

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Robert S. Dodge and/or Duane B. Smith Phone (208) 634-6868
Name connector (check one): ☐ and ☐ or ☒ and/or

Mailing address: PO Box 754 City McCall

State Idaho Zip 83638 Email: lazysvn@ctcweb.net

2. Source of water supply South Fork of Salmon River which is a tributary of Salmon River

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
23N	8E	6			NE	NE	IDAHO	S.FK. SALMON RIVER	

4. Water will be used for the following purposes:

Amount .06 for irrigation purposes from April 1st to Nov. 1st (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) .06 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. 8 HP Pump w/ approx. 300' of 2" pipe to lots 11, 12, 13, & 14 of Copenhaver Subdivision

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 12.

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? No

e. If well is already drilled, when? _____; drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____.

7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

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. _____

RECEIVED

JAN 25 2010

WATER RESOURCES
WESTERN REGION

9. 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	
23N	8E	6	1.7			1.3													3

Total number of acres to be irrigated: 3

10. 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? #77-07335, Use of both to irrigate lawns, garden, landscaping and runway. Also have domestic permit #77-7362.

11. a. Who owns the property at the point of diversion? Robert S. Dodge and Duane B. Smith
- b. Who owns the land to be irrigated or place of use? same as above
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Water use is on lots 11, 12, 13, & 14 in Copenhaver Subdivision, plus the runway in front of these lots. The other right (77-07335) is from a spring which has decreased flow amounts. This area has been irrigated for more than 10 years but we now need river water to supplement spring water. The forest service has cut the line in the spring. These 3 acres are also for fire protection as used during the 2007 Raines Fire which burned 3 homes in this subdivision. These irrigated acres stopped the fire from consuming the 6 homes near these green grass lawns.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" 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.

Duane B. Smith
 Signature of Applicant
 Duane B. Smith, partner
 Print Name (and title, if applicable)

 Signature of Applicant

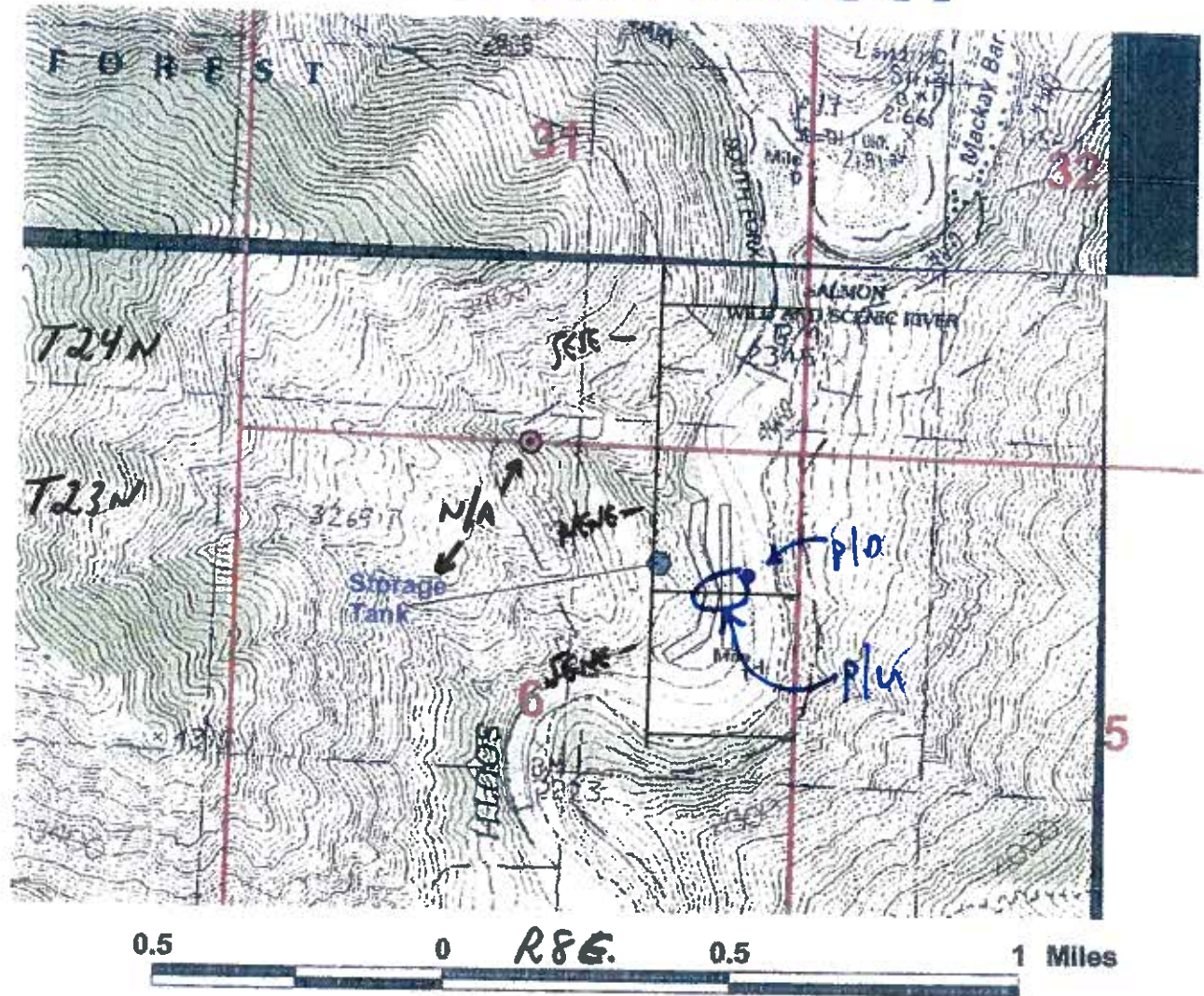
 Print Name (and title, if applicable)

For Department Use:

Received by DB Date 1-25-2010 Time 1:30 pm Preliminary check by JL
 Fee \$ 100⁰⁰ Receipted by JH Receipt No. W037748 Date 7/30/09

per original

Copenhaver Subdivision



UNSURVEYED AREA R6 PLS INTO
but subdivision/airstrip within
HGS 701.

-  Air strip
-  Sub lots
-  Spring P/D
-  Sections
- 1/41/4



BASE MAP COPIED FROM
77-7335 "CHERRY SPRING"
SPRING & STORAGE TANK SHOWN HERE
N/A TO NEW APPLICATION.

77-14323

7237 KBE Dec. 6, 1955

COPENHAVER SUBDIVISION
1986

ALL OF N.E.S. NO. 701
LOCATED WITHIN UNSURVEYED SECTION 6, T.23N., R.8E.
8 SECTION 31, T.24N., R.8E., S.M., IDAHO COUNTY, IDAHO

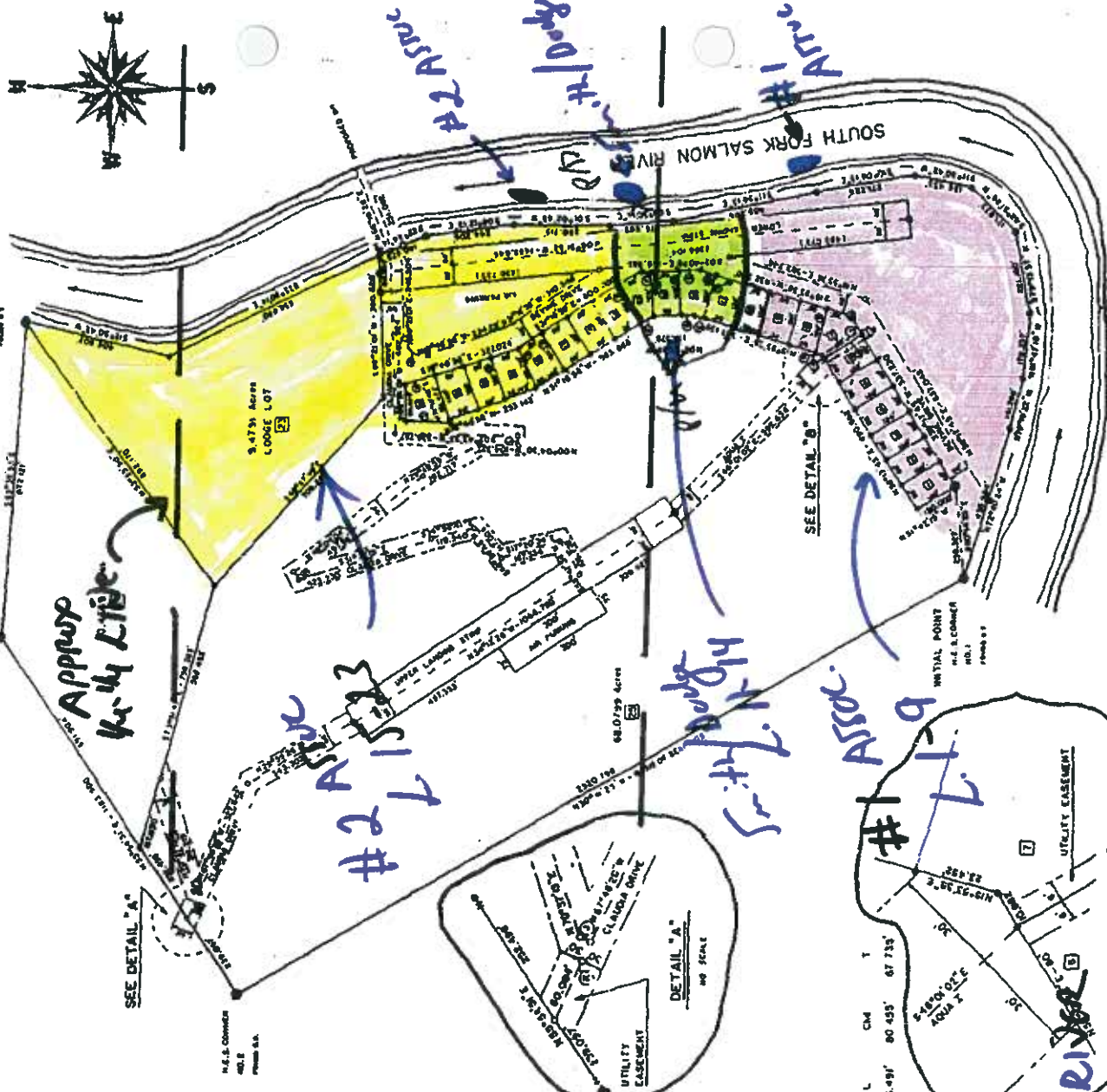


LEGEND

- N.E.S. CORNER, FOUND ORIGINAL STONE
N.E.S. MEASUR CORNER, NOT SET
LOT CORNER, SET 2" X 30" C.P. W/S.C.
LOT CORNER, SET 9" X 30" REBAR W/ SERV. CAP
SUBDIVISION BOUNDARY LINE
LOT LINE
EASEMENT CENTERLINE
ACCESS & UTILITY EASEMENT
UTILITY EASEMENT
ACCESS & UTILITY EASEMENT
EASEMENT CORNER, SET 5/8" X 30" REBAR W/ SERV. CAP
EASEMENT CENTERLINE, NOT SET

CURVE	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI	AJ	AK	AL	AM	AN	AO	AP	AQ	AR	AS	AT	AU	AV	AW	AX	AY	AZ	BA	BB	BC	BD	BE	BF	BG	BH	BI	BJ	BK	BL	BM	BN	BO	BP	BQ	BR	BS	BT	BU	BV	BW	BX	BY	BZ	CA	CB	CC	CD	CE	CF	CG	CH	CI	CJ	CK	CL	CM	CN	CO	CP	CQ	CR	CS	CT	CU	CV	CW	CX	CY	CZ	DA	DB	DC	DD	DE	DF	DG	DH	DI	DJ	DK	DL	DM	DN	DO	DP	DQ	DR	DS	DT	DU	DV	DW	DX	DY	DZ	EA	EB	EC	ED	EE	EF	EG	EH	EI	EJ	EK	EL	EM	EN	EO	EP	EQ	ER	ES	ET	EU	EV	EW	EX	EY	EZ	FA	FB	FC	FD	FE	FF	FG	FH	FI	FJ	FK	FL	FM	FN	FO	FP	FQ	FR	FS	FT	FU	FV	FW	FX	FY	FZ	GA	GB	GC	GD	GE	GF	GG	GH	GI	GJ	GK	GL	GM	GN	GO	GP	GQ	GR	GS	GT	GU	GV	GW	GX	GY	GZ	HA	HB	HC	HD	HE	HF	HG	HH	HI	HJ	HK	HL	HM	HN	HO	HP	HQ	HR	HS	HT	HU	HV	HW	HX	HY	HZ	IA	IB	IC	ID	IE	IF	IG	IH	II	IJ	IK	IL	IM	IN	IO	IP	IQ	IR	IS	IT	IU	IV	IW	IX	IY	IZ	JA	JB	JC	JD	JE	JF	JG	JH	JI	JJ	JK	JL	JM	JN	JO	JP	JQ	JR	JS	JT	JU	JV	JW	JX	JY	JZ	KA	KB	KC	KD	KE	KF	KG	KH	KI	KJ	KK	KL	KM	KN	KO	KP	KQ	KR	KS	KT	KU	KV	KW	KX	KY	KZ	LA	LB	LC	LD	LE	LF	LG	LH	LI	LJ	LK	LL	LM	LN	LO	LP	LQ	LR	LS	LT	LU	LV	LW	LX	LY	LZ	MA	MB	MC	MD	ME	MF	MG	MH	MI	MJ	MK	ML	MM	MN	MO	MP	MQ	MR	MS	MT	MU	MV	MW	MX	MY	MZ	NA	NB	NC	ND	NE	NF	NG	NH	NI	NJ	NK	NL	NM	NN	NO	NP	NQ	NR	NS	NT	NU	NV	NW	NX	NY	NZ	OA	OB	OC	OD	OE	OF	OG	OH	OI	OJ	OK	OL	OM	ON	OO	OP	OQ	OR	OS	OT	OU	OV	OW	OX	OY	OZ	PA	PB	PC	PD	PE	PF	PG	PH	PI	PJ	PK	PL	PM	PN	PO	PP	PQ	PR	PS	PT	PU	PV	PW	PX	PY	PZ	QA	QB	QC	QD	QE	QF	QG	QH	QI	QJ	QK	QL	QM	QN	QO	QP	QQ	QR	QS	QT	QU	QV	QW	QX	QY	QZ	RA	RB	RC	RD	RE	RF	RG	RH	RI	RJ	RK	RL	RM	RN	RO	RP	RQ	RR	RS	RT	RU	RV	RW	RX	RY	RZ	SA	SB	SC	SD	SE	SF	SG	SH	SI	SJ	SK	SL	SM	SN	SO	SP	SQ	SR	SS	ST	SU	SV	SW	SX	SY	SZ	TA	TB	TC	TD	TE	TF	TG	TH	TI	TJ	TK	TL	TM	TN	TO	TP	TQ	TR	TS	TU	TV	TW	TX	TY	TZ	UA	UB	UC	UD	UE	UF	UG	UH	UI	UJ	UK	UL	UM	UN	UO	UP	UQ	UR	US	UT	UU	UV	UW	UX	UY	UZ	VA	VB	VC	VD	VE	VF	VG	VH	VI	VJ	VK	VL	VM	VN	VO	VP	VQ	VR	VS	VT	VU	VV	VW	VX	VY	VZ	WA	WB	WC	WD	WE	WF	WG	WH	WI	WJ	WK	WL	WM	WN	WO	WP	WQ	WR	WS	WT	WU	WV	WW	WX	WY	WZ	XA	XB	XC	XD	XE	XF	XG	XH	XI	XJ	XK	XL	XM	XN	XO	XP	XQ	XR	XS	XT	XU	XV	XW	XX	XY	XZ	YA	YB	YC	YD	YE	YF	YG	YH	YI	YJ	YK	YL	YM	YN	YO	YP	YQ	YR	YS	YT	YU	YV	YW	YX	YZ	ZA	ZB	ZC	ZD
TANGENT	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI	AJ	AK	AL	AM	AN	AO	AP	AQ	AR	AS	AT	AU	AV	AW	AX	AY	AZ	BA	BB	BC	BD	BE	BF	BG	BH	BI	BJ	BK	BL	BM	BN	BO	BP	BQ	BR	BS	BT	BU	BV	BW	BX	BY	BZ	CA	CB	CC	CD	CE	CF	CG	CH	CI	CJ	CK	CL	CM	CN	CO	CP	CQ	CR	CS	CT	CU	CV	CW	CX	CY	CZ	DA	DB	DC	DD	DE	DF	DG	DH	DI	DJ	DK	DL	DM	DN	DO	DP	DQ	DR	DS	DT	DU	DV	DW	DX	DY	DZ	EA	EB	EC	ED	EE	EF	EG	EH	EI	EJ	EK	EL	EM	EN	EO	EP	EQ	ER	ES	ET	EU	EV	EW	EX	EY	EZ	FA	FB	FC	FD	FE	FF	FG	FH	FI	FJ	FK	FL	FM	FN	FO	FP	FQ	FR	FS	FT	FU	FV	FW	FX	FY	FZ	GA	GB	GC	GD	GE	GF	GG	GH	GI	GJ	GK	GL	GM	GN	GO	GP	GQ	GR	GS	GT	GU	GV	GW	GX	GY	GZ	HA	HB	HC	HD	HE	HF	HG	HH	HI	HJ	HK	HL	HM	HN	HO	HP	HQ	HR	HS	HT	HU	HV	HW	HX	HY	HZ	IA	IB	IC	ID	IE	IF	IG	IH	II	IJ	IK	IL	IM	IN	IO	IP	IQ	IR	IS	IT	IU	IV	IW	IX	IY	IZ	JA	JB	JC	JD	JE	JF	JG	JH	JI	JJ	JK	JL	JM	JN	JO	JP	JQ	JR	JS	JT	JU	JV	JW	JX	JY	JZ	KA	KB	KC	KD	KE	KF	KG	KH	KI	KJ	KK	KL	KM	KN	KO	KP	KQ	KR	KS	KT	KU	KV	KW	KX	KY	KZ	LA	LB	LC	LD	LE	LF	LG	LH	LI	LJ	LK	LL	LM	LN	LO	LP	LQ	LR	LS	LT	LU	LV	LW	LX	LY	LZ	MA	MB	MC	MD	ME	MF	MG	MH	MI	MJ	MK	ML	MM	MN	MO	MP	MQ	MR	MS	MT	MU	MV	MW	MX	MY	MZ	NA	NB	NC	ND	NE	NF	NG	NH	NI	NJ	NK	NL	NM	NN	NO	NP	NQ	NR	NS	NT	NU	NV	NW	NX	NY	NZ	OA	OB	OC	OD	OE	OF	OG	OH	OI	OJ	OK	OL	OM	ON	OO	OP	OQ	OR	OS	OT	OU	OV	OW	OX	OY	OZ	PA	PB	PC	PD	PE	PF	PG	PH	PI	PJ	PK	PL	PM	PN	PO	PP	PQ	PR	PS	PT	PU	PV	PW	PX	PY	PZ	QA	QB	QC	QD	QE	QF	QG	QH	QI	QJ	QK	QL	QM	QN	QO	QP	QQ	QR	QS	QT	QU	QV	QW	QX	QY	QZ	RA	RB	RC	RD	RE	RF	RG	RH	RI	RJ	RK	RL	RM	RN	RO	RP	RQ	RR	RS	RT	RU	RV	RW	RX	RY	RZ	SA	SB	SC	SD	SE	SF	SG	SH	SI	SJ	SK	SL	SM	SN	SO	SP	SQ	SR	SS	ST	SU	SV	SW	SX	SY	SZ	TA	TB	TC	TD	TE	TF	TG	TH	TI	TJ	TK	TL	TM	TN	TO	TP	TQ	TR	TS	TU	TV	TW	TX	TY	TZ	UA	UB	UC	UD	UE	UF	UG	UH	UI	UJ	UK	UL	UM	UN	UO	UP	UQ	UR	US	UT	UU	UV	UW	UX	UY	UZ	VA	VB	VC	VD	VE	VF	VG	VH	VI	VJ	VK	VL	VM	VN	VO	VP	VQ	VR	VS	VT	VU	VV	VW	VX	VY	VZ	WA	WB	WC	WD	WE	WF	WG	WH	WI	WJ	WK	WL	WM	WN	WO	WP	WQ	WR	WS	WT	WU	WV	WW	WX	WY	WZ	XA	XB	XC	XD	XE	XF	XG	XH	XI	XJ	XK	XL	XM	XN	XO	XP	XQ	XR	XS	XT	XU	XV	XW	XX	XY	XZ	YA	YB	YC	YD	YE	YF	YG	YH	YI	YJ	YK	YL	YM	YN	YO	YP	YQ	YR	YS	YT	YU	YV	YW	YX	YZ	ZA	ZB	ZC	ZD
BEHAVIOR	9.96E+17	4.05E+18	1.04E+19	2.34E+19	5.29E+19	1.21E+20	2.75E+20	6.19E+20	1.41E+21	3.17E+21	7.12E+21	1.59E+22	3.57E+22	8.01E+22	1.81E+23	4.07E+23	9.12E+23	2.04E+24	4.57E+24	1.02E+25	2.28E+25	5.08E+25	1.14E+26	2.54E+26	5.64E+26	1.25E+27	2.79E+27	6.19E+27	1.38E+28	3.07E+28	6.82E+28	1.51E+29	3.36E+29	7.45E+29	1.65E+30	3.65E+30	8.07E+30	1.81E+31	4.03E+31	8.94E+31	1.97E+32	4.36E+32	9.64E+32	2.14E+33	4.74E+33	1.04E+34	2.31E+34	5.08E+34	1.13E+35	2.51E+35	5.54E+35	1.23E+36	2.74E+36	6.04E+36	1.34E+37	2.97E+37	6.54E+37	1.45E+38	3.21E+38	7.07E+38	1.56E+39	3.43E+39	7.57E+39	1.67E+40	3.68E+40	8.08E+40	1.81E+41	4.03E+41	8.94E+41	1.97E+42	4.36E+42	9.64E+42	2.14E+43	4.74E+43	1.04E+44	2.31E+44	5.08E+44	1.13E+45	2.51E+45	5.54E+45	1.23E+46	2.74E+46	6.04E+46	1.34E+47	2.97E+47	6.54E+47	1.45E+48	3.21E+48	7.07E+48	1.56E+49	3.43E+49	7.57E+49	1.67E+50	3.68E+50	8.08E+50	1.81E+51	4.03E+51	8.94E+51	1.97E+52	4.36E+52	9.64E+52	2.14E+53	4.74E+53	1.04E+54	2.31E+54	5.08E+54	1.13E+55	2.51E+55	5.54E+55	1.23E+56	2.74E+56	6.04E+56	1.34E+57	2.97E+57	6.54E+57	1.45E+58	3.21E+58	7.07E+58	1.56E+59	3.43E+59	7.57E+59	1.67E+60	3.68E+60	8.08E+60	1.81E+61	4.03E+61	8.94E+61	1.97E+62	4.36E+62	9.64E+62	2.14E+63	4.74E+63	1.04E+64	2.31E+64	5.08E+64	1.13E+65	2.51E+65	5.54E+65	1.23E+66	2.74E+66	6.04E+66	1.34E+67	2.97E+67	6.54E+67	1.45E+68	3.21E+68	7.07E+68	1.56E+69	3.43E+69	7.57E+69	1.67E+70	3.68E+70	8.08E+70	1.81E+71	4.03E+71	8.94E+71	1.97E+72	4.36E+72	9.64E+72	2.14E+73	4.74E+73	1.04E+74	2.31E+74	5.08E+74	1.13E+75	2.51E+75	5.54E+75	1.23E+76	2.74E+76	6.04E+76	1.34E+77	2.97E+77	6.54E+77	1.45E+78	3.21E+78	7.07E+78	1.56E+79	3.43E+79	7.57E+79	1.67E+80	3.68E+80	8.08E+80	1.81E+81	4.03E+81	8.94E+81	1.97E+82	4.36E+82	9.64E+82	2.14E+83	4.74E+83	1.04E+84	2.31E+84	5.08E+84	1.13E+85	2.51E+85	5.54E+85	1.23E+86	2.74E+86	6.04E+86	1.34E+87	2.97E+87	6.54E+87	1.45E+88	3.21E+88	7.07E+88	1.56E+89	3.43E+89	7.57E+89	1.67E+90	3.68E+90	8.08E+90	1.81E+91	4.03E+91	8.94E+91	1.97E+92	4.36E+92	9.64E+92	2.14E+93	4.74E+93	1.04E+94	2.31E+94	5.08E+94	1.13E+95	2.51E+95	5.54E+95	1.23E+96	2.74E+96	6.04E+96	1.34E+97	2.97E+97	6.54E+97	1.45E+98	3.21E+98	7.07E+98	1.56E+99	3.43E+99	7.57E+99	1.67E+100	3.68E+100	8.08E+100	1.81E+101	4.03E+101	8.94E+101	1.97E+102	4.36E+102	9.64E+102	2.14E+103	4.74E+103	1.04E+104	2.31E+104	5.08E+104	1.13E+105	2.51E+105	5.54E+105	1.23E+106	2.74E+106	6.04E+106	1.34E+107	2.97E+107	6.54E+107	1.45E+108	3.21E+108	7.07E+108	1.56E+109	3.43E+109	7.57E+109	1.67E+110	3.68E+110	8.08E+110	1.81E+111	4.03E+111	8.94E+111	1.97E+112	4.36E+112	9.64E+112	2.14E+113	4.74E+113	1.04E+114	2.31E+114	5.08E+114	1.13E+115	2.51E+115	5.54E+115	1.23E+116	2.74E+116	6.04E+116	1.34E+117	2.97E+117	6.54E+117	1.45E+118	3.21E+118	7.07E+118	1.56E+119	3.43E+119	7.57E+119	1.67E+120	3.68E+120	8.08E+120	1.81E+121	4.03E+121	8.94E+121	1.97E+122	4.36E+122	9.64E+122	2.14E+123	4.74E+123	1.04E+124	2.31E+124	5.08E+124	1.13E+125	2.51E+125	5.54E+125	1.23E+126	2.74E+126	6.04E+126	1.34E+127	2.97E+1																																																																																																																																																																																																																																																																																																																																																																									

VICINITY MAP



- 3 new applic ELI ~~2022~~

11/11/2021 10:10 AM

77-14323
Smith & Dodge

State of Idaho
Department of Water Resources
Application for Permit
Indent. No. 77-14323

Name of Applicant: Robert S. Dodge and or Duane B. Smith
Mailing address: Box 754, McCall, ID 83638
E-Mail: lazysvn@ctcweb.net
Phone Number: (208) 634-6868
Date: 1/15/2010

WATER APPROPRIATION RULES 40.05.c through 4.05.g

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

See answer to question "d".

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

The proposed projects water supply is the South Fork of the Salmon River, located approximately $\frac{3}{4}$ of a mile from the confluence of the Salmon River. This abundant water source will supply enough water for all permitted water users without any impact on the quantity of water available from this source for any use.

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:

All lands necessary to this permit are privately owned and do not include any federal or state held lands.

f. Information relative to financial resources, Section 42-203A (5) (d), Idaho Code, shall be submitted as follows:

The estimated cost of this project is significantly less than \$2500.00 which includes a pump, 300 feet of 2" pipe, suction hose, intake value and several layers of fine mesh screen to cover the intake valve to protect sucking up small fish, algae, and sand. Plans are not included as the cost is so minimal.

g. Information relative to conflict with the local public interest, Section 42-203A (5) (e), Idaho Code, shall be submitted as follows:

These comments are being submitted to IDFG and IDEQ.



Duane B. Smith

77-14323

Ident. No. 77-14323

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JUL 30 2009

WATER RESOURCES
WESTERN REGION

1. Name of Applicant Robert S. Dodge Phone (208) 634-5639
Mailing address Box 209 McCall, ID 83638 Email _____
2. Source of water supply South Fork Salmon River which is a tributary of Salmon River
3. Location of point of diversion is Township 23N Range 8E Sec. 6, in the _____ 1/4,
NE 1/4, NE 1/4, Govt. Lot _____, B.M., Idaho County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .06 for Irrigation purposes from April 1st to Nov. 1st (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)
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) .06 and/or (b) _____
cubic feet per second acre feet per year
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source 8 H.P Pump w/approx. 300'
of 2" Pipe to Lots 11, 12, 13, & 14 of Copenhagen Subdivision.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet;
total reservoir capacity _____ acre-feet
 - 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? No
 - e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - 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. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

Superseded

9. 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	
23N	8E	6	3																3

Total number of acres to be irrigated: 3

10. 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? #77-07335, Use of both to

irrigate lawns, garden, landscaping and runway. Also have domestic permit # 77-7362

11. a. Who owns the property at the point of diversion? Robert S. Dodge, Duane B. Smith
- b. Who owns the land to be irrigated or place of use? Same as above
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Water Use is on lots 11, 12, 13 & 14 in Copenhagen Subdivision, plus the runway in front of these lots. The other right (77-07335) is from a spring which has decreased flow amounts. This area has been irrigated for more than 10 years but we now need river water to supplement spring water (see attached forest service letter). This 3 acre is also for fire protection as used during the 2007 Raines Fire which burned 3 homes in this subdivision. These irrigated acres stopped the fire from consuming the 6 homes near these green grass lawns.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" 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.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

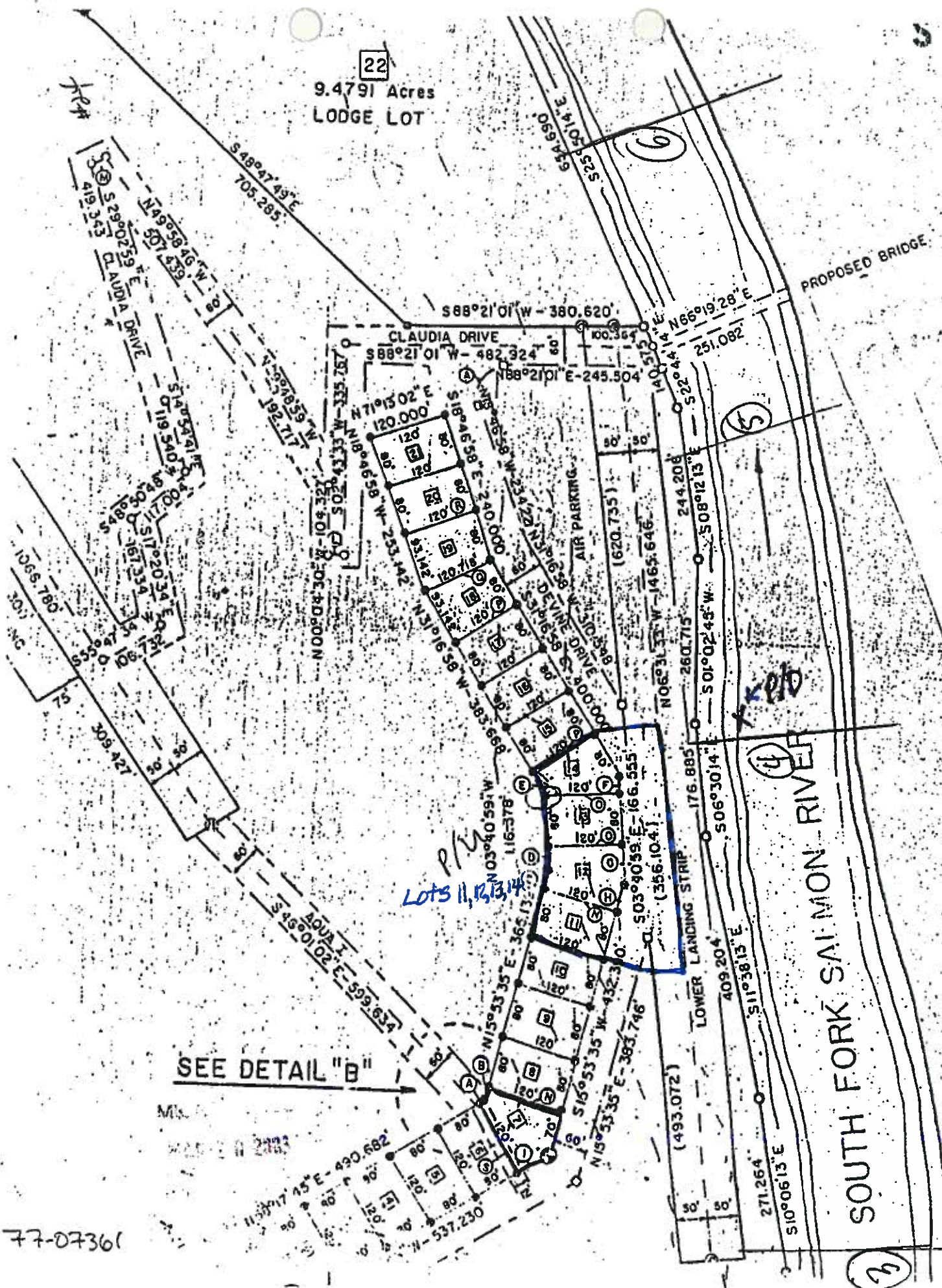
Robert S. Dodge
Signature of Applicant

Robert S. Dodge
Print Name (and title, if applicable)

For Department Use:
Received by Jmh Date 7-30-09 Time 9:44 Preliminary check by 82
Fee \$ 100.00 Received by Jmh Receipt No. W037748 Date 7-30-09

22

9.4791 Acres
LODGE LOT



SEE DETAIL "B"

PLN
Lots 11, 12, 13, 14

AKED

SOUTH FORK SALMON RIVER

77-07361

77-14323

7237 RBE Side 6 25.39

NO MON LOT 7
777 08/04/1977

77-143230

COPENHAVER SUBDIVISION 1986

ALL OF H.E.S. NO. 701
LOCATED WITHIN UNSURVEYED SECTION 6, T.23N., R.2E.
B. SECTION 31, T.24N., R.2E., B.M., IDAHO COUNTY, IDAHO



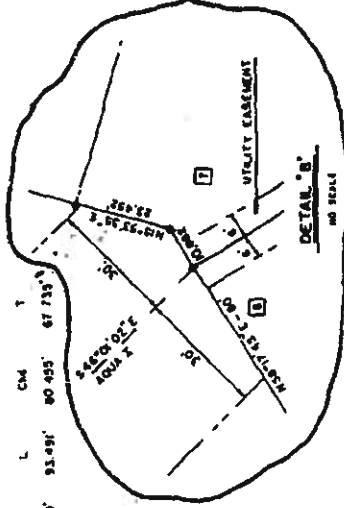
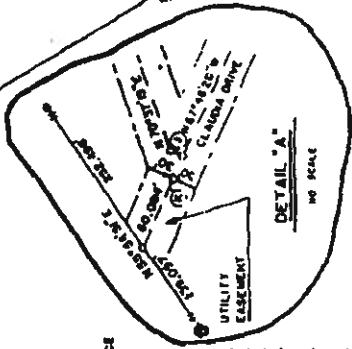
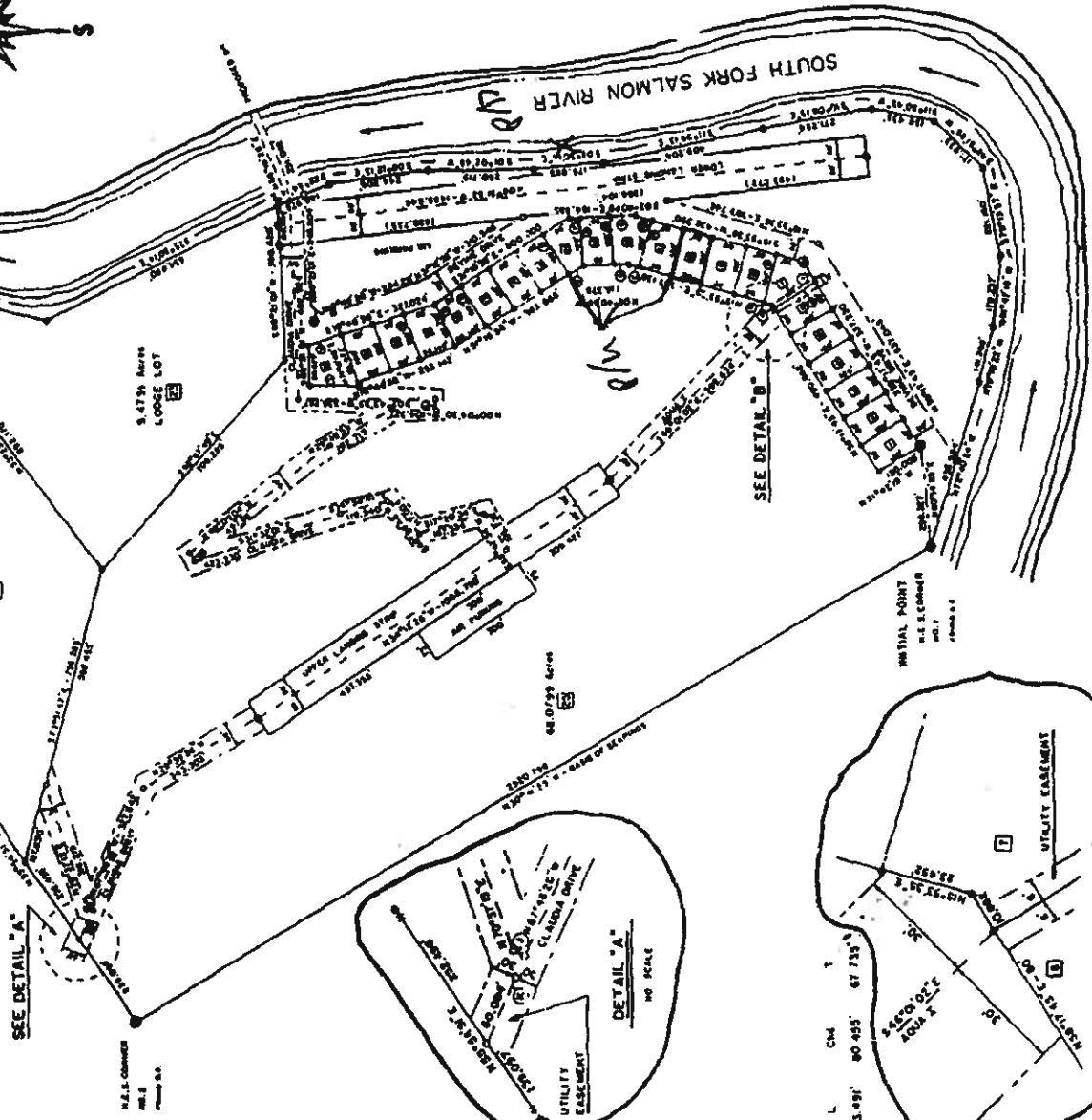
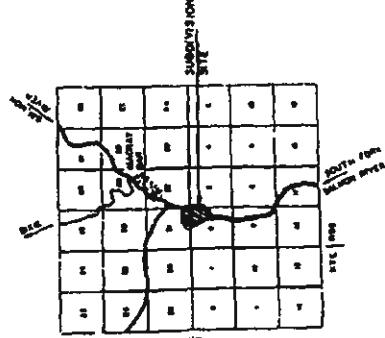
LEGEND

- H.E.S. CORNER, FOUND ORIGINAL STONE
- H.E.S. NEARER CORNER, NOT SET
- LOT CORNER, SET 2"X30" G.I.P. W/S.C.
- LOT CORNER, SET 5/8"X30" NEAR W/SERV. CAP
- SUBDIVISION BOUNDARY LINE
- LOT LINE
- EASEMENT CENTERLINE
- ACCESS & UTILITY EASEMENT
- UTILITY EASEMENT
- ACCESS & UTILITY EASEMENT
- EASEMENT CORNER, SET 5/8"X30" NEAR W/SERV. CAP
- EASEMENT CENTERLINE, NOT SET
- EASEMENT CORNER, NOT SET

COPYRIGHTED SUBDIVISION RESTRICTIVE
COVENANTS ARE FILED AS INSTRUMENT
NO. 77-143231

VICINITY MAP

Scale 1" = 2 miles



TANGENT	BEARINGS	DISTANCE
A	N 36°17'40"E	10.642'
B	N 18°33'35"E	23.482'
C	N 15°33'25"E	21.081'
D	N 07°40'59"W	49.874'
E	N 3°16'38"W	30.314'
F	N 03°40'59"E	29.475'
G	N 03°40'59"E	31.000'
H	N 03°40'59"E	42.390'
I	N 36°17'40"W	37.230'
J	N 23°04'00"E	20.000'
K	N 47°40'35"W	40.084'
L	N 67°34'03"W	30.000'
M	N 50°45'55"W	20.000'
N	N 74°04'25"E	120.000'
O	N 86°19'00"E	120.000'
P	S 38°43'02"W	120.000'
Q	S 64°54'02"W	120.718'
R	S 74°02'00"W	120.000'
S	N 31°42'15"W	122.249'
T	S 02°43'33"W	87.024'
U	S 118°46'58"E	87.024'
CURVE		
A	107°07'58"	50.000'
	93.491'	90.455'
	67.733'	

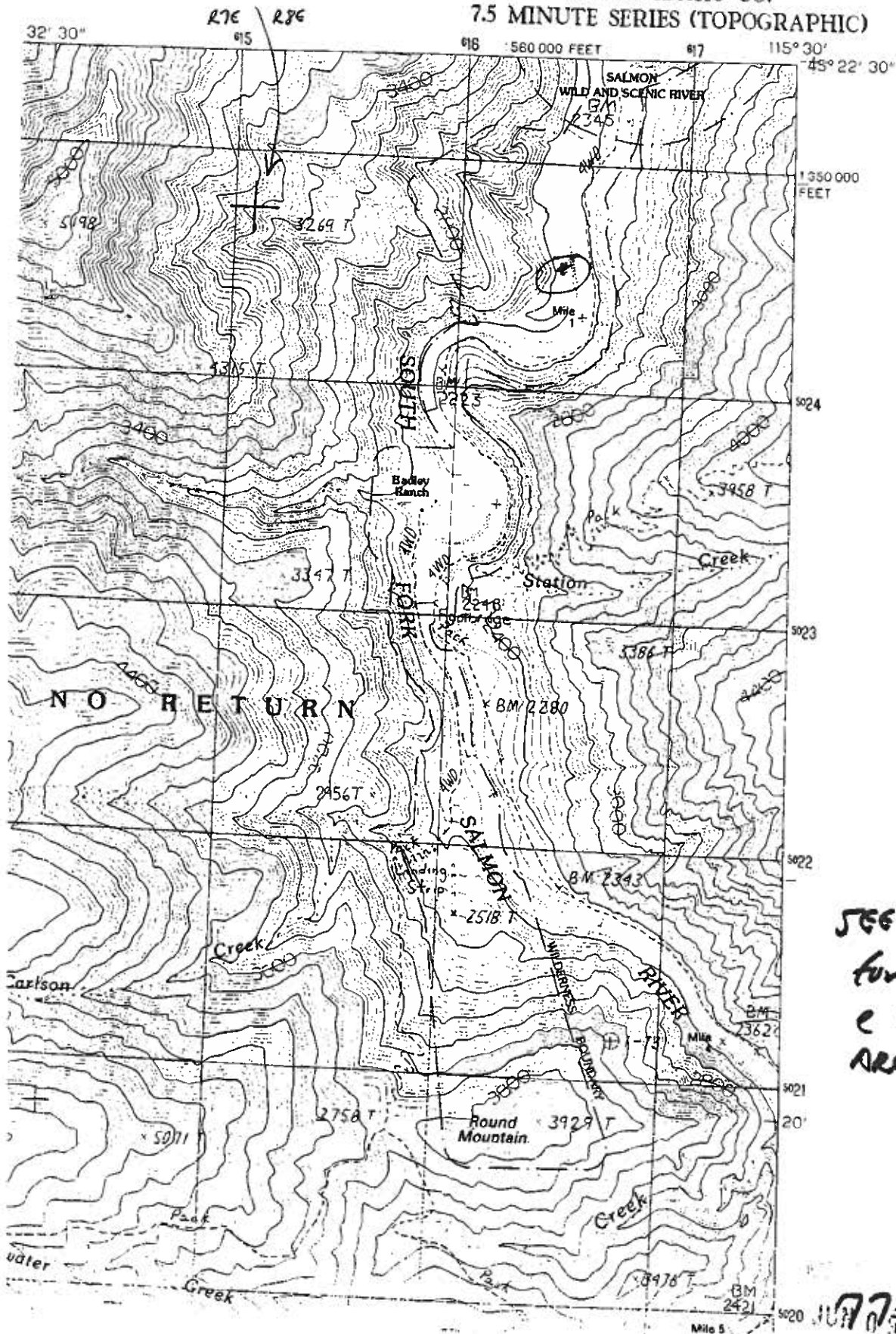
77-143231

77-14323

T24N
T23N

36	31
1	6

BURGDORF SUMMIT QUADRANGLE
IDAHO-IDAHO CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



SEE 77-07335
for map details
& unsurveyed
AREA 67.
-82 1/20/98

77-07362

Attached to Application for Permit: Robert S. Dodge
This waterline cutting a c. ing has reduced spring u. rflows



United States
Department of
Agriculture

Forest
Service

Payette National Forest
McCall R.D.

800 W Lakeside Ave
McCall ID 83638-3602
208 634-0400

File Code: 2720

Date: May 22, 2009

RECEIVED

JUL 30 2009

WATER RESOURCES
WESTERN REGION

Duane Smith
Duane Smith/Bob Dodge Association
PO Box 754
McCall, ID 83638

77-14323

Dear Mr. Smith:

I appreciate you meeting with Kathy Nash, Rob Bryant, Jim Fitzgerald and me on May 12, 2009 to discuss resolution of the unauthorized Cherry Spring Water development on National Forest lands. The area of disturbance near the spring has grown back with new vegetation. Complete removal of the improvements is not the best decision for the resource since it would require slope disturbance for equipment access as well as disturbance to the spring. As we discussed, the two waterlines diverting water on NFS land will be cut and capped. The silt fence that was installed by the fire crews in the fall of 2007 will also be removed.

I plan to have a crew on site June 17th and 18th to complete the work. We will work with you to hand dig the waterlines and remove the materials from the site. With approval from the landowners, we will use the cable car to access the site and remove the materials. We plan to be at Mackay Bar Lodge at 10:30am and Copenhaver at 11:00am on June 17th.

Again, I appreciate you, Alberta and Bob taking the time to meet us on site. I look forward to working with you in a couple weeks and bringing this project to closure. I will also extend an invitation to the other water users to meet or work with us on June 17th. If you have questions please call me at 634-0401 or contact Kathy at 634-0416.

Sincerely,

LISA J. KLINGER
District Ranger

cc: Bob Dodge, Copenhaver Water Users Association, Copenhaver Homeowners Association



WorkCentre 7345 Transmission Report

G3 ID

Date/Time: 04/14/2010; 09:12AM
Page: 1 (Last Page)

Local Name
Logo

Document has been sent.
Document Size 8.5X11"SEF

FAX Transmittal Cover Sheet

State of Idaho
Department of Water Resources
Western Region
Boise, ID
PH: (208) 334-2190
FAX NO. (208) 334-2348
Number of total pages: 3

Date: April 14, 2010
To: Idaho County Free Press, Attn: Nona
From: Denise Buffington
Fax: 208-983-1336

Attached please find (1) legal notice being submitted for publication. If you have any questions about the attached information; or if you are not able to run the notice on the dates requested, please contact me immediately. This legal notice was also submitted via e-mail earlier today.

Thank you in advance,

Denise

Denise Buffington
Administrative Assistant

Total Pages Scanned: 3 Total Pages Sent : 3

No.	Doc.	Remote Station	Start Time	Duration	Pages	Mode	Contents	Status
1	6044	2089831336	4-14; 9:11AM	29s	3/ 3	SG3		CP

Note:
RE: Resend MB: Send to Mailbox BC: Broadcast MP: Multi Polling RV: Remote Service
PG: Polling RB: Relay Broadcast RS: Relay Send BF: Box Fax Forward CP: Completed
SA: Send Again EN: Engaged AS: Auto Send TM: Terminated

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Thank you in advance,



Denise Buffington
Administrative Assistant

Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, April 14, 2010 9:06 AM
To: Idaho County Free Press
Subject: LEGAL NOTICE
Attachments: Idaho County - Cover Letter.Doc; Idaho County Ad.Doc

Attached please find (1) legal notice being submitted for publication. Please contact me if you have any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

April 14, 2010

LEGAL NOTICE DEPARTMENT

IDAHO COUNTY FREE PRESS
PO BOX 690
GRANGEVILLE, ID 83530

RE: Application For Permit No(s): 77-14323

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 5/10/2010. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

77-14323

ROBERT S DODGE

DUANE B SMITH

PO BOX 754

MC CALL, ID 83638-0754

Point of Diversion NENE S6 T23N R08E IDAHO County Source SALMON RIVER Tributary SALMON RIVER

Use: IRRIGATION 03/15 to 10/31 0.06 CFS

Total Diversion: 0.06 CFS

Date Filed: 7/30/2009

Place Of Use: IRRIGATION

T23N R08E S6 NENE SENE

Total Acres: 3

This application proposes the diversion and use of water tributary to a federally designated 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 it is for irrigation purposes. The diversion rate and acres will be applied to the subordination amounts specified in the decree for the applicable Wild & Scenic River. Use is to irrigate yards and part of a landing strip within HES 701, middle portion of Copenhaver Subdivision.

Permits will be subject to all prior water rights. 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 Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 5/10/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 4/21 & 4/28/2010

Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, April 14, 2010 9:18 AM
To: Thiel, Sandra
Subject: COMMENT LETTER
Attachments: Comment Letter to Planning Bureau.Doc; 77-14323 APP.pdf

Please review the attached information and comment as necessary. If you have any questions regarding the attached information, please feel free to contact our office.

Thank You,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

April 14, 2010

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: 77-14323

Dear Ms. Thiel:

Attached are copies of one or more applications that may be of interest to you. Please contact the applicant(s) if you have concerns about the application(s).

If you desire to file a formal protest against approval of the application(s), a written protest along with the \$25.00 protest fee for each application protested must be received in this office by May 10, 2010.

Please contact this office at 208-334-2190 if you have any questions regarding the application(s).

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure

MEMORANDUM

TO: Application No. 77-14323

FROM: Steve Lester 

DATE: March 31, 2010

RE: Evaluation of Sufficiency of Information Submitted for Salmon-Clearwater Processing - Basins 77, 78 & 79 for Western Region

The application proposes development located between sites for recent approvals 77-14327 and 77-14328, which cover other portions of Copenhaver Subdivision. Processing 77-14323 therefore closely resembles processing of those other rights. Apparently Dodge/Smith do not want to be part of either homeowner association under those other rights.

The application proposes irrigation from the South Fork Salmon River for 3 acres. The site is on the west bank of the river about 1 mile upstream from the confluence with the main Salmon River.

Summary of Information Submitted

Rule 40 information plus a favorable comment letter from IDFG were provided. Most of that information is attached to the amended application, left side of file. IDEQ provided a brief reply.

Effect on Existing Water Rights: Impacts on other rights are not expected for the limited amount requested for this remote area.

Sufficiency of Water Supply: The South Fork Salmon River has an abundant supply of water.

Good Faith, Delay or Speculative Purposes: The applications are filed in good faith. No public land is involved.

Financial Resources: Additional information is unnecessary since the project will cost less than \$5000.

Local Public Interest: IDFG endorsed this project and even offered to provide a free fish screen made in their shop. IDEQ stated it did not have any comments to add. Assuming protests are not filed, the application is in the local public interest by providing a reliable source of water to improve the site. This will also help guard against excessive fire damage.

Wild & Scenic River (WSR) Processing

General Information - WSR processing only applies to portions of Bs 77 and 78. 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 (does not affect land outside of the Rapid River drainage).¹

¹ P/D = T23N-R1W-S.12

Therefore, typically expected 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 these Applications - WSR processing is required because the proposed source and diversion are upstream from and hydraulically connected to WSR 77-11941 on the main Salmon River. WSR legal notice remark will be used. The application was added to the WSR tracking spreadsheet. Note the proposed irrigation is not "replacement" water within the WSR definitions.

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 those 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).

Downstream MSF right 3-8 on the Snake River⁵ does not include subordination to junior domestic, commercial, municipal or industrial uses ("dcmi") and also does not include "future non-dcmi cfs" factors. Salmon River MSF right 79-14119⁶, ending at the confluence with the Snake River, is subordinated to future dcmi uses but does not include future non-dcmi cfs factors.

Specific Information for these Applications - MSF analysis is required for the proposed source and use upstream from MSF rights 3-8 and 79-14119.

The application proposes water also involved with South Fork Salmon River MSF right 77-14174. That right is subordinated to future dcmi uses and to 20.6 cfs future non-dcmi uses. Very little of the future non-dcmi has been approved yet.

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

This leads to the following conclusions for both applications:

- Senior MSF right 3-8 will not be subordinated to the proposed use.
- Senior MSR right 79-14119 will not be subordinated to the proposed use.
- Senior MSR right 77-14174 will be subordinated to the proposed use.

A MSF summary spreadsheet for Basin 77⁷ plus a map of the subdivision site are attached.

² P/D = T25N-R5E-S.31

³ P/D = T23N-R16E-S.33

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

⁵ P/D = T31N-R5W-S.10

⁶ From mouth of river T29N-R4W-S.14 upstream thru about Shepp Ranch T24N-R6E-S.12

⁷ N/WR Processing/BS 77-79 Folder/Bs # MSF Rights. Perhaps eventually superseded by SO tracking tools made available to staff?

Discussion

Duplicate Coverage - Duplicate coverage from the river might occur under this application. Co-applicant Dodge owns river right 77-7362. That right authorizes domestic use, including a total ½ acre of irrigation, for subdivision lots 12-14. The application covers lots 11-14 plus a portion of the adjacent landing strip. Therefore, up to ½ acre of yard irrigation associated with lots 12-14 is duplicated in the application. A condition used for similar duplication in 77-14327 and 77-14328 can be used for this application for potential duplication. The applicants most likely will use the same pump for the older right and for this application.

Co-applicant Smith owns 77-7335, a domestic and irrigation right from a spring locally known as Cherry Spring. Duplicate use from a different source is not problematic. The spring is shared by several owners in the subdivision under multiple rights. Recent problems with the spring have involved at least Smith, some of the other lot owners and the Forest Service (unauthorized trespass on the wilderness area bordering the spring as Smith tried to enhance flows from the spring). Apparently the problems have been resolved. One result was filing this application to secure a more reliable source of water.

Other Information – Proposed sites are within private land in HES 701. The area is unsurveyed for section information. Prior IDWR files about this site have relied on map projections etc. to estimate ¼ ¼ details. Also, current ArcMap projections are available for these details. Current information is adequate to estimate legal descriptions within HES 701.

Including prior approvals 77-14327 and 77-14328, the entire subdivision and lower landing strip will be served by river water if this application is approved.

Conditions of Approval

Assuming the application can be approved, adapt conditions from 77-14327 and 77-14328. Those conditions were recently confirmed in parallel processing with SO and do not need to be reconfirmed for this application.

Proof due 1 year (so 26A n/a).

217 – modified for possible ½ acre irrigation duplication of right 77-7362.

X60 – irrigation in lots 11-14 and portion of Lower Landing Strip within HES 701, Copenhaver Subd.

R66 – irrigation all rights combined at 0.03 cfs/3 af per acre.

029 – IDFG issues.

195 through 198 – use all 4 WSR conditions.

004 – no trespass etc.

121 – possible future mitigation, fish flows.

BS 77 MINIMUM STREAMFLOW RIGHTS -- QUERY 12/1/2009

Basin	Sequence	Priority	Source	Subordinate to Future DCM	Subordinate to Future Non DCM (CFS Limit)	Non DCM CFS Approved Since 4/1/2005
77	14167	4/1/2005	BARGAMIN CREEK	YES	1.2	0
77	14209	4/1/2005	BEAR VALLEY CREEK	YES	4.7	0
77	14178	4/1/2005	BIG CREEK - downstream	YES	12.8	0
77	14182	4/1/2005	BIG CREEK - upstream	YES	0.5	0
77	14202	4/1/2005	BLACKMARE CREEK	YES	0.4	0
77	14191	4/1/2005	BRUSH CREEK	YES	0.6	0
77	14195	4/1/2005	BUCKHORN CREEK	YES	1	0
77	14204	4/1/2005	BURNTLOG CREEK	YES	0.7	0
77	14198	4/1/2005	CAMAS CREEK	YES	9	0
77	14171	4/1/2005	CHAMBERLAIN CREEK	YES	4.8	0
77	14170	4/1/2005	CHAMBERLAIN CREEK WEST FK	YES	0.3	0
77	14199	4/1/2005	DYNAMITE CREEK	YES	0.4	0
77	14211	4/1/2005	ELK CREEK	YES	1.9	0
77	14188	4/1/2005	FITSUM CREEK	YES	0.5	0
77	14173	4/1/2005	FRENCH CREEK	YES	2.3	0
77	14172	4/1/2005	HORSE CREEK	YES	3.6	0
77	14200	4/1/2005	INDIAN CREEK	YES	1.9	0
77	14194	4/1/2005	JOHNSON CREEK	YES	4.1	0
77	14212	4/1/2005	LAKE CREEK	YES	0.4	0
77	14183	4/1/2005	LICK CREEK	YES	0.6	0
77	14180	4/1/2005	LOGAN CREEK	YES	0.4	0
77	14203	4/1/2005	LOON CREEK	YES	8.1	0
77	14201	4/1/2005	MARBLE CREEK	YES	2.8	0
77	14210	4/1/2005	MARSH CREEK	YES	3.5	0
77	14179	4/1/2005	MONUMENTAL CREEK	YES	2.1	0
77	14205	4/1/2005	PISTOL CREEK	YES	2.6	0
77	14176	4/1/2005	PORPHYRY CREEK	YES	0.6	0
77	14187	4/1/2005	PROFILE CREEK	YES	0.4	0
77	14186	4/1/2005	QUARTZ CREEK	YES	0.3	0
77	14207	4/1/2005	RAPID RIVER	YES	2.5	0
77	14184	4/1/2005	RUSH CREEK	YES	1.5	0
77	14190	4/1/2005	SALMON RIVER EAST FK SOUTH FK	YES	8.2	0
77	14174	4/1/2005	SALMON RIVER SOUTH FK - downstream	YES	20.6	0
77	14192	4/1/2005	SALMON RIVER SOUTH FK - upstream	YES	7.7	0
77	14175	4/1/2005	SECESH RIVER - upstream	YES	2.3	0
77	14181	4/1/2005	SECESH RIVER - downstream	YES	4	0
77	14168	4/1/2005	SHEEP CREEK - trib Salmon R.	YES	0.8	0
77	14185	4/1/2005	SHEEP CREEK - trib South FK Salmon R.	YES	0.9	0
77	14197	4/1/2005	SHEEP CREEK - trib Middle FK Salmon R.	YES	0.5	0
77	14196	4/1/2005	SILVER CREEK	YES	1.1	0
77	14177	4/1/2005	SMITH CREEK	YES	0.4	0
77	14193	4/1/2005	SUGAR CREEK	YES	0.3	0
77	14208	4/1/2005	SULPHUR CREEK	YES	1.2	0
77	14189	4/1/2005	TAMARACK CREEK	YES	0.3	0
77	14206	4/1/2005	WARM LAKE CREEK	YES	0.4	0
77	14169	4/1/2005	WIND RIVER	YES	0.9	0

DCMI APPL OK, NON-DCMI APPL OK WITHIN ALLOWABLE PARAMETERS. SEE "PROCEDURE" BELOW.

PROCEDURE: DCM APPL ok for all msf rights in Bs 77 as noted in review memo. NON-DCMI CONSUMPTIVE USE APPL: See if within drainage with msf right. For that msf right, if column G (last) is less than column F (2nd to last), ok to process appl. Note in review memo that senior msf right will be subordinate to junior application under the future non-dcmi clause. Do not need to repeat for msf rights downstream from the msf right you are actively checking since the downstream future non-dcmi rates are higher for those bigger sources. Satisfying the smaller upstream rate test satisfies the larger downstream rate test. For the msf right you are actively checking, if column G (last) is equal to or greater than column F (2nd to last), consult supervisor for next step.

EXAMPLE: Appl 77-14234 for 0.14 cfs irrigation, future non-dcmi consumptive use, unnamed streams trib to Johnson Creek. Johnson Creek msf right with 4/1/2005 priority is subordinate to 4.1 cfs future non-dcmi use, zero approved since 4/1/2005. Process appl and note review memo that senior msf rights will be subordinated to this junior application. Updates to this spreadsheet will eventually show 0.14 of the 4.1 future non-dcmi cfs has been approved for Johnson Creek.

* 77-14323 OK to approve within available future non-dcmi cfs.

77-14323 Review memo Attachment #1

Topographic map of the Salmon River area with handwritten annotations. The map shows contour lines, roads, and various landmarks. Handwritten in blue ink are:

- Main Salmon** (top left)
- 77-14328*** (Lots 15-23) (upper center)
- 77-14323** (Lots 11-14) (center)
- 77-14327*** (Lot 1-9) (lower center)
- S. Fr. Salmon Creek** (bottom)
- * Approved** (bottom left)

A red line runs horizontally across the middle. A blue line with arrows points to a specific area labeled **Lot 10**.

77-14323 REVIEW MEMO ATTACHMENT #2



IDAHO DEPARTMENT OF FISH AND GAME
SOUTHWEST REGION
McCALL OFFICE
555 Deinhard Lane
McCall, Idaho 83638

C.L. "Butch" Otter / Governor
Cal Groen / Director

February 8, 2010

Mr. Steve Lester
Water Rights Supervisor
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

FEB 16 2010

WATER RESOURCES
WESTERN REGION

RE: Application for Permit No. 77-14323

Dear Mr. Lester:

We have reviewed the Application for Permit for Robert Dodge and Duane Smith for placing an irrigation pump in the South Fork Salmon River to supply water for four lots in the Copenhaver Subdivision. The requested amount was proposed at 0.06 cfs withdrawal from April 1 to Nov. 1. The applicant states that a fine mesh will be placed on inlet to prevent fish entrainment.

The request is reasonable and we have only one comment about the fish screening. The Department can provide an intake screen for this permit and would prefer that ours be used. The applicant needs to contact Mr. Jim Jones at our Anadromous Screen Shop and request assistance. There is no charge for the equipment and it will be much more effective than a homemade unit. Mr. Jones's phone number is 208-756-6022 in Salmon Idaho.

If you have further questions or need further information please contact Dale Allen, Regional Fishery Manager in McCall at 208-0634-8137.

Sincerely,

Scott Reinecker
Regional Supervisor

DA
cc. Robert Dodge
PO Box 754
McCall, ID 83638

Lester, Steve

From: Leslie.Freeman@deq.idaho.gov
Sent: Thursday, January 28, 2010 7:10 AM
To: Lester, Steve
Subject: RE: Water Right Application 77-14323, Dodge & Smith, Copenhagen Subd.

I did get a copy of the water right application 77-14323 and do not have any comments.

Leslie Freeman
Senior Water Quality Analyst
DEQ-McCall Satellite Office
PO Box 4654
McCall ID 83638
(208) 634-4900

From: Lester, Steve [mailto:Steve.Lester@idwr.idaho.gov]
Sent: Tue 1/26/2010 8:21 AM
To: Allen,Dale; Leslie Freeman
Subject: Water Right Application 77-14323, Dodge & Smith, Copenhagen Subd.

Hi Dale & Leslie:

This is to let you know I just received the amended application filed by Dodge & Smith for their property on the South Fork Salmon River. They said they gave you a copy of the application. It proposes 3 acres of irrigation from the river. Any approval would include a requirement to comply with IDFG fish screening requirements.

I can process the application after receiving your comments. Feel free to email your comments if you prefer, and don't hesitate to get in touch if you have any questions or concerns.

Thanks for your help.

Steve Lester

Water Rights Supervisor

IDWR Western Region

tel: 208.334.2190

fax: 208.334.2348

IDEQ comments = "NONE"



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

January 11, 2010

ROBERT S DODGE
BOX 209
MCCALL ID 83638

Re: Application for Permit No. 77-14323

Dear Mr. Dodge:

Alberta Smith visited this office today in response to the previous request for more information regarding your application. She stated she is acting on behalf of you and Duane Smith.

In that capacity, she requested more time to provide the necessary additional information. The request is approved. The information noted in my prior letter to you is now due by **June 1, 2010**. As noted before, the application will be voided without a timely response by that new deadline.

Please contact me at 208-334-2190 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Steve Lester".

Steve Lester
Water Rights Supervisor

1/11/2010

Appl. 77-14323

RECEIVED

JAN 11 2010

WATER RESOURCES
WESTERN REGION

Dear Sir:

I am acting on behalf of Bob Dodge and Duane Smith. We are requesting more time to complete the above application for permit. The letter posted December 8th was lost in the mail for more than 30 days. We will be submitting the requested information as soon as possible.

Sincerely,

Alberta Smith

Alberta Smith



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

December 8, 2009

ROBERT S DODGE
BOX 209
MCCALL ID 83638

Re: Application for Permit No. 77-14323

Dear Mr. Dodge:

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. Page 2 of the attachment lists the Water Appropriations rules about this request for more information. Please be sure to state why you think that any of the items on page 2 of the attachment do not apply to your application. Also, please feel free to call me to discuss some tips you might find useful in providing the required information.

The application should also be amended for the following two items.

1) Applicant – Apparently the place of use is owned by you and Duane Smith. Please explain in application item #11c if this means you both are co-owners of the entire proposed place of use (joint owners), or if you each own a separate portion of the proposed place of use (separate owners).

An applicant must have possessory interest in the proposed place of use to establish a new right on land owned by someone else. The easiest way to address this issue is to amend the application for you and Mr. Smith to be the applicants. Applications in multiple names joined by "and" need signatures from all the people listed, otherwise one signature is sufficient. Alternately, you can be sole applicant if you provide an acceptable response showing how you can seek a new water right on Smith's land (contract, lease etc.) if that is the case.

Application for Permit No. 77-14323

December 8, 2009

Page 2

2) Place of Use – The subdivision lots and associated portion of the airstrip straddle two ¼ ¼ tracts in Section 6 (NENE and SENE). Please see water right 77-7335 in this regard for Section 6 details (Cherry Spring, same irrigation as your application).

Please use the enclosed blank form (slightly different than original form due to recent updates) to complete an amended application. This does not require additional payment. You can use a copy of the completed amended application to discuss it with the other two state agencies noted in the attached handout.

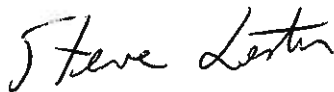
IDWR needs the following items to process your application:

- completed amended application with appropriate signature(s)
- comment letters from the Idaho Dept. of Fish & Game and the Idaho Dept. of Environmental Quality
- your responses to Rule 40 items.

Please note the sixty (60) day deadline for your written reply to this request. Water Appropriation Rule 40.01.d allows an applicant to request that IDWR interrupt processing an application for up to six months if more time is needed by the applicant. If you request more time, be sure to include documentation verifying that you have initiated your request for comments from other state agencies listed in the attached handout. IDWR can approve the request if it (a) will not injure others, (b) is consistent with the public interest, and (c) is not for speculative purposes. Applications are normally voided if applicants do not provide timely written responses.

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,



Steve Lester
Water Rights Supervisor

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

To ensure that IDWR has sufficient information to evaluate the criteria, Rule 40.05 of the Water Appropriation Rules (IDAPA 37.03.08.040.05) requires water right applicants to submit additional information to IDWR in connection with their applications.

The additional information requirement is usually waived for applications proposing the appropriation of 5.0 cfs or less or the storage of 500 af or less. 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 in the basins' rivers and streams. IDWR is, therefore, requiring that applicants submit the additional information required by Water Appropriation Rules 40.05.c through 40.05.g, even when the applications are for less than the usual 5.0 cfs/500 af threshold. Only certain applications for small domestic and stockwater uses and applications to divert ground water for domestic use in multiple homes are exempt from the additional information requirement. A copy of Water Appropriation Rules 40.05.c-g is enclosed.

Please submit the information required by Water Appropriation Rules 40.05.c-g to IDWR. IDWR will hold your application until you have submitted the additional information. If you believe that a particular piece of information is not relevant to your application, please explain why. A complete response to Rule 40.05.f, Information Relative to Financial Resources, is not required if construction of your project will cost less than \$5,000. Instead, simply state the projected cost of your project.

Your response, or a request for more time to make your response, must be received within 60 days from the date of this mailing. The application will be voided without a timely written reply.

The following are agency representatives who will help you respond to the local public interest requirement of Rule 40.05.g. Please contact these agency representatives at least 15 days prior to the end of your 60 day response period.

IDFG contact list for water right applications:

Panhandle Region: Mary Terra-Berns at 208-769-1414
McCall Subregion: Dale Allen at 208-634-8137
Salmon Region: Tom Curet at 208-756-2271

Clearwater Region: Ray Hennekey at 208-799-5010
Southwest Region: Rick Ward at 208-465-8465

IDEQ contact list for water right applications:

Lewiston: Kerby Cole at 208-799-4370 (Clearwater or lower Salmon River basins)
McCall: Leslie Freeman at 208-634-4900 (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 – see page 1. 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 optional unless the applicant is otherwise notified by IDWR.

77-14323



United States
Department of
Agriculture

Forest
Service

Payette National Forest
McCall R.D.

800 W Lakeside Ave
McCall ID 83638-3602
208 634-0400

File Code: 2720/5510

Date: August 5, 2009

RECEIVED

AUG 20 2009

WATER RESOURCES
WESTERN REGION

Duane Smith
Duane Smith/Bob Dodge Association
PO Box 754
McCall, ID 83638

Dear Mr. Smith:

I appreciate your willingness to coordinate efforts in resolving the unauthorized water development on National Forest System lands on June 17th. With your assistance, a Forest Service crew dug up a portion of the unauthorized development collecting water from Cherry Spring. Two water lines that diverted water from the "collection ditch" to the diversion on private land were severed and capped. This location was marked with several wooden stakes which will be left in place if the location needs to be pinpointed in the future. Because of the resource concerns, a decision was made not to dig up and remove all of the materials that were installed. The silt fence that was installed by fire crews in the fall of 2007 was also removed.

A Forest Service survey crew completed boundary maintenance work around the subdivision (H.E.S 701) in April 2009. The boundary line around the subdivision and specifically in the area of Cherry Spring is clearly identified.

As I am sure you are now aware, any improvements on NFS lands require authorization. If you plan to conduct work in the future, please contact me or the special uses administrator to begin the application process. While the circumstances weren't what either of us hoped for I did enjoy meeting you, Alberta and Bob and seeing the South Fork Salmon River and Copenhagen subdivision. It is certainly a special place.

Sincerely,

LISA J. KLINGER
District Ranger

cc: Bob Dodge, Copenhagen Water Users Association, Copenhagen Homeowners Association

