

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. 74-160051. Name of applicant(s) Steve and Jimmie Bartlett Phone 756-8776  
Name connector (check one): ☐ and ☐ or ☒ and/orMailing address: 412 Confederate Dr. City SalmonState 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 0.018 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) 0.018 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 12 inch diameter CMP Well casing

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 ☐ Noc. Proposed well diameter is 12 inches; proposed depth of well is 9 feet.d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ Noe. If well is already drilled, when? Aug-1997; drilling firm UnknownWell was drilled for (well owner) Steve Bartlett; 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. \_\_\_\_\_

74-16005

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   |    |    |    |    |    |    | 1/2 |    |    |    |    |    |    |    |    |    | 1/2    |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |        |

Total number of acres to be irrigated: 1/2 or 0.5

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? # 74-573 Split, now 74-15953 (L-1). Intend to abandon Lemhi Water right (74-15953) and utilize existing well/groundwater source for irrigation of lawn (contingent upon development of proposed L-1 Pumping Project)
10. a. Who owns the property at the point of diversion? Steve Bartlett
- b. Who owns the land to be irrigated or place of use? Steve Bartlett
- 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, NRCS and TU are proposing to design/install a pump station and pipeline to replace the existing L-1 rock diversion weir and ditch. 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 of lawn. Abandonment of my L-1 water right would serve as mitigation for my receipt of a permit for my well and development of a water right to use ground water.
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 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.

Steve Bartlett  
Signature of Applicant  
Steve Bartlett  
Print Name (and title, if applicable)

Jimmie Bartlett  
Signature of Applicant  
Jimmie Bartlett  
Print Name (and title, if applicable)

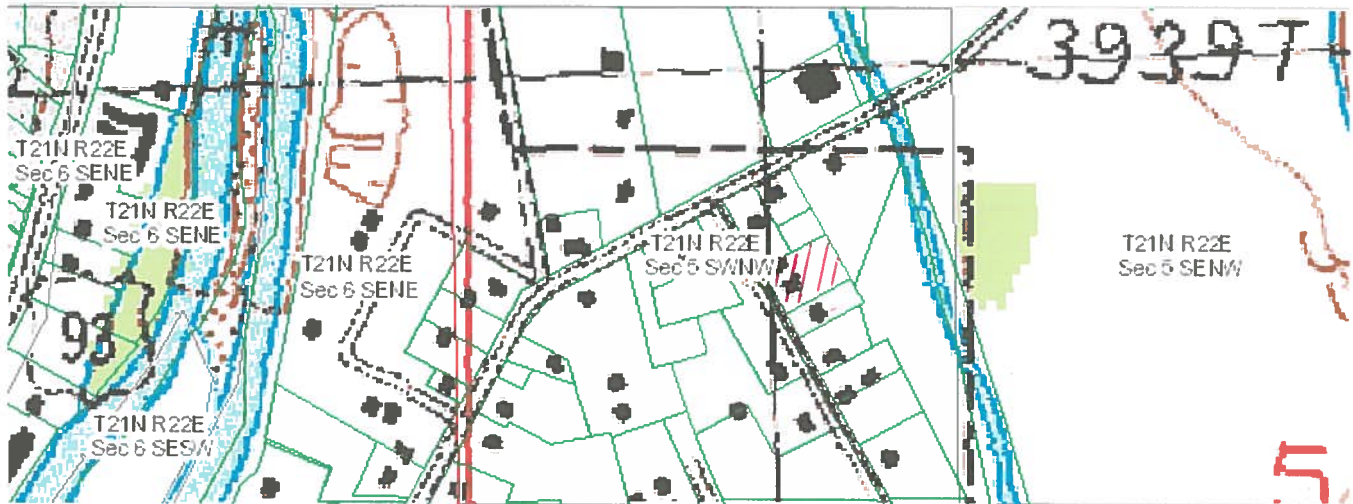
For Department Use:

Received by M. HOLLIDAY Date 9/30/2013 Time \_\_\_\_\_ Preliminary check by M. HOLLIDAY  
Fee \$ 100.00 Receipted by [Signature] Receipt No. E039178 Date 10-2-2013

74-16005

**IDAHO**Department of  
Water Resources

Transfer Application Internet Mapping

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 = Place of Use and point of diversion (well location)

74-16005

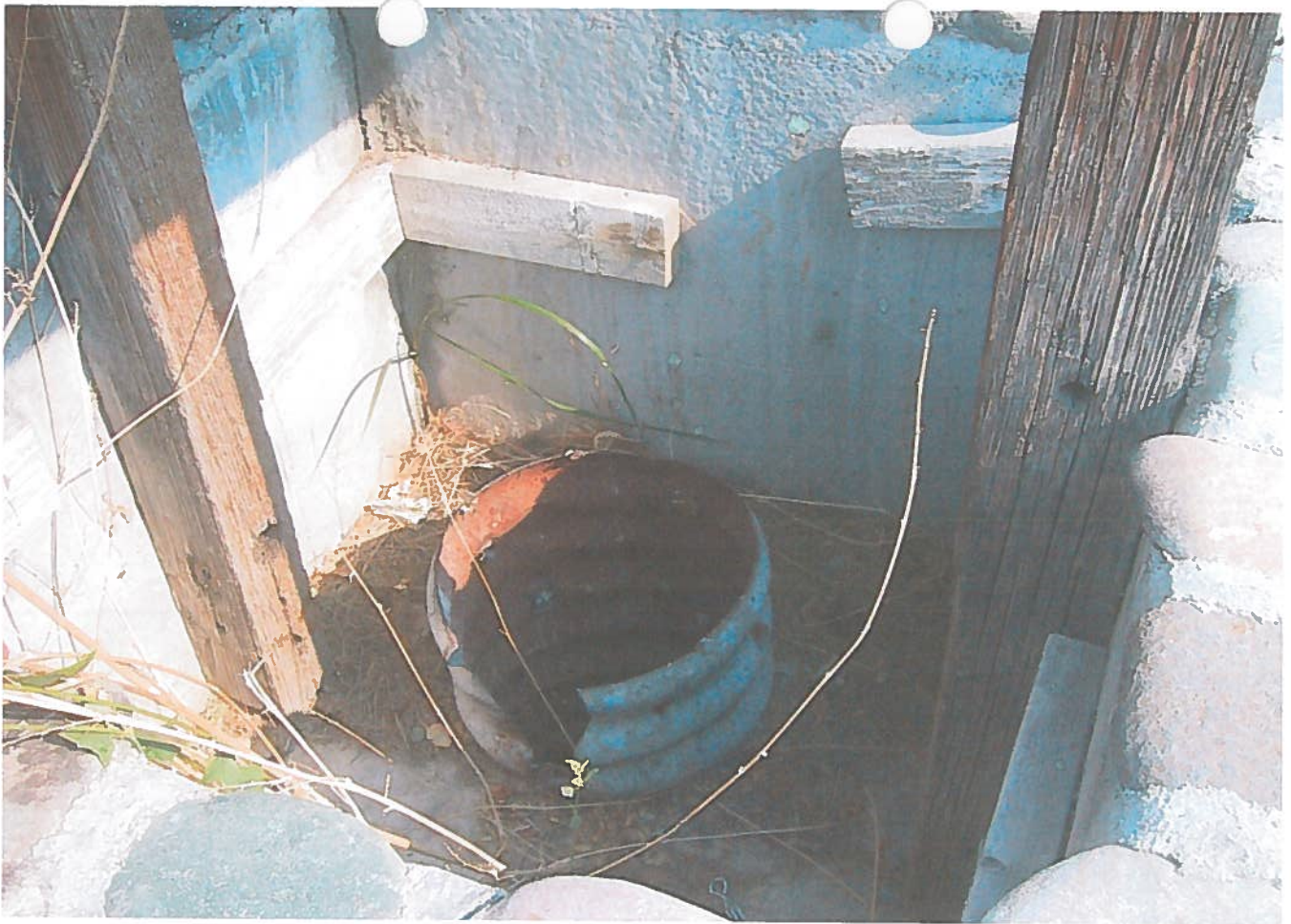
**IDAHO**Department of  
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 = Place of use and point of diversion (well location)

74-16005



74-16005

## QUITCLAIM DEED

For Value Received

I Charles W. Turner and Heirs

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

Steven H. Bartlett OR Camilla L. Bartlett

whose current address is Salmon, Idaho

the following described premises, to-wit:

A parcel of land located in the NW 1/4, Section 5, T. 21 N., R. 22 E., Boise Meridian, City of Salmon, Lemhi County, Idaho, more particularly described as follows:

Commencing at the Intersection of North St. Charles Street and Confederate Drive, run thence S. 29° 17' 19" E. along said centerline a distance of 228.00 ft.; Thence N. 59° 57' 00" E. a distance of 10.00 ft. to a point on the northerly right-of-way of said drive and the POINT OF BEGINNING;

Thence Continuing N. 59° 57' 00" E. a distance of 196.00 ft.;

Thence S. 29° 17' 19" E. a distance of 135.30 ft.;

Thence S. 59° 57' 00" W. a distance of 196.00 ft. to a point on said right-of-way;

Thence N. 29° 17' 19" W. along said right-of-way a distance of 135.30 ft. to the POINT OF BEGINNING.

together with their appurtenances.

Dated: 2-27-95

Charles W. Turner

STATE OF IDAHO, COUNTY OF LEMHI.

On this 27<sup>th</sup> day of FEBRUARY, 1995,  
before me, a notary public in and for said State, personally  
appeared

CHARLES W. TURNER

known to me to be the person whose name  
subscribed to the within instrument, and acknowledged to  
me that he executed the same.

Alic Brooks

Notary Public

Residing at SALMON, ID  
Comm. Expires 2/17/99

SALMON, Idaho



## 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](http://www.idwr.idaho.gov)

December 12, 2013

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

STEVE BARTLETT  
JIMMIE BARTLETT  
412 CONFEDERATE DR  
SALMON, ID 83467

Application For Permit No. 74-16005

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**

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

**Phone: (208) 525-7161 FAX: (208) 525-7177 [www.idwr.idaho.gov](http://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



**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](http://www.idwr.idaho.gov)**

**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,

Sharla Cox  
Administrative Assistance

Enclosure(s)

## Cox, Sharla

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**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](mailto: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](http://www.idwr.idaho.gov)

December 12, 2013

**C.L. "BUTCH" OTTER**  
Governor

Steve and/or Jimmie Bartlett  
412 Confederate Dr  
Salmon ID 83467

**GARY SPACKMAN**  
Director

RE: Application to Appropriate Water in the Upper Salmon River Basin 74-16005

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](mailto:james.cefalo@idwr.idaho.gov).

Sincerely,



James Cefalo  
Water Resources Program Manager

Enclosure

JC:sc