

JOINT APPLICATION FOR PERMITS
U.S. ARMY CORPS OF ENGINEERS
IDAHO DEPARTMENT OF WATER RESOURCES
IDAHO DEPARTMENT OF LANDS

DO NOT START WORK UNTIL YOU
RECEIVE PERMITS FROM BOTH THE
CORPS AND THE STATE

This application may be used to apply for both a Department of the Army permit from the U.S. Army Corps of Engineers (Corps) and for State of Idaho permits. Department of the Army permits are required by Section 10 of the Rivers and Harbors Act of 1899 for any structures or work in or affecting navigable waters of the United States and by Section 404 of the Clean Water Act for discharges of dredged or fill material into waters of the United States, including their adjacent wetlands. State permits are required under the State of Idaho, Stream Channel Protection Act (Title 42, Chapter 38, Idaho Code) and the Idaho Lake Protection Act, Section 58-142 et. seq., Idaho Code. **Route Uses:** Information provided on this form will be used in evaluating the application. Information requested is voluntary. If information is not provided, however, the permit application cannot be processed nor can permits be issued. Applicants should send this completed application, along with one set of good reproducible drawings showing the location and character of the proposed project, to both the Corps of Engineers and the State of Idaho. **NOTE: DRAWINGS NO LARGER THAN 8-1/2 X 11 INCHES IN SIZE.** The Applicant Information pamphlet provides instructions and a checklist for completing the drawings.

1. Corps of Engineers # _____ Date Received _____ Fee Rec'd By: _____ Receipt # _____	2a. Department of Water Resources # _____ Date Received _____ Fee Rec'd By: _____ Receipt # _____	2b. Department of Lands # _____ Date Received _____ Fee Rec'd By: _____ Receipt # _____
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SEP 10 2003

Regulatory Branch
BOISE

PLEASE TYPE OR PRINT

3. a. Applicant <u>NANCY E. HAWKINS</u> b. Mailing Address <u>P.O. BOX 624</u> <u>PINE VALLEY CA 91962</u> c. Work Phone (Area <u>619</u>) <u>473-9776</u> Home (Area <u>760</u>) <u>253-6429</u> d. Fax Number <u>208-253-6429</u> e. Email Address <u>NHAWK2584@AOL.COM</u>	4. a. Authorized Agent _____ b. Mailing Address _____ c. Work Phone () _____ Home () _____ d. Fax Number _____ e. Email Address _____
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5. Location where proposed activity exists or will occur. a. Waterway <u>COCKER RIVER</u> <u>15 MILES N. OF COUNCIL ID 83612</u> b. Distance/Direction from nearest city or town County/State <u>83612 ADAMS COUNTY.</u> c. Zip Code _____ Local jurisdiction (city or county) _____ d. Directions to the site <u>3036 FRUITFUL GLENDALE ROAD GLENDALE IDAHO</u>	5. e. Tax Assessor's Description <u>RP1701W025325A</u> f. 1/4 <u>1/4</u> Section <u>17N</u> Township <u>1W</u> Range g. UTM Coordinate Grid _____
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6. a. Describe Project (Work below the ordinary high water mark or in wetlands). REPLACE EXISTING DAM (DIVERSION AND HEADGATE FOR EXISTING (PERMITTED) POND

b. Construction methods and equipment BACKHOE HAND WORK

c. Length of project along the stream or extension into lake or reservoir: 40'

d. Size and flow capacity of proposed bridge or culvert and area of drainage served (sq. miles): (Idaho Department of Water Resources requirement.)
CULVERT = 12"

COMPLETE THE FOLLOWING FOR DISCHARGES OF DREDGED OR FILL MATERIAL

7. a. Volume dredged or fill material to be placed waterward of the ordinary high water mark (BOTH TEMPORARY AND PERMANENT)? _____ (cubic yards)

b. Will fill be placed in wetlands? _____ If yes, area: _____ (acres) Type of fill material: _____ (i.e. sand, rock, clay, concrete, etc.)

c. Will dredging be required waterward of the ordinary high water mark or in wetlands? _____ If yes, volume _____ (cubic yards)

d. Type of dredged material _____

e. Disposal site for dredged material: _____ Method of dredging: _____

f. Method to control turbidity and sedimentation: _____

g. Is project located in a mapped floodway? _____ If yes, complete the Engineering "No-Rise" certification form.

DO NOT SEND CORPS PROCESSING FEE WITH APPLICATION
SEND IDAHO DEPARTMENT OF WATER RESOURCES OR IDAHO DEPARTMENT OF LANDS FILING FEE WITH APPLICATION

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

Original Signature of Authorized Agent _____ Date _____
Original Signature of Applicant _____ Date _____

17. If you wish to designate an authorized agent, complete item 4, item 16 and the following information.
I hereby designate _____ to act as my agent in matters related to this permit application. I understand that if a Federal permit is issued, I must sign the permit.

Signature of Applicant (ORIGINAL SIGNATURE REQUIRED) _____
Printed Name Nancy E. Hawkins Date 09/07/03
16. Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to come upon the above-described location to inspect the proposed and completed work.

15. Other comments/information:
Original Diversions/Henry to be Approved. Due to waterway AND Diversion (open ditch) REPLACEMENT Diversions will be primarily (90%) 12" minimum diameter culvert

14. Has any agency denied approval for the proposed activity? Yes _____ No X (If "Yes" explain)
Issuing Agency LAND OVR Type of Approval NEW CONSTRUCTION Identification No. 67-07937 Date of Application Fall 1993 Date of Approval 1-7-94
Green Runway
Massway Bridge
13. List applications, approvals, or certifications from other Federal, state, or local agencies for work described in this application.

a. Name _____
b. Mailing Address _____
c. City, State, Zip Code _____
d. Phone Work () _____ Home () _____

12. LEGAL OWNER IF OTHER THAN APPLICANT
☐ Check here if the alteration is located on endowment lands administered by the Idaho Department of Lands

11. Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose property also adjoins the waterway.
LAUN HALE Robert/Geraine Hrst
3030 Fruitvale Glenale Road Fruitvale ID 83612 3050 Fruitvale Glenale Road
10. List portions of the project that are complete with month and year of completion
OCTOBER 2003 1 WEEK
POUO, ORIGINAL DIVERSION 9/1994
9. Proposed Starting Date
b. Reason for project: REPLACE WATERWAY DIVERSION/HENRY FOR EXISTING POUO
8. a. Purpose and intended use: Commercial _____ Public _____ Private X Other _____
Describe WETLAND POUO

SUPPLEMENTAL INFORMATION
JOINT APPLICATION FOR PERMITS

Background:

The original pond was built in September 1994 by my neighbor whom I hired for the construction. Later that fall he built a diversion structure adjacent to the northernmost corner of his property. An open ditch approximately thirty inches wide carried the water approximately 700' to my pond. The pond and ditch were inspected (proof of completion) in the fall of 1996 with the subsequent report submitted by IDWR in the spring of 1997. The pond was effective and was able to support a trout population.

In January 1997 a 100 year flood significantly damaged the head gates ,culverts, outlet, and pond. After appropriate approval in May 1997 I hired my neighbor and an independent excavator to repair the damaged pond and culvert. I rebuilt the inlet/outlet head gates and revegetated. From the period of 1997 through 1999 my neighbor widened the ditch and created two ponds, one near the diversion structure, and a second one against the southernmost fence line. The southernmost pond had a waterfall effect which the neighbor told me would keep sediment from my pond. In or around the year 2000, the southernmost pond became a dam which only provided water through a small opening near the top which then flowed to a sediment pond he built on my property immediately below the four foot dam. During this same time period the neighbor diverted a creek for which we both have water rights and apparently routed it underneath his field to the ditch. Prior to this time his field above the ditch was consistently wet and flooded throughout portions of the year.

Due to the fact that I was working out of state and had also sustained major back injury and subsequent surgical fusion I was only staying at my property 2-3 months of the year and at one point was not able to be there for a year. Consequently it is difficult for me to pinpoint the exact times of these alterations to my ditch/property. *The end result however, is that the ponds and dams have limited the flow to my pond to the degree that it does not properly aerate and flow, the pond water is too warm to support trout, and is becoming choked with algae.*

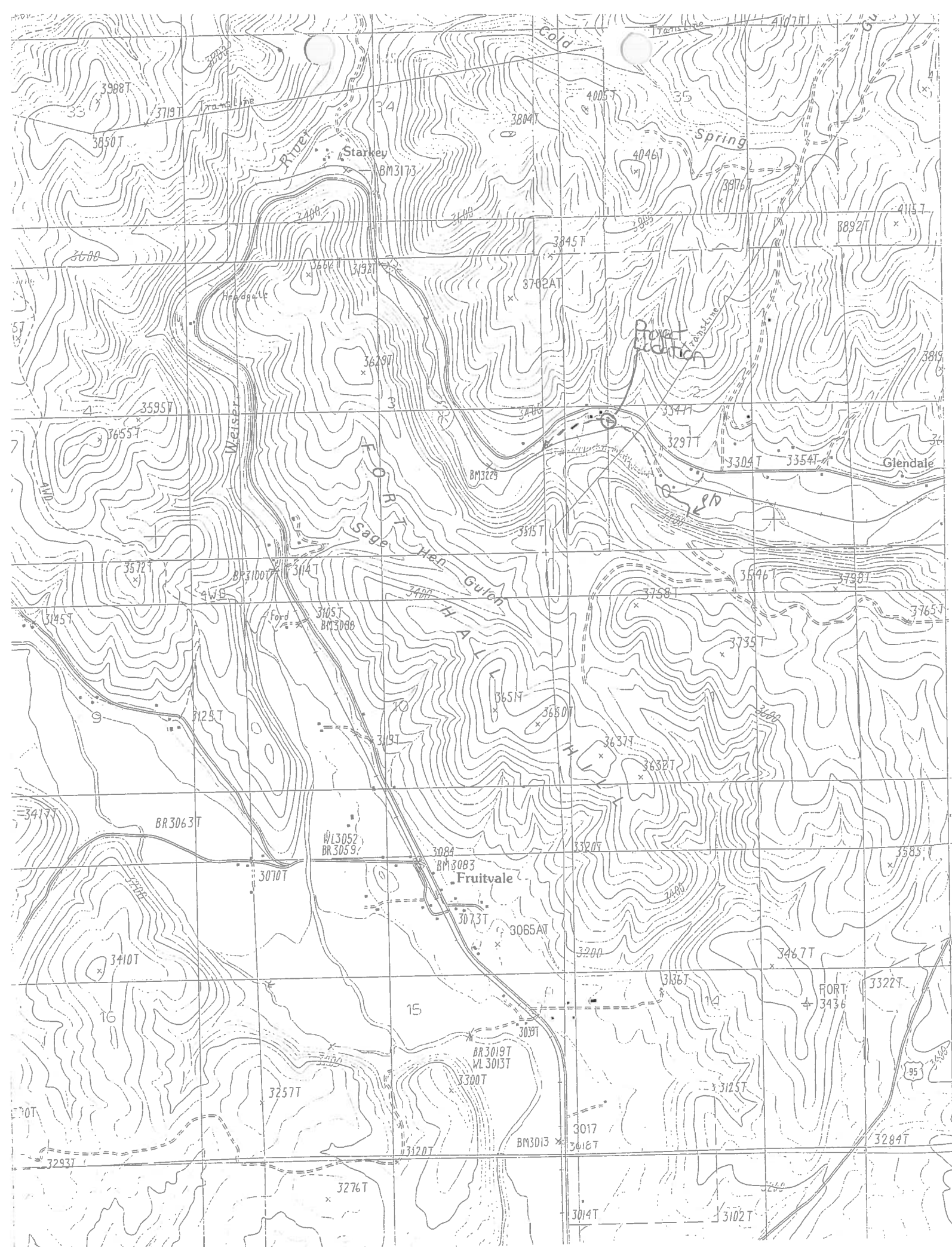
Proposal/Corrective Measures:

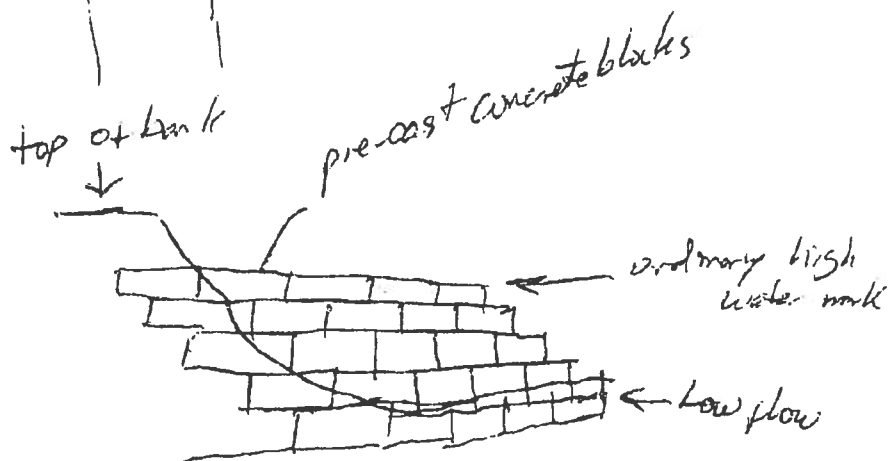
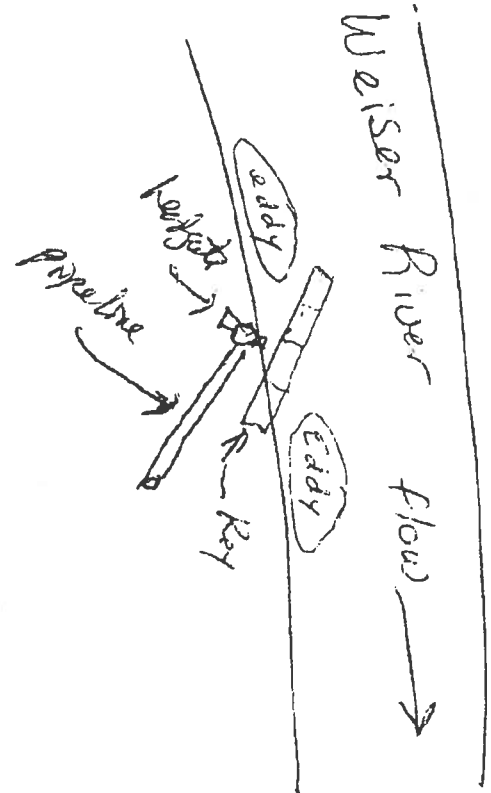
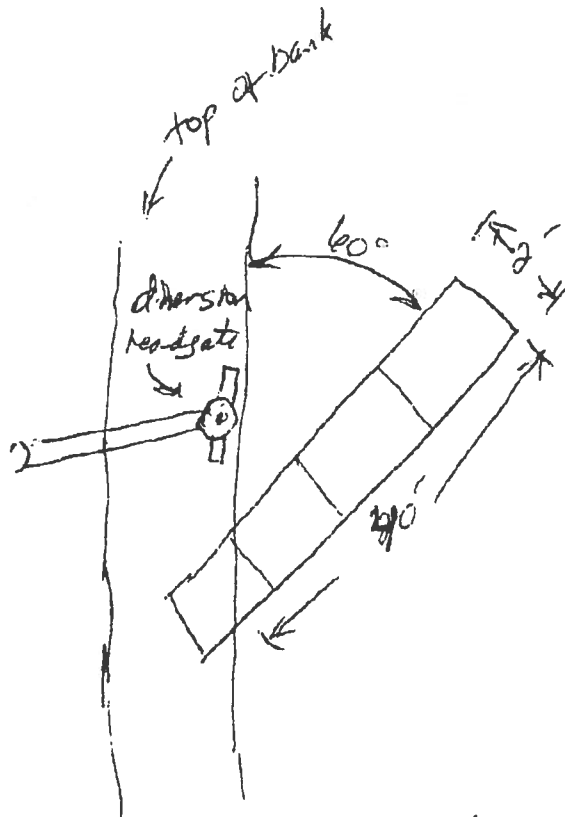
My proposal is to abandon my water right through my neighbors' property and to decommission the existing diversion structure and head gate. A new diversion barb would be properly constructed in the river approximately 100' from my pond. A boxed beaver resistant steel head gate would be installed, and approximately 100' of 12" pipe would carry the diverted water to the water underground to the inlet of my pond. My sediment pond below my neighbor's dam would be reduced approximately six feet from the side by redepositing existing dirt now piled on the bank and revegetating the area. The dirt redeposited would consist of approximately five yards. Due to the fact that my new diversion would be approximately 500 yards down river from the existing site, it is possible that my pond level may be up to one foot lower. If this is the case my outflow head gate would have to be lowered which would require the excavation of approximately on half yard of soil (with appropriate revegetation) to facilitate repositioning.

In addition to the relocation of the structures previously mentioned, I am requesting to stabilize as much as 100' feet of compromised bank along the river. This would be accomplished by the methods of construction and revegetation attached to this application.

A handwritten signature in black ink, appearing to read 'Nancy E. Hawkins', with a stylized flourish at the end.

Nancy E. Hawkins,
Applicant





Nancy Hawkins
 3036 Fruitvale Glenwood Road
 Fruitvale Idaho
 Adams County - Weiser River
 page 3 of 5

Existing POND



WELSH RIVER

NANCY HAWKINS
3036 FRUITVALE GLENDALE ROAD
FRUITVALE,
IDAHO
83612

PMK-
S. OF S

Existing POND



WESEN RIVER

NANCY HAWKINS
3036 FRUITVALE GLENDALE ROAD
FRUITVALE,
IDAHO
83612

PHOTO
5. OF 5

Eric COO

Page 1

10/16/2003

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report 87-7937

WATER RIGHT NUMBER: 87-7937

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NANCY E HAWKINS BOX 624 PINE VALLEY, CA 91962

Priority Date: 11/09/1993

Basis:

Status: Active

Source

WEISER RIVER

Tributary

SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DIVERSION TO STORAGE	1/01 to 12/31	1.000 CFS	
RECREATION STORAGE	1/01 to 12/31		15.00 AF
	<u>Total Diversion:</u>	1.000 CFS	15.00 AF

Location of Point(s) of Diversion

WEISER RIVER

SE1/4SW1/4

Sec. 2, Twp 17N, Rge 01W, B.M.

ADAMS County

Place of Use

RECREATION STORAGE

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
17N	01W	2													

Conditions of Approval:

1. 005 Use of water under this right is subject to control by the watermaster of State Water District No. & DISTRICT.
2. 01J Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
3. 027 Use of water under this right shall be non-consumptive.
4. 030 A separate stream alteration permit from the IDWR is required for any activity in the stream channel other than construction and/or maintenance of the diversion structure. If the proposed construction or operation involves construction of an outfall or any other work in the stream channel other than a water diversion, the right holder shall contact the Department and obtain a Stream Channel Alteration permit prior to the start of construction.
5. 26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.

Page 2

10/15/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 67-7837

Remarks:

1. General Prior to diversion of water under this permit, the permit holder must obtain approval from all the required state and federal agencies.
Recreational storage use is for a wetland pond.

Comments:

1. ZIMMERMA 1/8/1994 DIVERSION DESCRIPTION
Comment: Gravity diversion through pipe to pond, water to return to river through pipe. Active reservoir capacity 15 AF;
total reservoir capacity 15 AF.

Dates and Other Information:

Permit Proof Due Date: 1/1/1996
Permit Proof Made Date: 12/8/1995
Permit Approved Date: 1/7/1994
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Field Exam Date: 9/19/1996
Date Sent to State Office: 4/18/1997
Date Received at State Office: 4/22/1997
State or Federal:
Owner Name Connector:
Water District Number: 67
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Page 1

10/15/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 87-2053L

WATER RIGHT NUMBER: 87-2053L

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WEISER IRRIGATION & LAND CO
	, ID
Current Owner	NANCY E HAWKINS
	PO BOX 824
	PINE VALLEY, CA 92062
Original Owner	MESA ORCHARDS WATER CO
	, ID

Priority Date: 05/27/1910

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
LOST CREEK	WEST FORK WEISER RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	1/01	to 12/31		3.00 AF
IRRIGATION FROM STORAGE	3/01	to 12/01		3.00 AF
	<u>Total Diversion:</u>			3.00 AF

Location of Point(s) of Diversion

LOST CREEK

SE1/4NW1/4

Sec. 28, Twp 19N, Rge 01W, B.M.

ADAMS County

Place of Use

IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE	NW	SW	SE	Totals
17N	01W	2	NE	NW	SW	SE	7.5
							7.5

Total Acres: 7.5

Conditions of Approval:Remarks:

1. General

THIS CLAIM IS FOR WATER STORED IN LOST VALLEY RESERVOIR THAT IS EXCHANGED FOR A DIRECT FLOW FROM THE WEISER RIVER.
THIS CLAIM IS BASED ON 3 SHARES OF CLASS C STOCK, CERT. # 70.

Page 2

10/15/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-2053L

Comments:Dates and Other Information:

Claim Received Date: 10/26/1989

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False