

RECEIVED

SEP 30 2013

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 75-14778

1. Name of applicant(s) Neal James Phone 208-756-2411
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address: 427 Confederate Drive City Salmon
 State ID Zip 83467 Email: _____
2. Source of water supply Groundwater - Well which is a tributary of n/a
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>22E</u>	<u>5</u>		<u>SW</u>	<u>NW</u>		<u>Lemhi</u>	<u>Groundwater - Well</u>	

4. Water will be used for the following purposes:

Amount 0.06 cfs for Irrigation purposes from 3/15 to 11/15 (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) 0.06 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. Existing 3 inch diameter driven Well and pump
- 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 3 in inches; proposed depth of well is 10 ft feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? 1960; drilling firm Unknown
 Well was drilled for (well owner) George Blodgett; 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. _____

75-14778

8. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	22E	5							2										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? # 74-613 Lemhi River, L-1 Diversion
Intend to abandon L-1 water right and utilize existing well-groundwater source for irrigation of lawn/pasture. (contingent upon development of proposed L-1 Pumping Project)
10. a. Who owns the property at the point of diversion? Neal James
- b. Who owns the land to be irrigated or place of use? Neal James
- 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. USBR, NRCSE & TU are proposing to design/install a pump station and pipeline to replace the existing L-1 rock diversion Weir and ditch system. If project is completed, I intend to abandon my L-1 water right and not be included in the new system. I prefer instead to utilize an existing shallow well on my property for irrigation. Abandonment of my L-1 water right would serve as mitigation for receipt of a permit for my well & development of a groundwater right.
12. Time required for completion of works and application of water to proposed beneficial use is 2 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.

Neal G. James
 Signature of Applicant
Neal G. JAMES
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

Received by M. HOLLIDAY Date 9/30/2013 Time _____ Preliminary check by M. HOLLIDAY
 Fee \$ 100.00 Received by [Signature] Receipt No. E039179 Date 10-2-2013

75-14778

IDAHODepartment of
Water Resources

Transfer Application Internet Mapping

[Help](#) [Other Maps](#) [Water Resources Home](#) [Idaho.gov](#)

= Place of Use and Point of diversion (Well location)

75-14778



75-14778

Quitclaim Deed

For Value Received

G. B. Blodgett and S. H. Blodgett, also known of record as George Blodgett and Susan Blodgett, also known of record as George B. Blodgett and Susan H. Blodgett, husband and wife

do hereby convey, release, remise and forever quit claim unto:

Neal G. James

Whose current address is:

427 Confederate Drive
Salmon, ID 83467

the following described parcels located in Lemhi County, Idaho to-wit:

See Attached Exhibit "A"

Dated: ^{December} ~~November~~ ^{8th}, 2010

[Signature]
G. B. Blodgett, a/k/a George Blodgett, a/k/a George B. Blodgett

[Signature]
S. H. Blodgett, a/k/a Susan Blodgett, a/k/a Susan H. Blodgett

STATE OF IDAHO, COUNTY OF LEMHI

On this ^{December} ~~8th~~ day of ~~November~~, 2010, before me, a notary public in and for said State, personally appeared
George and Susan Blodgett

Known to me or proved to me to be the persons whose name is subscribed to the within instrument, and
acknowledged to me that they executed the same.

[Signature]
Notary Public
Residing at: Salmon, ID
Comm. Expires: 11/15/11



Exhibit "A"

Tax #1295.

A fraction of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, in Township 21 North, Range 22 East, Boise Meridian, in the City of Salmon, Idaho more particularly described as follows, to-wit:

Commencing at the intersection of the Westerly side of Confederate Drive and the Southerly side of St. Charles Street, in the City of Salmon, Idaho, run thence South 33 deg. 00' East along the Westerly side of Confederate Drive a distance of 572.5 feet to the point of beginning; continuing thence South 33 deg. 00' East 324.5 feet, more or less, to a point on the Southerly boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5; thence North 89 deg. 50' West along the Southerly boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5 a distance of 426.0 feet, more or less, to a point on the Easterly right-of-way line of the abandoned Gilm ore and Pittsburg Railroad right-of-way; thence Northwesterly along said right-of-way line 119.6 feet; thence North 57 deg. 11' East 357.6 feet to the point of beginning. Containing 2.1 acres

Together with Tax #1887:

A fraction of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, Township 21 N., Range 22 E., Boise Meridian, within the Corporate Limits of the City of Salmon, Idaho, more particularly described as follows, to-wit:

Commencing at the intersection of the Westerly side of Confederate Drive and the Southerly side of St. Charles Street, in the City of Salmon, Idaho, run thence S. 33 Deg. 00' E. along the Westerly side of Confederate Drive a distance of 502.00 feet to the REAL POINT OF BEGINNING.

Thence continuing on a bearing of S. 33 Deg. 00' E., a distance of 70.5 feet;

Thence S. 57 Deg. 11' W., 357.6 feet;

Thence N. 24 Deg. 16' W., 71.29 feet;

Thence N. 57 Deg. 11' E., 346.78 feet to the REAL POINT OF BEGINNING.

Excepting therefrom Tax #3254:

A parcel of land located in Section 5, T. 21 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows: Commencing at the intersection of North St. Charles and Confederate Lane, run thence S. 29deg 17' 19" E. along the centerline of Confederate Lane, a distance of 527.36 ft.; Thence S. 60deg 42' 41" W a distance of 10.00 ft. to the Southerly right of way line of said Confederate Lane and the Point of Beginning. Thence S. 29deg 17' 19" E. along said right of way, a distance of 164.46 ft.; Thence S. 63deg 19' 23" W a distance of 188.57 ft.; Thence N. 28deg 59' 08" W a distance of 156.94 ft.; Thence N. 61deg 02' 18" E. a distance of 187.54 ft. to the Point of Beginning.



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

December 12, 2013

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

NEAL G JAMES
427 CONFEDERATE DR
SALMON, ID 83467

Application For Permit No. 75-14778

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 December 19 and 26, 2013. 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.

Sharla Cox
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 12, 2013

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

Application to Permit No. 74-16005 and 75-14778

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,

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)



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

December 12, 2013

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

Application to Permit No. 74-16005 and 75-14778

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, appearing to read "Sharla Cox", is written over a circular blue ink stamp.

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: Thursday, December 12, 2013 10:36 AM
To: 'Recorder Herald (rhlegals@custertel.net)'
Subject: Legal Notice for your paper
Attachments: Recorder Herald.doc

Contacts: Recorder Herald

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:

74-16005

STEVE BARTLETT
JIMMIE BARTLETT
412 CONFEDERATE DR
SALMON, ID 83467

Point of Diversion
SWNW S5 T21N R22E
LEMHI County

Source GROUND WATER Tributary

Use: IRRIGATION

03/15 to 11/15 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 9/30/2013

Place Of Use: IRRIGATION

T21N R22E S5 SWNW

Total Acres: 0.5

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 0.018 cfs and 1/2 acre will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

75-14778

NEAL G JAMES
427 CONFEDERATE DR
SALMON, ID 83467

Point of Diversion
SWNW S5 T21N R22E
LEMHI County

Source GROUND WATER Tributary

Use: IRRIGATION

03/15 to 11/15 0.06 CFS

Total Diversion: 0.06 CFS

Date Filed: 9/30/2013

Place Of Use: IRRIGATION

T21N R22E S5 SWNW

Total Acres: 2

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 0.06 cfs and 2 acres 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 January 6, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on December 19 and 26, 2013



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

December 12, 2013

C.L. "BUTCH" OTTER
Governor

Neal James
427 Confederate Dr
Salmon ID 83467

GARY SPACKMAN
Director

RE: Application to Appropriate Water in the Upper Salmon River Basin 75-14778

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