

RECEIVED

AUG 26 2024

FORM 202 Rev. 07/24 DEPT. OF WATER RESOURCES
EASTERN REGION

STATE OF IDAHO

Ident. No. 75-15108

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Robert and Cindy Hallen Phone 208 865-2418
Attach list of directors, partners, or members names if applicable Name connector (check one): ☒ and ☐ or
Mailing address PO Box 243 City Carmen
State Idaho ZIP 83462 Email cin.hallen@gmail.com
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 Fourth of July Creek which is a tributary of Salmon 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 #
24N	22E	30			SE	SW	LEMHI COUNTY	FOURTH OF JULY CREEK	BIG FOURTH OF JULY CREEK

- 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 .220 for IRRIGATION purposes from 08/02 to 11/01 (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) .220 cubic feet per second (cfs) and/or (b) 40.58 acre-feet per year (af).

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ 250.00 Received by M. Pettis Receipt No. E050314 Date 8-26-24

75-15108

SEP 03 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

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. Active headgate to existing ditch system to the pou
- b. If well is already drilled, when? N/A; drilling firm N/A
well was drilled for (well owner) N/A; Drilling Permit No. N/A
- c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.
- d. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A 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. N/A
- b. Stockwatering; list number and type of livestock N/A
- c. Municipal; complete and attach the [Municipal Water Right Application Checklist](#).
- d. Domestic; show number of households. N/A
☐ 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](#). N/A
- f. Other; describe fully. N/A

AMENDED

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	
24N	22E	30									11								11
											L3								

Total number of acres to be irrigated: 11

c. Irrigation Entities Using Existing Service Area Boundaries:

- i. Name of established service area. Hallen Land 20
- ii. List the water right number(s) for the established service area. 75-144D
- iii. Total number of acres to be irrigated. 11
- 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.

RAA
EDH

SEP 03 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

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. 75-144D

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. Current ditch system is capable to convey the water to the proposed POU.

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. N/A

AMENDED

11. a. Who owns the property at the point of diversion? VJ Greenwood
b. Who owns the property to be irrigated or place of use? Applicants
c. Whose property will the water be conveyed across? VJ Greenwood, Robert Summer Chaffin
d. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Historical verbal agreement since 1896.
12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. (See attached page for narrative and history)
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.


Signature of Applicant
Robert Hallen
Print Name (and title, if applicable)


Signature of Applicant
Cindy Hallen
Print Name (and title, if applicable)

August 21, 2024

TO: Idaho Department Water Resources/Eastern Region
900 N. Skyline Dr. Suite A
Idaho Falls, Idaho 83402

From: Robert and Cindy Hallen
PO Box 243
Carmen, Idaho 83462

**Subject: Page 3, Question 12 Narrative and explanation of request.
Request for a new water right or correction of Water Right 75-144D**

Due to a typographical error misprint in the adjudication of Water Right 75-144D, discovered on August 1, 2024, by a neighbor, the correct written language specifies a flow of 0.40 CFS per acre (for 11 acres) to be delivered from April 1 to August 1, followed by a 25% reduction to 0.30 CFS (for 11 acres) per acre from August 2 to November 1. The 2005 IDWR field notes confirm the accuracy of this right. *(see attached field notes)* However, a typo error incorrectly adjudicated the water right as 0.11 CFS per acre from August 2 to November 1.

Meanwhile, James Cefalo of the Idaho Department of Water Resources has recommended a new right filing as an aid in correcting this catastrophic misprint for our missing 0.22 CFS per acre (for 11 acres) and restoring the original allocation. We are not requesting additional water beyond what was originally allocated, but rather an accurate reflection of our entitlement.

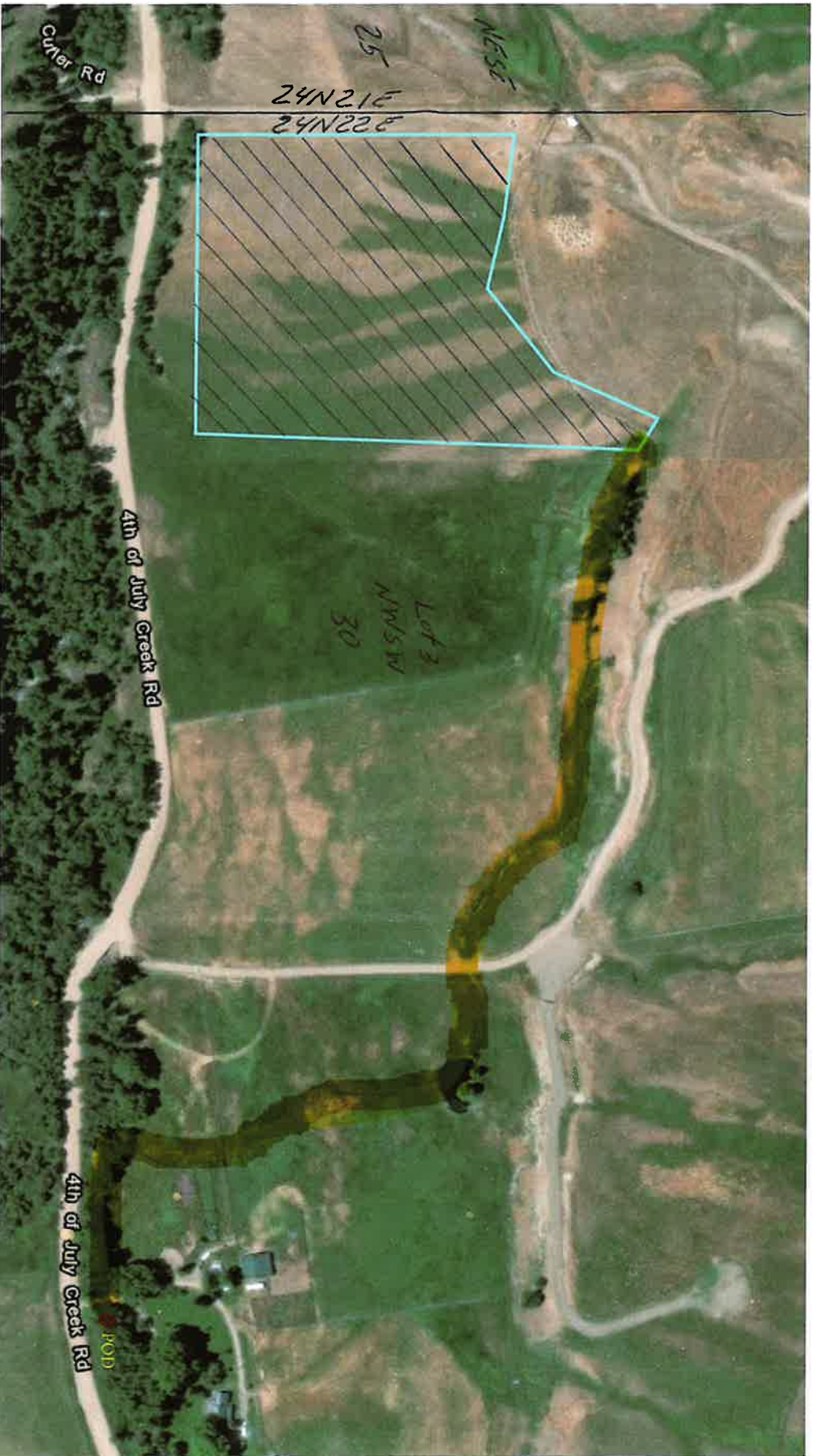
We respectfully request that this right be allocated to ensure the water right properly reflects the original allocation of Water Right 75-144D, as per the written portion of our decree, and to help rectify the substantial typographical error misprint affecting our allocation between August 2 and November 1 and our property value.

Thank you for your consideration


Robert & Cindy Hallen

enclosures

Robert and Cindy Hallen
New Water Right to be added with existing (error right) 75-144D
8/21/2024



COPY

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 75-144D

1. ☒ No Change NAME IS SAME

☐ NEW OWNER: _____

☒ No Change ADDRESS

☐ NEW ADDRESS: _____

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted

☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____

(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION

☐ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: A0015083 file # J72605 POD7

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

dam in creek, ditch to place of use

Deere 0.03 cfs/pers from 8/2 - 11/1

$$11 \times 0.03 = 0.33 \text{ cfs}$$

COPY

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☐ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

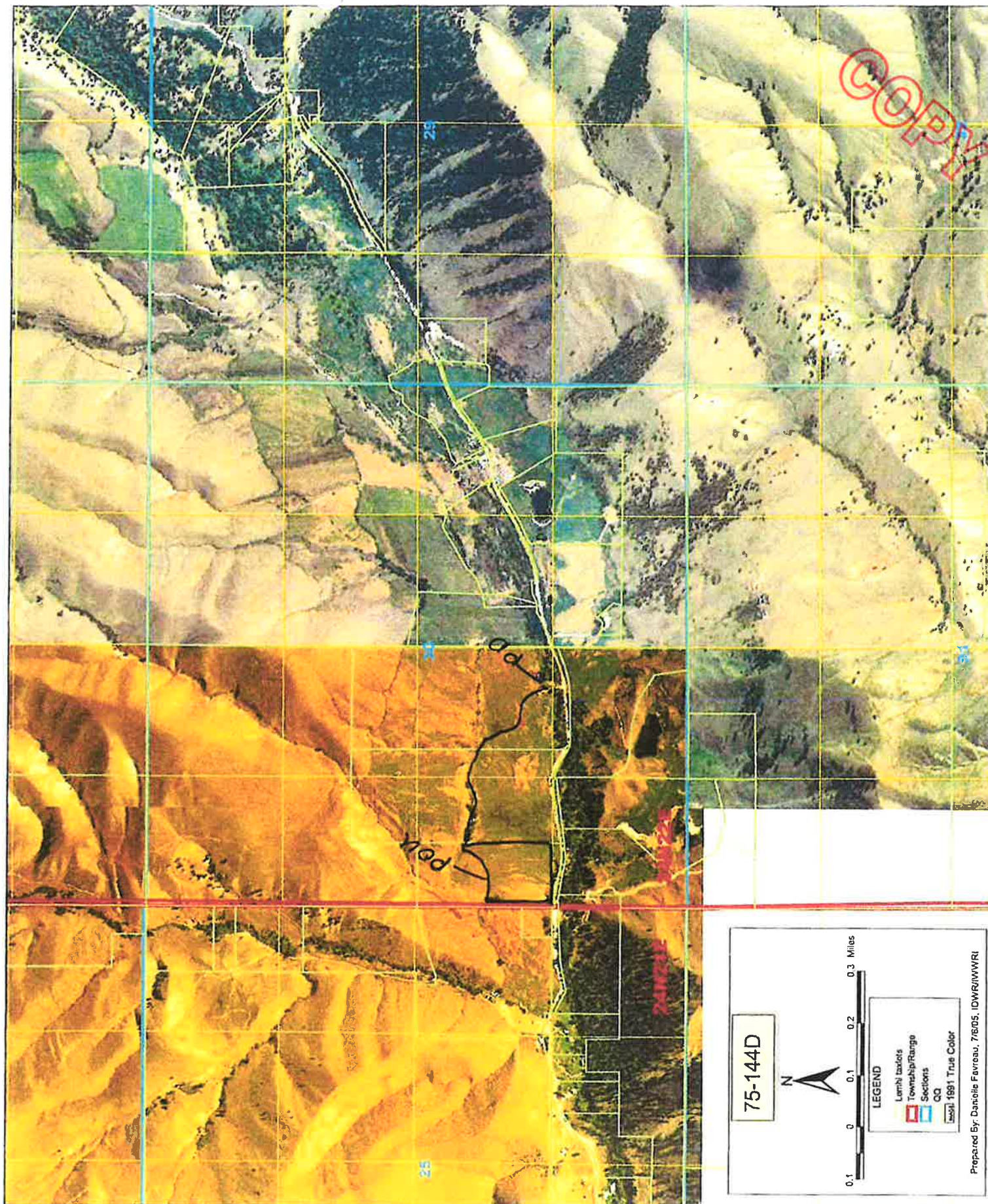
☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 7-12-05

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature



COPY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A75-00144D
Date Received: 5/ 7/1990
Receipt No: X777777
Received By:

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ROBERT HALLEN
Address: PO BOX 243
CARMEN ID

208-856-2418

83462

AND/OR

Name: CINDY HALLEN
Address: PO BOX 243
CARMEN ID

208-856-2418

83462

A7500144D



2. Date of Priority: APR 1, 1896

3. Source: FOURTH OF JULY CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	22E	30	SE	NE	SW		LEMHI

5. Description of diverting works:
DITCH NO. 9.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.440		

7. Total Quantity Appropriated is:
0.440 C.F.S. (and/or)

A.F.A.

No Reduction after
Aug 2nd - Nov 1

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	22E	30	NW	SW		IRR	11.0

COPY

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	11.0
					Total Acres	11.0

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

AC. IRR. = 34.

CHANGE IN OWNERSHIP: 2-5-91/JT

CHANGED OWNERSHIP 8/26/96/JT/GT

***CHANGE IN OWNERSHIP 08-27-97 SPLIT ORIGINAL RIGHT. GT.**

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

MERRILL M. BROWN, ET AL.,
Decree Plaintiff

FRANK R. NELSON, ET AL.
vs Decree Defendant



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 5, 1997

ROBERT & CINDY HALLEN
PO BOX 243
CARMEN ID 83462

RE: CHANGE IN OWNERSHIP FOR A75-00144

Dear Mr. & Mrs. Hallen:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A75-00144C, 0.72 cfs on 18 acres, Riggan
A75-00144D, 0.44 cfs on 11 acres, Hallen

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure

cc: Riggan/copy letter/copy Notice of Claim

COPY

DELOG-81497
G.T.

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JUL 28 1997

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

COPY

1. Water Right Number(s) _____
Adjudication Claim Number(s) A75-00142A A75-00144A
3 ac. 11 acres
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) JAMES AND DEBORAH RIGGAN
Rt 1 Box 92, Salmon, ID 83467
4. New Owner/Claimant(s) ROBERT AND CINDY HALLEN
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
New Mailing Address Box 243
Carmen, Id 83462
City, State and ZIP Code
New Telephone Number (208) 856 2418

5. Date you acquired the property 7/7/97
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 17.0 Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Robert R Hall Date 7-3-97
Cindy D Hallen Date 7-3-97

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 75-00144D

NAME AND ADDRESS: CINDY HALLEN
ROBERT R HALLEN
PO BOX 243
CARMEN, ID 83462

SOURCE: FOURTH OF JULY CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.44 CFS

This right when combined with Right No. 75-142D shall provide no
more than 0.04 cfs per acre from April 1 to August 1 and 0.03
cfs per acre from August 2 to November 1.

PRIORITY DATE: 04/01/1896

POINT OF DIVERSION: T24N R22E S30 SESW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 08-01	0.44 CFS
	Irrigation	08-02 TO 11-01	0.11 CFS

PLACE OF USE: Irrigation Within Lemhi County
T24N R22E S30 NWSW 11.0
11.0 Acres Total

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

Water Right Report : 75-144-D (Decreed/Active)

COPY

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	HALLEN, CINDY	PO BOX 243	CARMEN	ID	83462-0243
Current Owner	HALLEN, ROBERT R	PO BOX 243	CARMEN	ID	83462-0243
Original Owner	MC LAUGHLIN, DORSEY	960 MADELYNE CT	SANTA ROSA	CA	95409
Original Owner	MC LAUGHLIN, BARBARA D			ID	
Original Owner	RIGGAN, DEBORAH	196 WIMPEY CREEK RD	SALMON	ID	83467
Original Owner	RIGGAN, JAMES E	196 WIMPEY CREEK RD	SALMON	ID	83467-5284
Original Owner	BELLAMY, DON R	PO BOX 1031	SALMON	ID	83467-1031

Water Right Status

Priority Date : 4/1/1896
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
FOURTH OF JULY CREEK		SALMON RIVER	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
FOURTH OF JULY CREEK	24N	22E	30	0		SE	SW	LEMHI	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	08/02	11/01	0.11 CFS	
IRRIGATION	04/01	08/01	0.44 CFS	
TOTAL			0.44 CFS	

ERROR

Should be .33 cfs

Places of Use

Place of Use Legal Description : IRRIGATION (LEMHI county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
24N	22E	30		NW	SW	11	

Irrigation Totals

Total Acres Acre Limit
11.00

Conditions

Code Conditions

C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

75-15108

C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

E62 This right when combined with Right No. 75-142D shall provide no more than 0.04 cfs per acre from April 1 to August 1 and 0.03 cfs per acre from August 2 to November 1.

Dates

Licensed Date :
Decreed Date : 11/17/2008
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : 75F
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

COPY

IDAHO DEPARTMENT OF WATER RESOURCES

8/21/2024

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. EXISTING DITCH

b. If well is already drilled, when? _____; 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	

Total number of acres to be irrigated: _____

c. Irrigation Entities Using Existing Service Area Boundaries:

i. Name of established service area. HALLEN LAND 20

ii. List the water right number(s) for the established service area. 75-144D

iii. Total number of acres to be irrigated. 11

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. 75-144D

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. Water right from 75-144D already has the volume of .04 cfs for 11 acres from April 1 to August 1 as well as other water right holders. (This right show no reduction between 4/1 and 8/1)

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. _____

SUPERCEDED

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

b. Who owns the property to be irrigated or place of use? ROBERT AND CINDY HALLEN

c. Whose property will the water be conveyed across? VJ GREENWOOD , ROBERT SUMMER CHAFFIN

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. (See attached page for narrative and history)

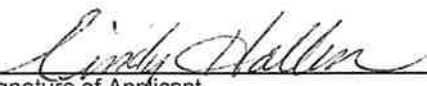
13. Time required to complete project works and application of water to proposed beneficial use is n/a years (1 to 5 years).

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.


Signature of Applicant
Robert R. Hallen

Print Name (and title, if applicable)


Signature of Applicant
Cindy D. Hallen

Print Name (and title, if applicable)



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

September 11, 2024

ROBERT R HALLEN
CINDY HALLEN
PO BOX 243
CARMEN, ID 83462-0243

RE: Application for Permit No. 75-15108

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 9/19/2024 and 9/26/2024. 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



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

September 11, 2024

ROBERT R HALLEN
CINDY HALLEN
PO BOX 243
CARMEN, ID 83462-0243

RE: Application for Permit No. 75-15108

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, September 11, 2024 2:49 PM
To: rhlegals@custertel.net
Subject: Legal Notice for Recorder Herald
Attachments: 75-15108, 89297 Recorder Herald.docx

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

RE: Application for Permit No. 75-15108, 89297

Dear Legal Notice Department:

Please publish the enclosed legal notice 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 10/7/2024. 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:

75-15108

ROBERT R & CINDY HALLEN, PO BOX 243, CARMEN, ID 83462-0243

Point of Diversion SESW S30 T24N R22E LEMHI County

Source FOURTH OF JULY CREEK Tributary SALMON RIVER

Use: IRRIGATION

08/02 to 11/01

0.22 CFS

Total Diversion:

0.22 CFS

Date Filed: 08-26-2024

Place Of Use: IRRIGATION

T24N R22E S30

L3(NWSW)

Total Acres: 11

This application proposes the diversion and use of water from Fourth of July Creek a tributary of 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.

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 10/7/2024. The protestant must also send a copy of the protest to the applicant.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 89297

PANCHERI INC, 1494 HWY 33, HOWE, ID 83244 has filed Application No. 89297 for changes to the following water rights within BUTTE, LEMHI County(s): Right No(s). 33-10999, 33-115, 33-2068B, 33-24, 33-25, 33-26C, 33-27, 33-28, 33-29, 33-30, 33-36C, 33-39A, 33-40A, 33-44, 33-45, 33-46, 33-47, 33-65; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: add a point of diversion to the 15 Little Lost River rights and a point of rediversion to the 3 rights from ground water, Sawmill Creek, Mahogany Creek, Bell Mountain Creek, and unnamed streams. Proposed new point of diversion/rediversion is in SWNE Sec 11 T06N R28E for 27.84 cfs. The existing points of diversion, injection, and rediversion will not change. For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department 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 10/7/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 9/19/2024 and 9/26/2024