

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No.

78-12404*Amended*1. Name of applicant(s) Dennis DeBill and Kayla Adams Phone 208-628-2353Name connector (check one): ☒ and ☐ or ☐ and/orMailing address: 5198 Highway 95 City New MeadowsState ID Zip 83654 Email: kayla@salmonriverproperties.com2. Source of water supply Little Salmon River which is a tributary of Salmon/Snake

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
21N	1E	2		SE	NW		Idaho	Little Salmon River	None

4. Water will be used for the following purposes:

Amount 0.2 for Irrigation purposes from April 1 to Nov 15 (both dates inclusive)
(cfs or acre-feet per year)Amount 0.2 for Fire Protection purposes from Jan 1 to Dec 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) 0.2 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. 5.5 HP Water 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 _____ 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. FIRE PROTECTION

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MAR 07 2013

WATER RESOURCES
WESTERN REGION

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	1E	2								5	5								10
										15	12								27
										F	F								F

Total number of acres to be irrigated: 37

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? Dennis DeBill and Kayla Adams
b. Who owns the land to be irrigated or place of use? Dennis DeBill and Kayla Adams
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. We wish to use the water for irrigating native grasses, lawn, garden, and fruit orchard on 10 acres.
The native grasses will be planted to reclaim a logged area and for erosion control. The irrigation system will be the same system used for fire protection (forest and/or grass fire) for all 37 acres.

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.

Dennis DeBill
Signature of Applicant

Dennis DeBill
Print Name (and title, if applicable)

Kayla Adams
Signature of Applicant

Kayla Adams
Print Name (and title, if applicable)

For Department Use:

Received by JA Date 9-17-12 Time 12:00 Preliminary check by VLM
Fee \$ 100.- Received by JA Receipt No. W040573 Date 9-17-12

78-12404

Legend

 ESPA

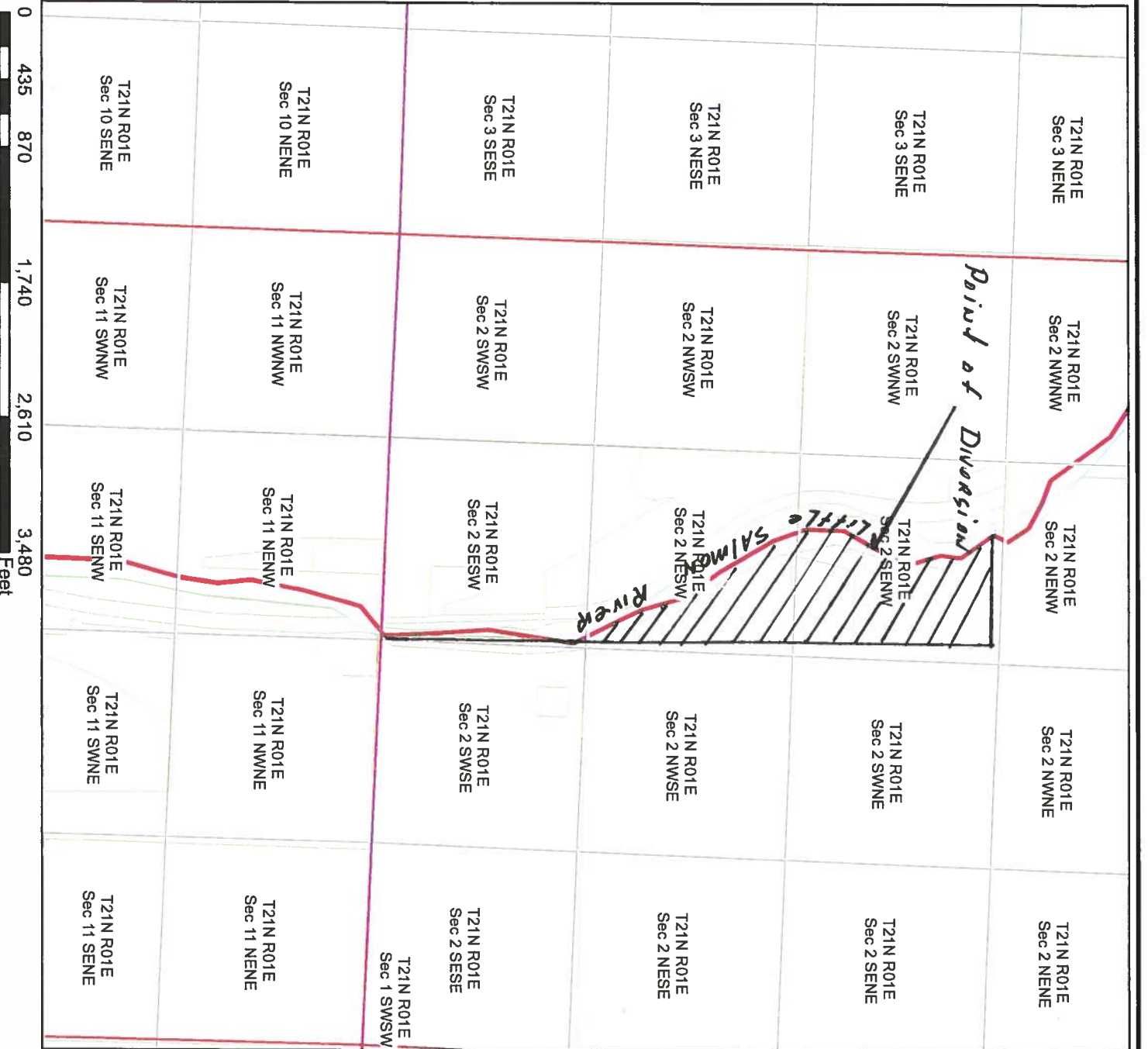
 GCDB Township/Range

 GCDB Section

 GCDB Quarter-Quarter

 Counties

 *Place of Use*





SKIFTUN LAND SURVEYING, INC.
LOTS - BOUNDARY - TOPOGRAPHY - ALTA
SUBDIVISIONS - CONSTRUCTION - FLOOD DATA
Working hard to protect your property investment!

August 9, 2010

Page 1 of 2

DEBILL PROPERTY
CONFLUENCE OF THE LITTLE SALMON RIVER AND HAZARD CREEK
S $\frac{1}{2}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 2, T. 21 N., R. 1 E., B.M.
Idaho County, Idaho
38.167 Acres

A parcel of land situate in the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the E $\frac{1}{2}$ of the SW $\frac{1}{4}$, of Section 2, T. 21 N., R. 1 E., B.M., Idaho County, Idaho, being that portion of the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the E $\frac{1}{2}$ of the SW $\frac{1}{4}$, of said Section 2, lying east of the Thread of the Little Salmon River, now more particularly described as follows:

Commencing at a brass cap marking the Quarter Corner common to Sections 2 and 11, T. 21 N., R. 1 E., B.M., Idaho County, Idaho, as shown on that particular Record of Survey, recorded as Instrument No. 436087, in the Office of the Recorder of Idaho County, Idaho, the **REAL POINT OF BEGINNING**:

Thence, S. 89°25'55" W., 49.36 feet along the line common to Sections 2 and 11, T. 21 N., R. 1 E., B.M., Idaho County, Idaho, to the thread of the Little Salmon River,

Thence, N. 3°06'22" E., 245.11 feet along said thread,

Thence continuing northerly along said thread of the Little Salmon River the following courses:

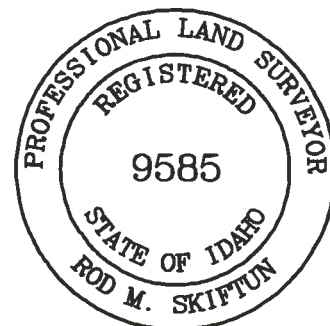
N. 2°46'19" W., 327.51 feet,
N. 3°26'07" W., 269.31 feet,
N. 5°48'23" E., 182.28 feet,
N. 31°56'18" W., 74.27 feet,
N. 10°16'09" W., 164.47 feet,
N. 18°50'18" W., 223.17 feet,
N. 3°48'51" W., 121.91 feet,
N. 21°45'00" W., 218.31 feet,
N. 46°45'11" W., 183.31 feet,
N. 23°54'15" W., 237.95 feet,
N. 29°31'43" W., 296.67 feet,
N. 23°12'16" W., 283.74 feet,
N. 14°12'34" W., 262.37 feet,
N. 2°33'41" W., 194.44 feet,

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SEP 17 2012

WATER RESOURCES
WESTERN REGION

Rod M. Skiftun – P.L.S. 9585
13784 Highway 55 McCall, ID 83638
208-634-3696/Fax 208-634-8475
E-mail: rskiftun@frontiernet.net



Thence, continuing northerly along said thread of the Little Salmon River the following courses:

N. 14°21'06" E., 289.06 feet,

N. 22°25'08" E., 225.18 feet,

N. 2°49'08" W., 173.38 feet,

Thence, N. 31°38'00" W., 252.98 feet along said thread to the northerly boundary of the S½ of the NW¼, of said Section 2,

Thence, N. 89°54'26" E., 51.84 feet along said northerly boundary to a 5/8" rebar,

Thence, continuing N. 89°54'26" E., 146.39 feet along said northerly boundary to a 1/2" rebar,

Thence, continuing N. 89°54'26" E., 616.11 feet to an aluminum cap on a 5/8" rebar marking the CN 1/16 corner of said Section 2,

Thence, S. 00°08'23" E., 1,327.97 feet to an aluminum cap on a 5/8" rebar marking the C1/4 corner of said Section 2,

Thence, continuing S. 00°08'23" E., 1,264.34 feet along the North-South center section line of said Section 2, to a 5/8" rebar,

Thence, continuing S. 00°08'23" E., 57.07 feet to a 3 ¼ inch aluminum cap marking the CS 1/6 corner of said Section 2,

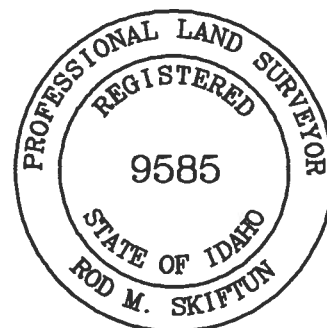
Thence, continuing S. 00°08'23" E., 125.41 feet along the North-South center section line of said Section 2, to a 1/2" rebar,

Thence, continuing S. 00°08'23" E., 157.71 feet along the North-South center section line of said Section 2, to a 1/2" rebar,

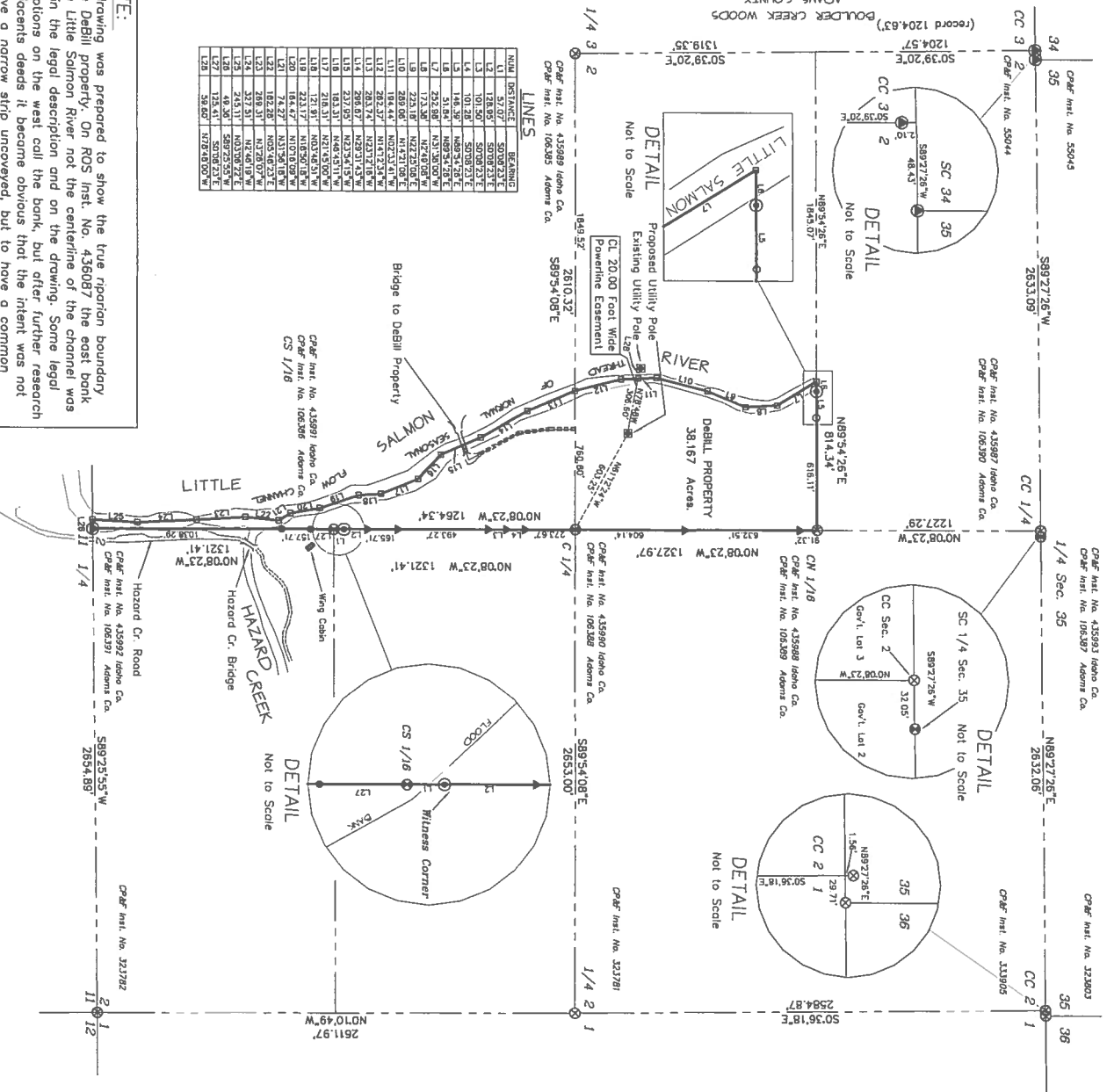
Thence, continuing S. 00°08'23" E., 1,038.29 feet to the **Point of Beginning**, containing 38.167 acres, more or less.

Bearings based on Record of Survey, Instrument No. 382034, S-1044, recorded in the Office of the Recorder of Idaho County, Idaho.

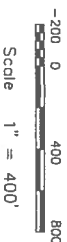
Rod M. Skiftun – P.L.S. 9585
13784 Highway 55 McCall, ID 83638
208-634-3696/Fax 208-634-8475
E-mail: rskiftun@frontiernet.net



NOTE:
This drawing was prepared to show the true riparian boundary of the DeBill property. On ROS inst. No. 436087 the east bank of the Little Salmon River near the centerline of the channel was used in the legal description and on the drawing. Some legal descriptions on the west call the bank, but after further research of adjacent deeds it became obvious that the intent was not to leave a narrow strip uncovered, but to have a common boundary with different ownership split by the thread of the river. The State of Idaho makes no claims to the bed of the river.



I, Rod M. Skiffun, a Professional Land Surveyor, do hereby certify that this plot was prepared from notes taken during an actual survey made under my direct supervision in July of 2010, and that it correctly represents the points, courses and distances as recorded in said field notes.



LEGEND

- found brass cap
- found aluminum cap
- set 5/8" rebar w/ plastic cap
- set 1/2" rebar w/ plastic cap
- ▲ found 3/8" line mark w/ plastic cap
- celtic point, no monument set
- ⊗ found aluminum cap

Bearings based on Record of Survey, Inst. No. 382034 S - 1044, recorded in the Office of the Recorder of Idaho County, Idaho.

**AMENDED
RECORD OF SURVEY
Idaho County, State of Idaho**

**DENNIS DEBILL
LITTLE SALMON RIVER**
Situate in the West 1/2
Section 2, T. 21 N., R. 1 E., B.M.
Idaho County, Idaho

SKIFFUN LAND SURVEYING, INC.
13784 HIGHWAY 55
MCALL, IDAHO 83638
208-634-3696/FAX 208-634-8475

RECEIVED

SEP 17 2012

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 78-124041. Name of applicant(s) Dennis DeBill and Kayla Adams Phone 208-628-2353
Name connector (check one): ☒ and ☐ or ☐ and/orMailing address: 5198 Highway 95 City New MeadowsState ID Zip 83654 Email: kayla@salmonriverproperties.com2. Source of water supply Little Salmon River which is a tributary of Salmon/Snake

3. Location of point(s) of diversion:

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Amount 0.2 for Irrigation purposes from April 1 to Nov 15 (both dates inclusive)
(cfs or acre-feet per year)Amount 0.2 for Fire Protection purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
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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.

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d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ Noe. If well is already drilled, when? _____; drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____

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b. Stockwatering; list number and kind of livestock. _____

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			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	1E	2														10			10
					17											20	1		38
					F											F	F		F

Total number of acres to be irrigated: 10

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? _____

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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.

Dennis DeBill
Signature of Applicant
Dennis DeBill
Print Name (and title, if applicable)

Kayla Adams
Signature of Applicant
Kayla Adams
Print Name (and title, if applicable)

For Department Use:

Received by JA Date 9-17-12 Time 12:00 Preliminary check by VLM
Fee \$ 100.00 Received by JA Receipt No. W040573 Date 9-17-12

78-12404



Legend



ESPA



GCDB Township/Range



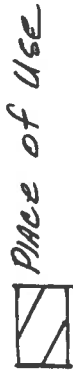
GCDB Section



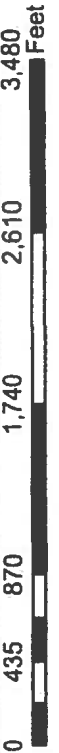
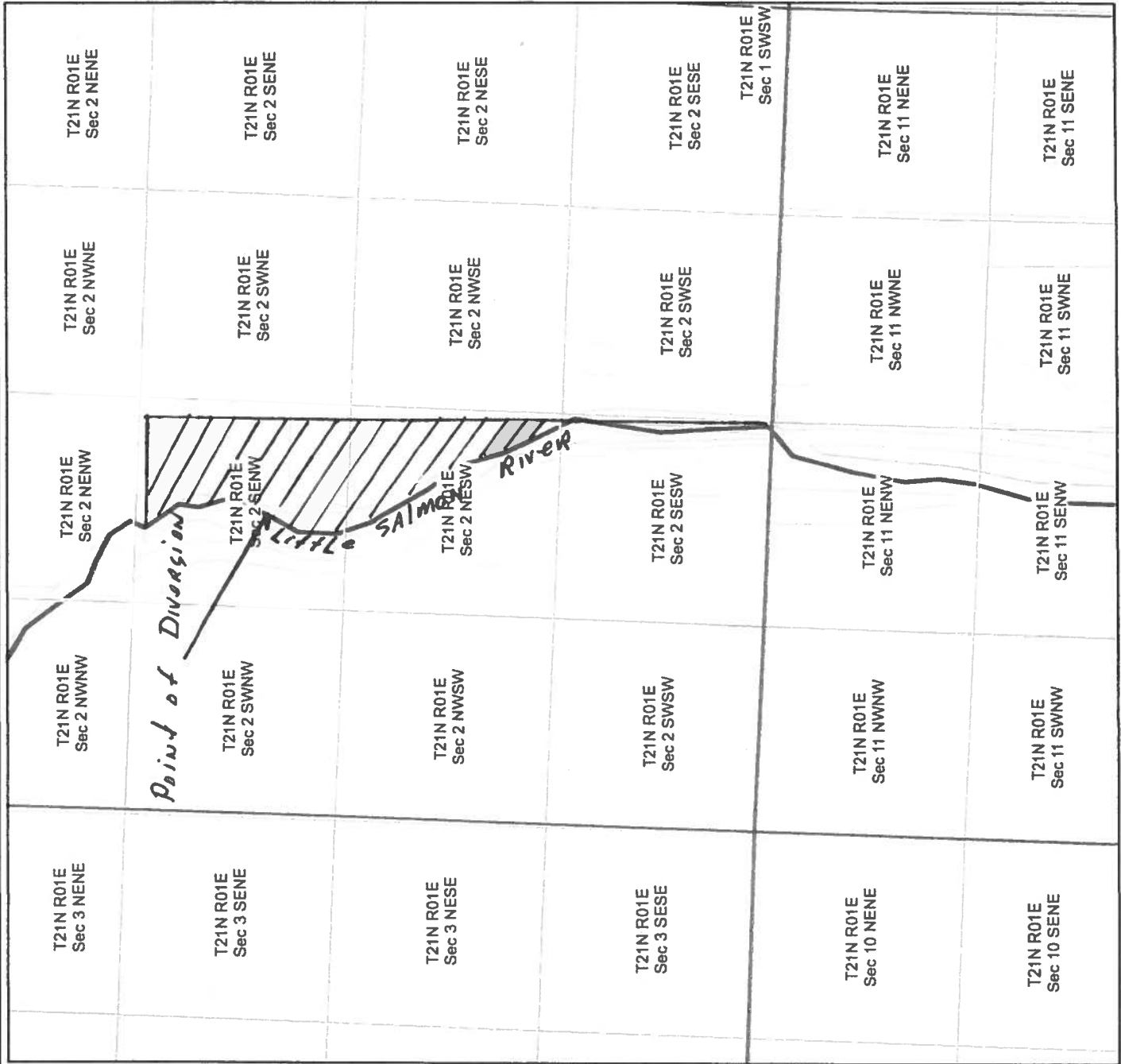
GCDB Quarter-Quarter



Counties



Place of Use



iel

Sommer, Rachel
Tuesday, April 02, 2013 9:37 AM
Thiel, Sandra
Application for Permit
Application for Permit 78-12404.pdf

its:

2, 2013

IDAHO DEPT OF WATER RESOURCES
ATTN: SANDRA THIEL, PLANNING BUREAU
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

RE: Application for Permit: 78-12404

Dear Ms. Thiel:

Attached are copies of one or more applications that may be of interest to you. Please contact the applicants if you have concerns about the application. In addition, you may refer to the current Review Memo, which can be found in Power Docs, listed under the water right number referenced above.

Please submit any comments you may have to this office within 21 days of the date of this letter. Regional review of unprotested applications can be completed as soon as the final protest period is past; your prompt response to this request is appreciated so that your recommendation can be considered during regional review.

Please contact this office at 334-2190 if you have any questions regarding the application.

Sincerely,

Rachel Sommer

Administrative Assistant
IDWR, Western Region
Office: 208-334-2190
Fax: 208-334-2348
rachel.sommer@idwr.idaho.gov

Sommer, Rachel

From: Sommer, Rachel
Sent: Thursday, March 28, 2013 3:48 PM
To: 'NDONALDSON@EAGLENEWSPAPERS.COM'
Subject: Legal Ad
Attachments: Idaho Cover Letter.docx; Idaho Legal Ad.docx
Categories: Legal Ad Confirmed

Good Afternoon Nona Donaldson,

I will be doing the advertising for IDWR Western Region at this time.

Please see the attached ad for publication on 4/3/2013 & 4/10/2013.

Please confirm these are okay to publish as shown.

Thank you very much,

Rachel Sommer

Administrative Assistant I
IDWR, Western Region
Office: 208-334-2190
Fax: 208-334-2348
rachel.sommer@idwr.idaho.gov

March 28, 2013

LEGAL NOTICE DEPARTMENT
IDAHO COUNTY FREE PRESS
PO BOX 690
GRANGEVILLE, ID 83530

RE: Application for Permit No. 78-12404

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 4/22/2013. 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:

78-12404

DENNIS DE BILL

KAYLA ADAMS

5198 HWY 95

NEW MEADOWS, ID 83654

Point of Diversion SENW S2 T21N R01E IDAHO County Source LITTLE SALMON RIVER Tributary SALMON RIVER

Use: FIRE PROTECTION 01/01 to 12/31 0.2 CFS

Use: IRRIGATION 04/01 to 10/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 9/17/2012

Place Of Use: IRRIGATION, FIRE PROTECTION

T21N R01E S2 SENW NESW

Total Acres: 10

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 4/22/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/4/2013 and 4/11/2013

MEMORANDUM

TO: Application No. 78-12404

FROM: Vicky Music

DATE: March 13, 2013

RE: Salmon-Clearwater Processing, Basins 77-79 Western Region

The application proposes irrigation of 10 acres, and fire protection for approximately 37 acres, from the Little Salmon River.

The site is adjacent to the L. Salmon R. on the east side of the river, and approximately 12 miles north miles north of New Meadow, ID.

Contact persons are the applicants.

Wild & Scenic River (WSR) Processing

General Information - WSR processing applies to portions of Bs 77 and 78 but not to Bs 79. It is rarely expected in Bs 78 since WSR right 78-11961 covers federal land upstream from the Rapid River Fish Hatchery slightly southwest of Riggins.¹

Typically WSR issues would be in Bs 77 upstream from Long Tom Bar on the Salmon River, WSR right 77-11941.² This also incorporates the entire Middle Fork Salmon River drainage, MSR right 77-13844.³

WSR processing is required for any source/diversion upstream from any WSR right. This applies to all sources and uses unless the applicant shows the source is not hydraulically connected to any WSR rights.

Specific Information for this Application - WSR processing is not required because the proposed source/diversion have been shown to be upstream from but not hydraulically connected to any WSR right.

Minimum Streamflow Rights (MSF)

General Information - MSF analysis applies to all surface water upstream⁴ from any MSF rights. Basins 77-79 have various MSF rights that might affect applications. By agreement with SO regarding these basins, specific MSF conditions of approval are not necessary provided the reviewer checks MSF issues and documents the file with the results (7/8/09 telephone conference).

¹ POD = T23N-R1W-S12.

² POD = T25N-R5E-S31.

³ POD = T23N-R16E-S33.

⁴ Shallow ground water tributary to surface water might involve MSF issues under conjunctive management thinking. Discuss with your supervisor if this comes up.

Downstream MSF right 3-8 on the Snake River⁵ is not subordinate to “future dcmi” uses or “future non-dcmi (with cfs limits)” uses. Downstream Salmon River MSF right 79-14119⁶ is subordinated to future dcmi uses but not to future non-dcmi uses.

All Basin 77-79 MSF rights upstream from the ending point of 79-14119 (mouth of Salmon River) include subordination to future dcmi uses. Most of those upstream MSF rights are also subordinate to various amounts of future non-dcmi uses. None of the future non-dcmi cfs rates have been exceeded yet by new approvals. Further MSF analysis is generally not needed until a specific future non-dcmi cfs rate is exceeded.

Because the review memo extensively covers WSR and MSF issues, SO Planning Bureau comments are not needed yet (prior agreement with SO). Planning will be contacted for comments during the legal notice process as a precaution.

Specific Information for this Application – MSF analysis is required for the proposed source and use with is within the L. Salmon R. reach protected by MSF rights 78-12362.

This leads to the following MSF conclusions for this application:

- Senior MSF right 78-12362 will be subordinated to the proposed non-dcmi uses.

The attached MSF spreadsheet shows the application meets the criteria for MSF rights in the same basin.

Discussion

No Rule 40.05 information beyond comments from IDFG & IDEQ was requested.

Effect on Existing Water Rights: No injury is expected.

Sufficiency of Water Supply: There is sufficient water in the L. Salmon R. to satisfy this appropriation.

Good Faith, Delay or Speculative Purposes: The application was filed in good faith and not for speculation.

Local Public Interest:

IDFG & IDEQ sent comment letters to the Department. The IDEQ letter indicated that the proposed uses were not expected to have a negative impact on the Little Salmon River.

The IDFG letter stated that the L. Salmon was an important anadromous resource, that the applicant has been provided the appropriate fish screen with a 3/32 mesh opening, and that IDFG had no further concerns if the applicants installed and maintained the fish screen in the river intake.

The IDFG comments provide the basis for conditioning the permit as described below.

Conditions of Approval

⁵ POD = T31N-R5W-S10.

⁶ From mouth of river T29N-R4W-S14 upstream thru about Shepp Ranch T24N-R6E-S12.

In addition to typical standard conditions (004, 121 etc.), use the following standard, modified &/or unique conditions for Basin 78.

Per IDFG comments, use the following:

- **029 standard** - Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
- **X15 modified** - A fish screen with a 3/32 mesh shall be installed and maintained at the point of diversion

BS 78 MINIMUM STREAMFLOW RIGHTS -- QUERY 12/31/2012

Basin	Sequence	Priority	Source	Subordinate to Future DCMI	Subordinate to Future Non DCMI (CFS Limit)	Non DCMI CFS Approved Since 4/1/2005
78	12235	4/1/2005	BOULDER CREEK - entire creek	YES	NO	N/A
78	12233	4/1/2005	ELK CREEK - entire creek	YES	NO	N/A
78	12234	4/1/2005		YES	NO	N/A
78	12236	4/1/2005	HAZARD CREEK - entire creek between both rights	YES	NO	N/A
78	12237	4/1/2005	LITTLE SALMON RIVER - thru 21N 1E S35, confluence w/ Round Valley Cr.	YES	7	0
78	12362	4/1/2005	LITTLE SALMON RIVER - river below confluence w/ Round Valley Cr.	YES	52.7	0.54

DCMI APPL OK, NON-DCMI CONSUMPTIVE APPL OK UNTIL NEW APPROVALS EXCEED 7.0 CFS FOR BS 78. SEE "PROCEDURE" BELOW.

PROCEDURE: DCMI APPL ok for all msf rights in Bs 78 as noted in review memo. NON-DCMI CONSUMPTIVE USE APPL: Non-dcmi consumptive use approvals for Bs 78 since 4/1/2005 total less than 1.0 cfs, allowing at least 6.0 cfs for additional approvals before need more analysis. Senior Little Salmon River msf rights are subordinate to this junior application for non-dcmi consumptive use.

CAUTION - Creek msf rights do not include future non-dcmi cfs. Creek msf rights are tributary to river below Round Valley Cr. so involve river msf 78-12362 with 52.7 future non-dcmi cfs. Possible to have new appl that involves creek msf & river msf factors to be addressed in review memo. If non-dcmi consumptive use application falls within creek msf right, note in review memo that senior creek msf right will not be subordinate to this junior application, even though river msf right(s) will be subordinate to this junior application.

EXAMPLE: Appl 78-12363 for 0.13 cfs irrigation & stock, future non-dcmi consumptive use. Creek msf rights n/a but tributary to river above Round Valley Creek. River msf rights allow at least 7.0 cfs for new non-dcmi approvals regarding subordination clause. Have not reached 7.0 cfs for new approvals yet. Process appl and note review memo that senior msf river rights will be subordinated to this new use. Updates to this spreadsheet will eventually show 0.13 cfs future non-dcmi has been approved.

March 5, 2013

State of Idaho Department of Water Resources
ATTN: Vicky Music
2735 Airport Way
Boise, ID 83705

RE: Application for Permit 78-12404

Dear Vicky Music:

Thank you for your letter regarding the discrepancies on our application. We would like to make sure we remedy these issues as soon as possible. We appreciate your notes to help guide us in correcting our enclosed amended application.

Application Item No. 3

The map is correct. We are using 1 point of diversion. We corrected the Point of Diversion on the application.

Application Item No. 8

Our property is a little over 38 acres. 1 acre is a very narrow strip along a road that will not need fire protection or irrigation. Our goal is to protect 37 acres from fire and we would like to have the ability to irrigate 10 of these acres as well.

Part of our confusion on the table was how to show we want fire protection for all of the property, as we designated with an "F" on the table, plus the acreage we want to irrigate (which I guess makes it look like we were incorrectly trying to irrigate 48 acres). Based on your notes I think we have corrected this. If there are any questions, please let us know.

Our response was due by March 18, 2013. If our application still does not look accurate to you after this amended version, we will be making a trip to Boise on March 22, 2013 and we would like to make an appointment if you are available.

Sincerely,


Kayla Adams


Dennis DeBill

Enclosure: Amended Application

RECEIVED
MAR 07 2013
WATER RESOURCES
WESTERN REGION



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 4, 2013

Dennis DeBill and Kayla Adams
5198 Hwy 95
New Meadows, ID 83654

Re: Application for Permit 78-12404

Dear Applicants:

I received the IDEQ and IDFG letters that I requested, but upon a closer look at your application, noticed some discrepancies that need to be remedied. Attached is a copy of your application with the discrepancies highlighted and notes I made.

1 - Application item no. 3 lists two points of diversion from the Little Salmon River, but your map shows only one diversion. The application and the map must be consistent, so either one of the points of diversion listed in item no. 3 must be deleted, or the second diversion shown on the map.

2 - Application item no. 8 lists the place of use. According to the application map, the place of use lies solely in two quarter-quarters, the SENW and the NESW of T21N, R1E, Sec. 2. It appears that you transposed the quarter-quarter designations; hence the application and the map do not correspond. Also, you indicated that the place of use is in three quarter-quarters, not two. It is difficult to tell from the map, but did you mean the narrow strip in the SESW?

It appears that your property totals approximately 38.5 acres, but the acres in item 8 total 48. Lastly, the total of the acres irrigated should equal the acres in the table. If you have not yet decided where the 10 acres of irrigation is yet, please indicate that in the narrative in item 11.

IDWR must have an original application. You may call me at 208-334-2190 and set an appointment for both of you to make the changes in the office, or you can submit another application, with your original signatures, and I can consider that an amended application. IDWR forms and other information are available on the Internet at www.idwr.idaho.gov.

Please provide the requested information by March 18, 2013. The application will be voided if a timely written response is not received. A refund of the filing fee will not be issued for a voided application. Contact me if you have any questions. Thank you for your attention to this matter.

Sincerely,

Vicky Music
Sr. Water Resource Agent

Enclosure

RECEIVED

MAR 07 2013

WATER RESOURCES
WESTERN REGION



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

copy

March 4, 2013

Dennis DeBill and Kayla Adams
5198 Hwy 95
New Meadows, ID 83654

Re: Application for Permit 78-12404

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It appears that your property totals approximately 38.5 acres, but the acres in item 8 total 48. Lastly, the total of the acres irrigated should equal the acres in the table. If you have not yet decided where the 10 acres of irrigation is yet, please indicate that in the narrative in item 11.

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Please provide the requested information by **March 18, 2013**. The application will be voided if a timely written response is not received. A refund of the filing fee will not be issued for a voided application. Contact me if you have any questions. Thank you for your attention to this matter.

Sincerely,

Vicky Music
Sr. Water Resource Agent

Enclosure

RECEIVED

SEP 17 2012

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 78-124041. Name of applicant(s) Dennis DeBill and Kayla Adams Phone 208-628-2353
Name connector (check one): ☒ and ☐ or ☐ and/orMailing address: 5198 Highway 95 City New MeadowsState ID Zip 83654 Email: kayla@salmonriverproperties.com2. Source of water supply Little Salmon River which is a tributary of Salmon/Snake

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
21N	1E	2		SE	NW		Idaho	Little Salmon River	None
21N	1E	2		NE	SW		Idaho	Little Salmon River	None

4. Water will be used for the following purposes:

Amount 0.2 for Irrigation purposes from April 1 to Nov 15 (both dates inclusive)
(cfs or acre-feet per year)Amount 0.2 for Fire Protection purposes from Jan 1 to Dec 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) 0.2 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. 5.5 HP Water 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 _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ Noe. 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. Fire Protection

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.

SE NW NESW SFSW?

TWP	RGE	SEC	NE = 160 Acs				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	1E	2														10			10
					17											20	1		38
					F											F	F		F

Total number of acres to be irrigated: 10

total = 49

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? Dennis DeBill and Kayla Adams
- b. Who owns the land to be irrigated or place of use? Dennis DeBill and Kayla Adams
- 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. We wish to use the water for irrigating native grasses, lawn, garden, and fruit orchard. The native grasses will be planted to reclaim a logged area and for erosion control. The irrigation system will be the same system used for fire protection (forest and/or grass fire).

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.

Dennis DeBill
Signature of Applicant
Dennis DeBill
Print Name (and title, if applicable)

Kayla Adams
Signature of Applicant
Kayla Adams
Print Name (and title, if applicable)

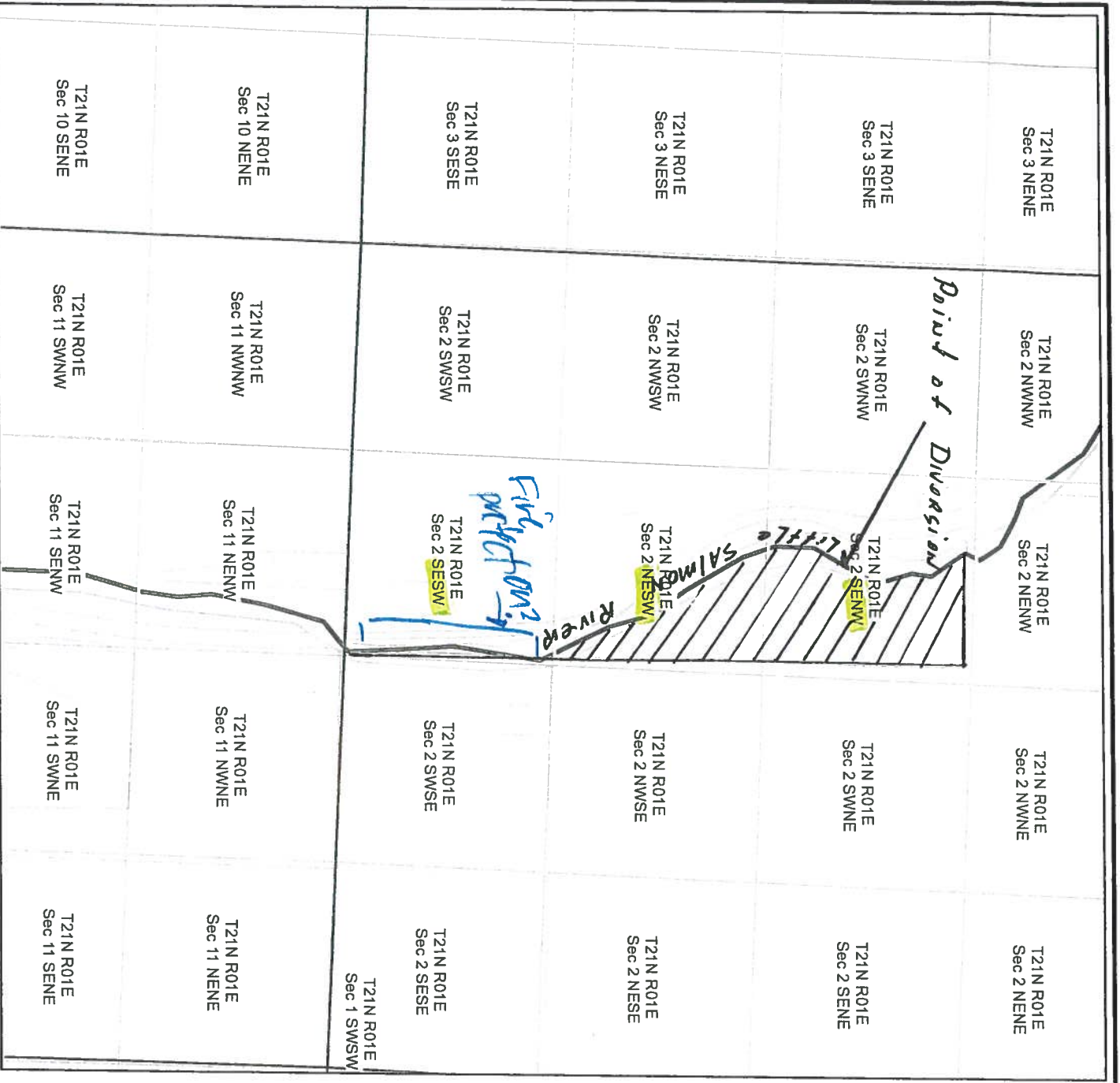
For Department Use:

Received by JA Date 9-17-12 Time 12:00 Preliminary check by VLM
Fee \$ 100.00 Received by JA Receipt No. W040573 Date 9-17-12

78-12404

Legend

- ☐ ESPA
- ☐ GCDB Township/Range
- ☐ GCDB Section
- ☐ GCDB Quarter-Quarter
- ☐ Counties
- ☒ *Place of Use*





IDAHO DEPARTMENT OF FISH AND GAME

SOUTHWEST REGION
3101 South Powerline Road
Nampa, Idaho 83686

C.L. "Butch" Otter / Governor
Virgil Moore / Director

February 14, 2013

RECEIVED

FEB 21 2013

WATER RESOURCES
WESTERN REGION

Ms. Angela M. Grimm
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082
RE: Water Right Application # 78-12404

Dear Ms. Grimm:

We have reviewed a new application for an irrigation water right on the Little Salmon River (LSR), submitted by Dennis DeBill and Kayla Adams. The proposed location is Idaho County, Sec 2, T21N, R01E. The stated withdrawal amount was 0.2 cfs from 1/01 to 12/31 annually for irrigation.

The LSR is an important anadromous resource for the citizens of Idaho. It is possible that three fish species listed as threatened under the ESA could be in this river section, additionally annually up to a half million hatchery Chinook salmon smolts may pass by the proposed intake site. We have been provided a copy of our IDFG screen intake agreement stating that Mr. DeBill already has been provided an appropriate intake screen with 3/32 inch mesh opening (NOAA Fisheries standard). If the applicant agrees to install and maintain this fish screen on his intake, we have no other concerns.

If you have further questions, or need further information, please contact Dale Allen, Regional Fishery Manager in McCall at 208-634-8137.

Sincerely,

A handwritten signature in dark ink, appearing to read "Scott Reinecker".

Scott Reinecker
Regional Supervisor

/da

cc: Dennis DeBill



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

RECEIVED

FEB 11 2013

WATER RESOURCES
WESTERN REGION

1118 F Street • Lewiston, Idaho 83501 • (208) 799-4370

C.L. "Butch" Otter, Governor
Curt Fransen, Director

February 7, 2013

Dennis DeBill and Kayla Adams
5198 Highway 95
New Meadows, Idaho 83654

Dear Mr. DeBill and Ms. Adams:

We received your request for our comments on the application for a permit to appropriate a total of 0.20 cubic feet per second from the Little Salmon River, from January 1st to December 31st annually to provide water for irrigation and fire protection for a residence located in Idaho County. Assuming all federal, state and local permits have been obtained, regulations met, and reviews completed, we offer the following comments.

In the Idaho Water Quality Standards, the Little Salmon River, water body ID #17060210SL001_05, is designated for cold water aquatic life, salmonid spawning, primary contact recreation, and domestic water supply beneficial uses. The Little Salmon River is currently listed in Category 4c of the 2010 Idaho Integrated Report for habitat alteration in recognition that the system was changed due to the construction of the highway and the channel remains constricted, potentially leading to coarse sediment loading problems.

We agree that the Little Salmon River flow in this section is significant enough that withdrawing the requested amount will not have a negative impact on beneficial uses. Stream flow in the Little Salmon River must be maintained at all times to adequately sustain the designated beneficial uses.

Thank you for the opportunity to comment on your application. If you have any questions regarding the Idaho Water Quality Standards or the conditions listed above, please call us at (208) 799-4370.

Sincerely,

A handwritten signature in black ink, appearing to read "Cindy Barrett", with a long horizontal flourish extending to the right.

Cindy Barrett
Water Quality Analyst

c: Vicky Music, IDWR, Boise
Ray Hennekey, IDFG
John Cardwell, DEQ



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 31, 2013

Dennis DeBill and Kayla Adams
5198 Hwy 95
New Meadows, ID 83654

Re: Application for Permit 78-12404

Dear Applicants:

The Idaho Department of Water Resources (IDWR) is reviewing your application for a new water permit from a source within the Salmon River basin. Additional information is needed to fully evaluate your proposal. IDWR is working with other agencies of the State of Idaho regarding projects requiring new water right approval within the Salmon River basin.

Please see the enclosed attachment about additional information for your application. Page 1 of the attachment outlines the legal basis and reasons for this request. That page also provides contact information for the other state agencies that will be involved in this process. Please provide written comments from those other state agencies regarding your application.

The other requirements in the attachment are waived for your application.

Please provide the requested information by April 4, 2013. Alternately, you may seek up to six months additional time to provide the information. The application will be voided if a timely written response is not received. A refund of the filing fee will not be issued for a voided application.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

Vicky Musie
Sr. Water Resource Agent

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES

Applying for a Permit to Appropriate Water in the Salmon and Clearwater River Basins

Idaho Code § 42-203A(5) requires IDWR to evaluate the following criteria for applications to appropriate water:

- The potential to reduce the quantity of water under existing water rights
- The sufficiency of the water supply for the proposed appropriation
- The good faith nature of the application
- The adequacy of the applicant's financial resources
- The local public interest in the public water resource
- The conservation of water resources in Idaho
- Impacts to the economy of the local area or watershed

Water Appropriation Rules 40.05.c-g authorize IDWR to seek more information to evaluate the above criteria. Please see the attached copy of those rules.

Because the waters of the Salmon River and Clearwater River drainages are habitat for fish species listed as endangered or threatened under the federal Endangered Species Act, caution is necessary to ensure that new appropriations of water do not undermine efforts to protect and restore the ESA listed fish species and other public values for rivers and streams. IDWR is, therefore, requiring applicants to submit additional information required by Rules 40.05.g, local public interest. Other information in the remainder of those rules is requested only if necessary.

The cover letter included with this attachment identifies the Rule 40.05.c-g information needed for your application.

The following state agency representatives will help you respond to the local public interest requirement of Rule 40.05.g. IDWR must receive written comments from both of those agencies.

Idaho Department of Fish & Game contact list for water right applications:

Panhandle Region:	Mary Terra-Berns at 208-769-1414
Clearwater Region:	Ray Hennekey at 208-799-5010
McCall Subregion:	Dale Allen at 208-634-8137
Salmon Region:	Tom Curet at 208-756-2271
Southwest Region:	Rick Ward at 208-465-8465

Idaho Department of Environmental Quality contact list for water right applications:

Lewiston:	Cindy Barrett at 208-799-4370 (Clearwater or lower Salmon River basins)
Boise:	Josh Schultz at 208-373-0550 (South Fork Salmon River basin)
Idaho Falls:	Troy Saffle at 528-2650 (Upper Salmon, Lemhi, Pahsimeroi basins)

Water Appropriation Rules 40.05.c through 40.05.g

c. The following information shall be submitted for applications to appropriate unappropriated water. . . .

Information relative to the effect on existing water rights, Section 42-203A(5)(a), Idaho Code, shall be submitted as follows:

- i. For applications appropriating springs or surface streams with five (5) or fewer existing users, either the identification number, or the name and address of the user, and the location of the point of diversion and nature of use for each existing water right shall be submitted.
- ii. For applications appropriating groundwater, a plat shall be submitted locating the proposed well relative to all existing wells and springs and permitted wells within a one-half mile radius of the proposed well.
- iii. Information shall be submitted concerning any design, construction, or operation techniques which will be employed to eliminate or reduce the impact on other water rights.

d. Information relative to sufficiency of water supply, Section 42-203A(5)(b), Idaho Code, shall be submitted as follows:

- i. Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year.
- ii. Information shall be submitted on the quantity of water available from the source applied for, including, but not limited to, information concerning flow rates for surface water sources available during periods of peak and average project water demand, information concerning the properties of the aquifers that water is to be taken from for groundwater sources, and information on other sources of supply that may be used to supplement the applied for water source.

e. Information relative to good faith, delay, or speculative purposes of the applicant, Section 42-203A(5)(c), Idaho Code, shall be submitted as follows:

- i. The applicant shall submit copies of deeds, leases, easements or applications for rights-of-way from federal or state agencies documenting a possessory interest in the lands necessary for all project facilities and the place of use or if such interest can be obtained by eminent domain proceedings the applicant must show that appropriate actions are being taken to obtain the interest. Applicants for hydropower uses shall also submit information required to demonstrate compliance with Sections 42-205 and 42-206, Idaho Code.
- ii. The applicant shall submit copies of applications for other needed permits, licenses and approvals, and must keep the department apprised of the status of the applications and any subsequent approvals or denials.

f. Information Relative to Financial Resources, Section 42-203A(5)(d), Idaho Code, shall be submitted as follows:

- i. The applicant shall submit a current financial statement certified to show the accuracy of the information contained therein, or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the beneficial use proposed.
- ii. The applicant shall submit plans and specifications along with estimated construction costs for the project works. The plans shall be definite enough to allow for determination of project impacts and implications.

Note: Limited response for Section F is acceptable for projects that will cost less than \$5,000. In those cases, simply state the total cost of the project. Plans and specifications are not required under those circumstances.

g. Information Relative to Conflict with the Local Public Interest, Section 42-203A(5)(e), Idaho Code, shall be submitted as follows:

The applicant shall seek comment and shall submit all letters of comment on the effects of the construction and operation of the proposed project from the governing body of the city and/or county and tribal reservation within which the point of diversion and place of use are located, the Idaho Department of Fish and Game, the Idaho Department of Environmental Quality, and any irrigation district or canal company within which the proposed project is located and from other entities as determined by the director.

Note: Section G is typically satisfied by submitting comments from IDFG and IDEQ. Seeking comments from other entities is not necessary unless the applicant is otherwise notified by IDWR.