

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho
No. 75-15114

RECEIVED
JAN 21 2025

DEPT. OF WATER RESOURCES
EASTERN REGION

1. Applicant(s)

HEIDI SEMMLER
47 WAGON WHEEL ROAD
SALMON ID 83467
208-756-7451, HEIDISEMMLER19@GMAIL.COM

SUNDOWN SEMMLER
47 WAGON WHEEL ROAD
SALMON ID 83467
208-940-2623, HEIDISEMMLER19@GMAIL.COM

2. Representative(s) N/A**3. Source of Water Supply:**

Source : WASTE WATER

Tributary: SALMON RIVER

4. Location of Point(s) of Diversion:

Heading	Point of Diversion # 1
Source	WASTE WATER
Tributary of	SALMON RIVER
Township	21N
Range	22E
Section	8
Govt. Lot	
QQQ/QQ/Quarter	SW $\frac{1}{4}$ SW $\frac{1}{4}$
County	LEMHI
Diversion Type	
Local name or Tag#	
Type and size of devices	headgate to divert water for irrigation from ditch on Wagon Wheel county road
Height of storage dam	
Active/ Total Reservoir capacity	
Dam Application required?	No
Proposed well diameter/ depth	
Water Temp > 85°F?	
Drilled Date	
Drilling firm	
Property Owner	Applicant
Access Arrangement Description	Written agreement

5. Water will be used for the following purposes:

Purposes	Season	Rate	Volume	Description
IRRIGATION	4 /1 to 10/31	0.10 CFS		
STOCKWATER	1 /1 to 12/31	0.02 CFS		Livestock: 3 Horses

6. Total quantity to be appropriated is (a) 0.12 cubic feet per second (cfs).**7. Proposed diverting works:**

- a. Waste water is collected in shared ditch for delivery to property for irrigation and stockwater.

8. Describe other proposed water uses : N/A

For Department Use

Received by ONLINE Date _____ Time _____ Preliminary check by _____
 Fee \$ 100 Received by ONLINE Receipt No. 75-1511401 Date 11/13/24

9. Description of place of use:**Place of Use: IRRIGATION**

Twp	Rng	Sec	NE				NW				SW				SE				No QQ	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
21N	22E	7													4.9					4.9

Total Acres: 4.9

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				No QQ	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
21N	22E	7													X					

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping?
None.

11.
a. Who owns the land to be irrigated or place of use? Applicant.
b. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Written agreement.

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above.
Attach additional pages if necessary.
We are planning on building a headgate to divert water for irrigation purposes from the ditch on the Wagon Wheel county road.

13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

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

Signature of Applicant

HEIDI SEMMLER

SUNDOWN SEMMLER

9. Description of place of use:**Place of Use: IRRIGATION**

Twp	Rng	Sec	NE				NW				SW				SE				No QQ	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
21N	22E	7													4.9					4.9

Total Acres: 4.9

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				No QQ	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
21N	22E	7													X					

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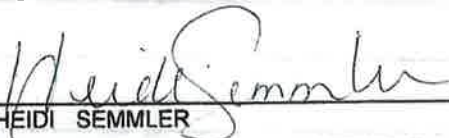
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Signature of Applicant


HEIDI SEMMLER

Signature of Applicant


SUNDOWN SEMMLER

Purpose	Season	Rate	Volume	Description
IRRIGATION	4/1 to 10/31	0.10 CFS		
STOCKWATER	1/1 to 12/31	0.02 CFS		Livestock 3 Horses

6. Total quantity to be appropriated is (a) 0.12 cubic feet per second (cfs)

7. Proposed diverting works:

a. Waste water is collected in shared ditch for delivery to property for irrigation and stockwater

8. Describe other proposed water uses: N/A

For Department Use

Preliminary check by
Date

Receipt No.

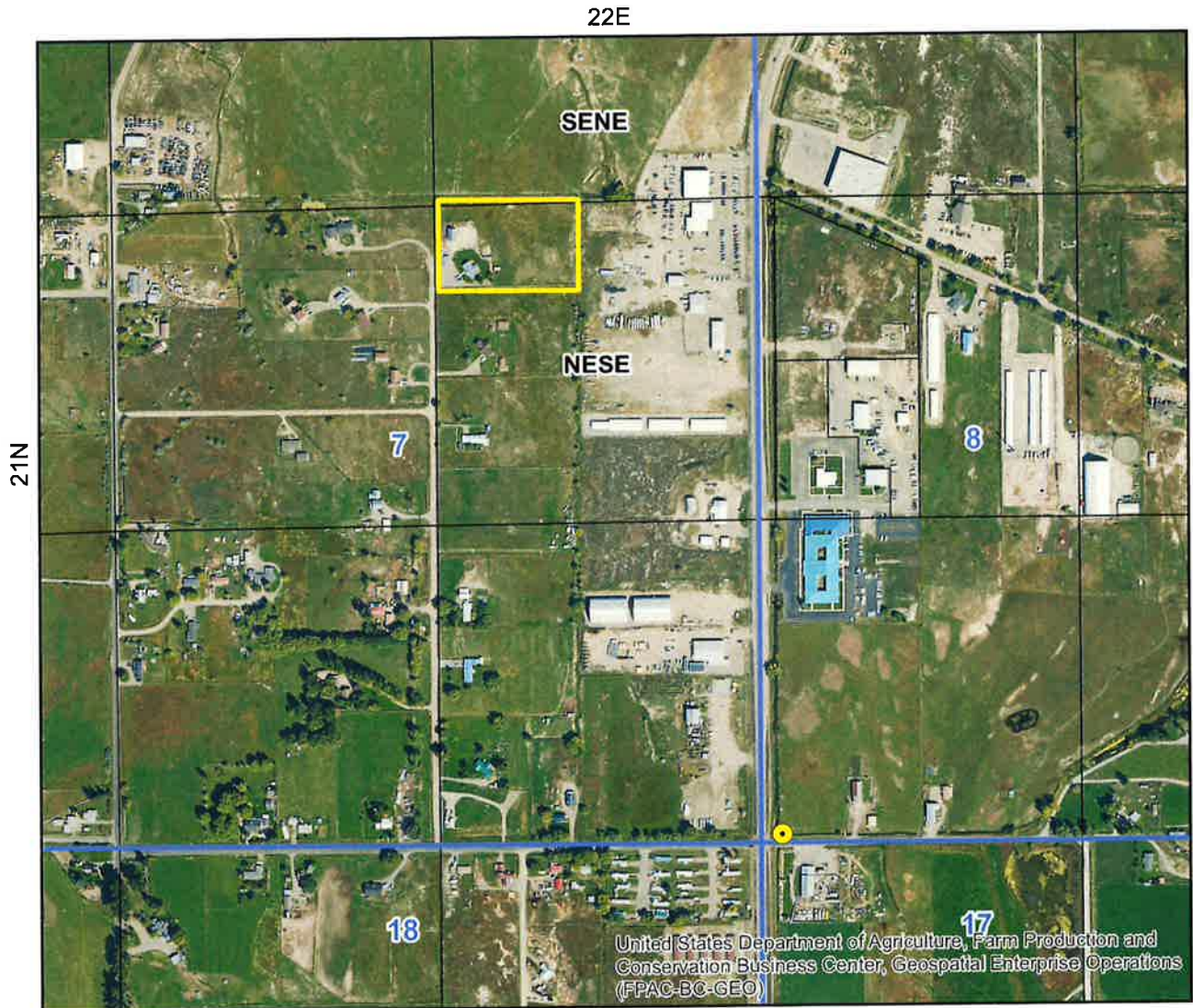
Received by

Received by

Date

75-15114

State of Idaho
Department of Water Resources
Application For Permit
75-15114



0 0.075 0.15 0.3 Miles

- Point of Diversion
- Place Of Use Boundary
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho
No. 75-15114

RECEIVED
NOV 13 2024
DEPT. OF WATER RESOURCES
EASTERN REGION

1. Applicants

Heidi Semmler
47 Wagon Wheel Road
Salmon, ID 83467
2087567451
heidisemmler19@gmail.com

Sundown Semmler
47 Wagon Wheel Road
Salmon, ID 83467
2089402623
heidisemmler19@gmail.com

2. Representatives

Submitter is one of the applicants

3. Source of Water Supply

Source : WASTE WATER tributary to SALMON RIVER

4. Location of Point(s) of Diversion

POD #	Source	Tributary Of	Diversion Type	Township	Range	Section	Govt Lot	QQQ/QQ/Q	County
0	WASTE WATER	SALMON RIVER		21N	22E	8		/SW/SW	LEMHI

5. Water will be used for the following purposes:

Purposes	Season	Rate	Volume	Description
IRRIGATION	01/01 to 12/31	0.10 cfs	0.00 afa	Irrigation Use
STOCKWATER	01/01 to 12/31	0.02 cfs	0.00 afa	Water for stock

6. Total quantity to be appropriated is (a) 0.12 cfs and/or 0 afa

7. Proposed Diverting Works:

POD No :0
Description:

8. Description of Place Of Use:

IRRIGATION							
Township	Range	Section	QQ	Q	County	Govt Lot	Acres
21N	22E	7	NE	SE	LEMHI		4.70
21N	22E	7	SE	NE	LEMHI		0.20
STOCKWATER							
Township	Range	Section	QQ	Q	County	Govt Lot	Acres
21N	22E	7	NE	SE	LEMHI		
21N	22E	7	SE	NE	LEMHI		

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping.
None

10. Land Ownership

- Who owns the land to be irrigated or place of use? Applicant
- Who owns the land at the point of diversion? Applicant does not own

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

We are planning on building a headgate to divert water for irrigation purposes from the ditch on the Wagon Wheel county road.

13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum is 1 year).

T119401
11/13/2024
\$100



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

January 22, 2025

HEIDI SEMMLER
SUNDOWN SEMMLER
47 WAGON WHEEL ROAD
SALMON, ID 83467

RE: Application for Permit No. 75-15114

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 1/30/2025 and 2/6/2025. 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

Governor Brad Little

Director Mathew Weaver

January 22, 2025

HEIDI SEMMLER
SUNDOWN SEMMLER
47 WAGON WHEEL ROAD
SALMON, ID 83467

RE: Application for Permit No. 75-15114

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, January 22, 2025 2:27 PM
To: rhlegals@custertel.net
Subject: Legal Notice for Recorder Herald
Attachments: 75-15114 Recorder Herald.docx

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

RE: Application for Permit No. 75-15114

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 2/18/2025. Your cooperation is appreciated.

Sincerely,



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:

75-15114

HEIDI SEMMLER & SUNDOWN SEMMLER, 47 WAGON WHEEL ROAD, SALMON, ID 83467

Point of Diversion SWSW S8 T21N R22E LEMHI County

Source WASTE WATER Tributary SALMON RIVER

Use: IRRIGATION

04/1 to 10/31

0.1 CFS

Use: STOCKWATER

1/1 to 12/31

0.02 CFS

Total Diversion:

0.12 CFS

Date Filed: 11-13-2024

Place Of Use: IRRIGATION, STOCKWATER

T21N R22E S7

NESE

Total Acres: 4.9

This application proposes the diversion and use of water from Waste 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 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 2/18/2025. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 1/30/2025 and 2/6/2025

Holliday, Michael

From: Heidi Semmler <heidisemmler19@gmail.com>
Sent: Saturday, January 18, 2025 11:31 AM
To: Holliday, Michael
Subject: Re: FW: draft amended water permit application
Attachments: HPSCAN_20250118182714904_2025-01-18_182848719.pdf; HPSCAN_2025011818250555_2025-01-18_182639601.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.

Good Morning,

Enclosed is our signed updated application. I will work on the legal access signatures within the next few days.

Thank you,
Heidi

On Fri, Jan 17, 2025 at 4:51 PM Holliday, Michael <Michael.Holliday@idwr.idaho.gov> wrote:

Heidi, please let me know if you get this.

From: Holliday, Michael
Sent: Wednesday, November 20, 2024 3:31 PM
To: heidisemmler19@gmail.com
Subject: draft amended water permit application

Heidi and Sundown,

Attached is a draft amended application I prepared based on my conversation with Heidi this afternoon. Please look it over carefully. If all looks good, please sign and return to my attention along with written documentation showing legal access to the point of diversion. Feel free to call if you have any questions.

Holliday, Michael

From: Heidi <heidisemmler19@gmail.com>
Sent: Friday, January 17, 2025 4:45 PM
To: Holliday, Michael
Subject: Re: draft amended water permit application

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.

Hi! I didn't receive it, can you please resend it?

Yes I do want to love forward, thank you

Heidi
Sent from my iPhone

On Jan 17, 2025, at 3:01 PM, Holliday, Michael <Michael.Holliday@idwr.idaho.gov> wrote:

Heidi and Sundown,

Did you receive the amended application I sent a couple months ago? I have not received a response. Is it still your intention to pursue this permit? Please give me a call if you have any questions or want to discuss this further.

Michael

From: Holliday, Michael
Sent: Wednesday, November 20, 2024 3:31 PM
To: heidisemmler19@gmail.com
Subject: draft amended water permit application

Heidi and Sundown,

Attached is a draft amended application I prepared based on my conversation with Heidi this afternoon. Please look it over carefully. If all looks good, please sign and return to my attention along with written documentation showing legal access to the point of diversion. Feel free to call if you have any questions.

<image001.png>
Michael Holliday | Water Rights Supervisor
900 N Skyline Dr, Ste A, Idaho Falls, ID 83402
(208) 525-7161 | www.idwr.idaho.gov