

NOV 24 2015

FORM 2014-12

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 77-14359

MAR 26 2015

WATER RESOURCES
WESTERN REGION

AMENDED

1. Name of applicant(s) Cherylyn Roe Murphy or Steve Murphy or Corinna Rupert
Name connector (check one) ☐ and ☒ or ☐ and/or Phone 208-338-8986

Mailing address 4230 Patriot Circle 3817 W Palouse St City Meridian Boise

State ID 83646 /ip 83705 Email crmterrier@cableone.net

2. Source of water supply groundwater which is a tributary of NA

3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
22N	05E	14			SE	NW	Idaho	groundwater	

4. Water will be used for the following purposes:

Amount .06 04-CFS for Household Domestic purposes from Jan 1 to Dec 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)

5. Total quantity to be appropriated is (a) .06 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source: 8" pvc pipe in a leech field with two 350 gallon collection tanks

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 11.1 or 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 Check List.

d. Domestic: show number of households 2

e. Other: describe fully _____

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	
22N	5E	14								D	D								

Total number of acres to be irrigated: 0

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?
- No irrigation; household only; Jackie Wyatt has water rights. Her system is near ours and has not been an issue for her to get enough water.
10. a. Who owns the property at the point of diversion? US Forest Service
- b. Who owns the land to be irrigated or place of use? Cheryl Roe Murphy or Corinna Rupert (x2 on photo)
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:
- a. Filing for special use permit with US Forest Service b. Daughter and niece of owners owner

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

Continued use of existing leech field and collection tanks

See #9

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 8 1/2" 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.

Cheryl Roe Murphy
Signature of Applicant

Cherylyn Roe Murphy
Print Name (and title, if applicable)

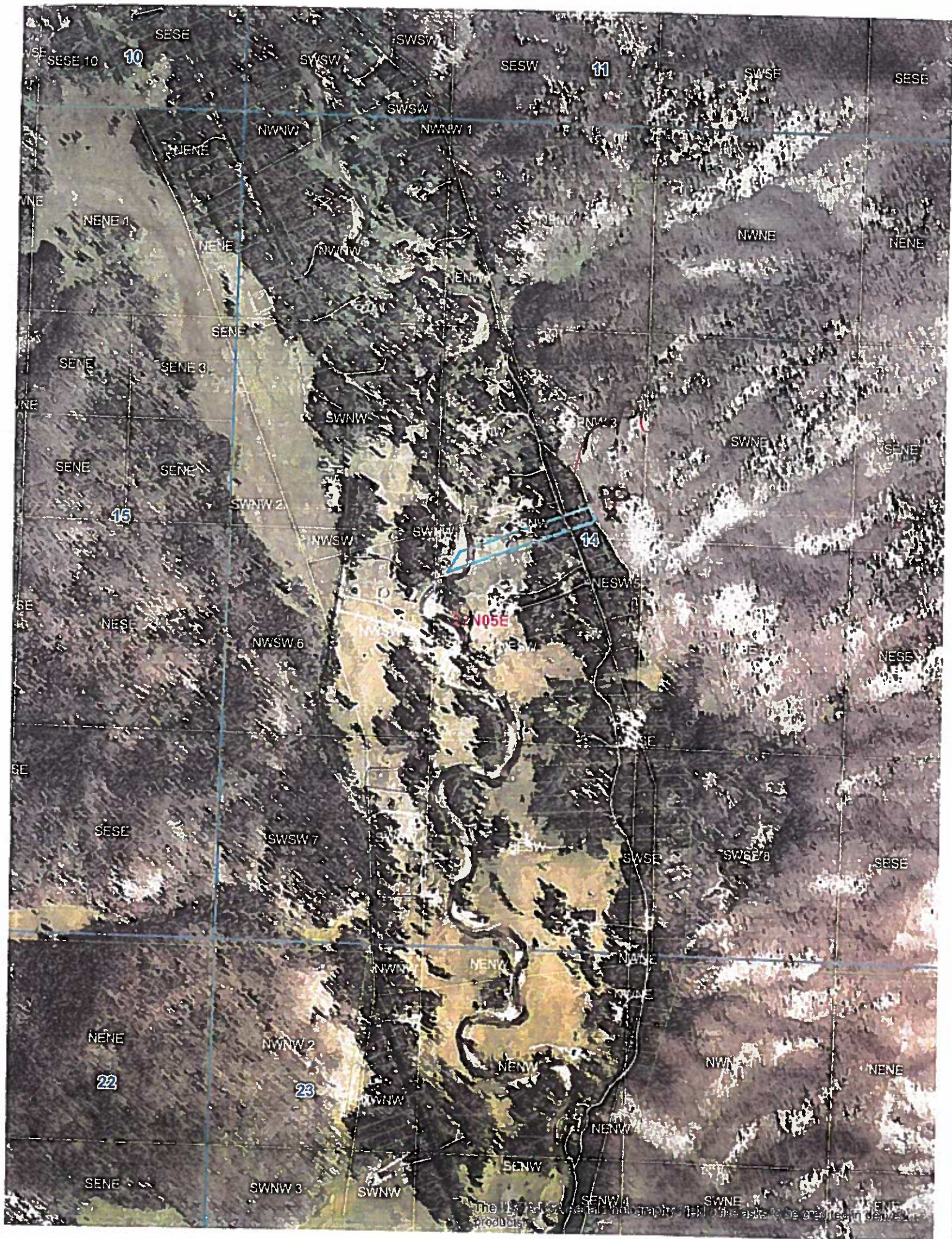
Steve Murphy
Signature of Applicant

Steve Murphy
Print Name (and title, if applicable)

Received by CS Date 3/26/15 Time 9:15 Preliminary check by DM
Fee \$ 100.00 Received by CS Receipt No. W0429140 Date 3/26/15

Application for Permit for Murphy





RECEIVED**MAR 26 2015**WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Cherylyn Roe Murphy or Steve Murphy Phone 208-338-8986
 Name connector (check one): ☐ and ☒ or ☐ and/or
 Mailing address 4230 Patriot Circle City Meridian
 State ID Zip 83646 Email crmterrier@cableone.net
2. Source of water supply groundwater which is a tributary of NA
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
22N	05E	14			SE	NW	Idaho	groundwater	

4. Water will be used for the following purposes:
 Amount .04 CFS for Household purposes from Jan 1 to Dec 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)
5. Total quantity to be appropriated is (a) 4 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. 8" pvc pipe in a leech field with two 350 gallon collection tanks
- 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 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 2
- e. Other: describe fully. _____

*superseded by amended app received 11-24-15.

DM

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	
22N	SE	14								D	D								

Total number of acres to be irrigated: 0

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?

No

10. a. Who owns the property at the point of diversion? US Forest Service
- b. Who owns the land to be irrigated or place of use? John or Jackie Roe and Bill or Berd Roe
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:
- a. Filing for special use permit with US Forest Service b. Daughter and niece of owners

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

Continued use of existing leech field and collection tanks.

12. Time required for completion of works and application of water to proposed beneficial use is _____ 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

Cherylyn Roe Murphy
Print Name (and title, if applicable)


Signature of Applicant

Steve Murphy
Print Name (and title, if applicable)

Received by CS Date 3/26/15 Time 9:15 Preliminary check by DM
Fee \$ 100.00 Received by CS Receipt No. W0429140 Date 3/26/15

Application for Permit for Murphy



*superseded by amended app received on 11-24-15 DM



The USDA-FSA Aerial Photography Field Office asks to be credited in derived products.

~~A Map~~ Superseded by amended app received 11-24-15 nmi



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

January 4, 2016

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

STEVE SPENCER
WATER USE SPECIALIST
C/O BOISE NATIONAL FOREST
1805 HWY 16, ROOM 5
EMMETT ID 83617

Re: Application for Permit No. 77-14359

Dear Mr. Spencer:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. 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, if any, to this office within 21 days.

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 by January 25, 2016.

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



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 31, 2015

CHERYLYN ROE MURPHY
STEVE MURPHY
CORINNA RUPERT
3817 W PALOUSE ST
BOISE, ID 83705

Application for Permit No. 77-14359

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 1/6/2016 and 1/13/2016. 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,

A handwritten signature in black ink, appearing to read 'Rachel Neely', written over a horizontal line.

Rachel Neely
Administrative Assistant

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, December 31, 2015 2:25 PM
To: Thiel, Sandra
Subject: Applications for Permit No.'s 79-14263, 77-14359, & 78-12434
Attachments: Agency Recommendation Form.docx; Application for Permit No. 79-14263.pdf; Application for Permit No. 77-14359.pdf; Application for Permit No. 78-12434.pdf

December 31, 2015

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

RE: Applications for Permit No.'s 79-14263, 77-14359, & 78-12434

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 January 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: Thursday, December 31, 2015 8:58 AM
To: 'IFP Legals'
Subject: Idaho Legal Ads
Attachments: Idaho Cover Letter.docx; Idaho Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 1/6/16 & 1/13/16.

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 31, 2015

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

RE: Application for Permit No. 79-14263
 Application for Permit No. 79-14262
 Application for Permit No. 77-14359
 Application for Permit No. 78-12434

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 1/25/2016. 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:

79-14263

PATRICK J KELLER
SANDRA E KELLER
PO BOX 367
LUCILE, ID 83542

Point of Diversion L7(SESW) S11 T25N R01E IDAHO County Source SALMON RIVER Tributary SNAKE RIVER
Use: MINING 01/01 to 12/31 0.67 CFS
Total Diversion: 0.67 CFS
Date Filed: 10/14/2015
Place of Use: MINING
T25N R01E S11 L7(SESW)

79-14262

WALTER O LINDSEY
13654 HWY 95 S
WHITEBIRD, ID 83554

Point of Diversion NESE S10 T27N R01E IDAHO County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 5/18/2015
Place of Use: DOMESTIC
T27N R01E S10 L8(SESE)

77-14359

CHERYLYN ROE MURPHY
STEVE MURPHY
CORINNA RUPERT
3817 W PALOUSE ST
BOISE, ID 83705

Point of Diversion L3(SENW) S14 T22N R05E IDAHO County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 3/26/2015
Place of Use: DOMESTIC
T22N R05E S14 SENW NESW

This application proposes the diversion and use of water tributary to a federally designated Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for domestic use.

78-12434

BILL RICE
PO BOX 2162
MC CALL, ID 83638

Point of Diversion NWSE S24 T24N R01W IDAHO County Source PAPOOSE CREEK Tributary SQUAW CREEK
Use: IRRIGATION 04/01 to 10/31 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 8/24/2015
Place of Use: IRRIGATION
T24N R01W S24 NWSE
Total Acres: 2.5

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 1/25/2016. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director

Published on 1/6/2016 and 1/13/2016

MEMORANDUM

TO: Application No. 77-14359

FROM: D. Merriman

DATE: December 17, 2015

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

The application proposes internal domestic use for two households.

The site is approximately 6 miles east of Burgdorf in Secesh Meadow Subdivision; T 22N R05E Sec14 in the SENW and NESW corners.

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 required because the proposed source/diversion are upstream from and hydraulically connected to WSR right 77-11941 &/or 77-13844. The WSR spreadsheet was updated, and the WSR legal notice remark was added to the database.

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 rights 77-14174, 77-14181, 77-14175, and 79-14119.

This leads to the following MSF conclusions for this application:

- Senior MSF right 3-8 will not be subordinated to the proposed use(s).
- Senior MSF right 79-14119 will be subordinated to the proposed dcmi use.
- Senior MSF rights 77-14174, 77-14181, 77-14175, and 79-14119 will be subordinated to the proposed dcmi and/or non-dcmi use(s).

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

Discussion

No additional Rule 40 information was requested. The proposed use of the application is for internal domestic uses. Therefore, no comment letters were requested from the Department of Fish and Game or the Department of Environmental Quality.

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 WSR processing, part of Basin 77 & 78, no water district currently planned, use the following:

42-111 any source – possible lockable device, but no measuring device or data logger requirement.

- **199 standard** - Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide suitable control of the diversion.

BS 77 MINIMUM STREAMFLOW RIGHTS – QUERY 12/31/2014 (no change from 2013)

Basin	Sequence	Priority	Source	Subordinate to Future DCMI	Subordinate to Future Non DCMI (CFS Limit)	Non DCMI CFS Approved Since 4/1/2005
77	14167	4/1/2005	BARGAMIN CREEK	YES	1.2	0
77	14209	4/1/2005	BEAR VALLEY CREEK	YES	4.7	0
77	14178	4/1/2005	BIG CREEK - downstream	YES	12.8	0
77	14182	4/1/2005	BIG CREEK - upstream	YES	0.5	0
77	14202	4/1/2005	BLACKMARE CREEK	YES	0.4	0
77	14191	4/1/2005	BRUSH CREEK	YES	0.6	0
77	14195	4/1/2005	BUCKHORN CREEK	YES	1	0
77	14204	4/1/2005	BURNTLOG CREEK	YES	0.7	0
77	14198	4/1/2005	CAMAS CREEK	YES	9	0
77	14171	4/1/2005	CHAMBERLAIN CREEK	YES	4.8	0
77	14170	4/1/2005	CHAMBERLAIN CREEK WEST FK	YES	0.3	0
77	14199	4/1/2005	DYNAMITE CREEK	YES	0.4	0
77	14211	4/1/2005	ELK CREEK	YES	1.9	0
77	14188	4/1/2005	FITSUM CREEK	YES	0.5	0
77	14173	4/1/2005	FRENCH CREEK	YES	2.3	0
77	14172	4/1/2005	HORSE CREEK	YES	3.6	0
77	14200	4/1/2005	INDIAN CREEK	YES	1.9	0
77	14194	4/1/2005	JOHNSON CREEK	YES	4.1	0
77	14212	4/1/2005	LAKE CREEK	YES	0.4	0
77	14183	4/1/2005	LICK CREEK	YES	0.6	0
77	14180	4/1/2005	LOGAN CREEK	YES	0.4	0.02
77	14203	4/1/2005	LOON CREEK	YES	8.1	0
77	14201	4/1/2005	MARBLE CREEK	YES	2.8	0
77	14210	4/1/2005	MARSH CREEK	YES	3.5	0
77	14179	4/1/2005	MONUMENTAL CREEK	YES	2.1	0
77	14205	4/1/2005	PISTOL CREEK	YES	2.6	0
77	14176	4/1/2005	PORPHYRY CREEK	YES	0.6	0
77	14187	4/1/2005	PROFILE CREEK	YES	0.4	0
77	14186	4/1/2005	QUARTZ CREEK	YES	0.3	0
77	14207	4/1/2005	RAPID RIVER	YES	2.5	0.04
77	14184	4/1/2005	RUSH CREEK	YES	1.5	0
77	14190	4/1/2005	SALMON RIVER EAST FK SOUTH FK	YES	8.2	0
77	14174	4/1/2005	SALMON RIVER SOUTH FK - downstream	YES	20.6	0.4
77	14192	4/1/2005	SALMON RIVER SOUTH FK - upstream	YES	7.7	0
77	14175	4/1/2005	SECESH RIVER - upstream	YES	2.3	0
77	14181	4/1/2005	SECESH RIVER - downstream	YES	4	0
77	14168	4/1/2005	SHEEP CREEK - trib Salmon R.	YES	0.8	0
77	14185	4/1/2005	SHEEP CREEK - trib South FK Salmon R.	YES	0.9	0
77	14197	4/1/2005	SHEEP CREEK - trib Middle FK Salmon R.	YES	0.5	0
77	14196	4/1/2005	SILVER CREEK	YES	1.1	0
77	14177	4/1/2005	SMITH CREEK	YES	0.4	0
77	14193	4/1/2005	SUGAR CREEK	YES	0.3	0
77	14208	4/1/2005	SULPHUR CREEK	YES	1.2	0
77	14189	4/1/2005	TAMARACK CREEK	YES	0.3	0
77	14206	4/1/2005	WARM LAKE CREEK	YES	0.4	0
77	14169	4/1/2005	WIND RIVER	YES	0.9	0

DCMI APPL OK, NON-DCMI APPL OK WITHIN ALLOWABLE PARAMETERS. SEE "PROCEDURE" BELOW.

PROCEDURE: DCMI APPL ok for all msf rights in Bs 77 as noted in review memo. NON-DCMI CONSUMPTIVE USE APPL: See if within drainage with msf right. For that msf right, if column G (last) is less than column F (2nd to last), ok to process appl. Note in review memo that senior msf right will be subordinate to junior application under the future non-dcmi clause. Do not need to repeat for msf rights downstream from the msf right you are actively checking since the downstream future non-dcmi rates are higher for those bigger sources. Satisfying the smaller upstream rate test satisfies the larger downstream rate test. For the msf right you are actively checking, if column G (last) is equal to or greater than column F (2nd to last), consult supervisor for next step.

EXAMPLE: Appl 77-14234 for 0.14 cfs irrigation, future non-dcmi consumptive use, unnamed streams trib to Johnson Creek. Johnson Creek msf right with 4/1/2005 priority is subordinate to 4.1 cfs future non-dcmi use, zero approved since 4/1/2005. Process appl and note review memo that senior msf rights will be subordinated to this junior application. Updates to this spreadsheet will eventually show 0.14 of the 4.1 future non-dcmi cfs has been approved for Johnson Creek.

BS 79 MINIMUM STREAMFLOW RIGHTS -- QUERY 12/31/2014 (no change from 2013)

Basin	Sequence	Priority	Source	Subordinate to Future DCMI	Subordinate to Future Non DCMI (CFS Limit)	Non DCMI CFS Approved Since 4/1/2005
79	14054	12/31/1975	BERNARD CREEK			
79	14055	12/31/1975	BIG CANYON CREEK			
79	14056	12/31/1975	CORRAL CREEK			
79	14057	12/31/1975	DEEP CREEK			
79	14058	12/31/1975	GRANITE CREEK			
79	14059	12/31/1975	JONES CREEK			
79	14060	12/31/1975	KIRBY CREEK			
79	14061	12/31/1975	KIRKWOOD CREEK			
79	14062	12/31/1975	KLOPTON CREEK			
79	14063	12/31/1975	KURRY CREEK			
79	14064	12/31/1975	OXBOW CREEK			
79	14065	12/31/1975	SHEEP CREEK			
79	14066	12/31/1975	THREE CREEK			
79	14067	12/31/1975	WEST CREEK	YES	1	0
79	14123	4/1/2005	LITTLE SLATE CREEK	YES	0.7	0.2
79	14118	4/1/2005	RICE CREEK	YES	1.3	0.15
79	14117	4/1/2005	ROCK CREEK	YES	NO	N/A
79	14119	4/1/2005	SALMON RIVER	YES	0.4	0
79	14121	4/1/2005	SKOOKUMCHUCK CREEK	YES	2	0
79	14122	4/1/2005	SLATE CREEK	YES	1.3	0.1
79	14120	4/1/2005	WHITE BIRD CREEK	YES		

These are federal rights for Hells Canyon Natl. Rec. Area, no conditions for future dcmi or future non-dcmi cfs except these msf rights are subordinated to junior de minimus domestic & stock uses meeting rate/volume limits in 42-111. No pending applications in these areas, will deal with future issues when they occur. Other msf rights listed below are typical state rights with dcmi etc. factors to evaluate in processing new applications.

IF APPLICATION WITHIN ABOVE ITALICIZED DRAINAGES FOR HELLS CANYON AREA, CONSULT SUPERVISOR.

OTHERWISE, DCMI APPL OK, NON-DCMI APPL OK WITHIN ALLOWABLE PARAMETERS. SEE "PROCEDURE" BELOW.

PROCEDURE: DCMI APPL ok for all msf rights in Bs 79 as noted in review memo. NON-DCMI CONSUMPTIVE USE APPL: See if within drainage with msf right. For that msf right, if column G (last) is less than column F (2nd to last), ok to process appl. Note in review memo that senior msf right will be subordinate to junior application under the future non-dcmi clause. Do not need to repeat for msf rights downstream from the msf right you are actively checking since the downstream future non-dcmi rates are higher for those bigger sources. Satisfying the smaller upstream rate test satisfies the larger downstream rate test. For the msf right you are actively checking, if column G (last) is equal to or greater than column F (2nd to last), consult supervisor for next step.

EXAMPLE: Appl 79-98765 for 0.2 cfs irrigation, future non-dcmi consumptive use tributary to Rice Creek. Rice Creek msf right with 4/1/2005 priority is subordinate to 0.7 cfs future non-dcmi use, only 0.2 cfs approved since 4/1/2005. Process appl and note review memo about this. Salmon River msf right will not be subordinate to application (no future non-dcmi clause in that msf right) as noted in review memo. Updates to this spreadsheet will eventually show another 0.2 cfs has been approved for Rice Creek.

Merriman, Danielle

From: Merriman, Danielle
Sent: Tuesday, November 24, 2015 1:13 PM
To: 'Murphy Cherylyn'
Subject: RE: Murphy Water Application

Sounds great! Thank you very much.

From: Murphy Cherylyn [<mailto:cmurphy@bhs.idaho.gov>]
Sent: Tuesday, November 24, 2015 1:13 PM
To: Merriman, Danielle
Cc: Cherylyn Murphy
Subject: RE: Murphy Water Application

Perfect. I just talked with Denise Cobb at Payette NF. We will work on their application this week and send it in with the note that you are working on the water rights so they can begin their process.

Cherylyn

From: Merriman, Danielle [<mailto:Danielle.Merriman@idwr.idaho.gov>]
Sent: Tuesday, November 24, 2015 1:09 PM
To: Murphy Cherylyn <cmurphy@bhs.idaho.gov>
Subject: RE: Murphy Water Application

Cherylyn,

Thanks for the quick response! This scanned document is sufficient for our records, so you can save a stamp and not mail another copy. I will process the changes and will let you know when the application has gone through to advertising.

Thanks again!

Danie Merriman
Water Resource Agent
Idaho Department of Water Resources
Phone: (208) 334-2190
Fax: (208) 334-2348
Email: danie.merriman@idwr.idaho.gov

From: Murphy Cherylyn [<mailto:cmurphy@bhs.idaho.gov>]
Sent: Tuesday, November 24, 2015 1:03 PM
To: Cherylyn Murphy; Merriman, Danielle
Subject: Murphy Water Application

Thank you for your call and help with our application. I have attached a copy of the application with the changes made and a copy of the email from the Payette National Forest Service that they are aware we are applying for water rights. I will send the original application in the mail tomorrow. Let me know if you need anything else.

Cherylyn Murphy

crmterrier@cablone.net

208-338-8986

NOV 24 2015

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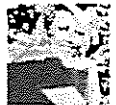
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Special Use Permit Information and Application A...(2)

Cobb, Denise F -FS

to me

Attached is a brochure to read regarding Special Use Permits and an Application to fill out. In the application, please be very detailed regarding your system. Kind and size of pipe, how many feet on public land, where it starts and ends, size of holding tanks, etc.

The completed application can be emailed back to me or sent to:

Denise Cobb
McCall Ranger District
102 W. Lake St.
McCall, ID 83638.

The other item I forgot to mention on our phone call is the fact that you must have a Water Right with the state before we could consider issuing you a Special Use Permit. Here is the link to the Idaho Department of Water Resources:
<http://www.idwr.idaho.gov/>

You must contact them and go through their process to acquire a water right. Please keep me informed on your progress for your water right. Thank you for contacting me and getting this process started. Please contact me if you have any questions, Denise



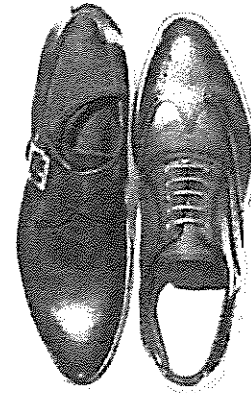
Denise F. Cobb
Realty Specialist

Forest Service
Payette National Forest
p: 208-634-0446
dfcobb@fs.fed.us

102 W. Lake Street
McCall Ranger District
McCall, ID 83638-3805

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MEMORANDUM

TO: 77-14359 Murphy file
FROM: Danie Merriman (Western)
DATE: November 24, 2015
RE: Phone conversation with Cherylyn Murphy on 11-24-15 at 12:30 pm

The following information was acquired per a phone conversation with the applicant in regards to a letter sent to them on September 1, 2015.

1. *The quantity needs clarification. You indicated in the 'description of proposed uses' section that you will use the water for two households. The standard diversion rate for internal use of two households is 0.06 cfs. If you plan on irrigating the yards or maintaining gardens on both properties up to one acre, you would be allowed to apply for 0.09 cfs. Please amend the section 4 quantity which diversion amount you would like to use.*

The applicants are applying for water rights on two properties, their own and the property immediately adjacent to theirs owned by their uncle. The water will supply two houses without any external use to a lawn or garden. Mrs. Murphy will change application form to describe .06 cfs to be diverted.

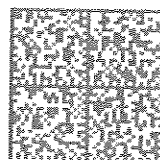
2. *The type of use was not provided correctly. Section four (4) should say 'domestic' instead of 'household.'*
Mrs. Murphy will make the change on the form.
3. *The description of other water rights/other uses was incomplete. Please amend section 9 to state whether or not you plan to irrigate your lawn or garden with the water right.*
No lawn or garden will be irrigated. "No" on her form denotes this and will stay the same.
4. *The period of time to complete the project and was incomplete. Please complete section 12 with the number of years (1 to 5) that you require to complete the development of water for the proposed used. If your project is already complete, please write "1 year."*
The project is already fully developed and the applicants have no plans of changing the system in the next five years. Mrs. Murphy will complete section 12 to say "1 year."
5. *The Map was not provided correctly. The map must clearly identify the proposed point of diversion and place of use. Please amend your map by outlining where you are planning on using your domestic right/irrigating.*
Mrs. Murphy explained the map in greater detail. The second house to be covered by the right is hidden by trees in the aerial photograph but is located directly below the 'X' near '2X'. I will adjust the shape in GIS and workflow to reflect this.
6. *In section 11 of your application, you indicate that the leech fields and collection tanks currently exist. Who else currently uses this diversion system? How would this application not cause injury to these other users?*
Mrs. Murphy indicated that her aunt and neighbor, Jackie Wyatt, also uses the leach field but has a different storage tank. No other users utilize the leach field at the same POU as the Murphys.
7. *There appear to be several other domestic water rights in the immediate area of your property. Is there anyone else using water on the land that you are requesting a water right for?*
No one else uses water on their property.
8. *Please provide written confirmation from the Payette National Forest that you have either: 1.obtained written approval to legally enter the public land for the purposes stated in your application; or 2. made sufficient progress in obtaining that approval to allow the agency to forego protesting your application.*

The applicants contacted Payetter National Forest through the office in McCall to pursue a special use permit. The PNF said that they needed a water permit to proceed and they would hold off processing their special use permit until they had attained permission from IDWR. Mrs. Murphy will forward a copy of this email exchange to include with the file and IDWR will send a request for comment letter to the Forest Service at advertising.

Since the original letter was mailed in September, the Murphys have moved to 3817 W Palouse St. Boise, ID 83705. They have also been quitclaimed into ownership of the property of the POU previously owned by John and Jackie Roe. She will change the address, as well as the above mentioned details, on the application form before resubmitting it to IDWR.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
2735 Airport Way
Boise, Idaho 83705-5082
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CHERYL YN OR STEVE MURPHY
4230 PATRIOT CIRCLE
MERIDIAN, ID 83646

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WATER RESOURCES
WESTERN REGION

636460555 P 80011

RETURN TO SENDER
ROE MURPHY CHERYL YN M
3817 W PALOUSE ST
BOISE ID 83705-3249

Intent to
Re: Void Notice Letter sent 11-9-15

77-14859



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 9, 2015

COPY

CHERYLYN OR STEVE MURPHY
4230 PATRIOT CIRCLE
MERIDIAN, ID 83646

Re: Notice of Intent to Void Application For Permit 77-14359

Dear Applicant(s),

On March 26, 2015 the Department of Water Resources (IDWR) received your Application for Permit to appropriate water. The Department requested additional information via a letter dated September 1, 2015. The letter stated that a written reply must be made within sixty (60) days or the Department will void the application. As of November 9, 2015, no written correspondence was received by the Department. If it is your intent to further pursue your application, please provide written response to the original letter or request additional time to respond. It is the intent of the Department to void your application within the next fourteen (14) days if no response is received.

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

Enclosed: Copy of letter from September 1, 2015



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

September 1, 2015

CHERYLYN OR STEVE MURPHY
4230 PATRIOT CIRCLE
MERIDIAN, ID 83646

COPY

Re: Application for Permit No. 77-14359

Dear Applicant:

This office received your Application for Permit seeking a new water right. Your proposal involves a point of diversion on public land administered by the Payette National Forest. According to your application, you do not have the necessary approval from that agency to operate on public land.

Typically in the past, public land management agencies have protested new applications involving public land. The agencies have done this to ensure that their requirements under federal and/or state law have been satisfied (special use permit, right-of-way etc.). Those agencies typically have withdrawn protests once those requirements have been met or, in some cases, once sufficient progress in that regard has been achieved.

To avoid a lengthy and sometimes costly application protest process, the Idaho Department of Water Resources (IDWR) invites you to contact the Payette National Forest to obtain approval to operate on public land. Legal access to public property is discussed in IDWR Water Appropriation Rule 45.01.c.

Please provide written confirmation from the Payette National Forest that you have either:

1. obtained written approval to legally enter the public land for the purposes stated in your application; or
2. made sufficient progress in obtaining that approval to allow the agency to forego protesting your application.

IDWR will process your application upon receiving the confirmation. This method should avoid the protest process, making everything easier for everyone concerned in the long run.

Additionally, more information is needed to fully evaluate your proposal in regards to its location within the Salmon River basin. IDWR is working with other agencies of the State of Idaho regarding projects requiring new water right approval within this area.

Please see the enclosed attachment about additional information for your application. The attachment outlines the legal basis and reasons for this request. The 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.

In addition to the written confirmation from the Payette National Forest and written comments from the state agencies, the Department requires clarification on several other aspects of your application.

- The quantity needs clarification. You indicated in the 'description of proposed uses' section that you will use the water for two households. The standard diversion rate for internal use of two households is 0.06 cfs. If you plan on irrigating the yards or maintaining gardens on both properties up to one acre, you would be allowed to apply for 0.09 cfs. Please amend the section 4 quantity which diversion amount you would like to use.
- The type of use was not provided correctly. Section four (4) should say 'domestic' instead of 'household.'
- The description of other water rights/other uses was incomplete. Please amend section 9 to state whether or not you plan to irrigate your lawn or garden with the water right.
- The period of time to complete the project and was incomplete. Please complete section 12 with the number of years (1 to 5) that you require to complete the development of water for the proposed used. If your project is already complete, please write "1 year."
- The Map was not provided correctly. The map must clearly identify the proposed point of diversion and place of use. Please amend your map by outlining where you are planning on using your domestic right/irrigating.
- In section 11 of your application, you indicate that the leech fields and collection tanks currently exist. Who else currently uses this diversion system? How would this application not cause injury to these other users?
- There appear to be several other domestic water rights in the immediate area of your property. Is there anyone else using water on the land that you are requesting a water right for?

I am returning a copy of your original application with notes showing the areas that need to be addressed. Please submit the amended application (with your initials), requested information, described confirmation from the National Forest, and comment letters from state agencies 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 sixty (60) 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

Enclosed: Copy of Application for Permit
Basin 77 Info Sheet