

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

1. Name: SIMMS CREDIT SHELTER TRUST
BARBARA SIMMS TRUSTEE
17816 HWY 30
BLISS ID 83314
(208)837-4537

AND

CLIFFORD J SIMMS JR FAMILY TRUST
BARBARA J SIMMS TRUSTEE
17816 HIGHWAY 30
BLISS ID 83314
(208)837-4537

2. Source: W CANAL Tributary to: MALAD RIVER

3. Location of Point of Diversion:

#1 W CANAL

NE1/4SW1/4

Sec. 35, Twp 06S, Rge 13E, B.M.

GOODING County

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u> <u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		25.0 AF
IRRIGATION	03/15 to 11/15	3.10 CFS	
IRRIGATION FROM STORAGE	01/01 to 12/31		25.0 AF

5. Total quantity to be appropriated is: 3.10 CFS 25.0 AF

6. Proposed diverting works:

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POINT OF DIVERSION #1

a. Type and size of devices used to divert water from the source: CHECK DAM & DITCH TO PONDS, PIPELINE FROM LOWER POND TO GRAVITY SPRINKLERS

b. Height of storage dam _____ feet;
Active reservoir capacity _____ 25 _____ acre-feet;
Total reservoir capacity _____ 25 _____ acre-feet;
c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85F being sought?

e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 3 year(s).

8.

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
06S 13E 35	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X					X				X					

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
06S 13E 34	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	15.0			40.0									35.0				90.0
06S 13E 35					4.9	20.0			23.0								47.9

Total Acres: 137.9

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PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S 13E 34	15.0			40.0									35.0				90.0
06S 13E 35					4.9	20.0			23.0								47.9

Total Acres: 137.9

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

Point of Diversion #1: IDAHO PARKS & RECREATION DEPT. - Written agreement for access to point of diversion

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:

The proposed place of use has historically been irrigated with water from Birch Creek and an unnamed stream. The proposed source is waste water from the North Side Canal Co. system that flows in the W Canal before being discharged into both the Malad River and the Snake River. In order to clean up this water before discharging it into live streams, NSCC is building 2 settling ponds at the Malad Gorge State Park. We have obtained permission to tap into these ponds with a gravity pipeline to our existing sprinkler system. As mitigation for approval of the permit, we will not use our other water sources for irrigation as long as there is enough waste water for proper irrigation. Birch Creek will continue to be used for other purposes, however. Stock will continue to drink from both streams. The project will reduce the amount of waste water going into the Snake River, as the ponds should hold most of the available water. Federal grant money is available for this project, and it is being designed by a federal engineer. So far, all interested parties have been in favor of the project.

This application is being filed on the condition and with the understanding that the use of water from W Canal will not affect our ability or rights to use water under senior-priority rights for irrigation on the place of use described above.

11. Map of proposed point of diversion and place of use attached? ☐

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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.

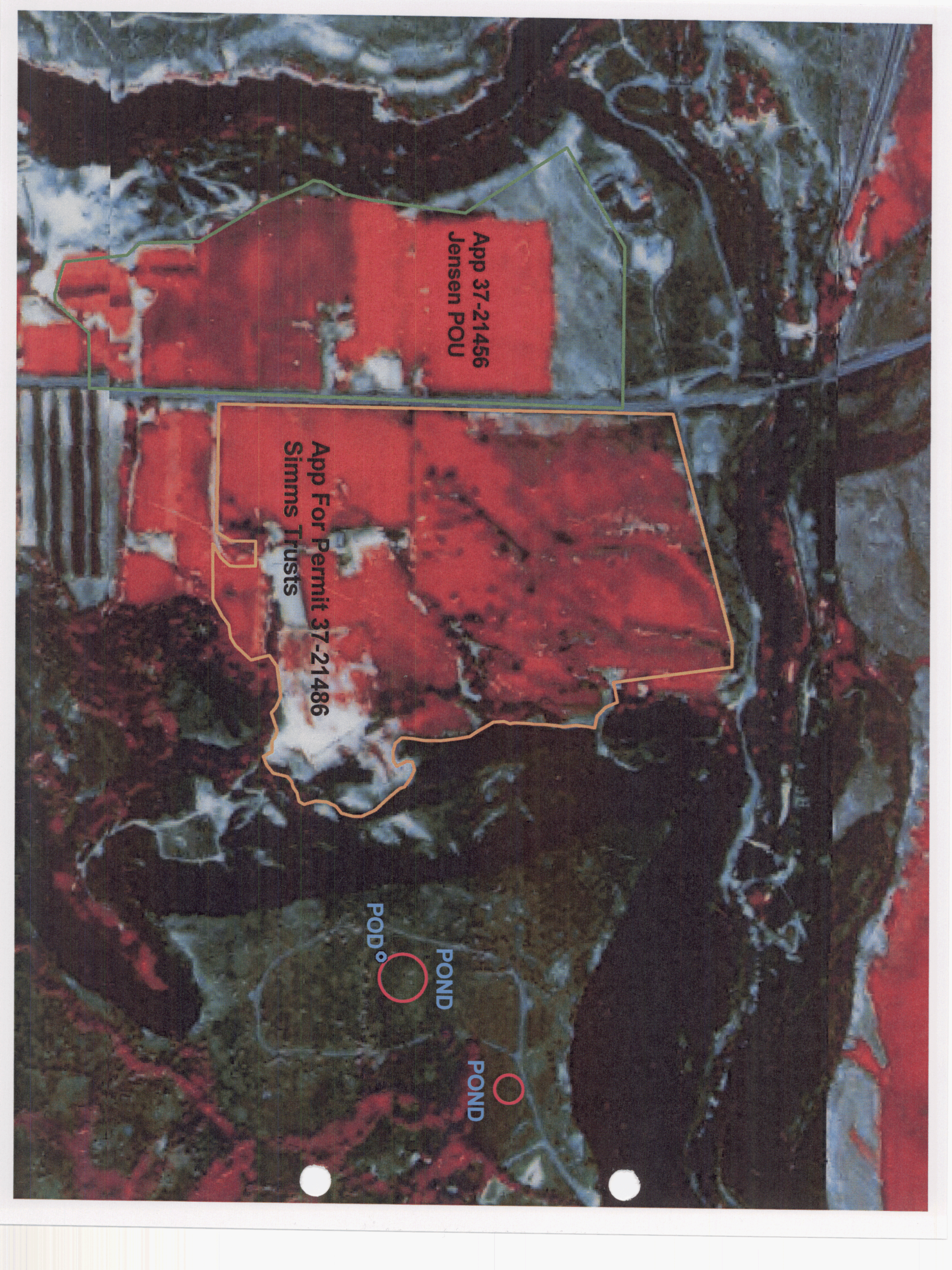
Barbara J. Simms, Trustee
Applicant

Received by JS Date 7-11-05 Time 9:52 Preliminary check by JS
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

Receipt No. S027816 S027817

Date: 7-11-05

Received by: JS

An aerial photograph of a landscape with various terrain features, including fields, roads, and water bodies. Two large areas are highlighted in red. The first area, in the upper left, is outlined in green and labeled 'App 37-21456 Jensen POU'. The second area, in the center, is outlined in orange and labeled 'App For Permit 37-21486 Simms Trusts'. In the lower right, there are two small red circles, each labeled 'POND'. The text is oriented vertically, reading from bottom to top.

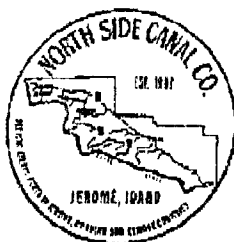
App 37-21456
Jensen POU

App For Permit 37-21486
Simms Trusts

POD

POND

POND



RECEIVED

JUL 11 2005

Department of Water Resources
Southern Region

NORTH SIDE CANAL COMPANY

921 North Lincoln • Jerome, Idaho 83338 • (208) 324-2319

29 June 2005

Larry Pennington
North Side Canal Co.
921 North Lincoln
Jerome, Idaho 83338

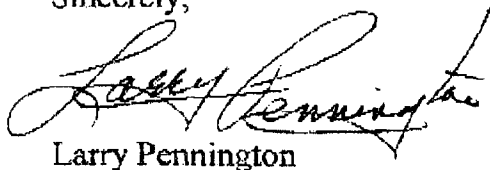
Steve Thompson
District Conservationist
820 Main
Gooding, Idaho 83330

Dear Steve:

This letter is in support of the project on the end of the our W canal that ends at Malad State Park, where the excess delivery water will replace spring water in the irrigation of land below the canyon rim.

Presently any delivery water in excess of our needs enters the Park and flow into the Malad River. As we have discussed earlier, most of the excess flow will occur in the early and late portion of the delivery season. The North Side Canal Co. usually delivers water from 15 April to 15 October -- this season may vary dependent upon the yearly water supply.

Sincerely,


Larry Pennington



DIRK KEMPTHORNE
governor

Robert L. Meinen
director

Dean Sangrey Administrator
operations division

David Ricks Administrator
management services division

**IDAHO DEPARTMENT OF
PARKS AND RECREATION**

State Capitol
Boise, Idaho

Emergency Board

Douglas Hancay
regional six

**IDAHO DEPARTMENT OF
PARKS AND RECREATION**

p.o. box 33720
boise, idaho 83720-0065

(208) 334-4199

fax (208) 334-3741

tdd 1-800-377-3529

street address
5657 Warm Springs Avenue

www.parksand recreation.idaho.gov

June 13, 2005

Todd Maguire, State 319 Coordinator
Department of Environmental Quality
1410 North Hilton
Boise, ID 83706-1255

RE: W Drain Project, Gooding Soil Conservation District

Dear Mr. Maguire,

The Idaho Department of Parks and Recreation (IDPR) is writing this letter in support of the W Drain Project proposed at Malad Gorge State Park and surrounding area. This cooperative effort will utilize wastewater currently spilling into the Malad River to satisfy irrigation needs as well as the potential to improve the areas water quality. Additionally, IDPR believes that these water features will enhance wildlife habitat and provide for recreational benefits.

It is our understanding that the overall funding of this project will be from three sources:

- Water Quality Planning for Agriculture (WQPA)
- Private landowners
- 319 funds

Furthermore, IDPR intends to develop a maintenance agreement for these improvements prior to construction.

A site visit needs to be scheduled with all parties to discuss the location and size of the ponds. Ultimately, IDPR will need to approve the engineering plans and time frames for construction. It will be important to consider appropriate times for construction that does not interfere with park visitation and that the design contributes to the recreational effectiveness of the park.

The ponds will be developed to improve habitat with vegetative plantings and be accessible to the public for recreation. Future development of the park may include a campground and day use opportunities adjacent to the ponds. IDPR believes that the pond environment will provide added value to the public during their visit to the park. IDPR would also like to interpret this project to visitors to raise public awareness of the importance of water quality.

IDPR appreciates the opportunity to be involved in this project. Our contact for this project is Lonnie Johnson, Park Manager at Thousand Springs State Park. Lonnie can be reached at (208) 837-4505.

Sincerely,

Robert L. Meinen, Director
Idaho Department of Parks and Recreation

Cc: Lonnie Johnson, Park Manager
Steve Frost, South Region Manager
Stephen Thompson, District Conservationist

United States Department of Agriculture



Natural Resources Conservation Service
820 Main Street, Gooding, ID 83330-6155
Telephone: 208-934-8481 FAX: 208-934-4327

Date: June 13, 2005

To: **Department of Environmental Quality**
Attn: Todd Maguire
1410 North Hilton
Boise, Idaho 83706-1255

This correspondence is to certify that the USDA-NRCS field office, located in Gooding Idaho is assisting the planning and implementation effort of the W Drain project. This project will enhance surface water quality to the Mid-Snake River region in addition to benefiting a small component of the current water quantity issues under discussion. Energy savings is another resource savings which will also receive benefits.

The goal of this project is to eliminate nutrient impacted waters from returning to the surface water system. This will be accomplished by exchanging this water for pristine spring waters which will be allowed to flow to the surface system. The canal water will utilized to create habitat within the State Park and applied on pasture and cropland which is in alignment with the assigned beneficial use of the water.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen N. Thompson".

Stephen N. Thompson
District conservationist



MID-SNAKE RIVER WATERSHED ADVISORY GROUP

601 Pole Line Rd, Ste #2
Twin Falls, ID 83301
Phone (208) 736-2190
FAX (208) 736-2194

February 7, 2005

Todd Maguire, State 319 Coordinator
Department of Environmental Quality
1410 North Hilton
Boise, Idaho 83706

RE: W Drain Project: Gooding Soil Conservation District

Dear Mr. Maguire:

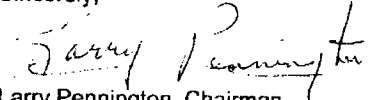
On behalf of The Mid-Snake Watershed Advisory Group, I would like to extend the WAG's support for the above-named 319 project. The WAG has reviewed the presentation and has concluded that it meets the criteria as a surface water protection project for The Upper Snake Rock Management Plan.

This project has the potential to greatly reduce the amount of sediment being introduced into the Snake River. A drain that now flows into the Malad River will be put into a wetland complex on the Malad State Park and during the irrigation season used as irrigation water in the Hagerman Valley area.

As a part of our support, we fully intend to review the project on an annual basis.

If you have any questions or concerns, please don't hesitate to contact me.

Sincerely,


Larry Pennington, Chairman
Mid-Snake River Watershed Advisory Group

cc: Mike Etcheverry, Implementation Coordinator DEQ

LP/ME/lp



Gooding Soil Conservation District
211 University Ave. - Gooding, ID 83330-6155 - Phone (208) 834-8481

Date: February 2, 2005

To: **Department of Environmental Quality**
Attn: Todd Maguire
1410 North Hilton
Boise, Idaho 83706-1255

This correspondence is to certify that the Gooding Soil Conservation District, located in Gooding Idaho, is sponsoring the planning and implementation effort of the W Drain project. This project will enhance surface water quality to the Mid-Snake River region in addition to benefiting a small component of the current water quantity issues under discussion. Energy savings is another resource savings which will also receive benefits.

The goal of this project is to eliminate nutrient impacted waters from returning to the surface water system. This will be accomplished by exchanging this water for pristine spring waters which will be allowed to flow to the surface system. The canal water will utilized to create habitat within the State Park and applied on pasture and cropland which is in alignment with the assigned beneficial use of the water.

Sincerely,

Bob Bolte,
Gooding SCD

Date: 1/25/05

To: **Department of Environmental Quality**
Attn: Todd Maguire
1410 North Hilton
Boise, Idaho 83706-1255

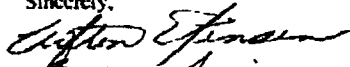
Dear Sir:

I am writing to express my dedication and intent to complete the W- drain project. This project has multiple benefits addressing energy savings, water quality, water quantity and habitat development within the State Park.

Partnerships have been formed with private landowners, State and Federal agencies and corporations to the benefit of the private and public interest.

Thank you in advance for your consideration of this application.

Sincerely,




Clifton E. Jensen
17825 A US Highway 30
Bliss, Id. 83314

Barbara Simms
17816 US Highway 30
Bliss, Id. 83314
