

OCT 23 2024

AMENDED

FORM 202 Rev. 07/24

DEPT. OF WATER RESOURCES
EASTERN REGION

STATE OF IDAHO

Ident. No. _____

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Rohn Nelson and Lori Nelson Phone 907-982-5551
Attach list of directors, partners, or members names if applicable Name connector (check one): ☐ and ☐ or
Mailing address 1531 Lemhi Road City Salmon
State ID ZIP 83467 Email fullcurl@custertel.net
2. Name of representative, if any _____ Phone _____
Mailing address _____ City _____
State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
- c. ☐ Check here if applicant or representative will accept service of documents by email at the email address(es) listed above.
3. Source of water supply Sandy Creek which is a tributary of Lemhi River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
20N	23E	24			SE	NE	Lemhi	Sandy Creek	Pump near house

- a. If this application is in the Swan Falls Trust Water Area, check one box below. If the application is outside the Swan Falls Trust Water Area, skip to item 5 and leave item 4.a. blank. See instructions for map of Swan Falls Trust Water Area and for more information.
- ☐ In Swan Falls Trust Water Area and proposing use of unappropriated water OR
- ☐ In Swan Falls Trust Water Area and proposing a reallocation of trust water.
5. Water will be used for the following purposes:
- Amount 0.02 for Irrigation purposes from 4/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
- ☐ Check if the irrigation use is for a longer season of use and justification for the longer use is included in item 12 or attached to the form. See instructions for season of use details.
6. Total quantity to be appropriated is (a) 0.02 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ 160 Received by CH Receipt No. E050439 Date 10/21/24

74-16686

7. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. List information such as pump, motor, ditch, pipeline, or diversion structure sizes. Pump in Sandy Creek is used to irrigate lawn, garden, fruit trees, and landscaping around home.
- b. If well is already drilled, when? N/A; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Dam application required? ☐ Yes ☐ No

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

- a. Hydropower; attach the Affidavit For Water Rights To Be Used For Power Purposes and show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and type of livestock _____
- c. Municipal; complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households. _____
☐ Check if domestic use is for multiple-home subdivision, include ownership plan. See instructions for additional information.
- e. Low Temperature Geothermal; describe how the ground water will be primarily used for heat value or how it is exempt pursuant to Section 42-233(1), Idaho Code. _____
- f. Other; describe fully. _____

9. Description of place of use (If the place of use is an existing service area place of use, see item 9.c. or 9.d):

- a. If water is for irrigation, indicate number of acres in each quarter-quarter in the table below.
- For irrigation of less than 10 acres, use the nearest one-tenth (0.1) acre.
 - For irrigation greater than or equal to 10 acres, round to the nearest whole acre.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding quarter-quarter in the table 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	
20N	23E	24				0.7													0.7

Total number of acres to be irrigated: 0.7

c. Irrigation Entities Using Existing Service Area Boundaries:

- i. Name of established service area. N/A
- ii. List the water right number(s) for the established service area. _____
- iii. Total number of acres to be irrigated. _____
- iv. Attach a map depicting the established place of use boundary.

d. Municipal providers supplying water for fire protection attach a map showing the service area.

10. List any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. Water right 74-1799B is used to irrigate the upper area of the property. There will not be any overlap between the two rights.

a. If applicant is entitled to water delivery from a water delivery entity, explain if the current distribution system is capable of delivering water to the place of use. _____

b. If this application is for domestic purposes, describe how the proposed water, water from another source, or both will be used to irrigate a lawn, garden, and/or landscaping. _____

11. a. Who owns the property at the point of diversion? Applicants

b. Who owns the property to be irrigated or place of use? Applicants

c. Whose property will the water be conveyed across? Applicants

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

12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. We just purchased this property. The previous owner had irrigated the lawn garden, fruit trees and landscaping around the house with a pump from Sandy Creek. We are filing this application to cover that use.

13. Time required to complete project works and application of water to proposed beneficial use is 1 years (1 to 5 years).

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion and place of use.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Rohn R. Nelson 10/23/2024

Signature of Applicant

Rohn R. Nelson

Print Name (and title, if applicable)

Lori Nelson 10/23/24

Signature of Applicant

Lori Nelson

Print Name (and title, if applicable)

Nelson Water Right Permit Application

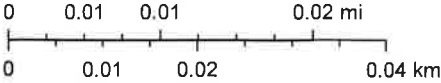


10/22/2024, 4:13:25 AM

POU - Water Rights

 All Other POU (non-provider)

1:1,128



Maxar, Microsoft, Esri, HERE, iPC, Esri, HERE, Garmin, iPC

74-16686

RECEIVED

OCT 21 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

FORM 202 Rev. 10/7/24

STATE OF IDAHO

Ident. No. _____

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Rohn Nelson and Lori Nelson Phone 907-982-5551

Attach list of directors, partners, or members names if applicable

Name connector (check one): ☐ and ☐ orMailing address 1531 Lemhi Road City SalmonState ID ZIP 83467 Email fullcurl@custertel.net

2. Name of representative, if any _____ Phone _____

Mailing address _____ City _____

State _____ ZIP _____ Email _____

- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
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☐ In Swan Falls Trust Water Area and proposing use of unappropriated water OR☐ In Swan Falls Trust Water Area and proposing a reallocation of trust water.

5. Water will be used for the following purposes:

Amount 0.01 for Irrigation purposes from 4/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)☐ Check if the irrigation use is for a longer season of use and justification for the longer use is included in item 12 or attached to the form. See instructions for season of use details.6. Total quantity to be appropriated is (a) 0.01 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).**For Department Use**

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 100.00 Received by CH Receipt No. 2050439 Date 10/21/24

7. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. List information such as pump, motor, ditch, pipeline, or diversion structure sizes. Pump in Sandy Creek is used to irrigate lawn, garden and landscaping around home.

b. If well is already drilled, when? N/A; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____

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d. Domestic; show number of households. _____

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20N	23E	24				0.5													0.5

Total number of acres to be irrigated: 0.5

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- Name of established service area. N/A
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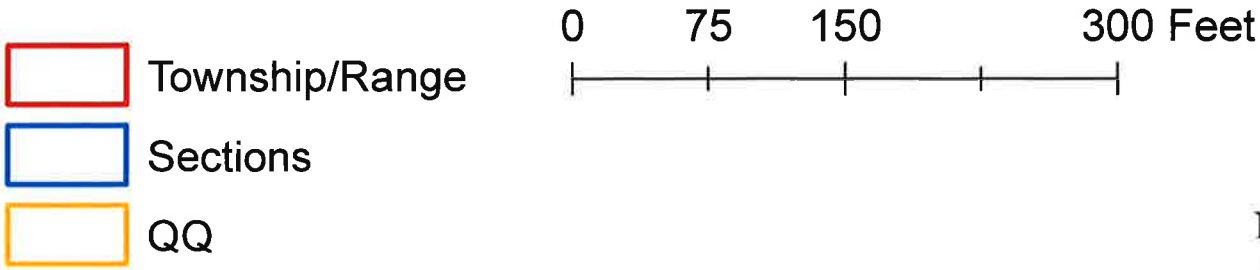
Robert R. Nelson
Signature of Applicant

Robert R. Nelson
Print Name (and title, if applicable)

Lori Nelson
Signature of Applicant

Lori Nelson
Print Name (and title, if applicable)

Application for Permit
Rohn and Lori Nelson





IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 30, 2024

ROHN R NELSON
LORI A NELSON
1531 LEMHI RD
SALMON, ID 83467-5152

RE: Application for Permit No. 74-16686

Dear Applicant:

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

A legal notice of the application has been prepared and is scheduled for publication in the RECORDER HERALD on 11/7/2024 and 11/14/2024. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. 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, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

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

Sincerely,

Christina Henman
Administrative Assistant



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

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October 30, 2024

ROHN R NELSON
LORI A NELSON
1531 LEMHI RD
SALMON, ID 83467-5152

RE: Application for Permit No. 74-16686

Dear Applicant:

The Idaho Department of Water Resources (IDWR) has received your application to establish a new use of water in the upper Salmon River Basin. Idaho Code 42-203A(5) requires IDWR to determine whether each water right application satisfies all the criteria necessary for appropriating water in Idaho. One statutory criterion requires IDWR to determine the total public interest relative to the proposed water use. Idaho Code 42-202B(3) defines the local public interest as “the interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public resources.” The local public interest has many facets, including the effects of a proposed water use on aquatic habitat for fish and wildlife resources.

The upper Salmon River basin is home to stocks of chinook salmon, sockeye salmon, steelhead trout and bull trout, all of which are listed as threatened or endangered under the Endangered Species Act (ESA). Since the early 1990s, local water users, conservation districts, and federal and state agencies have cooperated to implement conservation measures intended to protect and restore habitat for ESA-listed species in the upper Salmon River watershed. For example, at the request of local water users the Idaho Legislature directed the Idaho Water Resource Board (IWRB) to establish a minimum stream flow in the lower Lemhi River for fish passage. The minimum stream flow is maintained through a water supply bank and temporary or permanent acquisition of additional water supplies by willing buyers from willing sellers.

Pursuant to the Snake River Water Rights Agreement of 2004, Idaho has been developing a long term conservation plan for the benefit of ESA-listed species in the Lemhi River. Improving condition in flow-limited river reaches and streams is a fundamental component of the Lemhi plan. In addition to IDWR, numerous state agencies, including the Office of Species Conservation, Idaho Department of Fish and Game, Idaho Department of Environmental Quality, Idaho Soil and Water Conservation

Commission and the Idaho Department of Lands, have committed and continue to commit significant resources toward this objective under the following programs:

- Columbia Basin Water Transactions Program
- National Marine Fisheries Service Pacific Coastal Salmon Recovery Fund
- U.S. Fish & Wildlife Service Aquatic Species Conservation Fund
- Salmon and Clearwater River Basins Habitat Fund
- 2008 Columbia Basin Fish Accords

A myriad of habitat restoration projects are being constructed / implemented another parts of the upper Salmon River basin. These projects have been coordinated with the local communities and water users through the Upper Salmon River Basin Watershed Program and predecessor programs, including the model watersheds. Furthermore, the Snake River Water Rights Agreement of 2004 contemplates the development of additional conservation plans for other upper Salmon River basin watersheds. Accordingly, the Comprehensive State Water Plan revised by the IWRB contains policies for the Salmon River basin that focus on the protection and restoration of instream habitat for ESA-listed species through voluntary participation in conservation programs.

Because of the ESA-listed species recovery efforts in the upper Salmon River basin, IDWR must determine on a case-by-case basis whether it is in the local public interest to authorize proposed water uses that would further deplete flow-limited stream reaches.

Pursuant to Rule 40.04.c of the Water Appropriation Rules (IDAPA 37.03.08.040.04.c), the applicant has the ultimate burden of persuasion regarding the items that must be evaluated in connection with each water right application. Before proceeding further with your application, IDWR requests you submit additional information about how your proposal invokes any local public interest concerns for ESA species recovery.

Within 30 days, please submit any additional information you believe IDWR may need to evaluate and determine the local public interest in the water you propose to divert and use. If IDWR has not received a response from you within 30 days, IDWR will assume you have no comment regarding the local public interest, and processing of your application will resume with the information currently on file. Processing will include public notice and the potential for formal protests by other interested parties. Applications that are not in the local public interest will be denied.

Sincerely,



Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Wednesday, October 30, 2024 2:23 PM
To: rhlegals@custertel.net
Subject: Legal Notice for Recorder Herald
Attachments: 74-16686, 74-16687, 75-15099, 75-15112, 75-15113 Recorder Herald.docx

LEGAL NOTICE DEPARTMENT
RECORDER HERALD
PO BOX 310
SALMON, ID 83467

RE: Application for Permit No. 75-15099, 74-16686, 74-16687, 75-15112, 75-15113

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). Please note that there is more than one page included in this notice. 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 11/25/2024. Your cooperation is appreciated

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

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

75-15099

RISA WRAY

101 NE GINNIE SPRINGS ROAD, HIGH SPRINGS, FL 32643

Point of Diversion SWSW S36 T26N R21E LEMHI County

Source NORTH FORK SALMON RIVER Tributary SALMON RIVER

Use: IRRIGATION

4 /01 to 10/31

0.09 CFS

Total Diversion:

0.09 CFS

Date Filed: 05-22-2024

Place Of Use: IRRIGATION

T25N R21E S1

NWNNW

Place Of Use: IRRIGATION

T26N R21E S36

SWSW

Total Acres: 3.2

This application proposes the diversion and use of water from North Fork Salmon River tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

74-16686

ROHN R and LORI A NELSON, 1531 LEMHI RD, SALMON, ID 83467-5152

Point of Diversion SENE S24 T20N R23E LEMHI County

Source SANDY CREEK Tributary LEMHI RIVER

Use: IRRIGATION

04/01 to 10/31

0.02 CFS

Total Diversion:

0.02 CFS

Date Filed: 10-23-2024

Place Of Use: IRRIGATION

T20N R23E S24

SENE

Total Acres: 0.7

This application proposes the diversion and use of water from Sandy Creek tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

74-16687

HOLLY A and RICHARD M NATELSON, 1538 LEMHI RD, SALMON, ID 83467-5152

Point of Diversion L2(SWNW) S19 T20N R24E LEMHI County

Source SPRING Tributary SANDY CREEK

Point of Diversion L2(SWNW) S19 T20N R24E LEMHI County

Source SPRING Tributary SANDY CREEK

Use: IRRIGATION

03/15 to 11/15

0.12 CFS

Total Diversion:

0.12 CFS

Date Filed: 10-25-2024

Place Of Use: IRRIGATION

T20N R23E S24

SENE

Place Of Use: IRRIGATION

T20N R24E S19

L2(SWNW)

Total Acres: 6

This application proposes the diversion and use of water from springs tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

75-15112

SALMON RIVER MEADOWS MUTUAL WATER CO, 124 QUAIL RD, SALMON, ID 83467-5195

Point of Diversion L1(NENE) S21 T18N R21E LEMHI County

Source GROUND WATER Tributary
Point of Diversion SENE S21 T18N R21E LEMHI County
Source GROUND WATER Tributary
Use: DOMESTIC
01/01 to 12/31
0.27 CFS
Use: FIRE PROTECTION
01/01 to 12/31
0.27 CFS
Total Diversion:
0.27 CFS
Date Filed: 10-22-2024
Place Of Use: DOMESTIC, FIRE PROTECTION
T18N R21E S21
L1(NENE), SENE
Place Of Use: DOMESTIC, FIRE PROTECTION
T18N R21E S22
L2(NWNW), NWNW, L2(SWNW), SWNW, L2(NWSW)

This application proposes the diversion and use of water from ground water tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above. Domestic use is for 100 homes in Salmon River Meadows Annex Subdivision.

75-15113

SALMON RIVER MEADOWS MUTUAL WATER CO, 124 QUAIL RD, SALMON, ID 83467-5195

Point of Diversion L4(SESE) S21 T18N R21E LEMHI County
Source GROUND WATER Tributary
Point of Diversion L4(SWSE) S21 T18N R21E LEMHI County
Source GROUND WATER Tributary
Use: DOMESTIC
01/01 to 12/31
0.27 CFS
Use: FIRE PROTECTION
01/01 to 12/31
0.27 CFS
Total Diversion:
0.27 CFS
Date Filed: 10-22-2024
Place Of Use: DOMESTIC, FIRE PROTECTION
T18N R21E S21
L4(SESE), L4(SWSE), SESW
Place Of Use: DOMESTIC, FIRE PROTECTION
T18N R21E S28
L2(NENE), NWNE, NENW

This application proposes the diversion and use of water from ground water tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above. Domestic use is for 185 homes in Salmon River Meadows Subdivision.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Eastern office at (208)525-7161; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 11/25/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 11/7/2024 and 11/14/2024

Cefalo, James

From: LORI NELSON <fullcurl@mtaonline.net>
Sent: Tuesday, October 22, 2024 6:51 AM
To: Cefalo, James
Subject: More accurate map for WR Permit Application
Attachments: Nelson Water Right Permit Application.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Mr. Cefalo,

Thank you for making time for us yesterday, and assisting with the new permit application. I forgot about the fruit trees on the other side of the creek, and would like to include them in the place of use. I would also like to water a very small area of lawn and flower bed, between the house and the garage that was not included on the map we created. I don't know if the new shape file map that I have attached will change the acres or the amount of cfs, but I wanted to provide a more accurate place of use shape file for the permit application. The point of diversion, at the pump, will remain the same. Mr. Miller had it set up to irrigate either the fruit trees across the creek, or the garden and lawn around the house, or both at the same time. I would like to legally be able to do the same. Please let me know if the attached, amended map can be used for the permit application, and if the cfs is changed as a result. Thank you again, and I look forward to hearing from you. If you have any questions, or if I can be of assistance, please feel free to give me a call.

Respectfully,

Rohn Nelson
(907) 982-5551