

78-12446
RECEIVED

JUL 26 2016

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

JUL 22 2016

DEPARTMENT OF
WATER RESOURCES
incompleteWATER RESOURCES
WESTERN REGION

1. Name of applicant(s) Tom Meckel & Dawn Meckel Phone 208-630-3591
 Mailing address PO Box 2226 McCam 2P, 83638 Email meckel7@gmail.com
 Name connector (check one): ☐ and ☐ or ☐ and/or
2. Name of representative, if any _____ Phone _____
 Mailing address _____ 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 providing authority to sign for the applicant.
3. Source of water supply Little Salmon River which is a tributary of Salmon River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
<u>23N</u>	<u>01E</u>	<u>8</u>			<u>NE</u>	<u>SE</u>	<u>IDAHO</u>	<u>Little Salmon River</u>	

5. Water will be used for the following purposes:
 Amount .03 for irrigation 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)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) .03 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. _____
- 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 11. 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. _____
- Well has no tag and no information

For Department Use

Received by AO Date 7-22-16 Time — Preliminary check by 14
 Fee \$ 100 Received by AO Receipt No. 0102299 Date 7-22-16

A.1

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

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	
23N	01E	8													1Ac				1Ac
																			1Ac

Total number of acres to be irrigated: 1.05

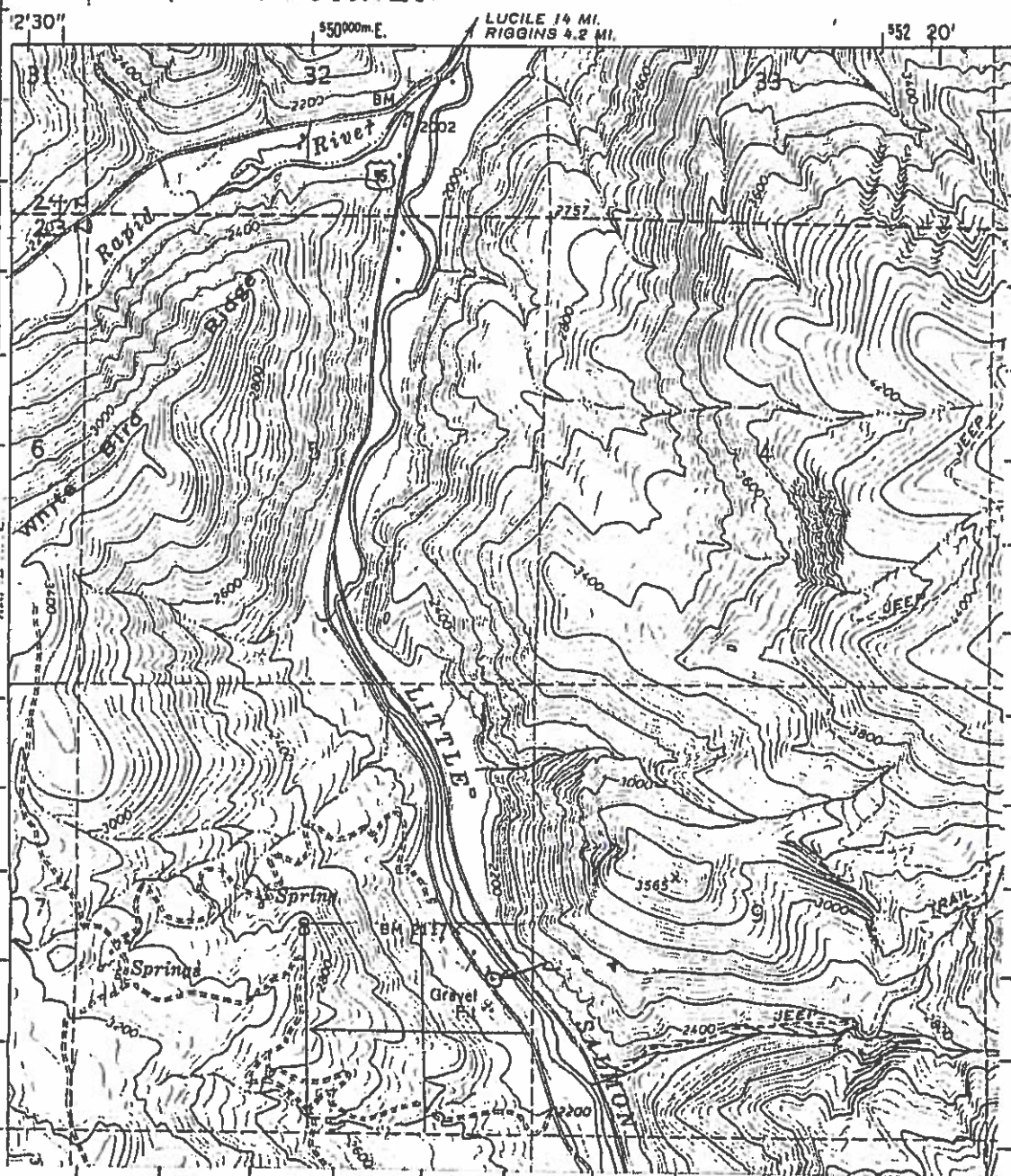
10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? We also have a well we can irrigate with but have no information on production or depth as there is no tag or history
11. a. Who owns the property at the point of diversion? Tom and Dawne Meckel
 b. Who owns the land to be irrigated or place of use? Tom and Dawne Meckel
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Ø
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. We would like to put a pump in the river to irrigate. We have a well that
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.

Tom Meckel
 Signature of Applicant
Tom Meckel
 Print Name (and title, if applicable)

Dawne A. Meckel
 Signature of Applicant
Dawne Meckel
 Print Name (and title, if applicable)

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



T23N-R1E

From: Sommer, Rachel Rachel.Sommer@idwr.idaho.gov
Subject: 78-12446 Application for Permit
Date: August 23, 2016 at 1:55 PM
To: meckel7@gmail.com

SR

Hello Dawne,

As we discussed on the phone this afternoon, a few items need to be clarified regarding your application for permit.

1. The season of use for irrigation has not been completed. For your area, the Department standards would allow season of use dates of February 15th to November 30th each year. Do you agree with this season of use? *Yes D.M.*
2. Items 7.e, 10 and 12 describe a well system on the property, however, item 2 proposes the Little Salmon River as the source. Please clarify what source you intend to use and describe the proposed type and size of devices used to divert water from the source. *Please See Attached*
3. On the images below, please identify your point of diversion (POD) and place of use (POU) by outlining where you are planning on irrigating and marking the point where water will be diverted from.



78-12446

PM-4

AUG 30 2016

WATER RESOURCES
WESTERN REGION

ATTACHMENT
from 8-30-16 email



Google earth

feet
meters

100

40



Hello Rachel

Per YOUR QUESTIONS:

1. Yes We do Agree with the dates of use
2. We do have a domestic well. ~~That~~ well is NOT part of this application. We are applying for surface water rights from the Little Salmon River for irrigation.
3. See ABOVE map.

RECEIVED

AUG 30 2016 15

WATER RESOURCES
WESTERN REGION

78-12446 P4-G

Attachment
From 8-30-16
email.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 29, 2016

TOM MECKEL
DAWNE MECKEL
PO BOX 2226
MCCALL, ID 83638

Application for Permit No. 78-12446

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 IDAHO COUNTY FREE PRESS on 1/4/2017 and 1/11/2017. 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,

Rachel Neely
Administrative Assistant

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, December 29, 2016 9:01 AM
To: 'IFP Legals'
Subject: Idaho Legal Ad
Attachments: Idaho Cover Letter.docx; Idaho Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ad for publication on 1/4/2017 & 1/11/2017.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

December 29, 2016

LEGAL NOTICE DEPARTMENT
IDAHO COUNTY FREE PRESS
PO BOX 690
GRANGEVILLE, ID 83530

RE: Application for Permit No. 78-12446

Dear Legal Notice Department:

Please publish the enclosed legal notice 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 before 1/23/2017. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following application has been filed to appropriate the public waters of the State of Idaho:

78-12446

TOM MECKEL

DAWNE MECKEL

PO BOX 2226

MCCALL, ID 83638

Point of Diversion NESE S8 T23N R01E IDAHO County Source LITTLE SALMON RIVER Tributary SALMON RIVER

Use: IRRIGATION 02/15 to 11/30 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 7/22/2016

Place of Use: IRRIGATION

T23N R01E S8 NESE

Total Acres: 1

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s), please see www.idwr.idaho.gov/WaterManagement/WaterRights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 1/23/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 1/4/2017 and 1/11/2017

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, December 29, 2016 12:14 PM
To: Clark, Cynthia (Bridge)
Subject: Applications for Permits Nos. 65-23670 & 78-12446
Attachments: Agency Recommendation Form.docx; Application for Permit 65-23670.pdf; Application for Permit 78-12446.pdf

IDAHO DEPARTMENT OF WATER RESOURCES
WATER PROJECTS SECTION MANAGER
ATTN: CYNTHIA (BRIDGE) CLARK
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

RE: Applications for Permit Nos. 65-23670 & 78-12446

Dear Ms. Clark:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendation(s) from your agency regarding the above referenced water right application(s). Copy(s) of the application(s) are enclosed with this email for your reference. Please review the application(s), complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of January 23, 2017.

If your agency desires to formally protest approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

IDWR will assume your agency does not object to this application if a timely response is not received. Please contact me if you have any questions regarding the application. Thank you for your help.

Sincerely,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

MEMORANDUM

TO: Application No. 78-12446

FROM: Rachel Sommer

DATE: December 20, 2016

RE: Salmon-Clearwater Processing, Basins 77-79 Western Region

The application proposes to divert water from the Little Salmon River to irrigate approximately 1.0 acre of land.

The site is located approximately 2.5 miles north of Pollock Id on Pollock Rd, west of the Little Salmon River and Us Hwy 95.

Wild & Scenic River (WSR) Processing

General Information - WSR processing applies to portions of Bs 77 and 78 but not to Bs 79. It is rarely expected in Bs 78 since WSR right 78-11961 covers federal land upstream from the Rapid River Fish Hatchery slightly southwest of Riggins.¹

Typically WSR issues would be in Bs 77 upstream from Long Tom Bar on the Salmon River, WSR right 77-11941.² This also incorporates the entire Middle Fork Salmon River drainage, MSR right 77-13844.³

WSR processing is required for any source/diversion upstream from any WSR right. This applies to all sources and uses unless the applicant shows the source is not hydraulically connected to any WSR rights.

Specific Information for this Application - WSR processing is not required because the proposed source/diversion are downstream from any WSR rights.

Minimum Streamflow Rights (MSF)

General Information - MSF analysis applies to all surface water upstream⁴ from any MSF rights. Basins 77-79 have various MSF rights that might affect applications. By agreement with SO regarding these basins, specific MSF conditions of approval are not necessary provided the reviewer checks MSF issues and documents the file with the results (7/8/09 telephone conference).

Downstream MSF right 3-8 on the Snake River⁵ is not subordinate to "future dcmi" uses or "future non-dcmi (with cfs limits)" uses. Downstream Salmon River MSF right 79-14119⁶ is subordinated to future dcmi uses but not to future non-dcmi uses.

¹ POD = T23N-R1W-S12.

² POD = T25N-R5E-S31.

³ POD = T23N-R16E-S33.

⁴ Shallow ground water tributary to surface water might involve MSF issues under conjunctive management thinking. Discuss with your supervisor if this comes up.

⁵ POD = T31N-R5W-S10.

⁶ From mouth of river T29N-R4W-S14 upstream thru about Shepp Ranch T24N-R6E-S12.

All Basin 77-79 MSF rights upstream from the ending point of 79-14119 (mouth of Salmon River) include subordination to future dcmi uses. Most of those upstream MSF rights are also subordinate to various amounts of future non-dcmi uses. None of the future non-dcmi cfs rates have been exceeded yet by new approvals. Further MSF analysis is generally not needed until a specific future non-dcmi cfs rate is exceeded.

Because the review memo extensively covers WSR and MSF issues, SO Planning Bureau comments are not needed yet (prior agreement with SO). Planning will be contacted for comments during the legal notice process as a precaution.

Specific Information for this Application – MSF analysis is required for the proposed source and use upstream from MSF rights 3-8 and 79-14119.

This application also involves MSF right 78-12362.

This leads to the following MSF conclusions for this application:

- Senior MSF right 3-8 will not be subordinated to the proposed use.
- Senior MSF right 79-14119 will not be subordinated to the proposed non-dcmi use.
- Senior MSF right 78-12362 will be subordinated to the proposed non-dcmi use.

The attached MSF spreadsheet shows the application meets the criteria for MSF rights in the same basin.

Discussion

On October 19, 2016 IDWR requested the applicants seek application comments from IDFG and IDEQ.

- On November 21, 2016 IDWR received comments from IDFG requesting the applicants to install and maintain a proper fish screen based on NOAA Fisheries Standards (intake screened with 3-32 in mesh opening).
- On December 19, 2016 IDWR received comments from IDEQ stating “DEQ has no reason to believe this water right will impinge on beneficial uses in the Little Salmon River.”

Conditions of Approval

In addition to typical standard conditions (004, 121 etc.), use the following standard, modified &/or unique conditions for Basins 77-79.

Per IDFG comments, use the following:

- **029 standard** - Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

BS 78 MINIMUM STREAMFLOW RIGHTS -- QUERY 12/31/2015 (no change from 2013)

<u>Basin</u>	<u>Sequence</u>	<u>Priority</u>	<u>Source</u>	<u>Subordinate to Future DCMI</u>	<u>Subordinate to Future Non DCMI (CFS Limit)</u>	<u>Non DCMI CFS Approved Since 4/1/2005</u>
78	12235	4/1/2005	BOULDER CREEK - entire creek	YES	NO	N/A
78	12233	4/1/2005	ELK CREEK - entire creek	YES	NO	N/A
78	12234	4/1/2005		YES	NO	N/A
78	12236	4/1/2005	HAZARD CREEK - entire creek between both rights	YES	NO	N/A
78	12237	4/1/2005	LITTLE SALMON RIVER - thru 21N 1E S35, confluence w/ Round Valley Cr.	YES	7	0
78	12362	4/1/2005	LITTLE SALMON RIVER - river below confluence w/ Round Valley Cr.	YES	52.7	0.8

DCMI APPL OK, NON-DCMI CONSUMPTIVE APPL OK UNTIL NEW APPROVALS EXCEED 7.0 CFS FOR BS 78. SEE "PROCEDURE" BELOW.

PROCEDURE: DCMI APPL ok for all msf rights in Bs 78 as noted in review memo. **NON-DCMI CONSUMPTIVE USE APPL:** Non-dcml consumptive use approvals for Bs 78 since 4/1/2005 total less than 1.0 cfs, allowing at least 6.0 cfs for additional approvals before need more analysis. Senior Little Salmon River msf rights are subordinate to this junior application for non-dcml consumptive use. **CAUTION** - Creek msf rights do not include future non-dcml cfs. Creek msf rights are tributary to river below Round Valley Cr. so involve river msf 78-12362 with 52.7 future non-dcml cfs. Possible to have new appl that involves creek msf & river msf factors to be addressed in review memo. If non-dcml consumptive use application falls within creek msf right, note in review memo that senior creek msf right will not be subordinate to this junior application, even though river msf right(s) will be subordinate to this junior application.

EXAMPLE: Appl 78-12363 for 0.13 cfs irrigation & stock, future non-dcml consumptive use. Creek msf rights n/a but tributary to river above Round Valley Creek. River msf rights allow at least 7.0 cfs for new non-dcml approvals regarding subordination clause. Have not reached 7.0 cfs for new approvals yet. Process appl and note review memo that senior msf river rights will be subordinated to this new use. Updates to this spreadsheet will eventually show 0.13 cfs future non-dcml has been approved.

AMOUNT APPROVED PER ABOVE FACTORS 0.54 cfs before 2013 + 0.26 cfs in 2013 = 0.80 cfs total



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

RECEIVED

DEC 19 2016

WATER RESOURCES
WESTERN REGION

1445 North Orchard • Boise, Idaho 83706 • (208) 373-0550
www.deq.idaho.gov

C.L. "Butch" Otter, Governor
John H. Tippets, Director

December 19, 2016

Tom and Dawne Meckel
PO Box 2226
McCall, ID 83638

RE: Water right application 78-12446

Dear Applicant:

The Idaho Department of Environmental Quality (DEQ) reviewed your water rights application, as well as associated water quality information near your proposed project site identified in Application 78-12446 for an annual irrigation withdrawal of 0.03 cfs from February 15 thru November 30.

The point of use is on the Little Salmon River (assessment unit (AU) ID17060210SL001_05) and is designated for salmonid spawning (SS), cold water aquatic life (CWAL), primary contact recreation (PCR) and drinking water supply (DWS). This AU is not supporting cold water aquatic life due to physical substrate habitat alterations.

DEQ has no reason to believe this water right will impinge on beneficial uses in the Little Salmon River. We have no other comments at this time. DEQ believes this letter is sufficient to allow the Department of Water Resources to complete their review of your water rights application. Please contact me at 208.373.0264 for any additional information we may be able to provide.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Schultz".

Josh Schultz
Senior Watershed Coordinator
Boise Regional Office

cc: Doug Conde, Deputy Attorney General
Rachel Sommer, IDWR

Sommer, Rachel

From: Sommer, Rachel
Sent: Monday, December 19, 2016 10:17 AM
To: 'Josh.Schultz@deq.idaho.gov'
Cc: 'meckel7@gmail.com'
Subject: RE: Water Rights Application 78-12446

Josh, thank you for your response.

The water right application proposes to divert 0.03 cfs for irrigation purposes.

Please let me know if you have additional questions.

Sincerely,

Rachel Sommer | Water Resource Agent
Idaho Dept. of Water Resources | Western Regional Office
208.334.2190 | 2735 Airport Way, Boise ID 83705

From: Josh.Schultz@deq.idaho.gov [<mailto:Josh.Schultz@deq.idaho.gov>]
Sent: Monday, December 19, 2016 10:10 AM
To: Sommer, Rachel; meckel7@gmail.com
Subject: Water Rights Application 78-12446

Hi Rachel, I have attached DEQ's comment letter on Water Right Application 78-12446 for Dawne Meckel. Just to verify the right is only for 0.03 cfs?

Let me know if you have any questions.

Thanks,

Josh

Joshua Schultz • Senior Watershed Analyst • Idaho Department of Environmental Quality • 1445 N Orchard St. • Boise, Idaho 83706 • (208) 373-0264

Sommer, Rachel

From: Dawne Meckel [meckel7@gmail.com]
Sent: Monday, December 12, 2016 2:01 PM
To: Sommer, Rachel
Subject: Fwd: Water Right Application Little Salmon River

Begin forwarded message:

From: <Kally.Reno@deq.idaho.gov>
Subject: RE: Water Right Application Little Salmon River
Date: November 8, 2016 at 1:35:16 PM MST
To: <meckel7@gmail.com>

Thanks Dawne. I will make sure this gets to the right Technical Staff for processing.

-----Original Message-----

From: [Dawne Meckel](mailto:Dawne.Meckel@mailto:meckel7@gmail.com) [mailto:meckel7@gmail.com]
Sent: Tuesday, November 08, 2016 12:26 PM
To: Kally Reno
Subject: Water Right Application Little Salmon River

On October 19, 2016 IDWR requested the applicants (Meckel) seek comments from IDEQ. These emails show the exchanges made between the two parties.
-RSommer



IDAHO DEPARTMENT OF FISH AND GAME

SOUTHWEST REGION

McCALL OFFICE

555 Deinhard Lane

McCall, Idaho 83638

C.L. "Butch" Otter / Governor

Cal Groen / Director

Ms. Rachel Sommer
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082
RE: Water Right Application # 78-12446

November 17, 2016

RECEIVED

NOV 21 2016

**WATER RESOURCES
WESTERN REGION**

Dear Ms. Sommer;

We have reviewed a new application for an irrigation water right on the Little Salmon River (LSR), submitted by Tom and Dawne Meckel. The proposed location is Idaho County, Sec 8, T23N, R01E. The stated withdrawal amount was 0.03 cfs from 2/15 to 11/30 annually, for irrigation.

The LSR is an important anadromous resource for the citizens of Idaho. It is possible that three fish species listed as threatened under the ESA could be in this river section, additionally annually over a half million hatchery Steelhead and Chinook Salmon smolts may pass by the proposed intake site. We request that the intake is screened with 3/32 inch mesh opening (NOAA Fisheries standard). The Department has a program to assist in fish screening in anadromous waters and the best contact is our Anadromous Screen Shop in Salmon, their number is 208-756-6022. It is the applicant's sole responsibility to install and maintain the provided fish screen in functioning condition. If the applicant agrees to install and maintain a proper fish screen on his intake, we have no other concerns.

If you have further questions or need further information please contact me in McCall at 208-634-8137.

Sincerely,

Dale Allen
Regional Fishery Manager

Cc: Dawne Meckel, PO Box 2226, McCall, ID 83638

Sommer, Rachel

From: Sommer, Rachel
Sent: Wednesday, October 19, 2016 11:06 AM
To: 'meckel7@gmail.com'
Subject: 78-12446 Application for Permit
Attachments: Additional Information and Water Appropriation Rules.pdf; Application for Permit.pdf

Dear Tom and Dawne:

The Idaho Department of Water Resources (IDWR) is reviewing your application for a new water permit from a source within the Salmon River basin. Additional information is needed to fully evaluate your proposal. IDWR is working with other agencies of the State of Idaho regarding projects requiring new water right approval within the Salmon River basin.

Please see the enclosed attachment about additional information for your application. Page 1 of the attachment outlines the legal basis and reasons for this request. That page also provides contact information for the other state agencies that will be involved in this process. Please provide written comments from those other state agencies regarding your application.

Page 2 of the attachment lists Water Appropriations Rules 40.05.c-g. Rule 40.05.g will be covered by written comments from the other state agencies. Rule 40.05c-f is not required for your application.

Please provide the requested information within the next **thirty (30) days**. Alternately, you may seek up to six months additional time to provide the information. The application will be voided if a timely written response is not received. A refund of the filing fee will not be issued for a voided application.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,
Rachel Sommer | Water Resource Agent
Idaho Dept. of Water Resources | Western Regional Office
208.334.2190 | 2735 Airport Way, Boise ID 83705



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

October 19, 2016

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

TOM AND DAWNE MECKEL
PO BOX 2226
MCCALL ID 83638

RE: Application for Permit No. 78-12446

Dear Applicants:

The Idaho Department of Water Resources (IDWR) is reviewing your application for a new water permit from a source within the Salmon River basin. Additional information is needed to fully evaluate your proposal. IDWR is working with other agencies of the State of Idaho regarding projects requiring new water right approval within the Salmon River basin.

Please see the enclosed attachment about additional information for your application. Page 1 of the attachment outlines the legal basis and reasons for this request. That page also provides contact information for the other state agencies that will be involved in this process. Please provide written comments from those other state agencies regarding your application.

Page 2 of the attachment lists Water Appropriations Rules 40.05.c-g. Rule 40.05.g will be covered by written comments from the other state agencies. Rule 40.05c-f is not required for your application.

Please provide the requested information within the next **thirty (30) days**. Alternately, you may seek up to six months additional time to provide the information. The application will be voided if a timely written response is not received. A refund of the filing fee will not be issued for a voided application.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

Rachel Sommer
Water Resource Agent
Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way, Boise ID 83705

IDAHO DEPARTMENT OF WATER RESOURCES

Applying for a Permit to Appropriate Water in the Salmon and Clearwater River Basins

Idaho Code § 42-203A(5) requires IDWR to evaluate the following criteria for applications to appropriate water:

- The potential to reduce the quantity of water under existing water rights
- The sufficiency of the water supply for the proposed appropriation
- The good faith nature of the application
- The adequacy of the applicant's financial resources
- The local public interest in the public water resource
- The conservation of water resources in Idaho
- Impacts to the economy of the local area or watershed

Water Appropriation Rules 40.05.c-g authorize IDWR to seek more information to evaluate the above criteria. Please see the attached copy of those rules.

Because the waters of the Salmon River and Clearwater River drainages are habitat for fish species listed as endangered or threatened under the federal Endangered Species Act, caution is necessary to ensure that new appropriations of water do not undermine efforts to protect and restore the ESA listed fish species and other public values for rivers and streams. IDWR is, therefore, requiring applicants to submit additional information required by Rules 40.05.g, local public interest. Other information in the remainder of those rules is requested only if necessary.

The cover letter included with this attachment identifies the Rule 40.05.c-g information needed for your application.

The following state agency representatives will help you respond to the local public interest requirement of Rule 40.05.g. IDWR must receive written comments from both of those agencies.

Idaho Department of Fish & Game contact list for water right applications:

Panhandle Region:	Mary Terra-Berns at 208-769-1414
Clearwater Region:	Ray Hennekey at 208-799-5010
McCall Subregion:	Dale Allen at 208-634-8137
Salmon Region:	Tom Curet at 208-756-2271
Southwest Region:	Rick Ward at 208-465-8465

Idaho Department of Environmental Quality contact list for water right applications:

Lewiston:	Cindy Barrett at 208-799-4370 (Clearwater or lower Salmon River basins)
Boise:	Josh Schultz at 208-373-0550 (South Fork Salmon River basin)
Idaho Falls:	Troy Saffle at 528-2650 (Upper Salmon, Lemhi, Pahsimeroi basins)

Water Appropriation Rules 40.05.c through 40.05.g

c. The following information shall be submitted for applications to appropriate unappropriated water. . . .

Information relative to the effect on existing water rights, Section 42-203A(5)(a), Idaho Code, shall be submitted as follows:

- i. For applications appropriating springs or surface streams with five (5) or fewer existing users, either the identification number, or the name and address of the user, and the location of the point of diversion and nature of use for each existing water right shall be submitted.
- ii. For applications appropriating groundwater, a plat shall be submitted locating the proposed well relative to all existing wells and springs and permitted wells within a one-half mile radius of the proposed well.
- iii. Information shall be submitted concerning any design, construction, or operation techniques which will be employed to eliminate or reduce the impact on other water rights.

d. Information relative to sufficiency of water supply, Section 42-203A(5)(b), Idaho Code, shall be submitted as follows:

- i. Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year.
- ii. Information shall be submitted on the quantity of water available from the source applied for, including, but not limited to, information concerning flow rates for surface water sources available during periods of peak and average project water demand, information concerning the properties of the aquifers that water is to be taken from for groundwater sources, and information on other sources of supply that may be used to supplement the applied for water source.

e. Information relative to good faith, delay, or speculative purposes of the applicant, Section 42-203A(5)(c), Idaho Code, shall be submitted as follows:

- i. The applicant shall submit copies of deeds, leases, easements or applications for rights-of-way from federal or state agencies documenting a possessory interest in the lands necessary for all project facilities and the place of use or if such interest can be obtained by eminent domain proceedings the applicant must show that appropriate actions are being taken to obtain the interest. Applicants for hydropower uses shall also submit information required to demonstrate compliance with Sections 42-205 and 42-206, Idaho Code.
- ii. The applicant shall submit copies of applications for other needed permits, licenses and approvals, and must keep the department apprised of the status of the applications and any subsequent approvals or denials.

f. Information Relative to Financial Resources, Section 42-203A(5)(d), Idaho Code, shall be submitted as follows:

- i. The applicant shall submit a current financial statement certified to show the accuracy of the information contained therein, or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the beneficial use proposed.
- ii. The applicant shall submit plans and specifications along with estimated construction costs for the project works. The plans shall be definite enough to allow for determination of project impacts and implications.

Note: Limited response for Section F is acceptable for projects that will cost less than \$5,000. In those cases, simply state the total cost of the project. Plans and specifications are not required under those circumstances.

g. Information Relative to Conflict with the Local Public Interest, Section 42-203A(5)(e), Idaho Code, shall be submitted as follows:

The applicant shall seek comment and shall submit all letters of comment on the effects of the construction and operation of the proposed project from the governing body of the city and/or county and tribal reservation within which the point of diversion and place of use are located, the Idaho Department of Fish and Game, the Idaho Department of Environmental Quality, and any irrigation district or canal company within which the proposed project is located and from other entities as determined by the director.

Note: Section G is typically satisfied by submitting comments from IDFG and IDEQ. Seeking comments from other entities is not necessary unless the applicant is otherwise notified by IDWR.

Sommer, Rachel

From: Dawne Meckel [meckel7@gmail.com]
Sent: Tuesday, August 30, 2016 3:55 PM
To: Sommer, Rachel
Subject: Map for water right application 576 Old Pollock rd
Attachments: Water Right application 576 Old Pollock Rd.PDF

Hi Rachel

Per our conversation, here is the map with the pou and the pod.

Please let me know if you need anything at all.

Thank You
Dawne Meckel
208.630.3591

RECEIVED

AUG 30 2016

WATER RESOURCES
WESTERN REGION

Sommer, Rachel

From: Dawne Meckel [meckel7@gmail.com]
Sent: Tuesday, August 30, 2016 3:48 PM
To: Sommer, Rachel
Subject: Pump



Hi Rachel

This is the pump we would be using at 576 Old Pollock road.

The pump is 1 1/2 horse power 230 volt 1 1/4 pipe size and is a single phase.

I will be sending you the map shortly with the answers we discussed.

Thank You
Dawne Meckel

RECEIVED

AUG 30 2016

**WATER RESOURCES
WESTERN REGION**

Sommer, Rachel

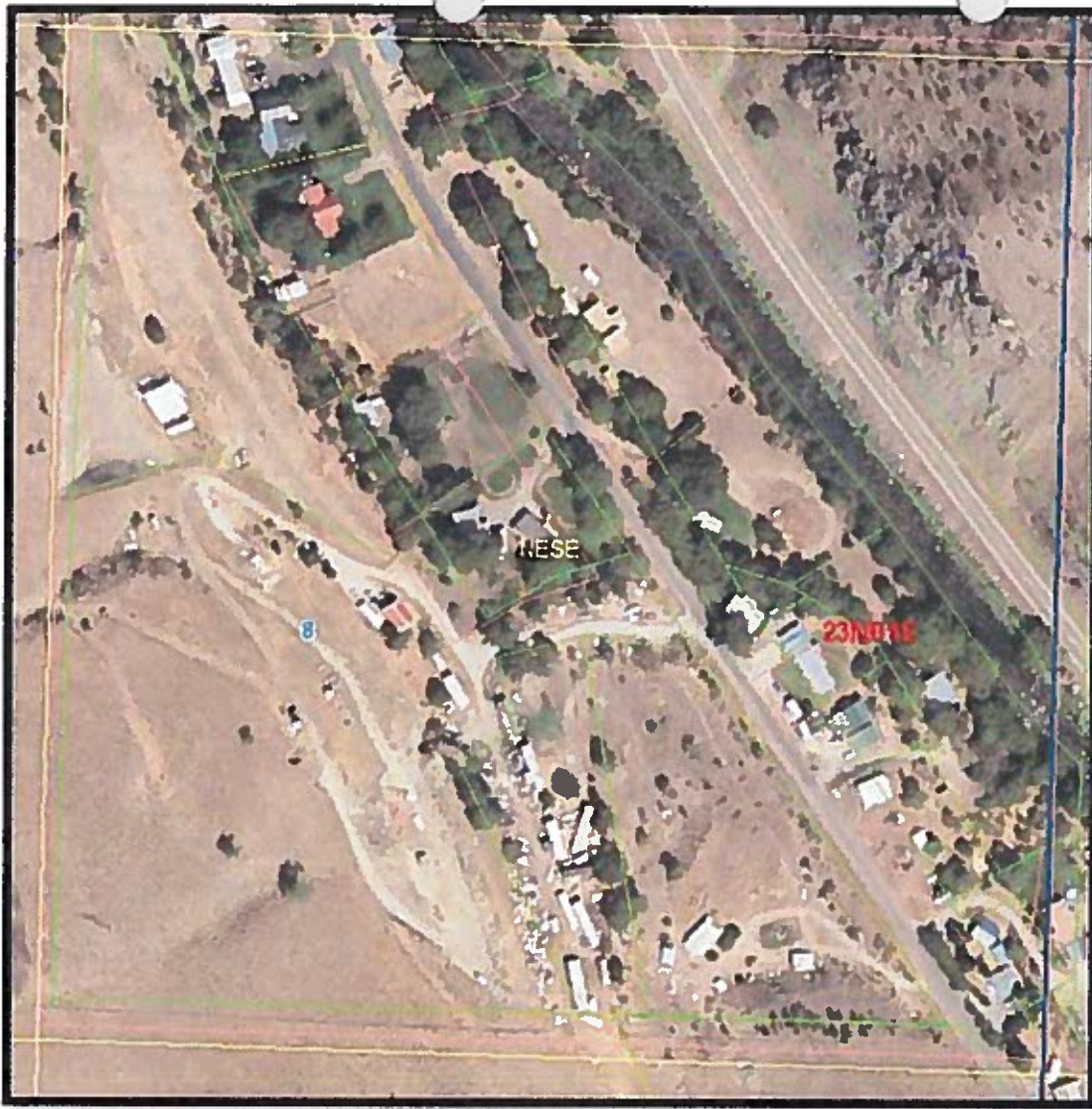
From: Sommer, Rachel
Sent: Tuesday, August 23, 2016 1:55 PM
To: 'meckel7@gmail.com'
Subject: 78-12446 Application for Permit

Hello Dawne,

As we discussed on the phone this afternoon, a few items need to be clarified regarding your application for permit.

1. The season of use for irrigation has not been completed. For your area, the Department standards would allow season of use dates of February 15th to November 30th each year. Do you agree with this season of use?
2. Items 7.e, 10 and 12 describe a well system on the property, however, item 2 proposes the Little Salmon River as the source. Please clarify what source you intend to use and describe the proposed type and size of devices used to divert water from the source.
3. On the images below, please identify your point of diversion (POD) and place of use (POU) by outlining where you are planning on irrigating and marking the point where water will be diverted from.





Please let me know if you have questions.

Sincerely,
Rachel Sommer | Water Resource Agent
Idaho Dept. of Water Resources | Western Regional Office
208.334.2190 | 2735 Airport Way, Boise ID 83705