



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 5, 2013

BARBARA MOORE
103 WILLIAMS CREEK RD
SALMON ID 83467-5279

RE: License No. 75-7533

Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4916.

Sincerely,

Craig L. Saxton

Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on August 6, 2013, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

75-7533

**BARBARA MOORE
103 WILLIAMS CREEK RD
SALMON ID 83467-5279**

A handwritten signature in blue ink, reading "Darla Block", is written over a horizontal line.

**Darla Block
Technical Records Specialist**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 75-07533

Priority: April 24, 1990

Maximum Diversion Rate: 0.07 CFS
Maximum Diversion Volume: 6.6 AF

It is hereby certified that BARBARA MOORE
103 WILLIAMS CREEK RD
SALMON ID 83467-5279 has complied with the terms and conditions of
the permit, issued pursuant to Application for Permit dated April 24, 1990; and has submitted Proof of
Beneficial Use on May 10, 1993. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	0.05 CFS	6.0 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW1/4NW1/4 Sec. 6, Twp 20N, Rge 22E, B.M. LEMHI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20N 22E 6						1.7											1.7

Total Acres: 1.7

CONDITIONS OF APPROVAL

- Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
- This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

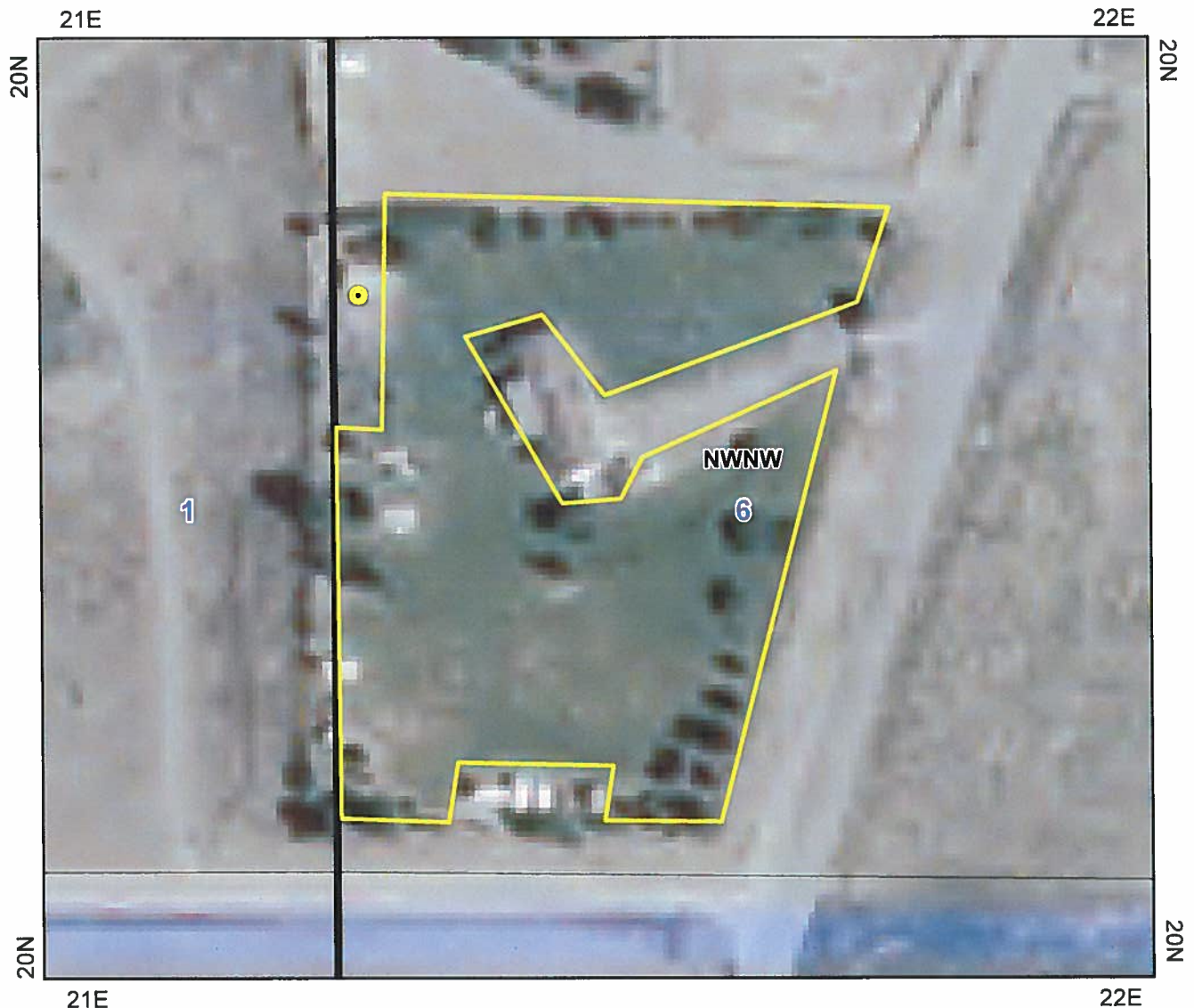
This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 5th day of August, 2013.

Shelley W. Keen
for GARY SPACKMAN
Director

State of Idaho
Department of Water Resources
Attachment To Water Right License
75-7533

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.01 0.02 0.04 Miles



MEMORANDUM

TO: Water Right File 75-7533

FROM: Daniel Nelson – Staff Hydrologist

DATE: August 2, 2-13

SUBJECT: Suggested Licensing Recommendations and Explanations

I performed a review of the licensing recommendation on this file. The agent reviewing the file was going on vacation, so I made the following changes and review of the file.

There was a possible overlapping water right permit that wasn't addressed in the licensing review. This overlapping permit is 75-7594. This permit is being reviewed for licensing, and I spoke with that agent and determined that this permit was for lands across the road and not associated with the lands described in this filing.

Condition 057 was carried forward from the permit to the license for this water right. I changed this condition to condition R67, which is the updated version of this condition.

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20N	22E	6						1.7										1.7	
		Lot #						5											
																Total Acres =		1.7	

Method of Determination: GIS Imagery – only found 1.7 acres irrigation. Taxlot only 2.5 acres. PIN RP001360010200

Change in POU? ____Y__X__N Amendment Required? ____Y__X__N

____ Delivery System Diagram Attached (required). Indicate all major components and distances between components.

Indicate weir size/pipe as applicable.

____ Aerial Photo Attached (required for irrigation of 10+ acres).

____ Photo of Diversion and System Attached

4. Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: < _____ >

E. FLOW CALCULATIONS

____Additional Computation Sheets Attached

Measured Method:

Domestic:

Per field examiners handbook – Single family home without irrigation – 0.02 cfs

Irrigation:

0.02 cfs = 1 inch per acre (IDWR standard) 1.7 acres(0.02 cfs) = 0.03 cfs at 1 inch per acre

Per App. Processing Memo #17, up to 0.03 cfs/acre for irrigation up to 5 acres acceptable. 1.7 acres(0.03 cfs) = 0.05 cfs

Permit allowed = 0.07 cfs irrigation, 0.04 cfs domestic.**License recommend for 0.05 cfs Irrigation, 0.02 cfs domestic****F. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.7 \times 3.5 = 6.0$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.05 \times 214 \times 1.9835 = 21.2$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 6.0$$

2. Volume Calculations for Other Uses: Per field examiners handbook, Domestic for a single family home without irrigation – 0.6 afa.

G. PURPOSE OF USEIrrigation __X__Y__N # Stock _____ Domestic # of Homes 1

Other: < >

Change in Purpose of Use? ☐ Y ☒ X ☐ N

Method of Determination:

If Yes: From Use _____ To Use _____ Amount _____ CFS _____ AFA _____

H. NARRATIVE/REMARKS/COMMENTS

- In Wild and Scenic Watershed: Salmon River Excluding Middle Fork
- Adjust season of use to current standard.
- no measurement requirements on permit
- Headgate = 3.5, Consumptive Use = 2.5.

Have conditions of permit approval been met? ☒ X Yes ☐ No**I. RECOMMENDATIONS****1. Recommended Amounts**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Irrigation	04/01 to 10/31	0.05 CFS	6.0 AF
Domestic	01/01 to 12/31	0.02 cfs	0.6 AF
<u>Totals:</u>		0.07 CFS	6.6 AF

2. Recommended Amendments☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ X None☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ X None

Other: < >

J. AUTHENTICATIONField Examiner's Name Daniel A. Nelson Date 08/01/13Reviewer Daniel A. Nelson Date 08-2-2013

RECEIVED

~~SECRET~~

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

Well ID = 350175

REF ID = 948198

Permit ID = 778454

Water Right	75-14171	N	HARKRADER, GEORGE	WASTE WATER	POU											6.0										6					
Water Right	75-14199	N	MC CLENAHAN, DANIEL; ZAVOTSKY, DIANE	SALMON RIVER	POD																X					0					
Water Right	75-14200	N	SMITH, JOSEPH; SMITH, VICKY	SALMON RIVER	POD																X					0					
Water Right	75-14207	N	DOUBLETREE ADVANTAGE & MILTAL INC	SALMON RIVER	POU	7.2										11.0					18.2										
Water Right	75-14208	N	GREENE, RUSSELL	SALMON RIVER	POU	9.2					1.6										10.8										
Water Right	75-14227	N	PARMENTER, JACK; PARMENTER, SHIRLEY ANN	SALMON RIVER	POD																X					0					
Water Right	75-14228	N	ORR, BENNETT B; ORR, CAMERON; ORR, STEPHANIE; ORR, TERRI	SALMON RIVER	POD																X					0					
Water Right	75-14263	N	HARRIS, MYRNA R; HARRIS, O JERRY	PERREAU CREEK	POU						5.0										5										
Water Right	75-14323	N	SIMS, SANDY H	SALMON RIVER	POU	14.0	24.0	18.0	2.5	5.5						2.5					66.5										
Water Right	75-14324	N	PRICE, ROBERT	SALMON RIVER	POU						3.0										3										
Water Right	75-14325	N	STRICKLAN, WILLIAM B	SALMON RIVER	POU	5.0															5										
Water Right	75-14326	N	BLAKELEY, PETER T	SALMON RIVER	POU						1.7					3.3					5										
Water Right	75-14327	N	FOSTER, GEORGE; FOSTER, SUSAN	SALMON RIVER	POU											6.0					6										
Water Right	75-14328	N	ROSE, BONNIE; ROSE, WESLEY G	SALMON RIVER	POU											8.0					8										
Water Right	75-14570	N	TOLMAN, EDWARD REX; TOLMAN, KATHY	PERREAU CREEK	POU						26.0					13.0	31.3	7.6	11.0					88.9							
Water Right	75-14571	N	SCHWARZ, CARY; SCHWARZ, ROSE	PERREAU CREEK	POU											1.7					2.0					3.7					
Water Right	75-14581	N	TOLMAN, EDWARD REX; TOLMAN, KATHY	WILLIAMS CREEK	POU	0.2					7.0					1.6					33.0	40.0	17.0	1.2	13.0	12.0	125				
Water Right	75-14617	N	YANOFF, DAVID	PERREAU CREEK	POU											2.4										2.4					
Water Permit	75-14696	N	SUNSET HEIGHTS WATER DISTRICT	SALMON RIVER	POD																					X					0
Water Right	75-14770	N	ORR, CAMERON BROCK; ORR, STEPHANIE ANN	SALMON RIVER	POD																					X					0
Water Right	75-14771	N	MILLER, ELIZABETH; MILLER, SAM	SALMON RIVER	POD																					X					0
Water Right	75-27D	N	CAPPS, RANDY M	WILLIAMS CREEK	POU											29.0					38.0					67					
Water Right	75-28A	N	PERRY, JERRY; PERRY, VIRGINIA	SALMON RIVER	POD																					X					0
Water Right	75-28B	N	ORR, BENNETT B; ORR, TERRI A	SALMON RIVER	POD																					X					0
Water Right	75-28C	N	PLASTER, GARY; PLASTER, MARY	SALMON RIVER	POD																					X					0
Water Right	75-28D	N	HAMILTON, DAWAYNE; HAMILTON, LINDA	SALMON RIVER	POD																					X					0
Water Right	75-28E	N	BENEDICT, ERNEST RICHARD	SALMON RIVER	POD																					X					0
Water Right	75-28F	N	BEZAIRE, THOMAS G	SALMON RIVER	POD																					X					0
Water Right	75-28G	N	SWERSEY, JONATHAN C; WRIGHT, MARY K	SALMON RIVER	POD																					X					0
Water Right	75-28H	N	COLE, PATRICK L; COLE, TAMARA A	SALMON RIVER	POD																					X					0
Water Right	75-30	N	TURNER, A P	SALMON RIVER	POD																					X					0
Water Right	75-31A	N	STEPHANISHEN, BART; STEPHANISHEN, REBECCA	SALMON RIVER	POD																					X					0

[illegible]

Water Right	75-45B	N	NYBORG, FLOYD BRENT; NYBORG, MARTHA L	SALMON RIVER	POD					X	0
Water Right	75-45C	N	REEVES, HARRY; REEVES, PATRICIA	SALMON RIVER	POD					X	0
Water Right	75-7048	N	HARRIS, OLIVER JERRY	GROUND WATER	POD	X					0
Water Right	75-7048	N	HARRIS, OLIVER JERRY	GROUND WATER	POU	1.0					1
Water Right	75-7162	N	CORBETT, ROSS H	GROUND WATER	POD				X		0
Water Right	75-7162	N	CORBETT, ROSS H	GROUND WATER	POU				X		0
Water Right	75-7189	N	MILLER, KAY J; MILLER, ROGER R	GROUND WATER	POD	X					0
Water Right	75-7189	N	MILLER, KAY J; MILLER, ROGER R	GROUND WATER	POU	5.0					5
Water Permit	75-7429	N	JAKOVAC, JACK P	SALMON RIVER	POD X						0
Water Permit	75-7533	N	MOORE, BARBARA	GROUND WATER	POD	X					0
Water Permit	75-7533	N	MOORE, BARBARA	GROUND WATER	POU	2.5					2.5
Water Permit	75-7594	N	TOLMAN, EDWARD REX	SALMON RIVER	POD X						0
Water Permit	75-7594	N	TOLMAN, EDWARD REX	SALMON RIVER	POU	24.0	6.0	33.0	7.0		70
Water Right	75-7594	Y	TOLMAN, EDWARD REX	SALMON RIVER	POU	16.0	9.6	31.0	0.6	8.3	65.5
Water Right	75-7644	N	US DEPT OF INTERIOR	GROUND WATER	POD X						0
Water Right	75-7644	N	US DEPT OF INTERIOR	GROUND WATER	POU X						0