

Before the Idaho Water Resource Board

APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK

Applicant **Idaho Water Resources Board** Phone **(208) 327-7900**Address **1301 N. Orchard** City **Boise** State **ID**Zip Code **83706****A. DESCRIPTION OF WATER SOUGHT TO RENT**

1. Source of water **Big Hat Creek**
tributary to **Hat Creek**.
2. Maximum volume of water **91 AF**.
3. Maximum rate of diversion **0.52 cfs**.

B. DESCRIPTION OF USE PROPOSED

1. Nature of intended use **Instream flow**
2. Location of point of diversion **N/A** $\frac{1}{4}$ $\frac{1}{4}$, Section _____,
Township _____, Range _____, B.M. _____ County.
3. Season of use: From **April 1 through October 31**
4. Description of diverting works:
Pump HP _____ Lift _____ Pump type _____.
Canal name, if appropriate _____.
5. Place of use:
 - a. If water is for irrigation, describe the number of acres to be irrigated by
40-acre tract, section, township and range.

b. If water is not for irrigation, describe the nature of the intended use and the place of use.

Instream flow for Wild and Scenic River Claim for Salmon River

6. Describe any other water rights used for the same purposes as rental water sought under this application.

7. Who owns the property at the point of diversion?

U.S. Forest Service

8. Who owns the property at the place of use?

U. S. Forest Service

9. Are you seeking a rental for more than one (1) year? **No** (yes or no)

If yes, for how many years? _____

10. Remarks: No Diversion: flow to remain instream in Salmon River for Wild and Scenic River Claim.

May 20, 2004

Date

Signature of Applicant

FOR DEPARTMENT USE ONLY

Received by CRC Date JUNE 11, 2004 Time _____

Published in _____ Pub. dates _____

Protests filed by _____

Hearing held by _____

Action recommended _____

Water Transaction Checklist for Specific Water Transactions to Increase Tributary Flows

Instructions: The local entity should complete the following checklist as completely as possible when proposing a specific water transaction to the Columbia Basin Water Transactions Program (Columbia Basin WTP). Upon transaction completion, the checklist should be updated to reflect any changes to the transaction and a final version should be submitted to the Columbia Basin WTP.

Name of Transaction: **Big Hat Creek stream flow reconnect.**

Local Entity Proposing Transaction: **Idaho Department of Water Resources**

Entity Contact Person on Transaction: **Bill Graham, IDWR**

Date Transaction Proposal Submitted to the Columbia Basin WTP: **2004**

Total Amount of Landowner Payment: **\$ 1,850**

Amount of Landowner Payment Requested from the Columbia Basin WTP: **\$ 1,850**

Principal Objective of the Transaction: **Adding 0.5 cfs of flow to Big Hat Creek by leasing water right 75-2137 from Fred Crabtree.**

ACCOUNTABILITY CRITERIA

1. Have the following documents been submitted to the Columbia Basin WTP as part of the proposal? If not, when will the document(s) be submitted?

- a. Contract with landowner detailing terms of the water right transaction:

Yes ☒ No ☐

Date Submitted: **1/20/04**

Comments:

- b. Water right certificate(s) included in the transaction.

Yes ☒ No ☐

Date Submitted: **1/20/04**

Comments:

- c. Application(s) submitted to the state water agency for transfer of the water right to instream flow (if applicable). **N/A**

Yes ☐ No ☐

Date Submitted:

Comments: **Water is being provided for instream flow through the IWRB Water Bank.**

- d. Approval order from the state water agency required to affect the transfer and change of use (or explanation as to how the water right will be protected instream without agency approval).

Yes ☒ No ☐

Date Submitted: **1/20/04**

Comments: **Approval is in the form of WRB water lease and rental documents.**

- e. A copy of a completed and signed National Environmental Policy Act (NEPA) checklist submitted to Bonneville Power Administration.

Yes ☒ No ☐

Date Submitted: 1/20/04

Comments:

- f. Any other important documents to describe and record the transaction.

Yes ☐ No ☒

Date Submitted:

Comments:

2. What other information may assist the Columbia Basin WTP in evaluating this transaction or similar transactions in the future?

The lease is on a Upper Salmon Basin Model Watershed Project (USBMWP) SHIPUSS high-priority stream for flow enhancement within an ESU.

ADMINISTRATIVE CRITERIA

3. How did the water right holder use the water before the transaction? Is there evidence that water right(s) to be acquired was put to beneficial use during the relevant time period set forth by your state's abandonment statute? **Irrigation of hay fields.**
4. When was the application for the transfer of the water right to instream flow submitted to the applicable state agency (or other authority)? If the application has not yet been filed, what is the projected application submission date? When is the state agency expected to approve the transfer and finalize the amount of water that will be allocated to instream flow? **Application was made to the Water Board's Water Bank in Dec. 2003.**
5. Who will hold the water right once the water is secured for instream flow? **Idaho Water Resource Board**

HYDROLOGIC CRITERIA

6. What is the name of the stream(s) that will have increased instream flows as a result of the transaction? In what subbasin and watershed HUC is the stream(s) located? Please provide the NPCC Subbasin name and Watershed 5th Field HUC (10 digit) number. **Big Hat Creek, HUC 1706020301.**
7. What is the reach(es) of river that will benefit? (Please provide the approximate river mile of the upper and lower ends of the instream reach(es) and the Global Positioning System (GPS) coordinates of the existing point(s) of diversion.) **Big Hat Creek about two miles of stream.** (Please also provide legal description of existing point of diversion.) **Point of diversion is NW1/4NE1/4SE1/4 Sec. 8, Twp. 17N Rge 20E, B. M., within Lemhi County. Note: no GPS data available.**

8. For what term will the transaction secure water for instream flow (e.g., two years, ten years, in perpetuity)? **One year with a high probability on affecting a permanent transaction following the current lease period.**
9. What is the priority date of the water right(s) secured for instream flow? What is the authorized period of use for the water right(s)? Is the water right(s) typically satisfied during this period of use each irrigation season? If not, what is the actual period of use before the water right(s) is restricted? **05/01/1889; only diverter from Big Hat Creek. Water typically available.**
10. What is the proposed period of use of the instream right(s) (e.g., July 1st-September 30th)? What is the period during which the benefits of the proposed use is most ecologically significant (e.g. August 1 to September 5)? **April 1 through October 31. May 1 to October 31.**
11. What is the rate in cfs that will be protectable instream? Will the established rate vary throughout the reach(es)? Will the established rate vary during the period of use? If so, describe the amount(s) by which the established rate will vary and the location and/or time of the variance. **The rate protected is 0.5 cfs, and should not vary during the period of use. Instream flow rates in Big Hat Creek will be gauged next year.**
12. What is the total quantity of water in acre-feet to be put instream during the term of the transaction? Will the established duty vary throughout the reach(es)? If so, describe the amount(s) by which the established duty will vary and the location of the variance. If the transaction is for more than one year, please give an annual quantity in acre-feet (show calculation). **His right is for an allowed standard rate, 3.5 acre feet per acre per annum in this area plus conveyance losses. Hence, 3.5 acre feet per annum/acre X 35 acres = 122.5 acre feet per annum.** *2.5 ac for GW.*
13. What percentage increase of the historical base flow will the acquired water provide in the primary reach during the instream period of use? **100% during irrigation season.** What percentage of the minimum biological flow target will the acquired water provide in the primary reach during the instream period of use? (A range is acceptable.) **Will add about 1.0 CFS to Big Hat Creek which dries up in the target reach.**

BIOLOGICAL CRITERIA

14. What are the species name and ESA status (endangered, threatened) of the anadromous fish, specifically Evolutionary Significant Units (ESUs), expected to benefit by the increased flow? What life stages of the fish present will benefit from the increased flows? **Bull trout, ESA Threatened, all life stages. ESA Threatened; spring chinook salmon juvenile rearing, ESA threatened, steelhead juvenile rearing.**
15. What other fish (i.e., Distinct Population Segment) and wildlife species are expected to benefit? How? **Westslope cutthroat and redband rainbow, species of special**

concern, all life stages would benefit. Wildlife species including large mammals would benefit.

~~16.~~ How is water quality expected to improve as a result of the transaction **Higher flows will enhance stream habitat quality and should reduce water temperature in the summer.**

17. What is the current condition of the riparian zone and stream channel in the affected reach(es)? Are there other projects planned or in effect to address degraded riparian areas or stream habitat? Include photographs of the affected reach(es), with a listing of the approximate river mile of the site. **Riparian vegetation in the affected reach is good to excellent. No other projects are planned at this time to protect riparian habitat.**

18. Do the riparian zone and stream channel have the immediate potential to create additional high quality fish and wildlife habitat with the increase in stream flow? If high quality habitat is not immediately available, what are the other limiting factors (e.g. passage, stream temperature, etc.)? **Yes.**

19. Is the stream reach fenced to create a riparian buffer? If so, what are the set-back distances from the stream? **No, but nearby pasture is fenced and the riparian area is in excellent condition.**

INNOVATION CRITERIA

20. Name what tool(s) and/or strategies were used in developing this transaction? **This transaction was first discussed at the public information meeting held in Stanley, Idaho in the summer of 2003.**

21. Explain what new information has been learned by use of these tool(s) and/or strategies? **As more of these projects are done, word of mouth and public contacts result in more landowners coming forward willing to participate.**

22. What is the:

- a. total cost of the water to be acquired; **\$2,055**
- b. total amount paid to the water right holder from all funding sources; **1,850**
- c. amount of landowner payment requested from the Columbia Basin WTP; **1,850**
- d. estimated transaction costs related to this transaction and the portion (in \$) of these costs paid by BPA; **\$205**
- e. total cost of the transaction (water cost and transaction costs). **2,055**

23. What method was used for determining the value of the water right? **Value of land to be irrigated.**

24. What incentive(s) motivated the water right holder to enter into the transaction?

Desire to leave water instream for fish and to avoid maintenance of a 2-mile long unimproved ditch.

MONITORING CRITERIA

25. How will the increases in flow be documented and monitored? **Stream Gauge.**
26. How will benefits to fish and/or wildlife be documented and monitored? **Photo points will show riparian habitat impacts. Aerial photos will help to monitor compliance.**
27. How will increases in water quality be documented and monitored? **Big Hat Creek is not listed as water quality impaired.**
Please provide key contact information if another agency, program, or individual will be collecting and evaluating the flow, biological and water quality data)
28. Is the anticipated increase in streamflow sufficiently great to alter the physical shape of stream beds and floodplains? If so, have factors such as bank erosion, flooding, and other effects of streamflow change been taken into account for both their positive and negative impacts for fish and wildlife and related water uses? **The streambed and floodplain will not be altered. Bank erosion will not be a problem.**

WATERSHED CONTEXT

- ~~29.~~ What does the Northwest Power and Conservation Council's relevant Subbasin Plan state regarding instream flows and water transactions in the watershed? **The NWPPC Subbasin Plan for the Upper Salmon is not yet completed. However this stream is rated as high priority for flow enhancement by the USBWP.**
30. Are there other existing watershed assessments or comprehensive planning efforts under which your water transactions are being implemented? If so, please describe the assessment(s) and/or effort(s). **N/A**
31. Have regulatory instream or minimum flows been set in the watershed or are there other limitations on new appropriations (i.e., has the basin been closed to new appropriations)? **No instream or minimum flows have been established in this reach of the Salmon River Basin. The IDWR Upper Salmon River Basin Plan could include recommendations for new instream flows if unallocated water is available.**
32. What kind of water resource planning efforts is ongoing in the basin, if any? What is the status of those efforts? Are those efforts attempting to address instream flows? **IDWR's Basin planning efforts are starting this year in the Upper Salmon River Basin.**
33. Are the benefits anticipated from water transactions part of or tied to other habitat improvement projects in the watershed? If so, please describe the relationship and briefly describe the other projects necessary to achieve the habitat goals. **The**

USBWP is doing habitat improvement projects throughout the Upper Salmon River Basin.