 73-12258 and Transfer 81600 will be advertised on August 3 and 10. The protest end date is August 21, 2017. Please let me know if you have any comments or concerns. Documents will be scanned by the end of the day.

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

MEMORANDUM

Date: July 17, 2017
To: Water Right File 75-14865
From: Chelsey Serrano
Re: Application Review

Applicant

According to Lemhi County taxlot information, the place of use is property owned by the applicant Janet M Herman. Larry K Herman is also listed as an owner, however death certificate was submitted for him, making Janet M Herman the sole owner.

Source and POD

The water source is the Salmon River, which is a tributary to the Snake River. The property is adjacent to the Salmon River so the POD will have direct access to the river. A pump will be used to convey water from the river to a mainline and sprinklers.

The proposed diversion is in a Wild and Scenic area, so it is subject to Wild and Scenic processing steps.

Water Use

The place of use is the entire property, adding up to 3 acres. The water will be used for irrigation by a mainline and sprinkler systems. The application for permit requested 0.09 cfs. This amount is according to and follows department standards.

Place of Use

Three acres will be irrigated. The POU is also known as Lot 2 of the Omohundro Subdivision. The POU shape can be viewed in the Application POU layer and the water permit POU Layer of ArcMap.

POU/POD Overlap

A domestic water right, 75-10935 overlaps with the proposed irrigation water permit, however does not impact the permit as the well is on another lot.

Conditions

The proposed POU and POD is not currently located in a water district. The permit is conditioned with measuring device and watermaster control notifications in the event that a water district develops.

RECEIVED

JUL 03 2017

DEPARTMENT OF
WATER RESOURCES

June 30, 2017

Department of Water Resources
322 East Front Street
Boise Idaho 83720

Re: Ident. No. 75-14865

Dear Ms. Skaggs:

I have no further comment regarding
the local public interest letter. please
proceed with the process of my
application on file.

thank you for keeping me informed.

~~Jared M. Herman~~
Jared Herman

Peacock Lane
Salmon Idaho 83467

cell: 707-530-1864



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

June 23, 2017

Janet M Herman
5 Peacock Lane
Salmon, ID 83467

RE: Application to Appropriate Water in the Upper Salmon River Basin 75-14865

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,



Signed for:
Pamela Skaggs
Water Rights Supervisor

Enclosure: Copy of Application



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

May 22, 2017

JANET M HERMAN
5 PEACOCK LN
SALMON ID 83467

RE: Application for Permit No. 75-14865

Dear Applicant:

The Department of Water Resources acknowledges receipt of your request to appropriate the public waters of the State of Idaho. Please refer to the above water right number if you have any questions regarding your application.

Enclosed you will find your receipt and the certified copy of Larry Kim Herman's death certificate. The Department only needs a copy.

The Department will begin reviewing your application as soon as possible. If you have any questions, please contact this office at (208) 287-4800. Thank you.

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

Enclosure