

APR 29 2015

Ident. No. 78-12421WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

AMENDED

1. Name of applicant(s) JOHN OR MARGOT WALLACE Phone 760-801-9866
 Name connector (check one): ☐ and ☒ or ☐ and/or
 Mailing address 9881 Carroll Centre Rd. City San Diego
 State CA Zip 92126 Email johnw@jwfloors.com

2. Source of water supply unnamed stream which is a tributary of Round Valley Creek

3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
21N	1E	33			SW	SE	Adams	unnamed stream	

4. Water will be used for the following purposes:

Amount 7.2 af for recreation storage purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount 7.2 af for aesthetic storage purposes from 1/1 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)

5. Total quantity to be appropriated is (a) _____ cubic feet per second (cfs) and/or (b) 7.2 acre feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Existing pond constructed on unnamed stream.
A drainage ditch/channel conveys water into pond; water is then discharged through outlet channel to source.

b. Height of storage dam _____ feet; active reservoir capacity 3.5 acre-feet; total reservoir capacity 3.5 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 OR reservoirs with a total 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. _____

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

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; complete and attach the [Municipal Water Right Application Checklist](#).

d. Domestic; show number of households _____

e. Other; describe fully. Pond for recreation and aesthetic purposes.

8. 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	
21N	1E	33															X		

Total number of acres to be irrigated: _____

9. 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?

78-7395

10. a. Who owns the property at the point of diversion? Applicants
- b. Who owns the land to be irrigated or place of use? Applicants
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

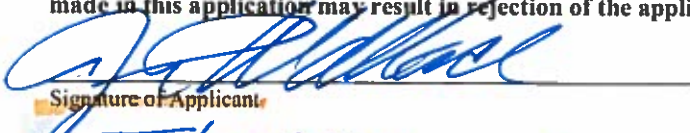
11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

Existing pond = 0.5 af surface area x 7 feet deep = 3.5 af capacity + 3.6 af seepage losses + 0.8 af evaporation losses - 0.7 af under 78-7395 = 7.2 acre feet

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

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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.


Signature of Applicant
John Wallace
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by CJ Date 4/29/2015 Time 11:30 AM Preliminary check by DM/KW
Fee \$ 100.00 Received by RS Receipt No. W042644 Date 11/10/2014



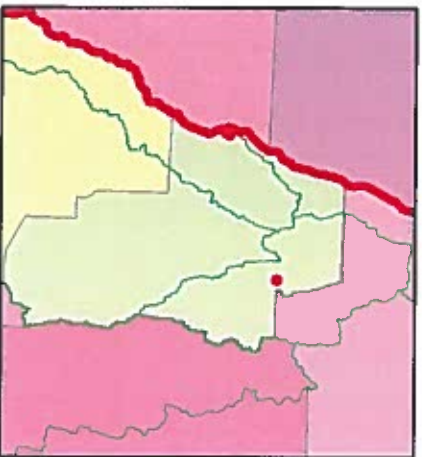
Idaho Department of Water Resources

Application

78-12421

(RECREATION STORAGE)

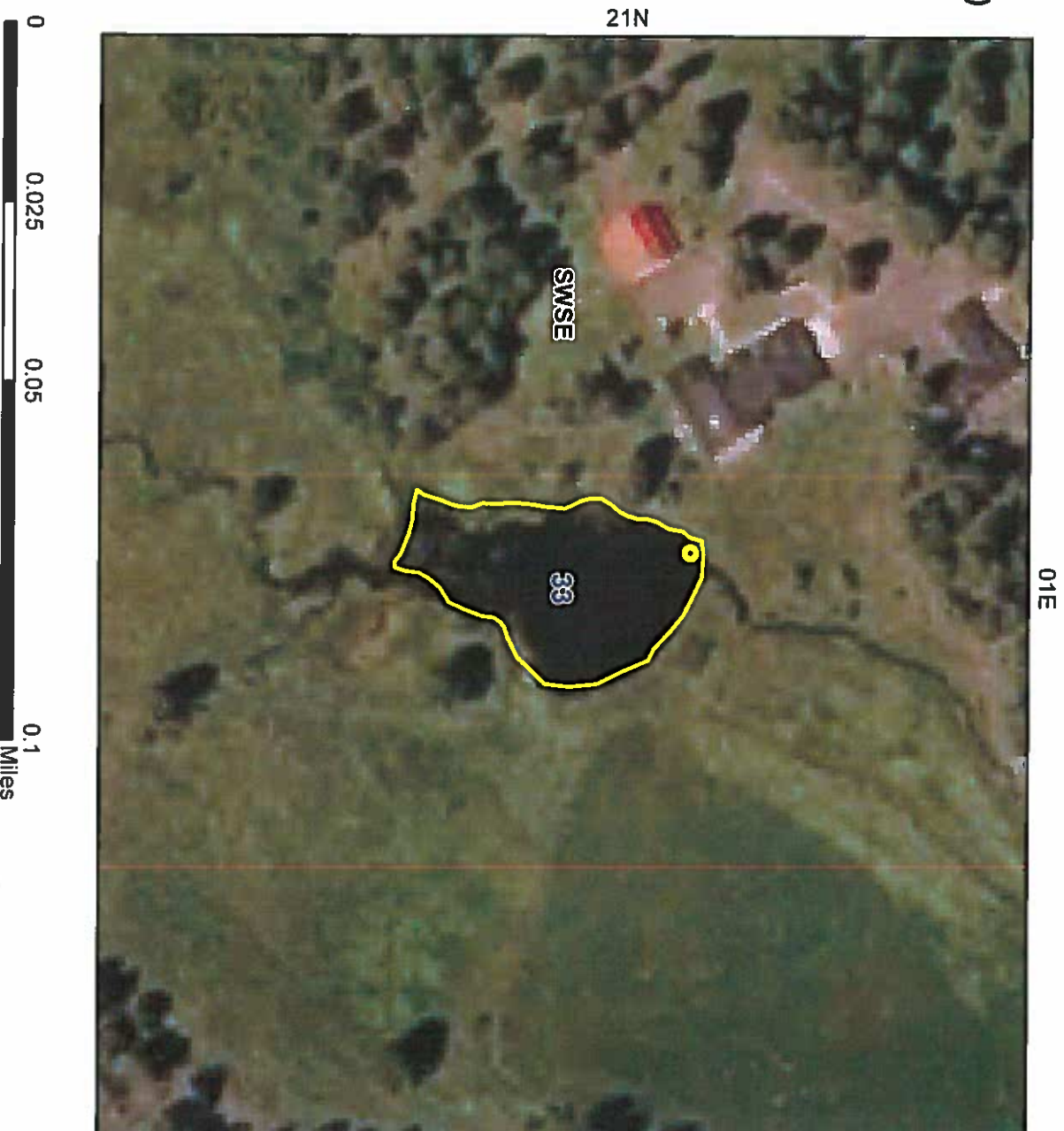
- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Adams County
IDWR Basin 78

Prepared by Walker, Kay

Background: 2009 Aerial Photography



RECEIVED

NOV 10 2014

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 78-12421

1. Name of applicant(s) John or Margot Wallace Phone 760-801-9866
 Name connector (check one): ☐ and ☒ or ☐ and/or
 Mailing address 9881 Carroll Centre Rd City San Diego
 State CA Zip 92126 Email johnw@jwfloors.com
2. Source of water supply unnamed stream which is a tributary of Round Valley Creek
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
21N	1E	33			SW	SE	Adams	unnamed stream	

4. Water will be used for the following purposes:
- Amount 2.8 for recreation storage purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 2.8 for aesthetic storage purposes from 1/1 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)
5. Total quantity to be appropriated is (a) _____ cubic feet per second (cfs) and/or (b) 2.8 acre feet per year (af).
6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. Existing pond = 0.5 af area x 7 feet deep = 3.5 af
- b. Height of storage dam _____ feet; active reservoir capacity 0.5 acre-feet; total reservoir capacity 3.5 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 OR reservoirs with a total 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. _____.

7. Description of proposed uses (if irrigation only, go to item 8):
- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households _____
- e. Other; describe fully. Pond for recreation and aesthetic purposes.

SUPERCEDED

8. 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	
21N	1E	33															X		

Total number of acres to be irrigated: _____

9. 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?

78-7395 for 0.7 af of storage in the pond.

10. a. Who owns the property at the point of diversion? Applicants

b. Who owns the land to be irrigated or place of use? Applicants

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

A 0.5 acre pond constructed on an unnamed stream. A drainage ditch/channel conveys water from an unknown source, discharges water to the pond inlet channel, providing additional flow to the unnamed stream. An outlet channel located at the north end of the pond discharges water back to the unnamed stream.

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

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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.

Signature of Applicant

Signature of Applicant

Print Name (and title, if applicable)

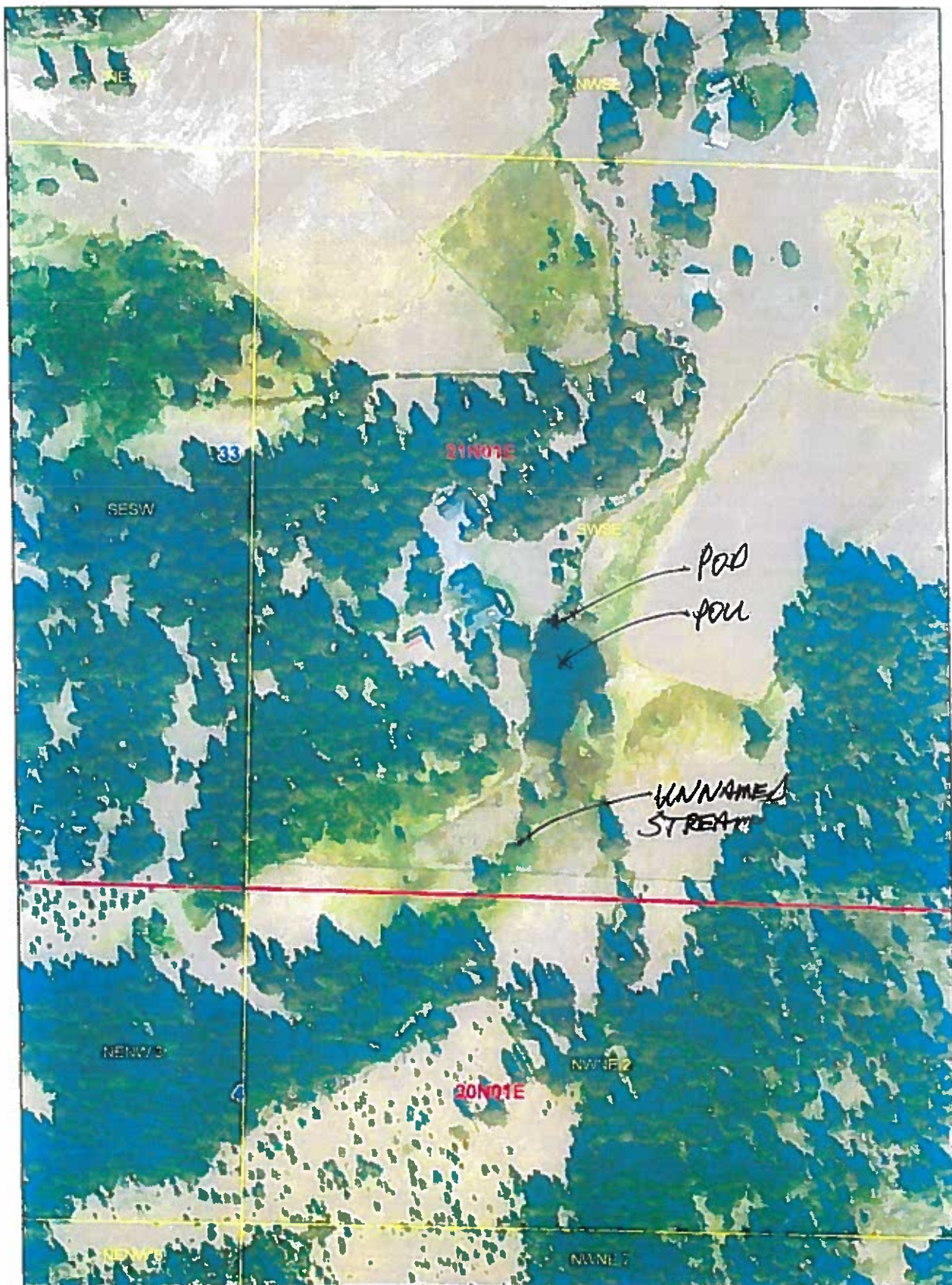
Print Name (and title, if applicable)

For Department Use:

Received by RS Date 11/10/14 Time 4:15 pm Preliminary check by _____

Fee \$ 100- Received by RS Receipt No. war2044 Date 11/10/14

SUPERCEDED



SUPRECEDED

78-12421

Neely, Rachel

From: Neely, Rachel
Sent: Friday, April 01, 2016 10:51 AM
To: Thiel, Sandra
Subject: Applications for Permit No's. 78-12421, 78-12438 & 65-23599
Attachments: Application for Permit No. 78-12421.pdf; Application for Permit No. 78-12438.pdf; Application for Permit No. 65-23599.pdf; Agency Recommendation Form.docx

April 1, 2016

STATE OF IDAHO
DEPT OF WATER RESOURCES
PLANNING BUREAU
ATTN: SANDRA THIEL

RE: Applications for Permit No.'s 78-12421, 78-1238 & 65-23599

Dear Ms. Thiel:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendation(s) from the Planning Bureau 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 April 25, 2016.

If the Planning Bureau 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

Neely, Rachel

From: Neely, Rachel
Sent: Friday, April 01, 2016 9:37 AM
To: 'josh.schultz@deq.idaho.gov'
Subject: Application for Permit No. 78-12421
Attachments: Application for Permit No. 78-12421.pdf; Agency Recommendation Form.docx

April 1, 2016

JOSH SCHULTZ
DEQ BOISE REGIONAL OFFICE
1445 N ORCHARD ST
BOISE ID 83706

RE: Application for Permit No. 78-12421

Dear Mr. Ward:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendation(s) from your agency regarding the above referenced water right applications. **This application proposes using surface water in the Wild and Scenic area and DEQ comments are required to proceed with processing.** A copy of the application is enclosed with this email for your reference. Please review the application, complete the enclosed recommendation form, and **submit your reply to this office by the protest deadline of April 25, 2016**

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.

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

Neely, Rachel

From: Neely, Rachel
Sent: Friday, April 01, 2016 9:25 AM
To: 'Gamaliel Masters'
Subject: Adams Legal Ads
Attachments: Adams Cover Letter.docx; Adams Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 4/6/2016 & 4/13/2016.

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

March 31, 2016

LEGAL NOTICE DEPARTMENT
THE RECORD
PO BOX R
COUNCIL, ID 83612

RE: Application for Permit No. 78-12421
 Application for Permit No. 78-12434
 Application for Permit No. 78-12438

Dear Legal Notice Department:

Please publish the enclosed legal notices on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices 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 4/25/2016. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following applications have been filed to appropriate the public waters of the State of Idaho:

78-12421

JOHN WALLACE

MARGOT WALLACE

9881 CARROLL CENTRE RD

SAN DIEGO, CA 92126

Point of Diversion SWSE S33 T21N R01E ADAMS County Source UNNAMED STREAM Tributary ROUND VALLEY CREEK

Use: AESTHETIC STORAGE 01/01 to 12/31 7.2 AF

Use: RECREATION STORAGE 01/01 to 12/31 7.2 AF

Total Diversion: 7.2 AF

Date Filed: 11/10/2014

Places of Use: RECREATION STORAGE, AESTHETIC STORAGE

T21N R01E S33 SWSE

78-12432

BRANDON M BECKER

STEPHENY F VOS

3919 CEMETERY RD

NEW MEADOWS, ID 83654

Point of Diversion NWNE S35 T20N R01E ADAMS County Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: IRRIGATION 04/01 to 10/31 0.04 CF

Total Diversion: 0.04 CFS

Date Filed: 8/6/2015

Places of Use: DOMESTIC, IRRIGATION

T20N R01E S35 NWNE

Total Acres: 1.3

78-12438

WILLIAM FAIRFIELD

199 FIGUEROA ST

VENTURA, CA 93001

Point of Diversion NESW S8 T18N R02E ADAMS County Source BIG CREEK Tributary LITTLE SALMON RIVER

Use: DIVERSION TO STORAGE 01/01 to 12/31 1 CFS

Use: FIRE PROTECTION FROM STORAGE 01/01 to 12/31 5.1 AF

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 5.1 AF

Use: RECREATION STORAGE 01/01 to 12/31 5.1 AF

Total Diversion: 1 CFS 5.1 AF

Date Filed: 2/8/2016

Places of Use: RECREATION STORAGE, FIRE PROTECTION STORAGE

T18N R02E S8 NESW

Place of Use: FIRE PROTECTION FROM STORAGE

T18N R02E S5 L2(NWNE) SWNE L3(NENW) SENW NESW SESW NWSE SWSE

T18N R02E S7 NENE SENE NESE SESE

T18N R02E S8 NW(ALL) SW(ALL)

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 4/25/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/6/2016 and 4/13/2016



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

March 31, 2016

JOHN WALLACE
MARGOT WALLACE
9881 CARROLL CENTRE RD
SAN DIEGO, CA 92126

Application for Permit No. 78-12421

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 THE RECORD on 4/6/2016 and 4/13/2016. 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



IDAHO DEPARTMENT OF FISH AND GAME
SOUTHWEST REGION
MCCALL OFFICE
555 Deinhard Lane
McCall, Idaho 83638

C.L. "Butch" Otter / Governor
Virgil Moore / Director

January 4, 2016

Danie Merriman
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

RECEIVED
JAN 08 2016
WATER RESOURCES
WESTERN REGION

RE: Application for permit # 78-12421

Dear Danie;

We reviewed the referenced water right application from Mr. John Wallace for storage water from an unnamed stream tributary to Round Valley Creek, tributary to the Little Salmon River. We do not have any concerns for fish and wildlife with the amount of storage.

If you need any further information please contact Dale Allen; Regional Fishery Manager in our McCall office at 208-634-8137.

Sincerely,

A handwritten signature in blue ink that reads "Scott Reinecker".

Scott Reinecker
Southwest Regional Supervisor

Cc: John Wallace, 9881 Carroll Centre Road, San Diego, CA 92126

Merriman, Danielle

From: Merriman, Danielle
Sent: Friday, December 11, 2015 2:46 PM
To: 'johnw@jwfloors.com'
Subject: Application for Permit 78-12421
Attachments: 78-12421 request for rule 40 info.docx

Good Afternoon Mr. Wallace,

Thanks for speaking with me on the phone this afternoon. I am attaching a copy of the letter that was sent to your office on November 5, 2015. It details the background of the area you are applying in as well as the contact info for representatives with the Department of Environmental Quality and Idaho Fish and Game.

Please return the requested information by **February 1, 2016**. Feel free to call me at the Western Region office if you have any questions regarding the letter.

Respectfully,

Danie Merriman

Water Resource Agent

Idaho Department of Water Resources

Phone: (208) 334-2190

Fax: (208) 334-2348

Email: danie.merriman@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 5, 2015

COPY

JOHN OR MARGOT WALLACE
9881 CARROLL CENTRE RD
SAN DIEGO, CA 92126

RE: Application for Permit 78-12421 in Salmon and Clearwater River Basins

Dear Applicant(s),

This letter is in regards to your Application for Permit 78-12421 which requests storage water from an unnamed stream tributary to Round Valley Creek. Additional information is needed to further process your request.

You are applying for water that is within the Salmon River and Clearwater River drainages. Because the waters of these 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. This information was originally requested from you in the letter sent on April 9, 2015 along with an amended application that required a signature. The Department received the amended application, but not the additional Rule 40.05g information.

Rule 40.05 g requests information relative to conflict with the local public interest, section 42-203A(5)(e), Idaho Code, and 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 Idaho Department of Fish and Game and the Idaho Department of Environmental Quality.

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)

Please submit the requested information for the application to be processed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. The application will be voided without a timely written reply within the next thirty (30) days. Refunds are not issued for voided applications. IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

Danie Merriman
Water Resource Agent
IDWR, Western Region



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

April 9, 2015

C. L. "BUTCH" OTTER
Governor

JOHN OR MARGOT WALLACE
9881 CARROLL CENTRE RD
SAN DIEGO CA 92126

GARY SPACKMAN
Director

Re: Application for Permit 78-12421

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 approvals 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.** The other requirements in the attachment are waived for your application.

We also find that since you submitted your application we have received new directives for ponds and we need to incorporate these into your application. Our new directions recommend we look at seepage and evaporative losses when reviewing storage projects. In this case, the prior owners of your property filed an application for permit to store 0.7 acre feet of water. When our field examiner conducted his field exam of your pond, it was determined that you needed an additional water right to cover the volume stored in your pond. Our examiner determined that your total storage capacity was 3.5 acre feet of water. When we apply our new guidelines regarding seepage and evaporation losses this morning, we found that you need to amend your application to include 3.6 acre feet per year for seepage losses and 0.8 acre feet per year for evaporation losses. With this new information, it has been determined that your amended application should be filed for a total of 7.2 acre feet. There is no additional filing fee for this amount of water. There is one caveat to this that might also affect the amended application. Is the pond lined in any way? Do you know if the ground below the pond was compressed before the pond was filled? If the pond is lined or if the ground beneath the pond was compacted before filling, you may be exempt from the seepage losses. We have prepared the amended application for your convenience. Please review the application and if you agree with the proposal, sign it on page 2 and return to this office.

Please provide the requested information within the next sixty (60) days. Alternately, you may seek up to six months additional time to provide the information by making a written request for more time. 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,

KAY WALKER
Sr. Water Resource Agent

Enclosures

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 Hennckey 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.

AMENDED

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

AMENDED

1. Name of applicant(s) JOHN OR MARGOT WALLACE Phone 760-801-9866
 Name connector (check one): ☐ and ☒ or ☐ and/or
 Mailing address 9881 Carroll Centre Rd. City San Diego
 State CA Zip 92126 Email johnw@jwfloors.com
2. Source of water supply unnamed stream which is a tributary of Round Valley Creek
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
21N	1E	33			SW	SE	Adams	unnamed stream	

4. Water will be used for the following purposes:
- Amount 7.2 af for recreation storage purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 7.2 af for aesthetic storage purposes from 1/1 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)
5. Total quantity to be appropriated is (a) _____ cubic feet per second (cfs) and/or (b) 7.2 acre feet per year (af).
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Existing pond constructed on unnamed stream.
A drainage ditch/channel conveys water into pond; water is then discharged through outlet channel to source.
- b. Height of storage dam _____ feet; active reservoir capacity 3.5 acre-feet; total reservoir capacity 3.5 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 OR reservoirs with a total 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. _____
7. Description of proposed uses (if irrigation only, go to item 8):
- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households _____
- e. Other; describe fully. Pond for recreation and aesthetic purposes.

8. 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	
21N	1E	33															X		

Total number of acres to be irrigated: _____

9. 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?

78-7395

10. a. Who owns the property at the point of diversion? Applicants
- b. Who owns the land to be irrigated or place of use? Applicants
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

Existing pond = 0.5 af surface area x 7 feet deep = 3.5 af capacity + 3.6 af seepage losses + 0.8 af evaporation losses - 0.7 af under 78-7395 = 7.2 acre feet

12. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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.

Signature of Applicant

Signature of Applicant

Print Name (and title, if applicable)

Print Name (and title, if applicable)

For Department Use:

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by RS Receipt No. W042644 Date 11/10/2014



Idaho Department of Water Resources

Application
78-12421

(RECREATION STORAGE)

Point of Diversion

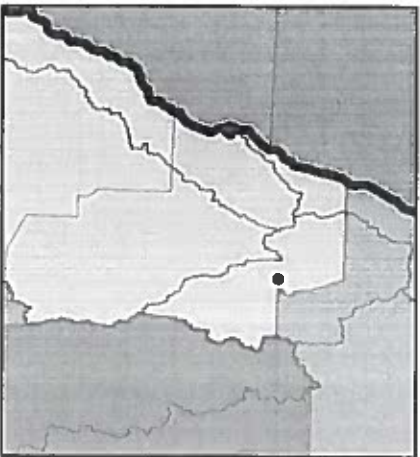
Place of Use

State Outline

Townships

PLS Sections

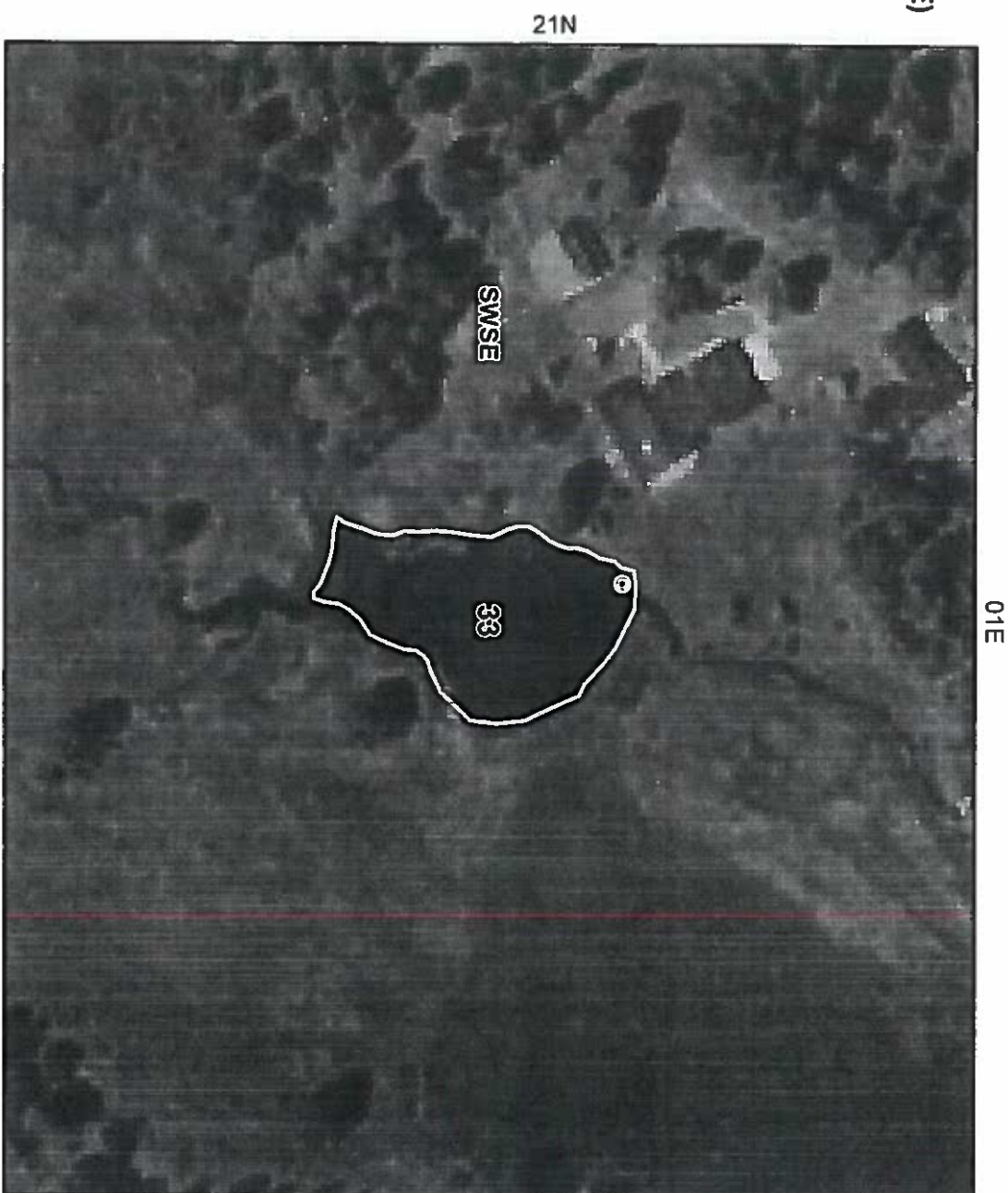
Quarter Quarters



Adams County
IDWR Basin 78

Prepared by Walker, Kay

Background: 2009 Aerial Photography



0 0.025 0.05 0.1 Miles