

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

Ident. No. 74-16009

1. Name of applicant(s) B. V. Don Olson or Kathleen Olson Phone 208 756 3062
 Name connector (check one): ☐ and ☒ or ☐ and/or
 Mailing address: 479 Lemhi Road City Salmon
 State ID Zip 83467 Email: _____
2. Source of water supply Springs which is a tributary of Lemhi River
3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
<u>21N</u>	<u>23E</u>	<u>19</u>			<u>SE</u>	<u>SW</u>	<u>Lemhi</u>	<u>unwalled spring</u>	

4. Water will be used for the following purposes:
- Amount .04 for Domestic purposes from 1 Jan to 31 Dec (both dates inclusive)
 (cfs or acre-feet per year)
- Amount .02 for Stockwater purposes from 1 Jan to 31 Dec (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) .04 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. Headbox & Pipeline to home & stockwater troughs
- 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; show name of municipality or the applicant's qualifications as a municipal provider. _____
- d. Domestic; show number of households 1
- e. Other; describe fully. Stockwater 400 head

74-16009

8. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	23E	19											S	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? LGA

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. _____

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.

V. Don Olson

Signature of Applicant

V. Don OLSON

Print Name (and title, if applicable)

Kathleen Olson

Signature of Applicant

Kathleen OLSON

Print Name (and title, if applicable)

For Department Use:

Received by DM Dunn Date 12/12/13 Time 1:56 Preliminary check by _____

Fee \$ 100.00 Received by DM Dunn Receipt No. 12/12/13 Date _____

E039368

74-16009



74-16009



⊗ Stockwater
SW SW
21N 23E 19

74-16009



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 12, 2014

V DON OR KATHLEEN OLSON
479 LEMHI RD
SALMON ID 83467

Application For Permit No. 74-16009

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the RECORDER HERALD on February 20 and 27, 2014. 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 blue ink that reads "Sharla Cox". The signature is written in a cursive, flowing style. Below the signature, the name "Sharla Cox" and the title "Administrative Assistant" are printed in a standard sans-serif font.

Sharla Cox
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

February 11, 2014

C.L. "BUTCH" OTTER
Governor

V Don or Kathleen Olson
479 Lemhi Rd
Salmon ID 83467

GARY SPACKMAN
Director

RE: Application to Appropriate Water in the Upper Salmon River Basin 74-16009

Dear Water Right Applicant:

The Department of Water Resources' (IDWR) records show you filed an application to establish a new use of water in the upper Salmon River basin. Idaho Code § 42-203A(5) requires IDWR to determine whether each water right application satisfies all the criteria necessary for appropriating water in Idaho. One statutory criterion requires IDWR to determine the local public interest relative to the proposed water use. Idaho Code § 42-202B(3) defines the local public interest as "the interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource." The local public interest has many facets, including the effects of a proposed water use on aquatic habitat for fish and wildlife resources.

The upper Salmon River basin is home to stocks of chinook salmon, sockeye salmon, steelhead trout, and bull trout, all of which are listed as threatened or endangered under the Endangered Species Act (ESA). Since the early 1990s, local water users, conservation districts, and federal and state agencies have cooperated to implement conservation measures intended to protect and restore habitat for ESA-listed species in the upper Salmon River watershed. For example, at the request of local water users the Idaho Legislature directed the Idaho Water Resource Board (IWRB) to establish a minimum stream flow in the lower Lemhi River for fish passage. The minimum stream flow is maintained through a water supply bank and temporary or permanent acquisition of additional water supplies by willing buyers from willing sellers.

Pursuant to the Snake River Water Rights Agreement of 2004, Idaho has been developing a long term conservation plan for the benefit of ESA-listed species in the Lemhi River basin. Improving conditions in flow-limited river reaches and streams is a fundamental component of the Lemhi plan. In addition to IDWR, numerous state agencies, including the Office of Species Conservation, Idaho Department of Fish and Game, Idaho Department of Environmental Quality, Idaho Soil and Water Conservation Commission, and Idaho Department of Lands, have committed and continue to commit significant resources toward this objective under the following programs:

- Columbia Basin Water Transactions Program
- National Marine Fisheries Service Pacific Coastal Salmon Recovery Fund
- U. S. Fish & Wildlife Service Aquatic Species Conservation Fund
- Salmon and Clearwater River Basins Habitat Fund
- 2008 Columbia Basin Fish Accords

A myriad of habitat restoration projects are being constructed/implemented in other parts of the upper Salmon River basin. These projects have been coordinated with the local communities and water users through the Upper Salmon River Basin Watershed Program and predecessor programs, including the model watersheds. Furthermore, the Snake River Water Rights Agreement of 2004 contemplates the development of additional conservation plans for other upper Salmon River basin watersheds. Accordingly, the draft Comprehensive State Water Plan under revision by the IWRB contains policies for the Salmon River basin that focus on the protection and restoration of instream habitat for ESA-listed species through voluntary participation in conservation programs.

Because of the ESA-listed species recovery efforts in the upper Salmon River basin, IDWR must determine on a case-by-case basis whether it is in the local public interest to authorize proposed water uses that would further deplete flow-limited stream reaches.

Pursuant to Rule 40.04.c of the Water Appropriation Rules (IDAPA 37.03.08.040.04.c), the applicant has the ultimate burden of persuasion regarding the items that must be evaluated in connection with each water right application. Before proceeding further with your application, IDWR requests you submit additional information about how your proposal invokes any local public interest concerns for ESA species recovery. Within 30 days, please submit any additional information you believe IDWR may need to evaluate and determine the local public interest in the water you propose to divert and use. If IDWR has not received a response from you within 30 days, IDWR will assume you have no comment regarding the local public interest, and processing of your application will resume with the information currently on file. Processing will include public notice and the potential for formal protests by other interested parties. Applications that are not in the local public interest will be denied. If you wish to withdraw your application before it is processed, please notify IDWR in writing.

If you have any questions, please call me at 208-525-7161, or email me at james.cefalo@idwr.idaho.gov.

Sincerely,



James Cefalo
Water Resources Program Manager

Enclosure

JC:sc



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 9, 2014

Idaho Department of Fish & Game
Attn: Tom Bassista
4279 Commerce Way
Idaho Falls ID 83401

Application to Permit No. 74-16009 and 75-14780

IDF&G:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in blue ink that reads "Sharla Cox". The signature is fluid and cursive, with the first name "Sharla" being more prominent than the last name "Cox".

Sharla Cox
Administrative Assistance

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 9, 2014

Idaho Department of Environmental Quality
900 North Skyline, Suite B
Idaho Falls, ID 83402

Application to Permit No. 74-16009 and 75-14780

DEQ:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,


Sharla Cox
Administrative Assistance
Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 9, 2014

Idaho Department of Fish & Game
PO Box 1336
Salmon, ID 83467

Application to Permit No. 74-16009 and 75-14780

IDF&G:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in blue ink that reads "Sharla Cox". The signature is written in a cursive, flowing style.

Sharla Cox
Administrative Assistance

Enclosure(s)

cc: Idaho Department of Fish & Game
Tom Bassista
4279 Commerce Circle
Idaho Falls ID 83401

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, February 12, 2014 1:47 PM
To: 'Recorder Herald (rhlegals@custertel.net)'
Subject: Legal Notice for your paper
Attachments: Recorder Herald.doc

Contacts: Recorder Herald

*Thank you,
Sharla*

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A.
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

73-12148

VIRGINIA K MARTINY

159 HOOVER LN

MAY, ID 83253

Point of Diversion

NWSE S6 T14N R22E

NWSE S6 T14N R22E

LEMHI County

Source GROUND WATER Tributary

Use: IRRIGATION

04/01 to 10/31 2.34 CFS

Total Diversion: 2.34 CFS

Date Filed: 4/17/2008

Place Of Use: IRRIGATION

T14N R22E S6

NENE SWNE SENE

Total Acres: 117

This application proposes the diversion and use of water from ground water tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate 2.34 cfs and 117 acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

74-15889 (this application is being re-advertised due to amendment of application)

MALINDA TRACY

VINCENT TRACY

3 PRAIRIE RD

SALMON, ID 83467

Point of Diversion

SWNE S29 T21N R23E

LEMHI County

Source GROUND WATER Tributary

Use: IRRIGATION

03/15 to 11/15 0.08 CFS

Use: STOCKWATER

01/01 to 12/31 0.02 CFS

Total Diversion: 0.08 CFS

Date Filed: 6/26/2012

Place Of Use: IRRIGATION

T21N R23E S29 SWNE SENW

Place Of Use: STOCKWATER

T21N R23E S29 SWNE SWNW

Total Acres: 4

This application proposes the diversion and use of water from ground water tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate 0.08 cfs and 4 acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

74-15964 (this application is being re-advertised due to error in previous advertisement)

MARY STEPHENSON

GORDON STEPHENSON

30 N BAKER RD

SALMON, ID 83467-5170

Point of Diversion

SWSW S34 T21N R23E

Source GROUND WATER Tributary

Point of Diversion

L4(NWNW) S3 T20N R23E

Source WASTE WATER Tributary

LEMHI County

Use: AESTHETIC

03/15 to 11/15 0.05 CFS

Use: AESTHETIC STORAGE

01/01 to 12/31 24 AF

Use: DIVERSION TO STORAGE

03/15 to 11/15 0.05 CFS

Use: FISH PROPAGATION

03/15 to 11/15 0.05 CFS
Use: FISH PROPAGATION STORAGE
01/01 to 12/31 24 AF
Use: RECREATION
03/15 to 11/15 0.05 CFS
Use: RECREATION STORAGE
01/01 to 12/31 24 AF
Total Diversion: 0.05 CFS
24 AF

Date Filed: 1/25/2012

Place Of Use: RECREATION, FISH PROPAGATION STORAGE, AESTHETIC STORAGE, FISH PROPAGATION, AESTHETIC and RECREATION STORAGE

T20N R23E S3 NWNW
T21N R23E S34 SWSW

This application proposes the diversion and use of water from waste water, ground water and the Lemhi River tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate .05 cfs and for diversion to storage, aesthetic storage, recreation storage and fish propagation will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

74-16009

V DON OLSON
KATHLEEN OLSON
479 LEMHI RD
SALMON, ID 83467
Point of Diversion
SESW S19 T21N R23E
LEMHI County
Source UNNAMED SPRING Tributary
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.04 CFS

Date Filed: 12/12/2013

Place Of Use: DOMESTIC

T21N R23E S19 SESW
Place Of Use: STOCKWATER
T21N R23E S19 SWSW

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

75-14780

LAWRENCE FIORI
LEE FIORI
20095 PASEO MONTANA
MURRIETA, CA 92562
Point of Diversion
L8(SWSE) S27 T19N R21E
LEMHI County
Source SALMON RIVER Tributary SNAKE RIVER
Use: IRRIGATION
04/01 to 10/31 0.1 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.12 CFS

Date Filed: 1/13/2014

Place Of Use: IRRIGATION

T19N R21E S27 L8(SWSE)
Place Of Use: STOCKWATER
T19N R21E S27 L8(SWSE)

This application proposes the diversion and use of water from the Salmon River tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate 0.12 cfs and 3.5 acres and stockwater will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. 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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before March 10, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on February 20 and 27, 2014