

RECEIVED

SEP 24 2014

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

Amended

WATER RESOURCES
WESTERN REGION

1. Name of applicant(s) Kelsie Baldwin and Ryan Baldwin Phone 208-634-5268
 Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address P.O. Box 2022 City McCall
 State ID Zip 83638 Email kelsiebaldwin@hotmail.com
2. Source of water supply groundwater which is a tributary of Lake Fork Creek
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
17N	3E	11			NW	NW	Valley	groundwater	excavated pond

4. Water will be used for the following purposes:
- Amount 12 afa for aesthetic storage purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 6 afa for irrigation storage purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 6 afa for irrigation from storage purposes from 4/15 to 10/15 (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) 18 afa acre feet per year (af).
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. excavated pond (1.5 acres surface and 8 feet average depth)
- b. Height of storage dam _____ feet; active reservoir capacity 12 acre-feet; total reservoir capacity 12 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. aesthetic storage in excavated pond

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	
17N	3E	11						A											
								2											

Total number of acres to be irrigated: 2

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 other water source.

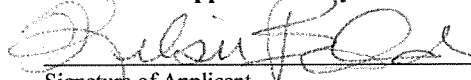
10. a. Who owns the property at the point of diversion? applicant
- b. Who owns the land to be irrigated or place of use? applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

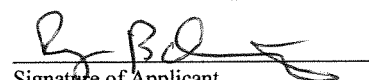
11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

Excavated recreation pond is filled from groundwater inflow. Storage volume is approximately 12 acre feet, based on average pond depth of 8 feet and 1.5 acres surface area. Irrigation of up to 2 acres will occur from the pond, which would utilize 6 acre feet. Impact to Lakefork basin will be mitigated by the permanent retirement of 18 acre feet of storage water right 65-2952B.

12. Time required for completion of works and application of water to proposed beneficial use is 5 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
Kelsie Baldwin
Print Name (and title, if applicable)


Signature of Applicant
Ryan Baldwin
Print Name (and title, if applicable)

For Department Use:

Received by BB Date 9-24-2014 Time 12:00 Preliminary check by kw
Fee \$ 250.00 Received by HP Receipt No. C097199 Date 5-22-2013
100.00



RECEIVED

OCT 17 2014

WATER RESOURCES
WESTERN REGION

PROPOSED MITIGATION PLAN FOR WATER RIGHT APPLICATION NO. 65-23543

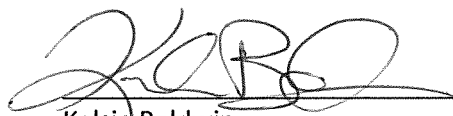
To the Idaho Department of Water Resources (IDWR):

Ryan Baldwin and Kelsie Baldwin agree to permanently retire 18 acre feet authorized for storage under Water Right No. 65-2952B to mitigate use of the above referenced application.

The Baldwins agree to this mitigation plan as follows:

1. The 18 acre feet of storage will no longer be stored at Browns Pond, the authorized place of use for 65-2952B. A reduction of 18 acre feet of storage at Browns Pond will offset depletions to stream flows within the Lake Fork Creek drainage basin that may occur as a result of permit 65-23543.
2. The Baldwins will purchase the 18 acre feet of storage water right from Diane DeBoer. A change of ownership for the 18 acre feet of water right will be submitted to IDWR following the application protest period, but prior to application approval. The 18 acre feet of water right 65-2952B will be formally abandoned as a condition of permit approval.

Signature:


Kelsie Baldwin

Signature:


Ryan Baldwin

Date:

10/10/14

RECEIVED

JUN 11 2013

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 65-235431. Name of applicant(s) Ryan & Kelsie Baldwin Phone 208-634-5268
Name connector (check one): ☒ and ☐ or ☐ and/orMailing address: P.O. Box 2022 City McCallState ID Zip 83638 Email: kelsiebaldwin@hotmail.com2. Source of water supply springs which is a tributary of Lake Fork Creek

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
17N	3E	11		NW			Valley	Springs	Dam
17N	3E	11		NW			valley	Springs	Pump

4. Water will be used for the following purposes:

Amount 0.06 cfs for irrigation purposes from 4/15 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)Amount 25.9 ac ft for Recreational 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) 0.06 cfs 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. 1.5 HP irrigation pump
used to pump water to sprinklers to service lawn areab. Height of storage dam 10 feet; active reservoir capacity 12 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; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. _____

RECEIVED

Superseded by App rec'd 9/24/2014

JUN 12 2013

WATER RESOURCES

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.

12.615
rec.
5.00

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	3E	11						2.0											2.0
17N	3E	11					X												

Total number of acres to be irrigated: 2

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? _____

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

b. Who owns the land to be irrigated or place of use? Ryan & Kelsie Baldwin

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. Water storage for aesthetic purposes. Total pond capacity is approx 12 acre ft. there is approx 2.2 acre evaporation loss. There is approx 11.7 acre ft deepage loss per year. Water continuously flows from reservoir we plan on using it for irrigation.

12. Time required for completion of works and application of water to proposed beneficial use is 5 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.

Kelsie Baldwin
Signature of Applicant

Kelsie Baldwin
Print Name (and title, if applicable)

Ryan Baldwin
Signature of Applicant

Ryan Baldwin
Print Name (and title, if applicable)

For Department Use:

Received by W. Region Date 6-11-13 Time _____ Preliminary check by _____
Fee \$ 250.00 Receipted by HP Receipt No C097199 Date 5-22-13

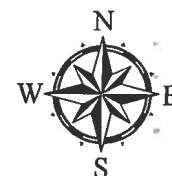
05-225112



Legend

- ESPA
- GCDB Township/Range
- GCDB Section
- GCDB Quarter-Quarter
- Counties

RECEIVED
MAY 24 2013
WATER RESOURCES
WESTERN REGION



RECEIVED

MAY 22 2013

DEPARTMENT OF
WATER RESOURCES

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

Ident. No. MAY 24 2013

WATER RESOURCES
WESTERN REGION

1. Name of applicant(s) Ryan Baldwin & Kelsie Baldwin Phone 208-634-5268
Name connector (check one): ☒ and ☐ or ☐ and/or
Mailing address: P.O. Box 2022 City McCall
State ID Zip 83638 Email: kelsiebaldwin@hotmail.com
2. Source of water supply Ground water springs which is a tributary of Lake fork creek
3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
~~17N~~	~~3E~~	~~11~~	~~X~~		~~NW~~	~~NW~~	~~Valley~~	~~Ground water~~	
~~17N~~	~~3E~~	~~11~~			~~NW~~	~~NW~~	~~Valley~~	~~Springs~~	~~Dam~~
~~17N~~	~~3E~~	~~11~~			~~NW~~	~~NW~~	~~Valley~~	~~Pump~~	~~Pump~~

4. Water will be used for the following purposes:
- Amount 20.0 cfs for personal irrigation purposes from 4/15 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 20.0 ac-ft for recreational storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 25.9 ac-ft 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) 20.0 cfs 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. 1.5 HP irrigation pump used to pump water to sprinklers to service lawn area
- b. Height of storage dam 10 feet; active reservoir capacity 12 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; show name of municipality or the applicant's qualifications as a municipal provider. _____
- d. Domestic; show number of households 1 household
- e. Other; describe fully. _____

Superceded by App Rec'd 6/11/2013

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	
17N	3E	11						2.0											2.0
								RS											

Total number of acres to be irrigated: 2.0 ac

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? We intend to use water from domestic use to irrigate our lawn. We intend to use pond water for servicing lawn & garden
10. a. Who owns the property at the point of diversion? Ryan & Kelsie Baldwin
- b. Who owns the land to be irrigated or place of use? _____
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A
11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Water Storage for Esthetic purposes. total pond capacity is approx 12 acre feet. There is approx 2.2 acre feet evaporation loss. There is approx 11.7 acft seepage loss a year. Water continuously flows and we plan on using it for irrigation from reservoir
12. Time required for completion of works and application of water to proposed beneficial use is 5 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.

Ryan Baldwin
 Signature of Applicant
Ryan Baldwin
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

For Department Use:

Received by HP Date 5-22-13 Time 4:40 Preliminary check by _____
 Fee \$ 250.00 Received by HP Receipt No. 2097199 Date 5-22-13

Sommer, Rachel

From: Sommer, Rachel
Sent: Wednesday, October 29, 2014 9:58 AM
To: 'jleedom@frontiernet.net'
Subject: 65K. Application for Permit
Attachments: Watermaster Recommendation Form.docx; Application No. 65-23543.pdf

October 29, 2014

JOHN LEEDOM
370 KNIGHTS RD
MCCALL ID 83638

RE: Application for Permit No. 65-23543

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application(s). A copy of the application(s) is 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 November 24, 2014.

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 you do not object to this application(s) if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Rachel Sommer

Administrative Assistant
Dept. of Water Resources
Western Regional Office
2735 Airport Way, Boise ID 83705
Phone 208-334-2190 | Fax 208-334-2348
Email: rachel.sommer@idwr.idaho.gov

Sommer, Rachel

From: Sommer, Rachel
Sent: Wednesday, October 29, 2014 9:57 AM
To: 'DGREEN@IDL.IDAHO.GOV'
Subject: IDL. Application for Permit
Attachments: Agency Recommendation Form.docx; Application No. 65-23543.pdf

October 29, 2014

IDAHO DEPT OF LANDS
ATTN: DIANE GREEN
DGREEN@IDL.IDAHO.GOV

RE: Application for Permit No. 65-23543

Dear Ms. Green:

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 by the protest deadline of November 24, 2014.

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 Sommer

Administrative Assistant
Dept. of Water Resources
Western Regional Office
2735 Airport Way, Boise ID 83705
Phone 208-334-2190 | Fax 208-334-2348
Email: rachel.sommer@idwr.idaho.gov

Sommer, Rachel

From: Sommer, Rachel
Sent: Wednesday, October 29, 2014 9:57 AM
To: 'rick.ward@idfg.idaho.gov'
Subject: IDFG. Application for Permit
Attachments: Agency Recommendation Form.docx; Application No. 65-23543.pdf

October 29, 2014

STATE OF IDAHO
DEPT OF FISH & GAME
ATTN: RICK WARD
3101 S POWERLINE RD
NAMPA, ID 83686

RE: Application for Permit No. 65-23543

Dear Mr. Ward:

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 by the protest deadline of November 24, 2014.

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 Sommer

Administrative Assistant
Dept. of Water Resources
Western Regional Office
2735 Airport Way, Boise ID 83705
Phone 208-334-2190 | Fax 208-334-2348
Email: rachel.sommer@idwr.idaho.gov

Sommer, Rachel

From: Sommer, Rachel
Sent: Wednesday, October 29, 2014 7:55 AM
To: 'STARCLASS@FRONTIER.COM'
Subject: Valley Legal Ad
Attachments: Valley Cover Letter.docx; Valley Legal Ad.docx

Good Morning Kim,

Please see the attached ad for publication on 11/6/2014 & 11/13/2014.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Sommer

Administrative Assistant
Dept. of Water Resources
Western Regional Office
2735 Airport Way, Boise ID 83705
Phone 208-334-2190 | Fax 208-334-2348
Email: rachel.sommer@idwr.idaho.gov

October 29, 2014

LEGAL NOTICE DEPARTMENT
STAR NEWS
1000 1ST ST
MC CALL, ID 83638

RE: Application for Permit No. 65-23543

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 11/24/2014. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

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

65-23543

RYAN BALDWIN
KELSIE BALDWIN
PO BOX 2022
MC CALL, ID 83638

Point of Diversion NWNW S11 T17N R03E VALLEY County Source GROUND WATER Tributary LAKE FORK CREEK

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

Use: IRRIGATION FROM STORAGE 04/15 to 10/31 6 AF

Use: IRRIGATION STORAGE 01/01 to 12/31 6 AF

Total Diversion: 18 AF

Date Filed: 5/22/2013

Place of Use: AESTHETIC STORAGE, IRRIGATION STORAGE, IRRIGATION FROM STORAGE

T17N R03E S11 NWNW

Total Acres: 2

Applicant will mitigate consumptive use by purchasing and abandoning 18 acre feet of storage from Browns Pond water right.

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/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 11/24/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/6/2014 and 11/13/2014

MEMORANDUM

TO: Sascha Marston
FROM: Kay Walker *KW*
DATE: October 20, 2014
RE : **Refund**

copy

Ryan & Kelsie Baldwin paid \$250.00 for an Application for Permit on May 22, 2013. The application was amended on September 24, 2014. A partial refund should be issued.

Please issue a \$150.00 refund to the **payer** as follows:

TO

RYAN AND KELSIE BALDWIN
PO BOX 2022
MC CALL, ID 83638

TEL. 208-634-5268

RECEIPT

C097199, copy attached

Copy: File 65-23543



SPF WATER
ENGINEERING

RECEIVED

OCT 17 2014

WATER RESOURCES
WESTERN REGION

October 16, 2014

Kay Walker
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Mitigation Plan for Application for Permit 65-23543

Dear Kay,

Enclosed on behalf of Ryan and Kelsey Baldwin is a proposed mitigation plan for Application for Permit 65-23543.

Please contact me with any questions.

Sincerely,

Terry M. Scanlan, P.E., P.G.

Enclosures: Amended Application for Permit

Cc: Ryan and Kelsie Baldwin
Steve Millemann

File: 1118.0010

Walker, Kay

From: Walker, Kay
Sent: Monday, September 30, 2013 12:12 PM
To: Homan, John
Cc: Walker, Kay
Subject: Public Records Request
Attachments: App 65-23543.pdf; Information Request.pdf; Public Records Request.pdf

Hi, John...

I am working on an Application for Water Right Permit 65-23543 and asked the applicants for information before we could go any farther. I have scanned and attached their application and the letter I had sent to them for your information. Today, I received a request for "...all the public records related to 97 E Lake Fork Rd., McCall..." (their address). I have scanned and attached that request for your information too. My question is: How deep do we go looking for all the public records? I do know that there was an application that was voided, No. 65-23065, because the prior owner did not respond to a similar information request. I also know that their property is located within the NWNW, Sec. 11, Twp. 17M, Rge. 3E but they only own 10 acres. Any information you can provide concerning what to send them would be appreciated. I have never received this type of request that I can recall... Also, Steve said we had a time limit to respond. Do you know how much time I have?

Thanks, Kay Walker @ Western

RECEIVED

SEP 30 2013

WATER RESOURCES
WESTERN REGION

97 E Lake Fork Rd | 208-630-4305 | kelsiebaldwin@hotmail.com

September 19, 2013

Idaho Dept. of Water Resources

We would like to request all the public records related to 97 E Lake Fork Rd, McCall ID 83638 (17N 3E Sec 11).

Please send by mail at PO Box 2022 McCall, ID 83638 or by email to kelsiebaldwin@hotmail.com.

Sincerely,

A handwritten signature in cursive script that reads "Kelsie & Ryan Baldwin". The signature is written in dark ink and is positioned above the printed name.

Kelsie and Ryan Baldwin



SPF WATER
ENGINEERING

RECEIVED

SEP 24 2014

WATER RESOURCES
WESTERN REGION

September 22, 2014

Steve Lester
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Second Amended Application for Permit 65-23543

Dear Steve,

Enclosed on behalf of Ryan and Kelsey Baldwin is the second amended Application for Permit 65-23543. The application has been amended consistent with discussions at our meeting on August 18, and follow up email correspondence.

Please contact me with any questions.

Sincerely,

Terry M. Scanlan, P.E., P.G.

Enclosures: Amended Application for Permit

Cc: Ryan and Kelsie Baldwin
Steve Millemann

File: 1118.0010

Westra, John

From: Falk, John
Sent: Monday, July 28, 2014 11:13 AM
To: Diane Green
Cc: Westra, John; Collingwood, Rick; Peppersack, Jeff
Subject: FW: Baldwin IDWR letter
Attachments: baldwin-idwr_letter.pdf; 65-xxxx-(2012-4-17)-TR.pdf

Thanks for the copy of the letter, Diane.

Attached is a copy of my trip report that you requested.

Although I may have spoken via telephone once or twice in the interim, I don't have record of any other written communication from either the Baldwins or Mr. Gilbert.

To summarize for others cc'd:

- A condition of site reclamation related to the former sand/gravel extraction operation is the construction of a sediment retention pond.
- The reclamation plan was approved by IDL sometime in 2007(?)
- Mr. Faron Gilbert is the quarry operator who posted a bond w/ IDL as surety, and who is the party responsible for site reclamation.
- The Baldwin family purchased some or all(?) of the property from Mr. G. prior to site reclamation (I understand the bond has not been released).
- Apparently, the Baldwin family attempted to obtain from IDWR a water right for storage of water, but was denied (I don't have a copy of the application).
- Project is being litigated as one means for resolution; the potential outcome is unknown and may be contrary to the state's interests.

I have a couple of suggestions for construction of a sediment pond in such fashion that *may* help resolve the situation, but would like to have concurrence before offering to any of the other individuals/parties involved so that both our respective agency statutes/rules have been addressed; to understand fully what is permissible, or not.

From: Diane Green [<mailto:DGGreen@idl.idaho.gov>]
Sent: Monday, July 28, 2014 9:48 AM
To: Falk, John
Subject: Baldwin IDWR letter

John,

Here is the letter the Baldwin's received concerning water rights for the pond on their property.

Diane

*7/29/14 Called Diane Greene to follow up E-mail above.
JFW Discussed need for water right and extension of
time per K Walker letter.*

Diane Green
Lands Resource Specialist, Sr.
Payette Lakes Area Office
555 Deinhard Lane
McCall, ID 83638
208-634-7125 office
208-634-5117 fax



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

April 14, 2014

KELSIE AND RYAN BALDWIN
PO BOX 2022
MC CALL ID 83638

Re: Application for Permit 65-23543

Dear Applicants:

We have received your letter in which you requested more time to provide information for the above referenced application.

Your request is approved. The information requested by the Idaho Department of Water Resources (IDWR) on August 29, 2013, is therefore due by **October 15, 2014**, to prevent the application from being voided. Additional requests for more time, beyond this latest extension, will require a more rigorous evaluation of your situation by the Department. This might require additional justification for more time. The nature and extent of such justification cannot be determined at this time since it will depend on future circumstances. In other words, there is no guarantee of another extension after this next six month period.

More information about water rights and other matters administered by IDWR is available on the Internet at www.idwr.idaho.gov. Please feel free to contact me at (208)334-2190 if you have any questions.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

RECEIVED

APR 10 2014

WATER RESOURCES
WESTERN REGION

* App# 78614

PO Box 2022 McCall, ID 83638 | (208) 630-4305 | kelsiebaldwin@hotmail.com

April 8, 2014

Steve Lester
Dept of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Dear Mr Lester:

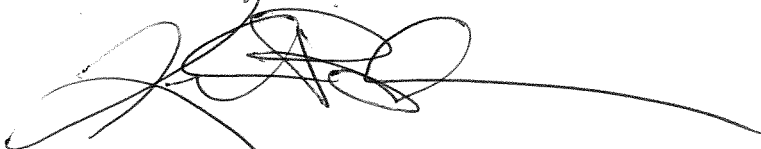
Thank you for taking the time to speak with me today. Per your request, we are responding to our application for water rights with in the 10 day period you asked for from today's date 4/8/2014.

We request a 6 month extension on our water rights application, as we are still working diligently to provide your office with the required information that was asked for. We have been working with Attorney Steve Millemann of Millemann, Pittenger, McMahan and Pemberton located at 706 N 1st st, McCall Idaho for the past 6 months and have been in talks with Mountain Water Works engineers to determine our options for obtaining the water rights needed. In addition in the past 6 months I have been in contact with John Leedom, the water master for our area, Dianne Greene with the Department of Land and Cynda Herrick with Valley County to help us determine how a pond was approved by their departments without proof of water rights. I would be happy to provide dates of these calls and notes from the meetings if necessary.

I apologize that we did not send in this letter sooner, I was mistaken on our date to respond. Many of our meetings were pushed to the spring so that our water situation could be seen without snow on the ground, as we discussed on the phone, due to the changes in our topography, we were not able to use the information on file. We are currently working with the people listed above and have a call into the army core of engineers to meet with them. I will be in contact soon, to let you know how we are going to proceed.

We look forward to working with you on this matter and appreciate your help thus far.

Sincerely,



Kelsie and Ryan Baldwin
PO Box 2022, McCall Idaho 83638

App# 78614

* 65-23543
-82

CONVERSATION MEMO

FROM: Steve Lester
DATE: April 8, 2014 
RE: Application for Permit 65-23543, Ryan & Kelsie Baldwin

Kelsie called today asking about this application – status, what they need to do etc.

Staff reviewer called Kelsie back to discuss the situation. Applicant wanted more time, wanted IDWR to meet on-site with applicants and their attorney to see what to do.

I called Kelsie and had a prolonged discussion about processing, additional information we need in this case, sufficient and timely responses by applicants, voiding applications etc. She said they have been working with an attorney and a consultant.

I provided Kelsie with this information:

- We approved 7 months for them to provide the requested information, original 1 month plus 6 month extension.
- We have heard nothing from them until today's call.
- An order voiding the application was signed 4/4/2104 and would have already been mailed if staff absences had not happened.
- The void order will be held for 10 days to give them time to provide a written response as follows:
 - Provide the information previously requested; or
 - "Show cause" why the application should not be voided and why more time should be approved. "Show cause" should explain their progress to date.
- The application should be voided without a written reply received by 4/18/2014.



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

October 1, 2013

KELSIE AND RYAN BALDWIN
PO BOX 2022
MC CALL ID 83638

Re: Application for Permit 65-23543

Dear Applicants:

Recently you requested more time to provide additional information for the above referenced application.

Your request is approved. The information requested by the Idaho Department of Water Resources (IDWR) on September 30, 2013, is therefore due by **April 1, 2014**, to prevent the application from being voided.

More information about water rights and other matters administered by IDWR is available on the Internet at www.idwr.idaho.gov. Please feel free to contact me at (208)334-2190 if you have any questions.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

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SEP 30 2013

WATER RESOURCES
WESTERN REGION

Permit # 65-23543

97 E Lake Fork Rd | 208-630-4305 | kelsiebaldwin@hotmail.com

September 19, 2013

Idaho Dept. of Water Resources

Dear Ms. Walker,

We would like to request our application be put on hold for 6 months as we explore our options and discuss our situation with a consultant.

If you need to reach us, please contact us by mail at PO Box 2022 McCall, ID 83638 or by phone or email listed above.

Sincerely,



Kelsie and Ryan Baldwin



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

August 29, 2013

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

Ryan & Kelsie Baldwin
PO Box 2022
McCall ID 83638

COPY

RE: Application for Permit 65-23543

Dear Applicants:

You filed an application for permit for a new consumptive use for an existing pond developed from shallow ground water &/or springs near Lake Fork Creek. The pond is located between the Mahala and Spink-Barker ditches and will hold about 26 acre feet of water. The proposed source is presumed to be tributary to the creek. The creek is managed by the Lake Fork Creek Watermaster, Mr. John Leedom.

Based on information available to the Idaho Department of Water Resources (IDWR), all the water in that system is allocated to existing water rights. Water is not available from this source, regardless if it is shallow ground water or springs, for a new consumptive use water right.

Please consider the following options for your situation.

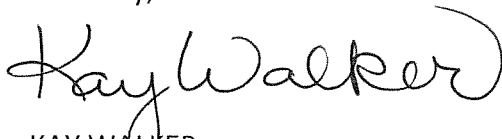
1. Withdraw the application using the enclosed form.
2. Submit credible data documenting that additional water is available from the source OR demonstrating that the source is not hydraulically connected to the creek.
3. Submit a credible mitigation plan regarding your proposed development. This can include but is not limited to an application for transfer to change an existing water right. A transfer application could replace your application or could be filed in addition to your application. This option could include a change to an irrigation water right held by a delivery organization diverting from Lake Fork Creek. Changes to water rights held by a delivery organization must be made by that entity instead of by a shareholder within the organization.

We have enclosed a list of consultants that may be helpful in responding to this request. The previous property owner was sent this letter when he filed for storage in the pond and he never responded to our request, as listed above, and the application was voided.

Please submit the requested information within the next 30 days. You may seek additional time to provide the information by making a written request to hold the applications for up to six months. Your response or a request for more time to seek the information must be received on or before **September 30, 2013**. Failure to make a timely response will cause your application to be voided. A refund of the application fee cannot be issued for a voided application.

More information about water rights and other matters administered by IDWR is available on the Internet at www.idwr.idaho.gov. Please feel free to contact this office at (208)334-2190 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is written in a cursive style with a large, looping "K" and "W".

KAY WALKER

Sr. Water Resource Agent

KW:k

Enclosure



Dam Safety Section

TRIP REPORT

TO: Sonny Hornbaker
CC: John Westra, Jeff Peppersack
FROM: John Falk, PE
DATE: April 17, 2012
SUBJECT: Basin 65 - Complaint Investigation
Dam Failure @ Former Lake Fork Quarry

On Tuesday April 17, 2009 I visited the referenced site located in NWNW Section 11, T17S, R3E Valley County (photo 1). The purpose for the visit was in response to a telephone call received from Jan Webster at the Soil Water Conservation District who relayed to me a notice from Kelsie and Ryan Baldwin regarding the weekend failure of an impoundment located on their property. Before visiting the site I learned that the Baldwin's property consists of a ten-acre parcel on lands partially reclaimed from a previous quarry operation. Site reclamation is being regulated by Idaho Department of Lands (IDL); the contact person is Diane Green (208) 634-7125. I understand the Baldwin's purchased the property from the quarry operator, Mr. Faron Gilbert, prior to his completion of site reclamation and final approval by IDL. I met the above named individuals on site around noontime.

The weather was clear, cool, and windy; the ground was wet from previous days' rain. Located near the south border of the Baldwin's property was a small, sand-fill berm approximately 7-8' above the adjacent ground surface (Photo 2-3). Reportedly, this existing structure was hastily built by Mr. Gilbert following the overtopping failure of the former dam. Immediately downstream from the berm is located an active quarry. The height of the existing structure and perceived Low hazard classification would exempt the re-built barrier from IDWR dam safety regulation. However, the Baldwin's stated that they want to rebuild the dam to its former height to restore the size/depth of the reservoir that existed on the property when they initially purchased it from Mr. Gilbert (pre-failure conditions). Based on site measurements, the original hydraulic height was estimated to exceed 10 feet.

IDWR's requirements for obtaining both a water right and approval to construct a dam were explained to all of the individuals. Ms. Baldwin indicated that she would begin efforts to file the necessary applications. I understand IDL will not approve/accept final reclamation of the site until Mr. Gilbert has satisfied all of the requirements per Idaho's Surface Mining Act (Title 47, Chapter 15). In addition, it is Mr. Gilbert who apparently will be responsible for rebuilding the dam to resemble its original height and reservoir storage capacity.

It is important to note that the site conditions generally are unfavorable for construction of a dam of substantial height/ head due to the presence of porous alluvial materials observed at the abutments and in the foundation, and the relatively high ground water table. However, a low head dam likely can be constructed using local fill materials provided there is sufficient embankment width to prevent internal erosion/ piping, and making certain to include an appropriately sized and hardened overflow spillway to prevent erosion of the embankment during peak flows or periods of sustained runoff. Additional photographs can be viewed:
N:\DamSafety\DIGITAL PHOTO GALLERY-All Dams\Basin 65 - Lake Fork Quarry Dam

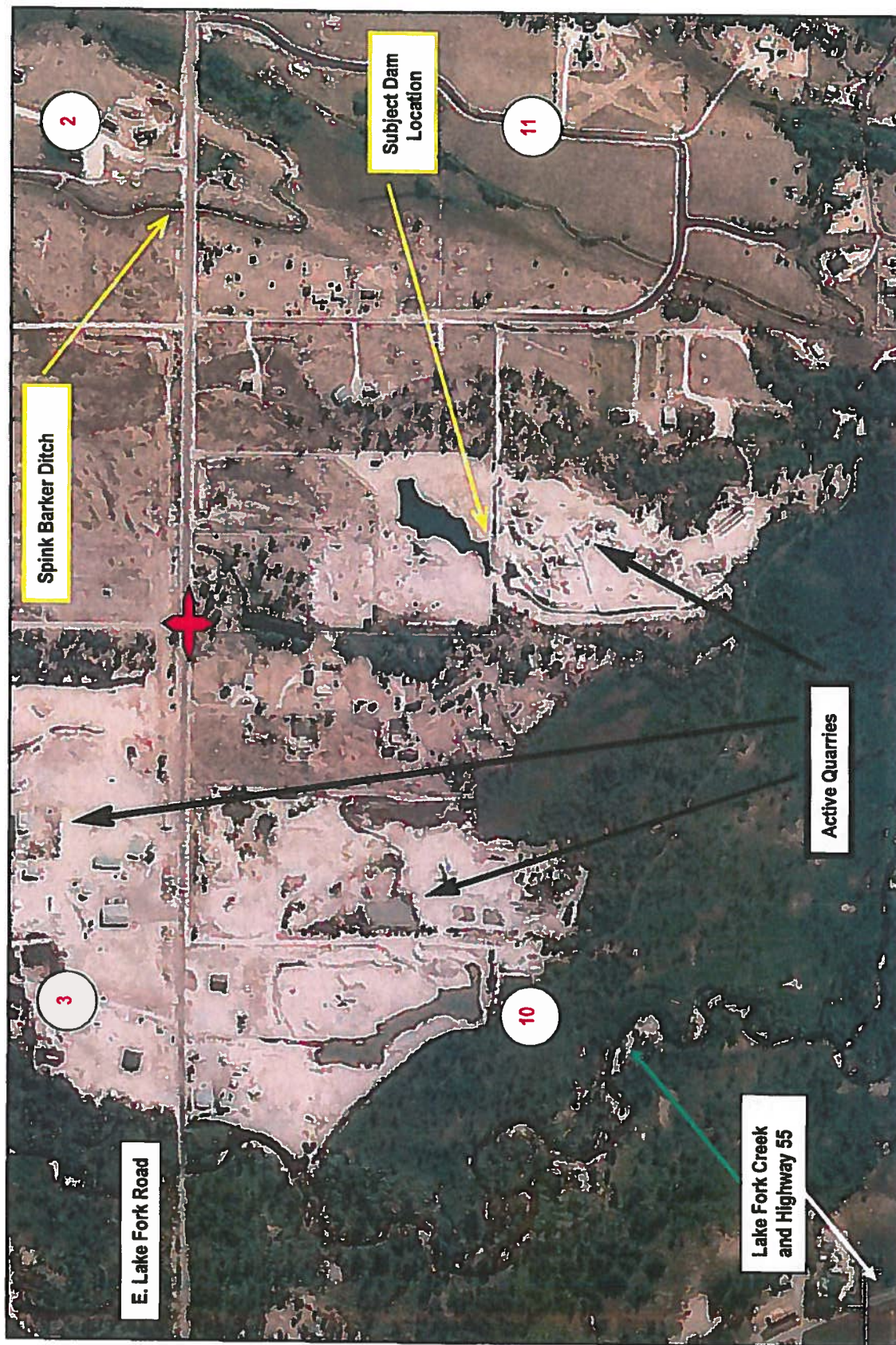


Photo 1 (Google Maps-Unknown Date) - Aerial view of subject pond prior to dam breach that occurred on or about 4/15/12. Note the numbers of active quarries in the vicinity, and the location of Spink Barker Ditch. The ground slope is generally to the southwest toward Lake Fork Creek, but the original drainage patterns have been significantly altered as a result of sand and gravel mining.

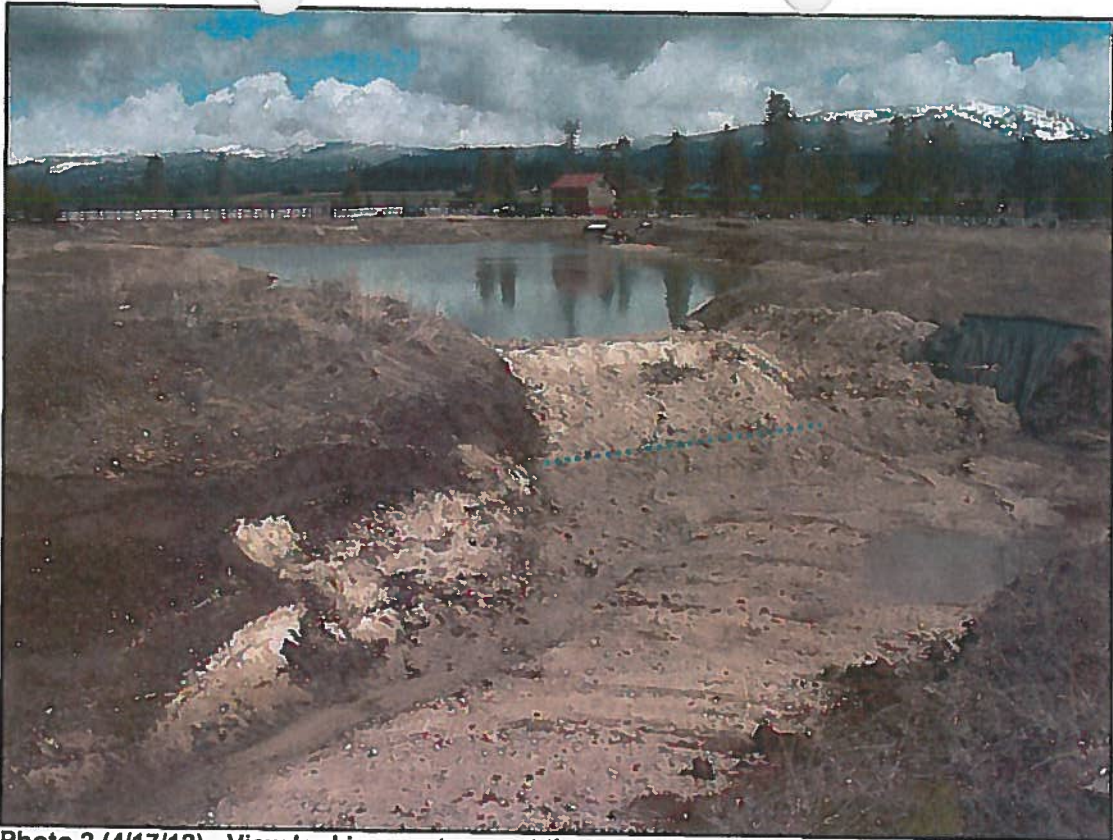


Photo 2 (4/17/12) - View looking upstream at the temporary 7-8' tall barrier constructed ~100 feet upstream from the failed dam location. Note the saturated zone (dashed line) and leaking water near the base of the sand embankment.

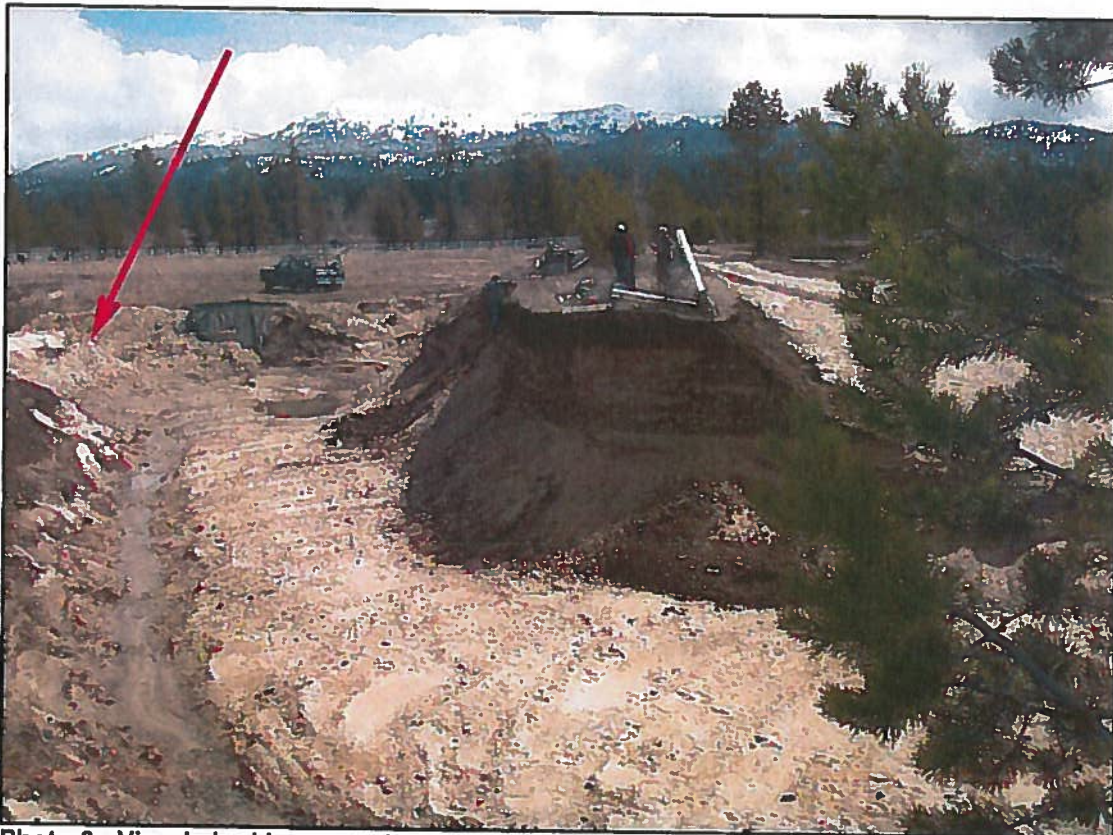


Photo 3 - View is looking east along the approximate south line of the Baldwin's property. Shown left is the new barrier; on the right (out of view) is the neighbor's active quarry.



Photo 4 (4/17/12) - Downstream view from right abutment of temporary berm. Note the thick accumulation of sediment that reportedly was washed from the dam failure.

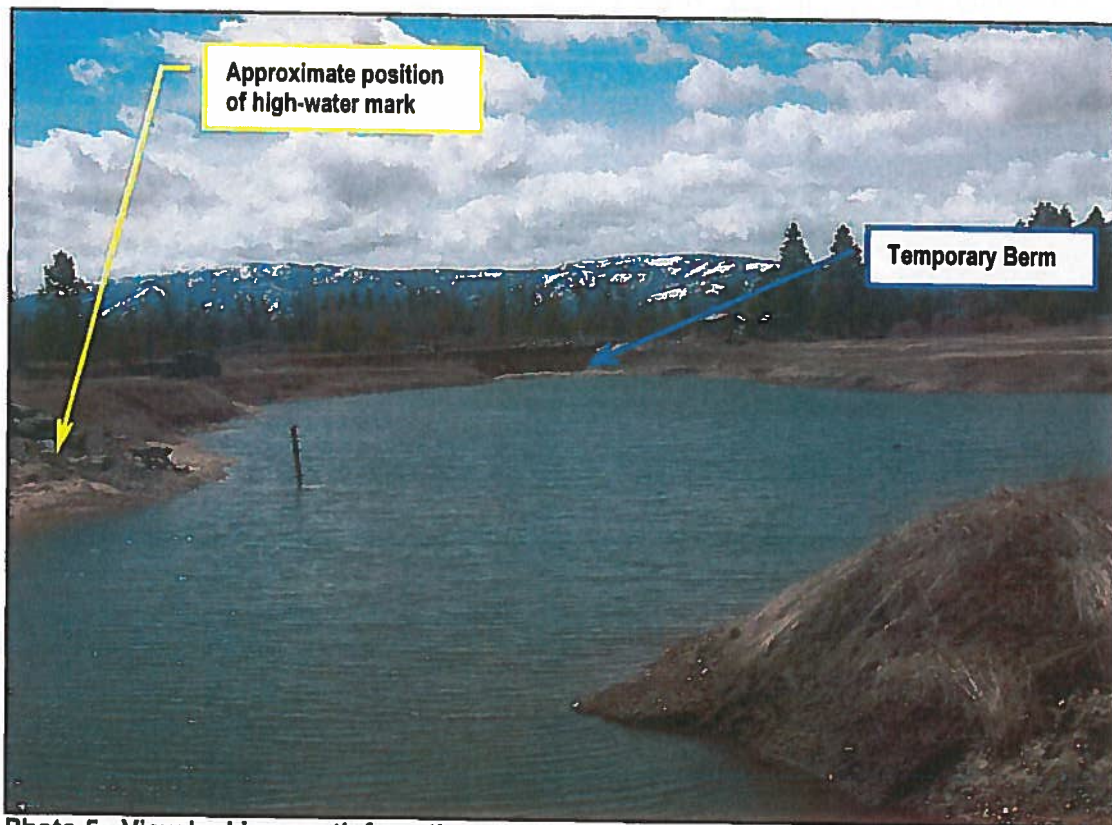


Photo 5 - View looking south from the upper end of the pond. Note the approximate high water mark created by the previous reservoir. In the background is the location of the temporary berm shown in the photos above.

RECEIVED

JUN 11 2013

DEPARTMENT OF
WATER RESOURCES

Attached is the signed copy
that was submitted May
22, 2013. Please add to our
file and submit completed.

Thanks!

Kelsi Baldwin

RECEIVED

JUN 12 2013

WATER RESOURCES
WESTERN REGION