

Ident. No. 67-14886

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of Applicant Robert & Alana Shoemaker Phone 208-634-2636  
Mailing address P.O. Box 1306, McCall, Idaho 83638 BS 2-6-09
2. Source of water supply Spring run off <sup>un named</sup> stream which is a tributary of Unnamed Weiser BS
3. Location of point of diversion is Township 14N Range 30W Sec. 33 in the \_\_\_\_\_  
SW  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_, B.M., Washington County;  
additional points of diversion if any: SE NE, S 33, T 14N, R 30W BS
4. Water will be used for the following purposes: Fish propagation + storage  
Amount 25 BS for Fish Farm purposes from 1-1 to 12-31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 1.4 BS for Stock Water storage purposes from 3-1 to 12-31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 10 BS for Fire protection storage purposes from 4-1 to 11-1 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) \_\_\_\_\_ and/or (b) 25 BS  
cubic feet per second acre feet per annum
6. Proposed diverting works:  
a. Describe type and size of devices used to divert water from the source None - holding Pond built  
IN 1988 - Two Pipes at Dam to released Water down stream  
b. Height of storage dam 20 Ft feet; active reservoir capacity 25 BS acre-feet; total  
reservoir capacity 25 BS acre-feet  
c. Proposed well diameter is N/A 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? N/A; 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 5 BS 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. N/A  
b. Stockwatering; list number and kind of livestock. 5-15 head horses & cows (60) BS 2/6/09  
c. Municipal; show name of municipality. N/A  
d. Domestic; show number of households. N/A  
e. Other; describe fully. Future Fish Farm to be used for Stocking  
Other ponds (Large Mouth Bass & Blue Gill)

RECEIVED

JUN 25 2007

WATER RESOURCES  
WESTERN REGION

3. Description of place of use:

Not used For Irrigation

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 |        |
| 14N | 3W  | 33  |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Total number of acres to be irrigated N/A

10. Describe any other water rights used for the same purposes as described above.

11. a. Who owns the property at the point of diversion? Robert & Alana Shoemaker

b. Who owns the land to be irrigated or place of use? SAME

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

12. Remarks: Pond is 3.8 Acre Approximately 14 Feet deep

In 1987 Pond was built & water rights given to irrigated  
& Christmas Trees - 1991 deemed project unsuccessful  
I did not finish my paper work there fore water rights  
lapse - From 1991- 2006 Pond was used For stock water.  
I didnt do anything with water rights, Throught was part of adjudication.  
(but was not)

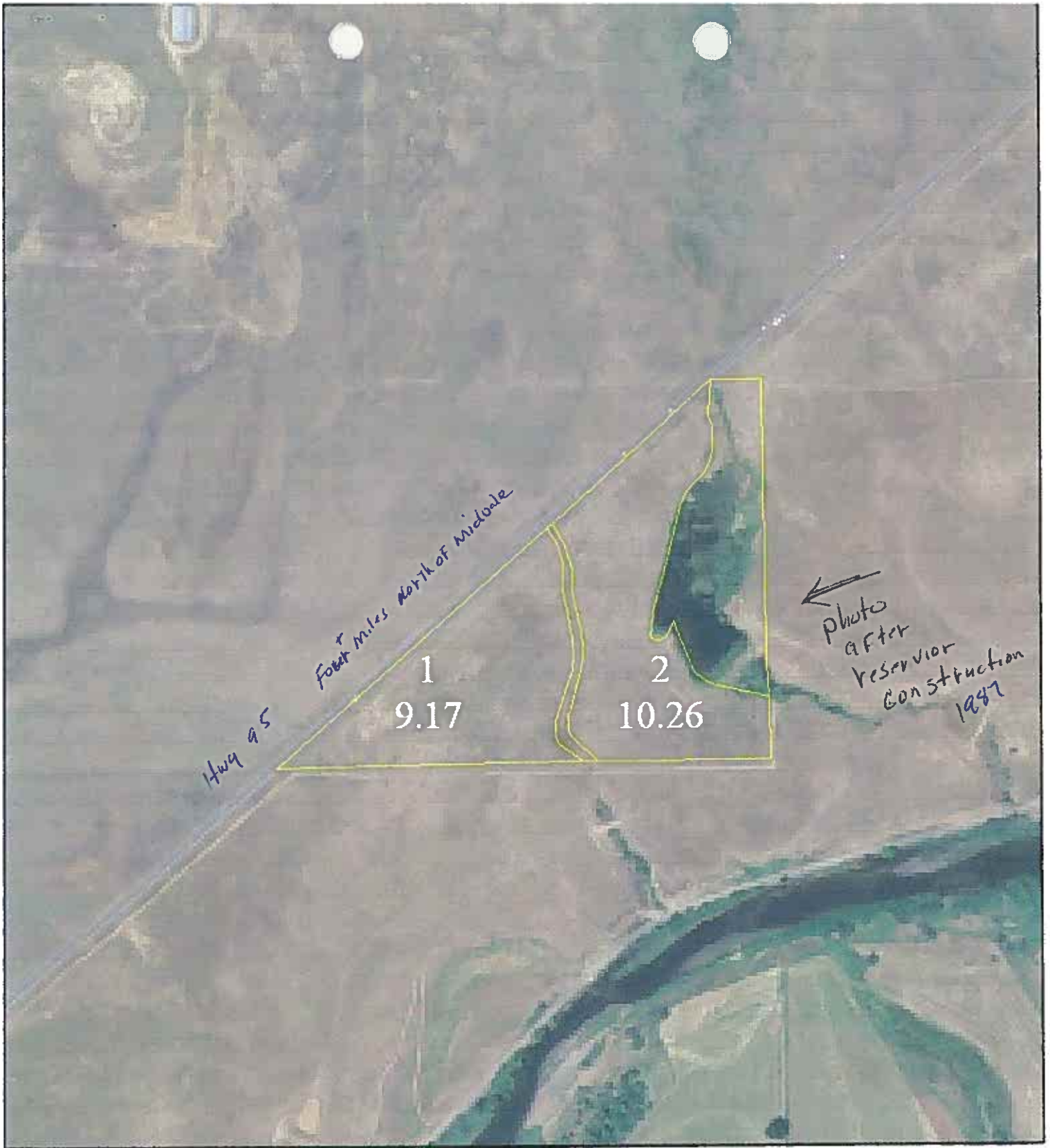
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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 Shoemaker Owner  
 Signature of Applicant (and title, if applicable)

Received by DB Date 6-25-07 Time 11:30 am Preliminary check by KW  
 Fee \$ 250- Received by DB # W035538 Date 6-25-07  
 Publication prepared by DB Date 2/11/09 Published in UPPER COUNTRY NEWS REPORTER  
 Publication approved DATE: Date FEBRUARY 19 & 26, 2009

→ I decided to Apply For New Waters rights, The Reinstate process was Not Feasible, because That Office seemed to be Confused.



United States Department of Agriculture  
Farm Service Agency

Farm 201  
Tract 307

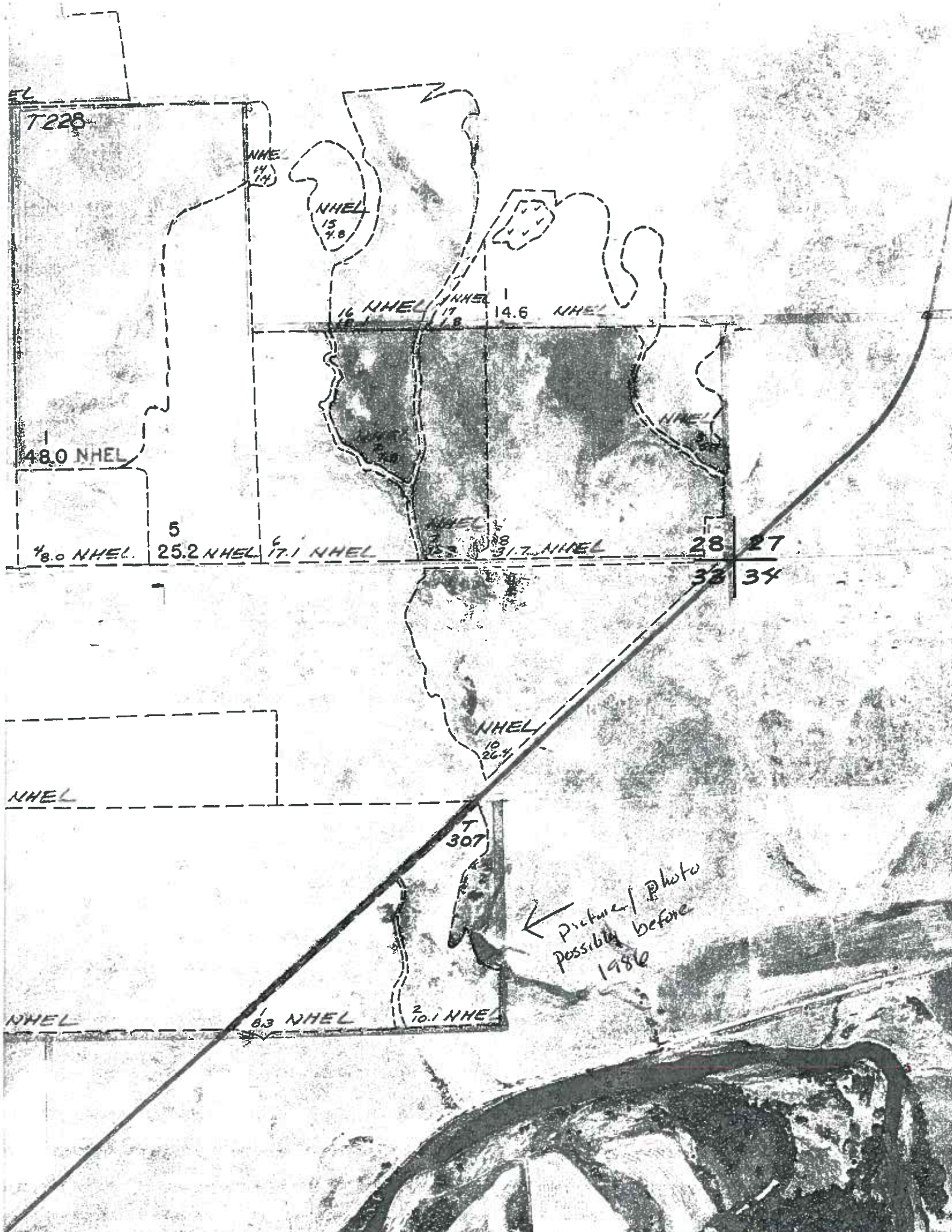
**Washington**



1:5,000

October 05, 2005

67-14886



Picture / Photo  
possibly before  
1980

**Buffington, Denise**

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**From:** Buffington, Denise  
**Sent:** Wednesday, February 11, 2009 9:13 AM  
**To:** reporter@ctcweb.net  
**Subject:** Legal Notice  
**Attachments:** Washington County (Upper Country) Ads - Cover Letter.RTF; 67-14886 Ad.RTF

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 listed.

Thank You,

Denise Buffington  
Administrative Assistant  
Dept of Water Resources  
Western Region

2/11/2009

February 11, 2009

**Legal Notice Department**  
UPPER COUNTRY NEWS REPORTER  
PO BOX 9  
CAMBRIDGE ID 83601-0009

RE: Application for Permit No. 67-14886

**Dear LEGAL NOTICE DEPARTMENT:**

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 03/09/2009. Your cooperation is appreciated.

Sincerely,

Denise Buffington  
Administrative Assistant

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

67-14886

ROBERT V SHOEMAKER  
ALANA M SHOEMAKER  
PO BOX 1306  
MC CALL ID 83638

Point(s) of Diversion SWNE S33 T14N R03W WASHINGTON County Source UNNAMED STREAM  
Tributary To WEISER RIVER

|      |                             |                |         |
|------|-----------------------------|----------------|---------|
| Use: | STOCKWATER STORAGE          | 03/01 To 12/31 | 1.4 AFA |
| Use: | FISH PROPAGATION<br>STORAGE | 01/01 To 12/31 | 25 AFA  |
| Use: | FIRE PROTECTION<br>STORAGE  | 04/01 To 11/01 | 10 AFA  |
|      | Total Diversion:            |                | 25 AFA  |

Date Filed: 06/25/2007

Place Of Use: STOCKWATER STORAGE

T14N R03W S33 SWNE

Place Of Use: FISH PROPAGATION STORAGE SAME AS STOCKWATER STORAGE

Place Of Use: FIRE PROTECTION STORAGE SAME AS STOCKWATER STORAGE

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, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 03/09/2009. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published on February 19<sup>th</sup> & 26<sup>th</sup>, 2009

**Buffington, Denise**

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**From:** Buffington, Denise  
**Sent:** Wednesday, February 11, 2009 10:40 AM  
**To:** 'rward@idfg.idaho.gov'  
**Subject:** Comment Letter  
**Attachments:** 67-14886 Letter to IDFG.doc; 67-14886 App.pdf

Please review the attached information and comment as necessary. Please contact our office if you have any questions regarding the attached information.

Thank You,

Denise Buffington  
Administrative Assistant  
Dept of Water Resources  
Western Region

2/11/2009

February 11, 2009

RICK WARD  
ENVIRONMENTAL STAFF BIOLOGIST  
ID DEPT FISH & GAME SOUTHWEST REGION  
3101 S POWERLINE RD  
NAMPA ID 83686

Re: Water Right Application(s) 67-14886

Dear Mr. Ward:

Attached are copies of one or more applications that may be of interest to your agency. Please contact the applicant(s) if your agency has concerns about the application(s). It is not necessary to provide agency comments to the Idaho Department of Water Resources (IDWR), although your comments are welcome if you think IDWR would benefit from them.

If your agency desires 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 March 9, 2009.

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

Sincerely,

Denise Buffington  
Administrative Assistant

Enclosure

**Buffington, Denise**

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**From:** Buffington, Denise  
**Sent:** Wednesday, February 11, 2009 10:41 AM  
**To:** 'watermaster67@hotmail.com'  
**Subject:** Comment Letter  
**Attachments:** 67-14886 Letter to WD67.doc; 67-14886 App.pdf

Brandi --

Please review the attached information and comment as necessary. Please contact our office if you have any questions regarding the attached information.

Thank You,

Denise Buffington  
Administrative Assistant  
Dept of Water Resources  
Western Region

2/11/2009

February 11, 2009

BRANDI HORTON, WATERMASTER 67  
2574 SCHOOL RD  
MIDVALE ID 83645

Re: Application for Permit No(s). 67-14886

Dear Watermaster:

Attached are copies of one or more applications that may be of interest to you.

Please complete the necessary recommendation form(s) and return to this office within 21 days of the date of this letter. Regional review of unprotested applications can be completed as soon as the final protest period is past; your prompt response to this request is appreciated so that your recommendation can be considered during regional review.

If after 21 days from the date of this letter the Department has not received your written recommendation, the Department will presume you do not oppose approval of the application and you have no comments for the Department to consider.

However, possible approval of the application(s) will include conditions of approval about standard controls for uses in your water district (lockable, measureable diversion works, etc).

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

Sincerely,

Denise Buffington  
Administrative Assistant

Enclosure      Copy of Applications(s)  
Watermaster Recommendation Form(s)



## 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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER, Governor  
DAVID R. TUTHILL, JR., Director

November 24, 2008

ROBERT SHOEMAKER  
PO BOX 1306  
MC CALL ID 83638

Re: Application for Permit 67-14886

Dear Mr. Shoemaker:

Recently you requested more time to provide additional information for the above referenced application.

Your request is approved. The information requested by the Idaho Department of Water Resources (IDWR) on October 28, 2008 is therefore **due by May 22, 2009** to prevent the application from being voided.

IDWR forms and other information are available on the Internet at [www.idwr.idaho.gov](http://www.idwr.idaho.gov). Please contact me at (208)334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is written in a cursive, flowing style.

KAY WALKER  
Sr. Water Resource Agent

KW:k

November 21, 2008

TO: STATE OF Idaho  
Dept of Water Resources  
Boise, Id.

ATTN: Kay Walker

RECEIVED

NOV 24 2008

WATER RESOURCES  
WESTERN REGION

Subject:

Permit NO 67-14886

Dear Kay.

AS per Conversation on the phone  
Friday, Nov 21, 2008. I would like to  
request an Interrupt of processing up to 6 months  
on the Water right application for  
Permit Number 67-14886. I will be  
contacting you after Dec 1, 2008 and  
we can arrange a meeting to satisfy  
all the requirements in the Application.

Thanks/ou

Bob Shoemaker

P.O. Box 1306

McCall, Idaho



## 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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER, Governor  
DAVID R. TUTHILL, JR., Director

October 28, 2008

ROBERT & ALANA SHOEMAKER  
PO BOX 1306  
MC CALL ID 83638

Re: Application for Permit 67-14886

Dear Mr. & Mrs. Shoemaker:

We are in the process of reviewing the above referenced application for permit that you submitted on June 25, 2007. In review of this application we find we have several items that need to be addressed prior to further processing. Enclosed, for your convenience, is a copy of the application form you submitted.

For starters, you did not include a town or zip code on the application form. We did some investigative work and found the claim that you had filed in the Snake River Basin Adjudication (SRBA) on this right and found this information. We will, however, need to have these items inserted on the application form prior to further action. You have listed two applicant names on the form and we will require both signatures unless you place an "&/or" between the names shown.

We also noticed that you have filed on a source of "spring run off" tributary to an unnamed stream. On the previous filing (Lapsed Permit 67-7707) the source was an unnamed stream tributary to the Weiser River which seems more appropriate. Once a spring flows into a stream the source of the water becomes an unnamed stream and the tributary should be the first named source that the water would flow into.

You have applied for a volume of 60 acre feet and we need to know how you estimated this amount. On the previous filing you intended to buy a neighboring property and develop a second pond. Is this still the case and if so, please submit the dimensions of the existing pond and the proposed pond so we can determine the amount of water you are filing on is not excessive. The formulas for determining reservoir capacity are shown on the sheets included with this letter. We need to see your calculations once you have completed them, so please attach them to your application form.

You should also be aware that we will condition the permit, if issued, to limit the inflow of water to the pond after June 15<sup>th</sup> of each year without prior approval of the watermaster. Any

available water flowing into the pond after June 15<sup>th</sup> would have to pass through and continue downstream for protection of senior rights.

You should complete Item 7 on the application form. We need to know how long you will need to complete the development under this filing. If you do not plan to develop a second pond then you may want to request 1 year for development. You can request up to 5 years if you need more time to complete the system (if you plan to develop a second pond).

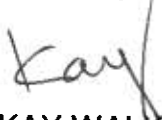
The uses you have filed on also need to be addressed. You have filed on 60 acre feet for a "fish farm" and left the stock water amount blank. Will you be raising fish commercially or just for your own pleasure? If you are raising fish to sell commercially, the use should be shown as fish propagation storage. If you file for fish propagation storage you need to list the type and amount of fish to be raised (estimated in pounds per year) and include information that your estimated reservoir size would be adequate to provide for the proposed beneficial use. If you are raising fish for private use you may want to change the use to wildlife storage or recreation storage, depending on your intentions. The amount of water needed for 5-10 head of stock would only be 0.1 acre feet for stock water storage. Since the uses are intended to be developed from the pond, they should be described as "storage" when you correct and submit the application form.

We also need to have a place of use identified on the application even though it will not be used for irrigation purposes. Since you don't have a number or acres to insert you should place an "x" in the appropriate boxes under Item 9b as described on the application form.

If you would like help in completing the form you are welcome to call and set up a time in which you could come into the office for assistance. If you want to complete a new form with the additional &/or corrected information that would be acceptable too. **Please submit the requested information for application processing to continue. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. Your response including the requested information or a request for more time to seek the information must be received within 30 days of the date of this letter, or by November 28, 2008. The application will be voided without a timely written reply.**

IDWR forms and other information are available on the Internet at [www.idwr.idaho.gov](http://www.idwr.idaho.gov). Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,



KAY WALKER  
Sr. Water Resource Agent

Enclosures

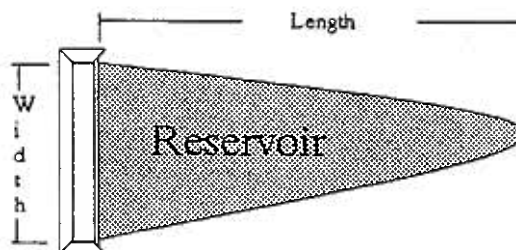
## RESERVOIRS, LAKES, AND PONDS

### 1. DETERMINING THE SURFACE AREA OF A RESERVOIR

A. Triangular shaped reservoir, lakes, and ponds. (Vertical Cross section)

SURFACE AREA IN ACRES:

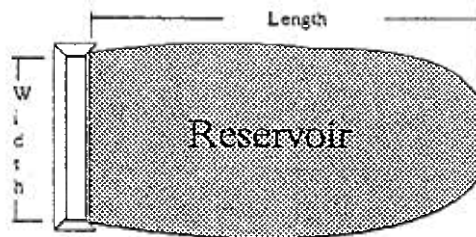
$$\text{AREA} = \frac{1/2 \text{ Width} \times \text{Length}}{43,560}$$



B. Rectangular shaped reservoirs, lakes, and ponds.

SURFACE AREA IN ACRES:

$$\text{AREA} = \frac{\text{Width} \times \text{Length}}{43,560}$$



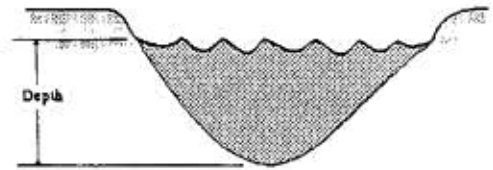
### 2. DETERMINING THE MAXIMUM DEPTH OF WATER

Measure the lowest point on the downstream side of the dam up to the top of the spillway, or measure the total height of the dam and subtract the freeboard.

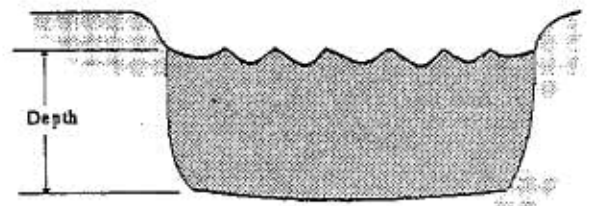
### 3. DETERMINING RESERVOIR CAPACITY

#### A. V shaped reservoirs, lakes, and ponds.

$$\text{Capacity} = \text{Surface Area} \times \text{Maximum Depth} \times 0.4$$

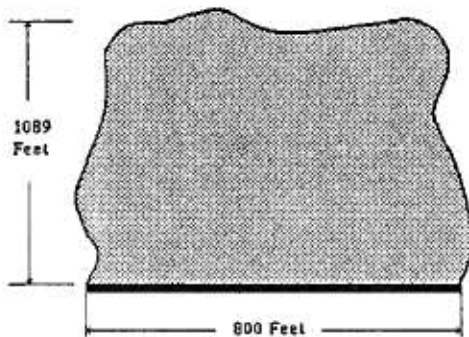


#### B. Flat Bottom reservoirs, lakes, and ponds.



$$\text{Capacity} = \text{Surface Area} \times \text{Maximum Depth}$$

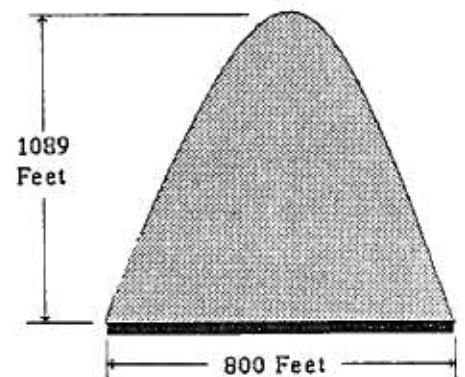
#### EXAMPLES:



1. Smith Creek Pond is 800' wide, 1089' long and 9' deep.

$$\begin{aligned} \text{Surface Area} &= 800' \times 1089' \\ &= 43,560 \\ &= 20 \text{ acres} \end{aligned}$$

$$\begin{aligned} \text{Capacity} &= 20 \text{ acres} \times 9 \text{ feet} \\ &= 180 \text{ acre feet} \end{aligned}$$



1. Trout Creek Reservoir is 800' wide, 1089' long and 9' deep.

$$\begin{aligned} \text{Surface Area} &= \frac{1}{2}(800') \times 1089' \\ &= 43,560 \\ &= 10 \text{ acres} \end{aligned}$$

$$\begin{aligned} \text{Capacity} &= 10 \text{ acres} \times 9 \times 0.4 \text{ feet} \\ &= 36 \text{ acre feet} \end{aligned}$$