

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

RECEIVED**APPLICATION FOR PERMIT****APR 08 2009****To appropriate the public water of the State of Idaho****IDWR / NORTH**

1. Name: T. SCOTT PERRIN
PO BOX 414
COTTONWOOD ID 83522
(208)962-7266

2. Source: GROUND WATER
UNNAMED STREAM Tributary to: LAWYER CREEK

3. Location of Point of Diversion:

#1 GROUND WATER	NE1/4SE1/4	Sec. 34, Twp 34N, Rge 01W, B.M.
LEWIS County		
#2 UNNAMED STREAM	NE1/4SE1/4	Sec. 34, Twp 34N, Rge 01W, B.M.
LEWIS County		
#3 UNNAMED STREAM	SE1/4NE1/4	Sec. 34, Twp 34N, Rge 01W, B.M.
LEWIS County		

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u> <u>To</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.02 CFS GROUND WATER
IRRIGATION	04/01 to 06/15	0.35 CFS UNNAMED STREAM
IRRIGATION	04/01 to 10/31	0.18 CFS GROUND WATER

5. Total quantity to be appropriated is: 0.55 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

- a. Type and size of devices used to divert water from the source: SUBMERSIBLE PUMP
- b. Well diameter is 6 inches;
- c. Depth of well is 620 feet.
- d. Is ground water with a temperature of greater than 85F being sought? N
- e. If well is already drilled, when? 8/4/2008;
Drilling Firm: STUIVENGA VASSEY DRILLING;
Drilling Permit No. 852508.

POINT OF DIVERSION #2

- a. Type and size of devices used to divert water from the source: ELECTRIC PUMP IN UNNAMED STREAM

POINT OF DIVERSION #3

- a. Type and size of devices used to divert water from the source: ELECTRIC PUMP IN UNNAMED STREAM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8.

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
34N 01W 34	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
				X									X				

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
34N 01W 34	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
				25.0									3.0				28.0

Total Acres: 28

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

SEE LETTER OF EXPLANATION IN THE FILE

NOTE SURFACE WATER USE WILL BE TERMINATED AT THE END OF THE DEVELOPMENT PERIOD AT WHICH TIME THE APPLICANT WILL HAVE SWITCHED OVER TO A DRIP IRRIGATION SYSTEM FROM THE GROUND WATER SOURCE ONLY THIS IS TO COMPLY WITH FISH AND GAMES CONCERN WITH THE DECREASE IN WATER FROM LAWYER CREEK.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

11. Map of proposed point of diversion and place of use attached? [X]

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

T. Scott Perrin
Applicant

Received by Dianne Date 2/5/09 Time originally Preliminary check by _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

Receipt No. N019908

Date: 2/5/09

Receipted by: Dianne

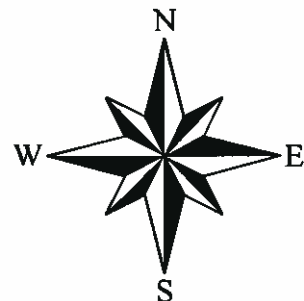
85-15714



0 190 380 760 1,140 1,520 Feet

Legend

-  workingpod
-  workingpou
-  Taxlots
-  QQ



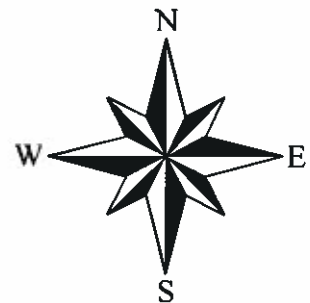
85-15714



0 190 380 760 1,140 1,520 Feet

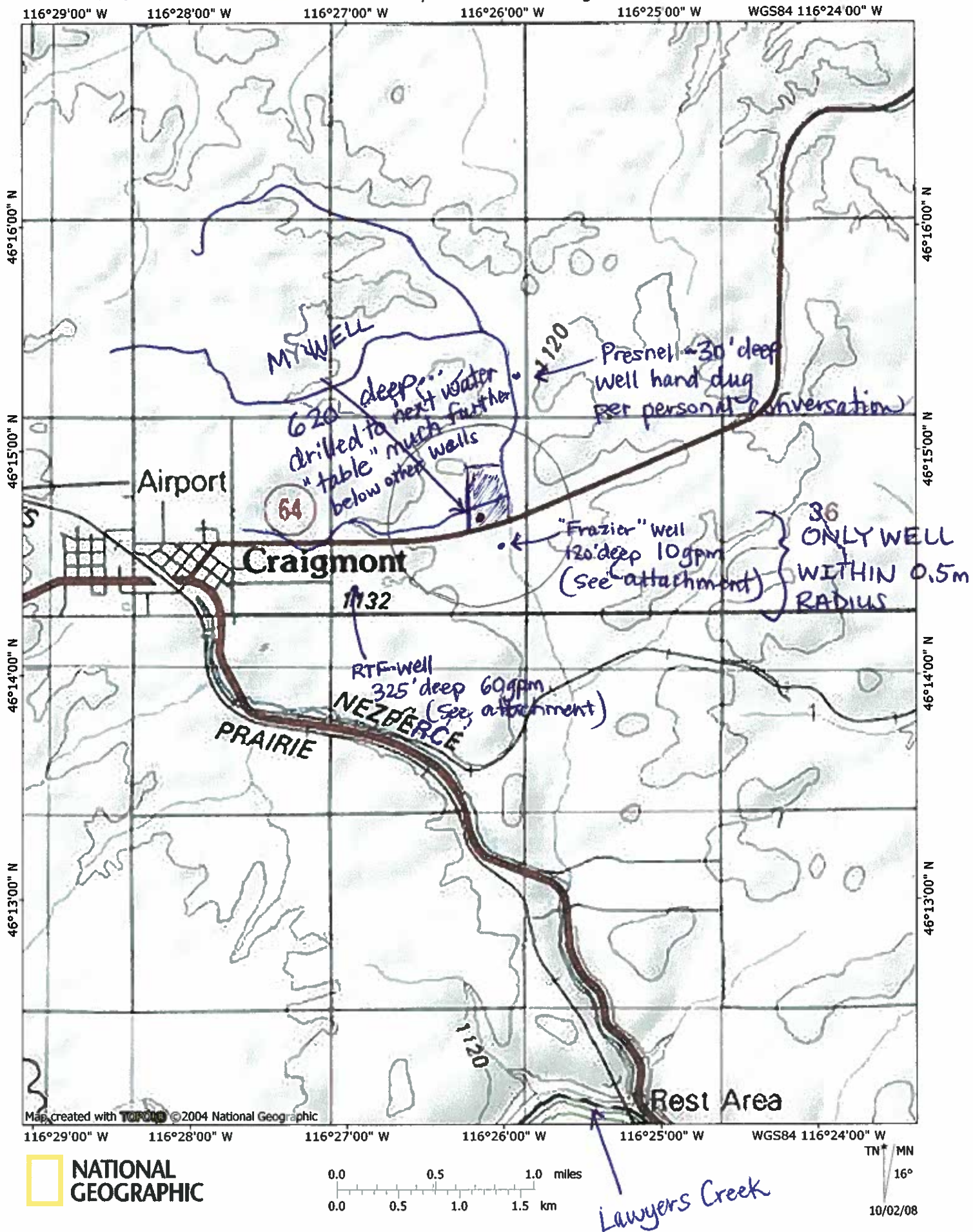
Legend

- workingpod
- workingpou
- QQ



C.

Scott Perrin, Permit for Water Right



IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

1. WELL TAG NO. D 0055515

Drilling Permit No. 852508
Water right or injection well # _____

2. OWNER

Name T Scott Perrin
Address P O Box 414
City Cottonwood State ID Zip 83522

3. WELL LOCATION:

Twp. 34 North ☒ or South ☐ Rge. 1 East ☐ or West ☒
Sec. 34 NE 1/4 SE 1/4 1/4
10 acres 40 acres 160 acres

Gov't Lot _____ County Idaho
Lat. 46 ° 14.695 (Deg. and Decimal minutes)
Long. 116 ° 26.151 (Deg. and Decimal minutes)
Address of Well Site 1 1/2 miles east on Highway 62
City Craigmont

(Show at least name of road - Distance to Road or Landmark)

Lot _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES

Seal material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method/procedure
Bentonite	0	38	8	Overbore
Granuals			Sacks	Poured

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing	Liner	Threaded	Welded
8	+2	38	250	Steel	☒	☐	☐	☒
6	-4	604	250	Steel	☐	☒	☒	☐

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 38

9. PERFORATIONS/SCREENS:

Perforations ☒ Y ☐ N Method Torch Cut

Manufactured screen ☐ Y ☒ N Type _____

Method of installation _____

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
564	604	1/8x6	90	6	Steel	250

Length of Headpipe _____ Length of Tailpipe _____
Packer ☒ Y ☐ N Type 6 x 9 Shale Trap at 110'

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method
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11. FLOWING ARTESIAN:

Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) _____
Describe control device _____

12. STATIC WATER LEVEL and WELL TESTS:

Depth first water encountered (ft) 536 Static water level (ft) 480
Water temp. (°F) 52 Bottom hole temp. (°F) _____
Describe access port Well Cap

Well test:

Test method:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)	Pump	Bailer	Air	Flowing artesian
	<u>50+</u>	<u>1 hour</u>	☐	☐	☒	☐

Water Quality test or comments: Cool & Clear

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water Y	N
10	0	35	Brown Clay		X
10	35	38	Basalt		X
8	38	100	Basalt		X
8	100	105	Fractured Basalt	X	
8	105	280	Basalt		X
8	280	360	Fractured Basalt		X
8	360	420	Basalt		X
8	420	500	Fractured Basalt		X
8	500	536	Basalt		X
8	536	592	Fractured Basalt	X	
8	592	604	Broken Caving Basalt	X	
6	604	620	Basalt		X

RECEIVED
AUG 20 2008
IDWR/North

Completed Depth (Measurable) 615

Date: Started 7/25/2008 Completed 8/1/2008

14. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Stuivenga Vessey Drilling Co. No. 545

*Principal Driller [Signature] Date 8/4/2008

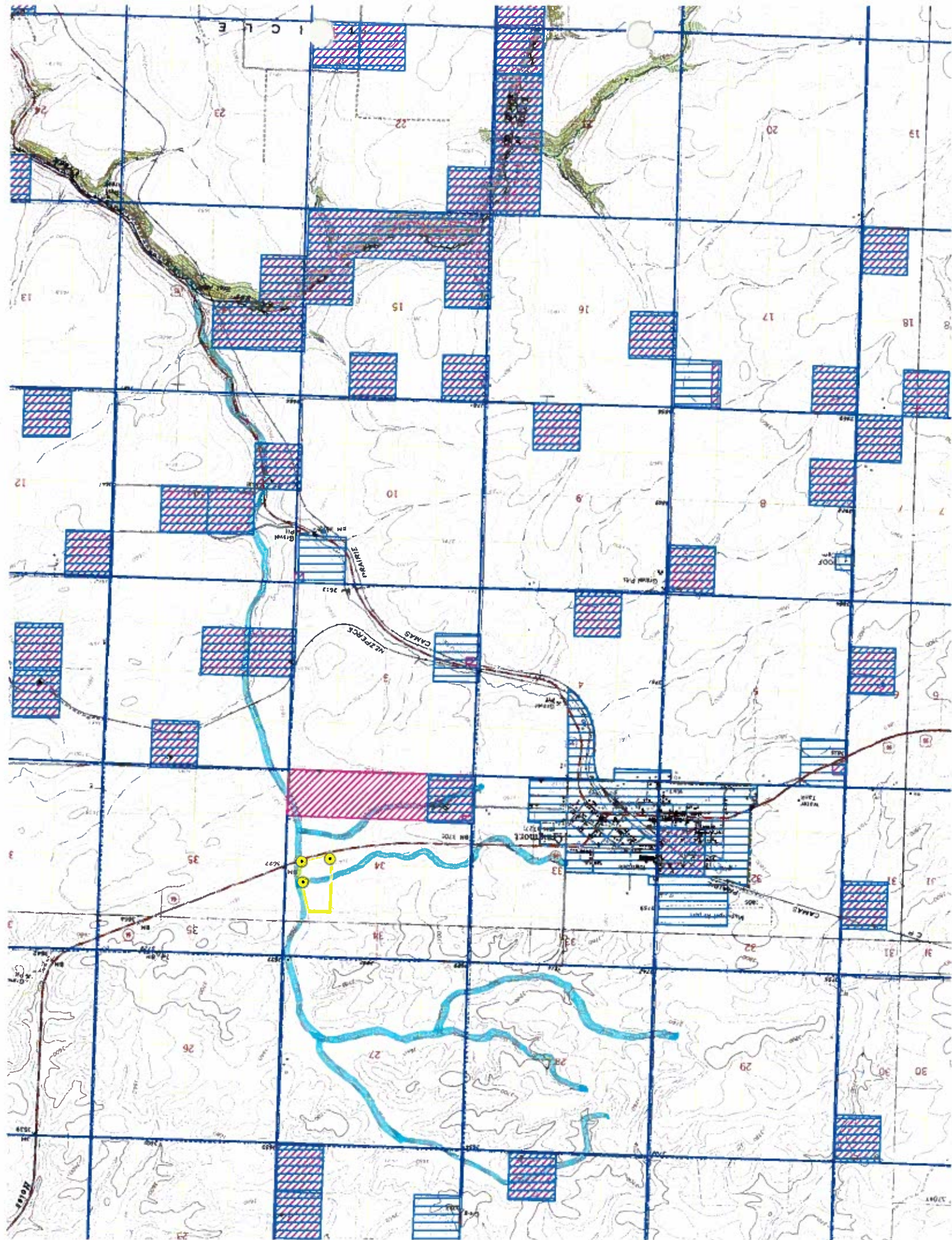
*Driller [Signature] Date 8/4/2008

*Operator II _____ Date _____

Operator I [Signature] Date 8/4/2008

* Signature of Principal Driller and rig operator are required.

34N 01W 34
Permit ID 852,508
Lat 46.2379



See Attachments

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.

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.

Evapotranspiration UoFI

COTTONWOOD ID

ANE ET
100
STD RT
7
7
7
7

7.24

The numbers are too faint on this copy to read clearly. Data from UoFI for ET "requirement"....

Below are calculations.

Scott Perrin

$$ET_{\text{Ordard}} = K_c E_{Tz} \\ \text{July} = 0.85 (7.24) \\ = 6.15 \text{ mm d}^{-1}$$

$$\text{Design Requirement} \\ = (ET - \text{precip} + SD) \cdot 1.08 \\ = (6.15 - 0.85 + 0.7) \cdot 1.08 \\ = 6.48 \text{ mm d}^{-1} \text{ or } 0.255 \text{ " day}^{-1}$$

$$\text{gpm} \\ = \frac{0.255 \text{ "}}{\text{day}} \times \frac{27154 \text{ gallons}}{\text{in} \cdot \text{Ac} \cdot \text{ft}} \times 28 \text{ acres} \times \frac{\text{day}}{24 \text{ hrs}} \times \frac{\text{hrs}}{60 \text{ min}} \\ = 135 \text{ gpm}$$

- Estimated water use is May thru Sept
- Irrigation frequency 2x per month avg.
- Available water from well is unknown. currently Estimation is 50 to 100 gpm.

D.

3692

3633

D!

3640

drip tube laterals

~66 lateral

$$= \frac{0.3 \text{ gal emitters}}{\text{hr}} \times \frac{1500'}{1.5' \text{ / emitter}} \times \frac{\text{hr}}{60 \text{ min}}$$

$$= \frac{500 \text{ gpm}}{\text{lateral}}$$

34N01W34

SE NE

832' main line

~66 laterals

BM

3627

UNNAMED STREAM

Estimate 66 laterals total. This would mean 330 gpm to irrigate all at once. My goal is to split

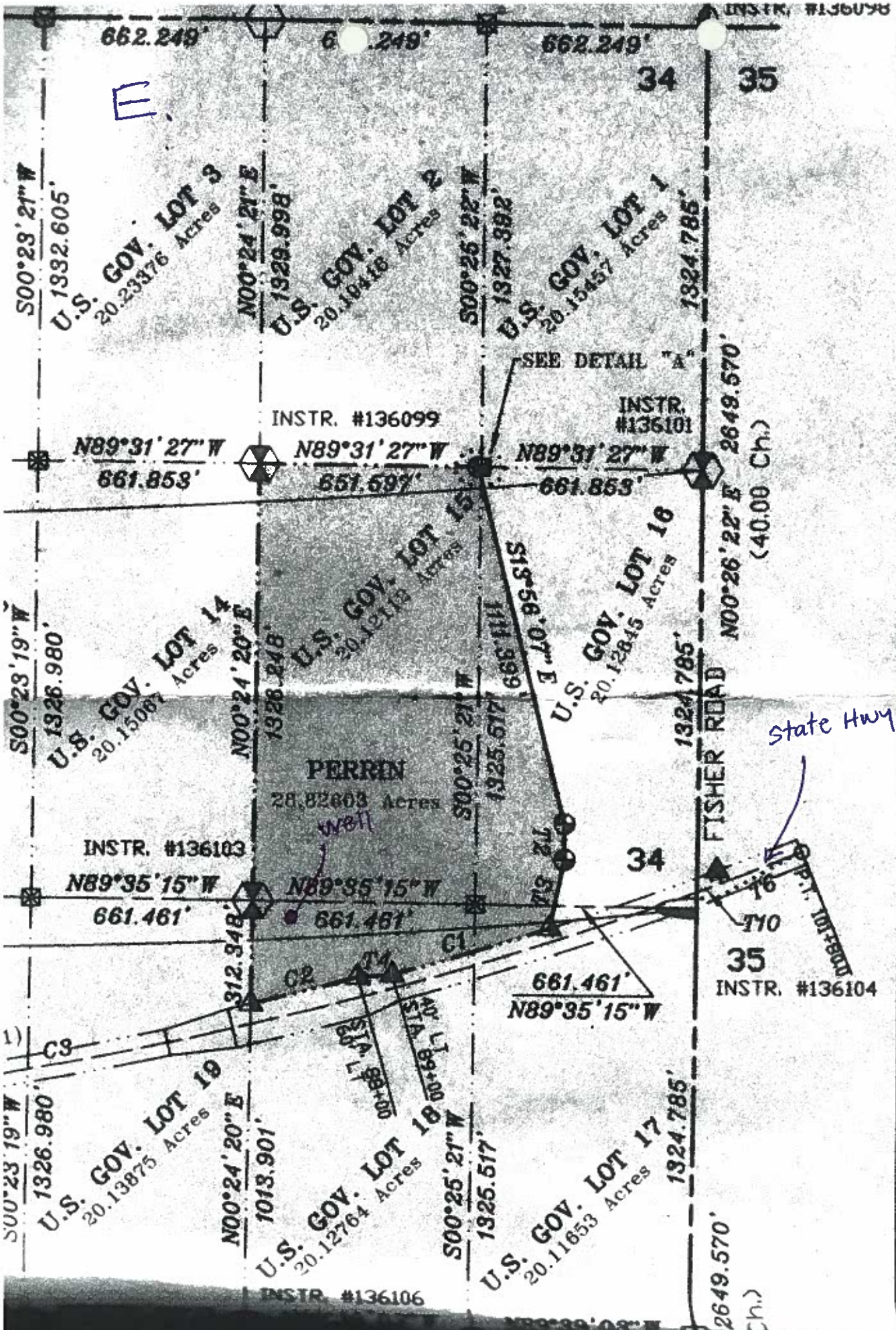
the irrigation into 3-4 stations depending on available water volume.

So need is $\frac{330 \text{ gpm}}{3}$ or $\frac{330 \text{ gpm}}{4}$
 = 110 gpm or 82.5 gpm

$$6.5 \text{ mm} = 1320'$$

ca

3620



G GEOMATIC PROFESSIONAL SERVICES PLLC

FILE No. : GPS-046-07	DATE :
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LEGAL DESCRIPTION

A parcel of property Located within U.S. Government Lots #15, #16, #17 & #18 of Section 34, T 34 N, R 1 W, B.M., Lewis County, Idaho. This parcel is more particularly described from a survey as follows:
Commencing at the Section Corner common to Sections 26, 27, 34 & 35 monumented with a 5/8" rebar with 2008 aluminum cap by PLS 9166 Instrument #136098, thence S00°28'22"W - 1,324.785' along the Section Line between said Sections 34 & 35 to the N1/16 Corner common to said sections monumented with a 5/8" rebar with 2008 aluminum cap by PLS 9166 Instrument #136101, thence N89°31'27"W - 661.853' along the North side of said U.S. Government Lot #16 to the C-E-NE1/64 Corner of Section 34 monumented with a 5/8" rebar with 2008 aluminum cap by PLS 9166 Instrument #136100, thence N89°31'27"W - 10.254' to a 5/8" rebar with survey cap by PLS 9166. This is the Initial Point of Beginning.

Thence S13°58'07"E 1,111.399' to a 5/8" rebar with survey cap by PLS 9166,
Thence S00°41'05"E 108.957' to a 5/8" rebar with survey cap by PLS 9166,
Thence S11°58'20"W 212.739' to a 5/8" rebar with survey cap by PLS 9166 on a curve of the northerly Right-of-Way (R.O.W.) of State Highway 64 (F.A.P. #S-4743(1)) 40' offset left from Centerline,
Thence along a non tangent curve to the right on the said northerly R.O.W. with the following dimensions:
Radius = 11,419.160' Tangent = 245.982' Arc = 491.847'
Chord = 491.808' Bearing = S72°42'59"W Delta = 2°28'04"
to a IDT brass cap monument at Station 89+00 40' Lt.
Thence S85°33'30"W 101.552' along said R.O.W. to a 5/8" rebar with survey cap by PLS 9166 at Station 88+00 60' Lt.,
Thence along a non tangent curve to the right on the said northerly R.O.W. with the following dimensions:
Radius = 11,399.160' Tangent = 164.039' Arc = 328.056'
Chord = 328.045' Bearing = S75°16'29"W Delta = 1°38'56"
to a 5/8" rebar with survey cap by PLS 9166 at the Intersection with the westerly side of said U.S. Government Lot #18,
Thence N00°24'20"E 312.348' along said westerly side to the CE1/16 Corner of said Section 34 monumented with a 5/8" rebar with 2008 aluminum cap by PLS 9166 Instrument #136103,
Thence N00°24'20"E 1,326.248' along the westerly side of said U.S. Government Lot #15 to the NE1/16 Corner of said Section 34 monumented with a 5/8" rebar with 2008 aluminum cap by PLS 9166 Instrument #136099,
Thence S89°31'27"E 651.597' along the northerly side of said U.S. Government Lot #15 back to the Initial Point of Beginning.

This said parcel contains some 1,255,662 Square Feet or 28.82603 Acres, more or less.

Geomatic Professional Services, PLLC
238 E. South St.
Grangeville, ID 83530
(208) 983-2666

Page 1 of 1

22 April 2008



SCOTT PERRIN
GPS-046-07
LEGAL DESCRIPTION.docx
surveyor@connectwireless.us

~~B.~~

F. Invoice of well drilling cost
Invoice for pump
Installation Estimation is \$1500

G. Letters from DEQ & Fish and Game
already on file.

F
FORDS CREEK PUMPSP.O. Box 2196
1215 Shriver Rd
Orofino, ID. 83544(208) 476-3982 Business
(208) 476-7875 Fax
fordscrack@orofino-id.com**INVOICE**

DATE	INVOICE #
9/30/2008	7011

BILL TO:
Scott Perrin**DESCRIPTION OF WORK**

Pump, panel and wire

WELL LOG

Depth-Static-GPM

Phone Number

TERMS

DUE DATE

LOCATION

9/30/2008

Quant...

DESCRIPTION

RATE

AMOUNT

1 75gpm Franklin 20hp 480v pump 1 year warranty

4,400.00 4,400.00

500 8-4 Wire

2.00 1,000.00

1 8 x 3 Well Seal

105.00 105.00

1 Franklin 20 HP Pump Panel

805.00 805.00

2 8' ground rods

8.50 17.00

3 50 amp time delay fuses

22.50 67.50

1 200 amp 480v 3 phase meter base

215.90 215.90

2 ground rod clamps

2.75 5.50

*paid last fall.
Scott Perrin*

Overhead associated with our business requires payment in full within 10 business days of the invoice date. After 10 days unpaid accounts will be assessed a \$25.00 late fee and 18% interest per annum on the unpaid account. Payment upon completion of services will be appreciated.

TOTAL \$6,615.90

**WARRANTY COVERS PARTS ONLY.
LABOR & MILEAGE WILL BE CHARGED ACCORDINGLY.**

Invoice

Stuivenga Vessey Drilling

1087 Highway 13
Grangeville, ID 83530

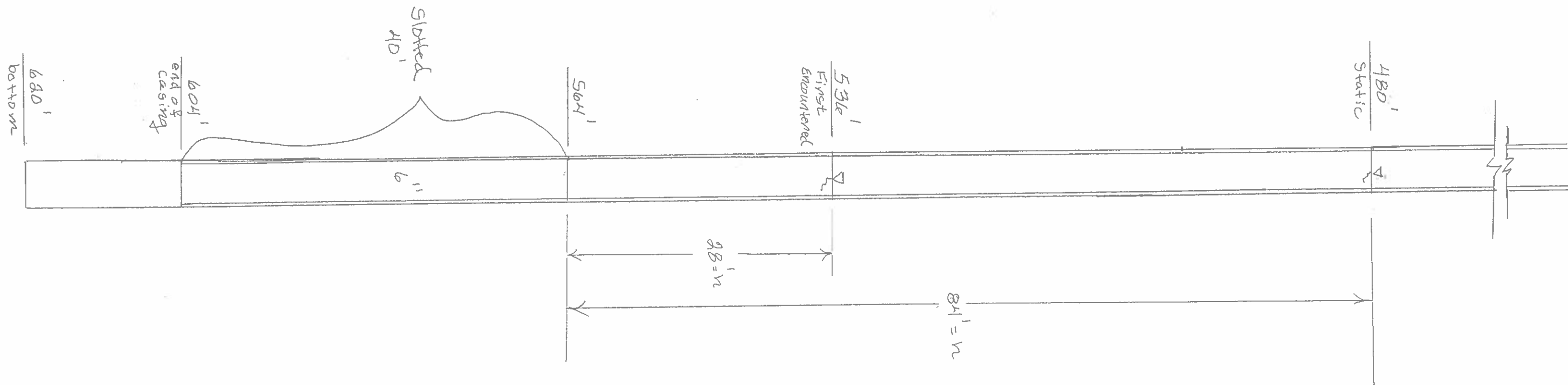
Date	Invoice #
8/4/2008	1946

JOYCE

Bill To
T. Scott Perrin P O Box 414 Cottonwood, Id 83522

Ship To
Permit #D0055515 Depth 615' GPM: 50+

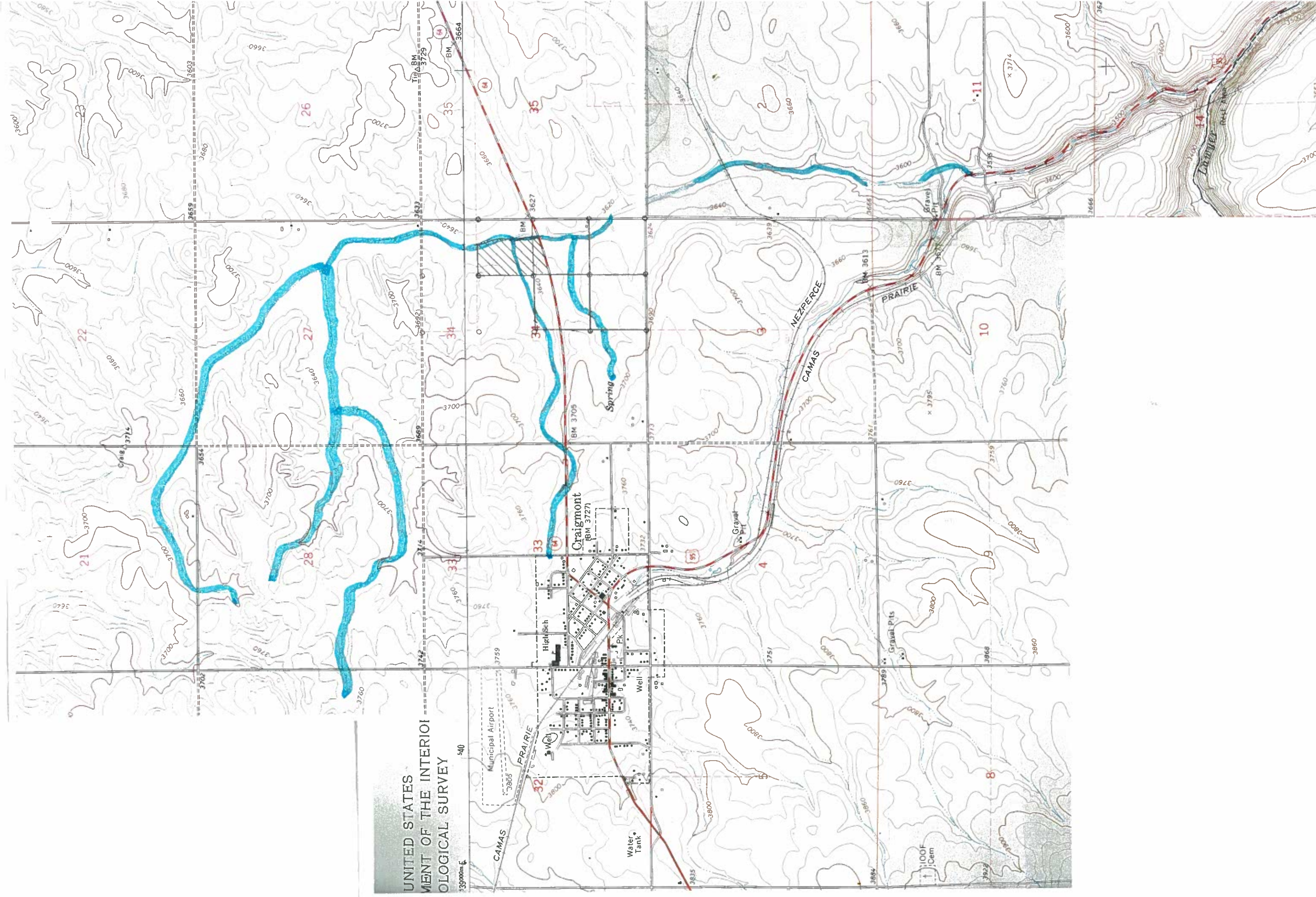
P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
	Due on recpt		8/4/2008			
Quantity	Item Code	Description	Price Each	Amount		
38	25	10" Drilling	20.00	760.00		
566	1	8" Drilling	20.00	11,320.00		
11	13	6" Drilling	18.00	198.00		
40	2	8" Casing	21.50	860.00		
600	3	6" Casing	16.50	9,900.00		
8	10	Bentonite	10.00	80.00		
1	6	8" Drive Shoe	100.00	100.00		
2	7	6" Drive Shoe	50.00	100.00		
1	8	8" Well Cap	75.00	75.00		
1	52	Shale Trap w/Band 6x10	27.50	27.50		
1	34	Permits	75.00	75.00		
					paid last fall Scott Perrine	
Thank you for your business.			Total		\$23,495.50	
208-983-2356					\$23,000	



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF GEOLOGICAL SURVEY

1:50,000

540





STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

C.L. "Butch" Otter, Governor
Tom Hardy, Director

October 22, 2008

T. Scott Perrin
P.O. Box 414
704 North Street
Cottonwood, ID 83522

RECEIVED
OCT 23 2008
IDWR/North

RE: Water Rights Application

Dear Mr. Perrin,

DEQ has received a request for comment on your application to the Idaho Department of Water Resources requesting approval to appropriate ground water from an existing well and appropriate surface water from an unnamed tributary of Lawyers Creek for a combined total of 83 acre feet. The purpose and use of the appropriated water is for irrigation from April 1 to October 31 (42 acre feet), and April 1 to July 1 (28 acre feet) respectively. This application also includes possible water appropriation for domestic use for 8 households from January 1 to December 31 (13 acre feet). Based on the information that has been provided, DEQ cannot estimate nor predict impairments to surface or ground water beneficial uses resulting from the requested withdrawal. However, assuming all federal, state, and local permits have been obtained, regulations met, and reviews completed, we can offer the following comments.

Idaho Water Quality Standards require existing aquatic life be protected and maintained when flows are equal to or greater than one cubic feet per second in intermittent streams. At no time should the withdrawal of 42 and 28 acre feet respectively be allowed to impair existing beneficial uses in the unnamed tributary to Lawyers Creek when stream flow is adequate to sustain existing aquatic life.

It is the policy of the State of Idaho, Ground Water Management Plan that existing and projected beneficial uses of ground water and interconnected surface water be maintained and protected and degradation that would impair beneficial uses of ground water and interconnected surface water not be allowed.

Thank you for requesting our review and comment of your activity.

Sincerely,

Kerby M. Cole, P.E.
Regional Administrator

CC: Keith Franklin, IDWR
Ray Hennekey, IDFG

COPY

Fish & Game Comments

December 5, 2008

Letter # 1

T. Scott Perrin
PO Box 414
Cottonwood, Idaho 83522

RE: Draft Application for Approval of Water Appropriation

Idaho Department of Fish and Game has reviewed your draft application for a permit for a combined withdrawal of a total of up to 83 AFA. The withdrawals requested would be from a 620' well and from an unnamed tributary to Lawyer Creek for irrigation and domestic use.

No definitive information is provided to indicate the proportion of water you intend to withdraw from each source. However, based on our telephone discussion with you and from information on the application it appears that you wish to withdraw 42 AFA for irrigation from April through November and 13 AFA year round for domestic use from the well; you would also withdraw 28 AFA from the unnamed tributary for irrigation between April 1 and June 31 each year. (On the phone, you informed us that you wished to withdraw irrigation water from the tributary only from mid-May to mid-June and from the well only for the balance of the year. You informed us that the tributary does not have substantial depth or flow to facilitate a withdrawal later than mid-June.) The water from either or both sources would be used to irrigate 28 acres of hay ground you are currently converting to nursery stock. You intend to irrigate the nursery stock using drip irrigation.

IDFG is concerned about any developments that might affect flows or other water quality parameters in Lawyer Creek or tributaries to Lawyer Creek.

In addition to other aquatic species and habitat values, redband trout are supported in low densities in segments of Lawyer Creek above and below the mouth of the unnamed tributary proposed for development (C. Chandler, Nez Perce Tribe, personal communication). Therefore, it is safe to assume the reach between the surveyed segments also supports redband trout, as may the tributary itself. In addition, Lawyer Creek provides spawning and rearing habitat for steelhead trout, a federally listed ESA species, in its lower reaches.

Lawyer Creek has impaired flow throughout its length (Idaho DEQ 2008 Draft Integrated Report). Impaired flows are a limiting factor for steelhead, redband trout, other aquatic species and habitat values. Lawyer Creek is also listed by Idaho DEQ for not supporting beneficial uses as a result of impairments from habitat degradation and a number of pollutants, the impacts from some of which may be exacerbated by low flows (e.g., temperature).

Based on the information provided, IDFG would make the following recommendation to IDWR regarding your proposal:

IDFG recommends not permitting a withdrawal from the unnamed tributary to Lawyer Creek. It appears from your request that the well is capable of supplying adequate water for irrigation year round, thus making withdrawals from the stream unnecessary. Therefore, we recommend using the well for all irrigation and domestic needs to avoid further reductions in surface flow recharge to Lawyer Creek and to avoid potential impacts to fisheries from that withdrawal.

Thank you for the opportunity to comment. Please contact Ray Hennekey, Clearwater Region Environmental Staff Biologist, at this office regarding this water right proposal.

Sincerely,

Dave Cadwallader
Clearwater Regional Supervisor

DC/rh/gl

c: Keith Franklin, IDWR CDA
Kerby Cole, DEQ Lewiston
Sharon Kiefer, IDFG HQ

COPY

Fish & Games Comments

February 11, 2009

Letter #2

T. Scott Perrin
PO Box 414
Cottonwood, Idaho 83522

RE: Draft Application for Approval of Water Appropriation, Amended Comments

Mr. Perrin:

Thanks for taking the time to show Ray Hennekey your property and discuss your plans. Based on Ray's field visit with you and understandings reached while on site, Idaho Department of Fish and Game would like to revise our original recommendations regarding your proposed water appropriation.

Your application is to withdraw 42 AFA for irrigation from April through November and 13 AFA year round for domestic use from a well. In addition, you wish to withdraw up to 28 AFA from an un-named tributary to Lawyer Creek to supplement irrigation from the well from April through June.

In our letter of December 5, 2008 IDFG stated that we would recommend to IDWR against permitting a withdrawal from the unnamed tributary to protect fisheries in Lawyer Creek, which is flow limited. We believed that withdrawals from the tributary had the potential to further reduce flows in Lawyer Creek. Also, it appeared from your application that the well would be capable of supplying adequate water for irrigation year round, thus making withdrawals from the stream unnecessary. We recommended using the well for all irrigation and domestic needs to avoid further reductions in surface flow recharge to Lawyer Creek.

Based on our discussion about your proposed development, we have the following understandings:

- You do not know the full potential for production from the well at this time and, therefore, can not predict supplementation demand from the tributary. However,
- You agree to limit your withdrawals from the tributary to the minimum volume needed to supplement irrigation from the well; and
- You will limit withdrawals from the tributary to April 1 through June 15.
- Your withdrawals from the tributary will be terminated when you have fully converted the irrigated acreage from hay to nursery stock, at which time all irrigation will be drip irrigation and withdrawals from the creek will no longer be practical or necessary.

The pump test must comply with the following minimum parameters:

- a.) Pump the well until the water table reaches a point of stability. The time required to reach stability, measured in minutes and hours and the drawdown elevation, measured in feet, must be recorded along with the instantaneous discharge in gallons per minute or cubic feet per second.
- b.) Once the water table reaches stabilization, continue pumping for a minimum of 6 hours, with continuous monitoring of the water table elevation.
- c.) When pumping is terminated, measure the recovery of the well's water elevation in increments of feet and time measured in minutes, hours or days. The duration of recovery monitoring doesn't need to be more than 5% of the starting water table elevation.
- d.) Prior to the discharging of any water into the unnamed stream for disposal, you should check with the Department of Environmental Quality in Lewiston, to see if you need a permit for the discharge.

Application for permit. February 3, 2009.
Scott Perrin.

RECEIVED
FEB 05 2009
IDWR / NORTH

I'm seeking a permit to water nursery stock and hay ground.

Background

I recently purchase my first piece of farm ground. It's in hay but in time I'm hoping to convert the 28 acres of hay ground to nursery trees and shrubs. The estimate well water production (estimated at 75 gpm) is sufficient to irrigate nursery stock but insufficient to irrigate hay too. I hope to get a 2nd and 3rd? cutting of hay with supplemental irrigation. The earnings in hay will hopefully fund a start in growing nursery stock.

Water Application

So to supplement the irrigation needs of the hay I propose to irrigate from 2 points: 1) ground water and 2) seasonal water from an unnamed stream (my application of 1 miner inch per acre of ground, like Southern Idaho), while I'm converting the hay ground to growing trees and shrubs. In time the well water will become the primary to sole point of diversion for the irrigation of trees and shrubs because the well water is cleaner for the application of drip irrigation.

In practice, I'll irrigate the hay ground from the unnamed stream early in the season for about a month mid-May to mid-June (then the drainage ditch water is insufficient for irrigation). This early irrigation from the unnamed stream (drainage ditch) is to accomplish 3 objectives:

- "Bank" water in the soil profile because by late spring/early summer the ditch is dry and the water from the well is insufficient for watering hay during the heat of the summer.
- Capture and reapply fertilizer in the drainage ditch water that is lost from the farm fields during spring rain and runoff.
- And ~~a big one is~~ reduce pumping costs. It will cost me less to pump from the ditch than from 600' in the well.

After mid June, the point of diversion is solely at the well head.

Domestic Portion

The domestic portion of the application may or may not come to fruition. Currently we can't afford to build on our ground....but hopefully within 5 years we can build a small shop for working at the farm. I am including the domestic portion on the application so I don't have to change the paperwork later in case we get into a position to build a shop.

Scott Perrin



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

March 27, 2009

T. Scott Perrin
PO Box 414
Cottonwood, ID 83522

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho
85-15714

Dear Mr. Perrin:

As per our telephone conversation on March 27, 2009, I've enclosed an electronic version of your application that contains all of the corrections and/or additions we discussed. The processing of the application will proceed with the understanding that if a permit is issued, the diversion from the unnamed stream will terminate at the end of the development period, which is 5 years. Also, the diversion from the unnamed stream will be limited to between April 1st to June 15th, to satisfy Fish & Games concerns, with the balance being made up by groundwater.

Also enclosed are the questions you are to answer regarding Rules 40.05.c through 40.05.g. The answers can be made on page 2 in the space provided or you can attach a separate page. Once you've completed the questions, please return them along with the signed application, if it meets with your approval and the design of your drip irrigation system. The drip system should include diversion requirement in gallons/minute or cfs, number of emitters and gallons/minute per emitter. A layout of the system would also be helpful. If you have any questions, feel free to contact me at this office.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent
Enclosure(s)

COPY



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

April 16, 2009

T. Scott Perrin
PO Box 414
Cottonwood, ID 83522

Re: Application For Permit to appropriate the Public Waters of the State of Idaho
85-15714

Dear Mr. Perrin:

The Idaho Department of Water Resources now has sufficient information to continue with the processing of your application. The department will proceed with the advertisement, however, before a permit can be issued the well you plan to use will need to be upgraded to a domestic/irrigation well.

In 2008 when the well was constructed, the drilling firm purchased a \$75.00 drilling permit for a domestic well. The drilling fee for any other use of a well is \$200.00. Since the well will be used for a use other than domestic, the department will need to collect an upgrade fee of \$125.00.

Please submit the upgrade fee at your earliest convenience and make reference to application #85-15714 when you send it in. If you have any questions, feel free to contact me at this office.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent
Enclosure

COPY

MEMORANDUM

To: Water Right Application # 85-15714

From: Keith E. Franklin

Date: April 16, 2009

Re: Application for a Permit to Appropriate Water within the Salmon and Clearwater River Basins.

Re: Regional Analysis and Recommendation in accordance with Water Appropriation Rules (IDAPA 37.03.08.040.05).

Water Supply Information.

The Idaho Department of Fish & Game as well as the Department of Environmental Quality have no adverse comments towards the applicant diverting water from a ground water source and an unnamed stream with the following qualifier. Fish & Game doesn't have a problem with the applicant diverting water from the unnamed stream if the diversion is limited to between 4/1 to 6/15 and terminated completely when the applicant converts from surface water to a groundwater drip irrigation system. The department is willing to accommodate this by conditioning the permit to terminate surface water use by the end of the development period. The sole water source would then be from ground water and the diversion limited to the production of the well 0.18 cfs or less.

Good Faith, Delay, or Speculative Information.

The applicant plans to divert water for his own use on property that he owns and there are no known issues with any other party.

Financial Resources Information.

The well is already constructed and the applicant plans to finance the rest of the project by out of pocket means.

Local Public Interest.

The Idaho Department of Fish & Game and the Department of Environmental Quality have been ask to comment, by the applicant. The agencies are not apposed to the applicant's proposal.

Injury to Other Water Rights.

There isn't any foreseen potential impact to area water right holders or adverse long term impact to Lawyer Creek.

Recommendation.

Northern Region recommends proceeding with the processing of this water right application.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

April 16, 2009

T. Scott Perrin
PO Box 414
Cottonwood, ID 83522

Cfs Check.

Check # 3297

D 55515 \$250 Feb 2 2009

RECEIVED

APR 29 2009

IDWR/North

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho
85-15714

Dear Mr. Perrin:

The Idaho Department of Water Resources now has sufficient information to continue with the processing of your application. The department will proceed with the advertisement, however, before a permit can be issued the well you plan to use will need to be upgraded to a domestic/irrigation well.

In 2008 when the well was constructed, the drilling firm purchased a \$75.00 drilling permit for a domestic well. The drilling fee for any other use of a well is \$200.00. Since the well will be used for a use other than domestic, the department will need to collect an upgrade fee of \$125.00.

Please submit the upgrade fee at your earliest convenience and make reference to application #85-15714 when you send it in. If you have any questions, feel free to contact me at this office.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent
Enclosure

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, April 22, 2009 4:49 PM
To: Case, Morgan
Cc: Franklin, Keith
Subject: Agency Comment Request re T Scott Perrin 85-15714
Attachments: 85-15714 PERRIN.pdf; Agency Comment Request Ltr.doc

Good day to you, Morgan,

Attached is our letter requesting your comments concerning the WR application for T Scott Perrin - 85-15714. A copy of the app is also attached FYI.

Please respond to Keith Franklin on this matter, by no later than May 13, 2009 - that will be the last date for protests to be filed in this matter.

If you have any questions, please contact Keith.

Thanks,

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819

4/22/2009



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR
Director

April 23, 2009

MORGAN CASE
PLANNING
IDAHO DEPT OF WATER RESOURCES
PO BOX 83720
BOISE ID 83720-0098

Re: Water Permit Application No. 85-15714 – T SCOTT PERRIN WR APPLICATION

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application follows for your reference.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so *after the notice is published* by filing a written protest along with a \$25.00 filing fee within 10 days after final publication, and by sending a copy of your protest to the applicant. This will be scheduled for publication on May 7 & 14, 2009 in the Lewis County Herald.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **May 26, 2009**. That is also the final date for protest to be received in our office.

If we do not hear from you by that date, we will assume that no comment from you means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

You may send comments by regular mail to the address above, by FAX to 762-2819, or by e-mail to Keith.Franklin@idwr.idaho.gov.

We request that you send a copy of your comments regarding, and/or notice that you intend to protest this application to the applicant as well as to our office.

Please contact this office if you have any questions regarding the application.

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

April 28, 2009

Hi Keith,

Enclosed is the \$125⁰⁰ upgrade fee
for my water right application # 85-15714.

Scott Perrin



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

April 29, 2009

T. SCOTT PERRIN
PO BOX 414
COTTONWOOD ID 83522

RE: Application for Permit No 85-15714

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Lewis County Herald on May 7 and 14, 2009. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Keith E. Franklin
Senior Water Resource Agent

Enclosure(s) – Receipt No. N019908

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, April 30, 2009 9:01 AM
To: Legal Notices-CotChron-LewisCo
Subject: Legal Notice for publication in the Lewis County Herald on May 7 and 14, 2009
Attachments: CoverLetter 04-29-09 LC e-mail 85-15714.doc; LegalNotice 04-29-09 LC e-mail 85-15714.doc

Good morning,

I'm assuming that in order to have something published in the Lewis County Herald I still need to make the arrangements with you. If this is not the case, please let me know right away.

Attached is our cover letter requesting publication of a legal notice in the Lewis County Herald on May 7 and 14, 2009. A copy of the legal notice is also attached.

Please send a proof/preview copy for my review before this actually goes to press. That way I can review layout and make sure I haven't left something out that would be needed for the general public to understand our legal notice.

Thanks for your help in this matter, and have a marvelous day.

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819

4/30/2009



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive. Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR
Director

*Please Fax or e-mail proof/preview copy to me before this goes to press.
Fax (208) 762-2819 ~ e-mail dianne.ball@idwr.idaho.gov
Thanks, Dianne*

April 29, 2009

LEGAL NOTICE DEPARTMENT

LEWIS COUNTY HERALD

517 OAK

NEZPERCE ID 83543

RE: Application for Permit No. 85-15714

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, May 7 and 14, 2009, (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 05/26/2009. Your cooperation is greatly appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

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

85-15714

T. SCOTT PERRIN

PO BOX 414

COTTONWOOD ID 83522

Point of Diversion: NESE S34 T34N R01W LEWIS County

Source GROUND WATER

Point of Diversion: NESE S34T34N R01W LEWIS County

Source UNNAMED STREAM tributary to LAWYER CREEK

Point of Diversion: SENE S34 T34N R01W LEWIS County

Source UNNAMED STREAM tributary to LAWYER CREEK

Use: IRRIGATION 04/01 To 06/15 0.35 CFS

Use: IRRIGATION 04/01 To 10/31 0.18 CFS

Use: DOMESTIC 01/01 To 12/31 0.02 CFS

Total Diversion: 0.55 CFS

Date Filed: 02/05/2009

Place Of Use: DOMESTIC

T34N R01W S34 SENE NESE

Place Of Use: IRRIGATION same as DOMESTIC

Number of Acres 28

Remark: Domestic use is for 1 home.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 05/26/2009. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Legal #

Published May 7 & 14, 2009