State of Idaho
Department of Water Resources

Water Right License

Water Right No. 75-15055

Priority: August 01, 2022 **Maximum Diversion Rate:** 0.04 CFS

It is hereby certified that:

TERRY A PETERSEN PO BOX 143 CARMEN ID 83462-0143 AND/OR
CYNTHIA PETERSEN PO BOX 143 CARMEN ID 83462-0143

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 01, 2022, and has submitted Proof of Beneficial Use on October 30, 2023. An examination confirms water is diverted from:

Source : EAST FORK TOWER CREEK **Tributary:** SALMON RIVER

Beneficial Use	Period of Use	Rate of Diversion
IRRIGATION	04/01 to 10/31	0.02 CFS

Location of Point(s) of Diversion
EAST FORK TOWER CREEK NE¼ NW¼, Sec. 10, Twp 23N, Rge 22E, B.M. LEMHI County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	22E	10					0.8												0.8

Total Acres: 0.8

Conditions of Approval

1. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 2.8 afa at the field headgate for irrigation of the place of use.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75F.
3. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide suitable control of the diversion.
4. The right holder shall install or construct a straight length of conduit or ditch suitable for installation of a device for measuring the entire flow of water being diverted in connection with this right. If the right holder uses conduit, the straight length of conduit shall be at least fifteen times the diameter of the conduit and shall be above ground or otherwise easily accessible.
5. Upon specific notification by the Department, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

State of Idaho
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Water Right No. 75-15055

6. When notified by the Department or by a watermaster with regulatory authority over this right, the right holder shall report the amount of water diverted in connection with this right. The report shall be submitted in the manner and frequency specified by the Department or the watermaster.

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 13th day of December, 2023.

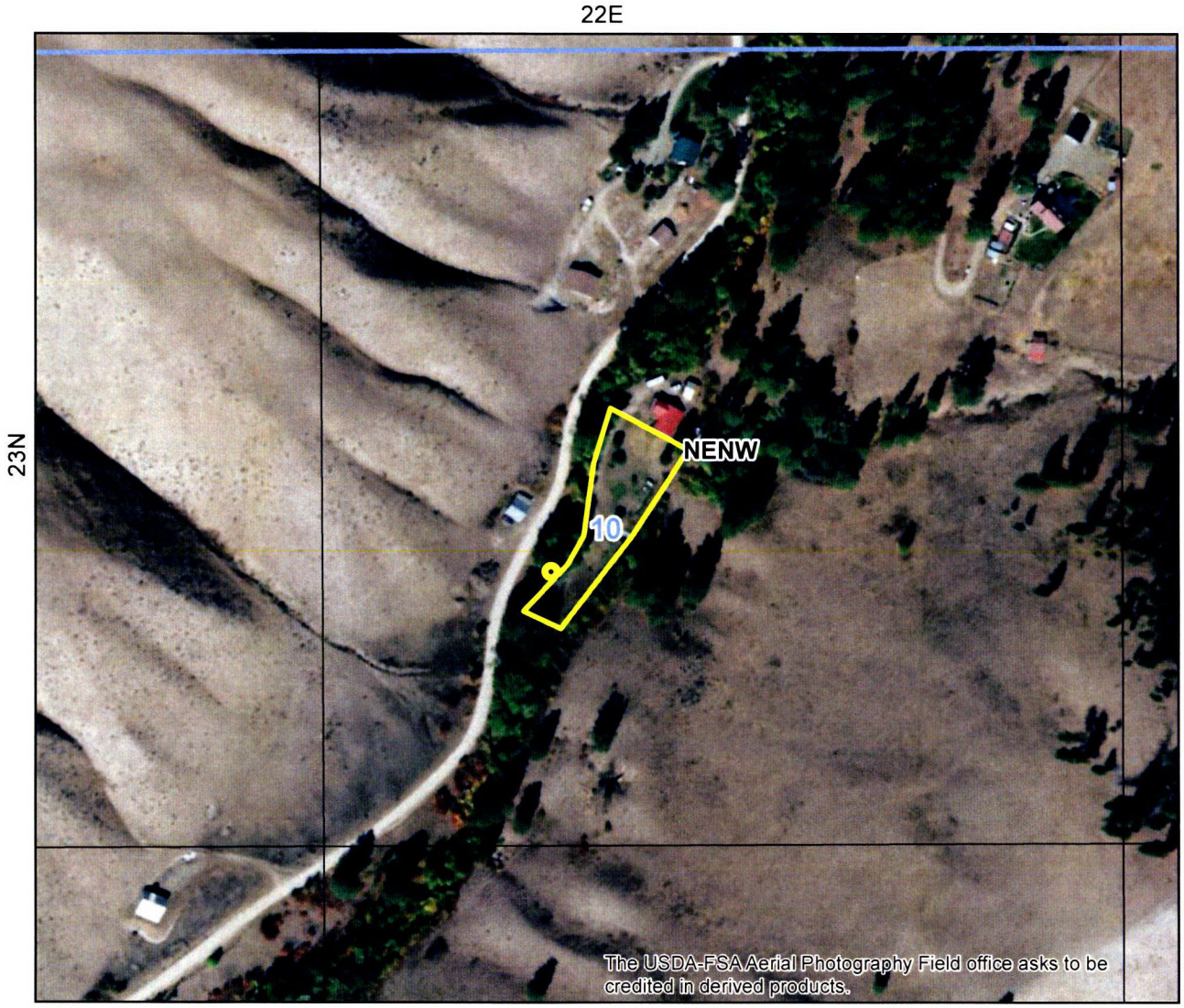
PHILL HUMMER
Water Rights Section Manager

State of Idaho
Department of Water Resources

Attachment to Water Right

75-15055

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 400 800 Feet

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

N

Form 42-217 Rev. 6/22

RECEIVED
OCT 23 2023
DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEMENT OF COMPLETION

FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY	
Amt. of Fee $	50
Receipt No.	417243
Receipted By	10/30/23
Date Receipted	PM

The Idaho Department of Water Resources (Department) considers this form a statement that the permit holder(s) applied water to beneficial use and completed development of a water right to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner (CWRE).** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, complete a Notice of Change in Water Right Ownership form. If you wish to relinquish your permit because you have not established the authorized water use and are not applying for an extension, please notify the Department in writing.

1. Permit No. 75-15055 Name of Permit Holder(s) Terry & Cindy Peterson Rev Living Trust

Telephone No. (208) 993-9390 Email TerryAPete@Gmail.com

Mailing Address P.O. Box 143 City Carmen State ID Zip 83462

2. Source of Water East Fork Tower Creek of Ground Water (well), Date Drilled mo. ____ / yr. ____

Drilling Permit/Tag No. ____ Drilling Company's Name ____

3. Extent of use(s) completed **as authorized by the water right permit**:

Domestic (No. households) ____ Irrigation (No. acres) 2 Stockwater (No. and stock type) ____

Other ____

4. Total diversion rate or volume (storage only) for which proof is submitted 0.04 cfs OR ____ af

If the total developed water use is 5 acres of irrigation or less, is stockwater storage of 14.6 acre-feet or less, or has a diversion rate of less than 0.24 cfs, attach a map of the place of use and point of diversion and photographs showing beneficial use.

5. Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)

2 hp pump 1½" suction line 1" Discharge Valves installed To control pressure, Sprinklers installed

6. Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:

Required?	Yes	No	(If "Yes", attach required data, evidence of compliance, or evidence of installation)
☐	☒	☐	Ground water level data, pumping information, or other diversion data
☐	☐	☐	Mitigation plan
☐	☐	☐	Lockable controlling works
☐	☐	☐	Measuring device
☐	☐	☐	Fish screen
☐	☒	☐	Other requirements of the water right permit Pump Data attached.
	☐	☐	Reasonably Anticipated Future Needs ("RAFN") Municipal use

If RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No

7. Fee Enclosed $____ or ☐ CWRE field report attached or ☒ No fee required

See fee schedule on page 3 of the instructions. Proof statements filed without an appropriate fee are incomplete.

8. Person to contact to accompany a Department representative during the field examination of the water system:

Name: Terry Peterson Telephone No. 208-993-9390 Email TerryAPete@Gmail.com

Mailing Address P.O. Box 143 City Carmen State ID Zip 83462

The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

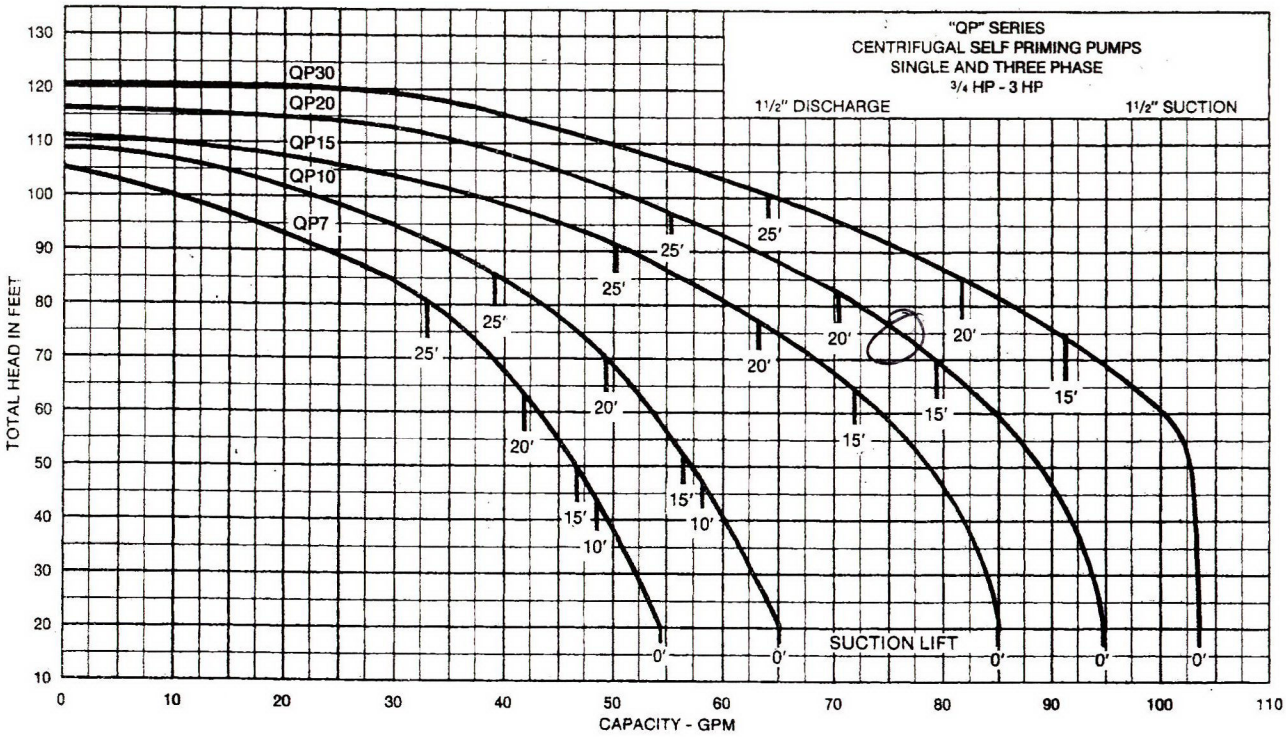
Terry A Pete — Terry A. Peterson Owner — ____

SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE DATE

*Attach power of attorney if completing on behalf of permit holder.

Catalog Numbers		H.P.	Discharge Pressure	Capacity in G.P.H. for Discharge Pressure & Total Suction Lift Indicated				Pipe Sizes		Maximum Total Shutoff Head		1 & 3 Phase Approx.
1 Phase	3 Phase		PSI	10 Ft.	15 Ft.	20 Ft.	25 Ft.	Suction	Disch.	Feet	PSI	Wt. Lbs.
QP7	QP7-3	¾	20	2445	2290	2170	1995	1½"	1½"	105	45.5	58
			25	2145	2010	1855	1650					
			30	1845	1635	1390	1080					
			35	1295	905	510						
			40	390								
QP10	QP10-3	1	20	3075	2935	2785	2355	1½"	1½"	108	47	61
			25	2775	2610	2440	2245					
			30	2430	2250	2020	1755					
			35	1980	1660	1240	600					
			40	1145	300							
QP15	QP15-3	1½	20	4300	4165	3805	3015	1½"	1½"	111	48	68
			25	3990	3750	3525	3015					
			30	3575	3300	3035	2700					
			35	3030	2620	2220	1495					
			40	2210	1555							
QP20	QP20-3	2	20	4735	4600	4230	3330	1½"	1½"	116	50	74
			25	4480	4290	4020	3330					
			30	4110	3815	3505	3180					
			35	3510	3175	2820	2400					
			40	2850	2430	1950						
QP30	QP30-3	3	20	5580	5460	4920	3840	1½"	1½"	121	52	87
			25	5575	5460	4920	3840					
			30	5390	5135	4720	3840					
			35	4865	4400	3940	3420					
			40	4075	3550	2910	2250					
			45	2875	1800							

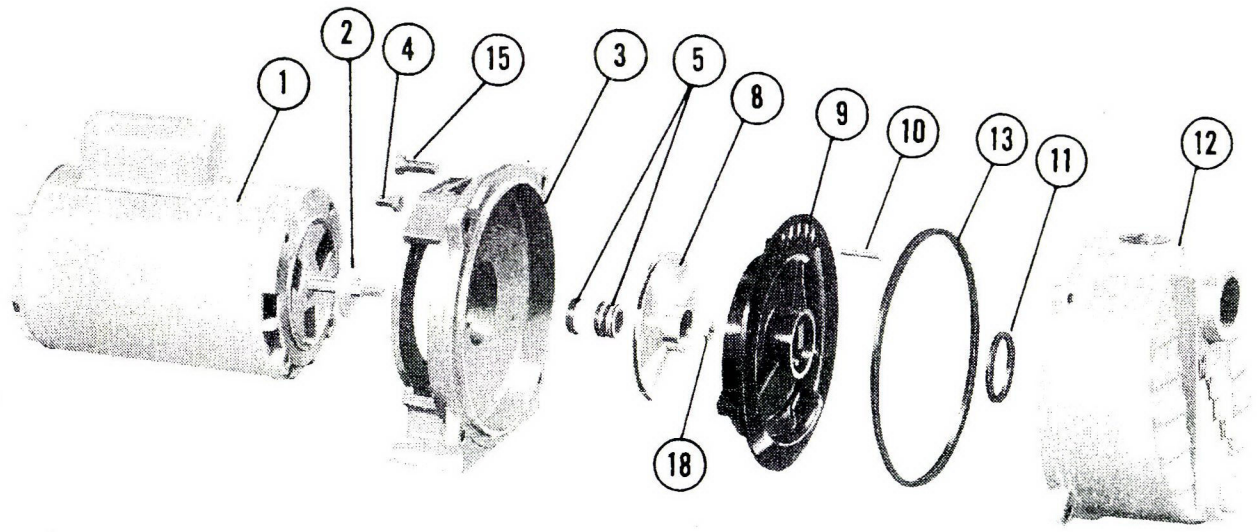
Single phase units are dual voltage (115/230-v.) (2 & 3 hp. are 230-v. only)
All units are loaded within the motor service factor.
Suction check or foot valve recommended but not required.
Discharge pressures as shown are at the pump discharge.
The maximum total head is at zero capacity.
Charted capacities are based on pumping 60° F. water at sea level.



PUMP ASSEMBLY INSTRUCTIONS

1. Slip deflector (2) onto the motor (1) shaft extension.
2. With motor in vertical position (shaft extension end up) place bracket onto motor face register.
3. Secure bracket to motor with four cap screws (4). Insure that the motor, when in operating position, has the shell air slots in the down position.
4. Place stationary shaft seal component (5) over pump shaft extension and seat into provided bracket bore. (Use finger pressure to press this seal component firmly and squarely until it bottoms.) Follow with the rotating seal component onto the motor shaft. Be sure the lapped sealing surface is toward the seal seat. The use of a light oil (SAE 10) on the rubber elements will facilitate assembly.

   It should be emphasized that extreme cleanliness and care are required for proper seal assembly. Should the seal faces be damaged during assembly (cracked, scratched or chipped) the seal will surely leak during operation.
5. Screw the impeller (8) (right hand thread) onto the pump shaft extension until the impeller back hub butts the shaft shoulder. (The motor shaft can be held with pliers to prevent turning.)
6. If unit is three phase - install a 7/16-20 UNF hex jam nut (18), 18-8 stainless steel (Myers part no. 19109A070), onto the motor shaft after the impeller. Nut to be torqued to 17 ft. lbs., if wrench is available. It is recommended that a locking type sealant be applied to the threads prior to assembly.
7. Place the diffuser (9) over the impeller with the diffuser volute face against the bracket, be sure the word "top" on the diffuser is in the proper position. Equally space three .005 shims between the impeller hub and the diffuser I.D. (This will center the diffuser in relation to the impeller.) Assemble the three 1/4" cap screws (10) and tighten alternately, so the diffuser is not pulled to one side. Snug up screws securely - do not overtighten. Maximum torque 25 in.-lbs. Remove the three shims and as the impeller is revolved it should turn freely. (Be sure the drain hole in the bottom of the diffuser is open and not plugged.)
8. Place gasket (13) over the bracket register diameter and position against the provided face.
9. Place gasket (11) over the inner neck in the pump case and place against the provided face.
10. The assembly can now be reassembled to the pump case.
11. Using four cap screws (15) secure bracket to case. 15 to 20 ft.-lbs. of torque, excess of 20 ft.-lbs. can cause damage.
12. The motor wiring can now be connected and the unit re-primed. (See Priming Instructions.)
13. Install the previously removed fuses from the entrance switch and close the switch; the unit is now in operation again.



State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 75-15055

Priority: August 01, 2022 **Maximum Diversion Rate:** 0.04 CFS

This is to certify that

TERRY A PETERSEN AND/OR
CYNTHIA PETERSEN
PO BOX 143
CARMEN ID 83462-0143

has applied for a permit to appropriate water from:

Source : EAST FORK TOWER CREEK **Tributary:** SALMON RIVER

and a permit is APPROVED for development of water as follows:

Beneficial Use	Period of Use	Rate of Diversion
IRRIGATION	04/01 to 10/31	0.04 CFS

Location of Point(s) of Diversion

EAST FORK TOWER CREEK NE¼ NW¼, Sec. 10, Twp 23N, Rge 22E, B.M. LEMHI County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	22E	10					2.0												2.0

Total Acres: 2.0

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2023.**
2. Subject to all prior water rights.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75F.
4. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide suitable control of the diversion.
5. The right holder shall install or construct a straight length of conduit or ditch suitable for installation of a device for measuring the entire flow of water being diverted in connection with this right. If the right holder uses conduit, the straight length of conduit shall be at least fifteen times the diameter of the conduit and shall be above ground or otherwise easily accessible.
6. Upon specific notification by the Department, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
7. When notified by the Department or by a watermaster with regulatory authority over this right, the right holder shall report the amount of water diverted in connection with this right. The report shall be submitted in the manner and frequency specified by the Department or the watermaster.

SCANNED
OCT 07 2022

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 75-15055

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

This permit is issued pursuant to the provisions of Idaho Code § 42-204.

Signed this 6th day of October, 2022.

JAMES CEFALO
Regional Manager

SCANNED
OCT 07 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

December 18, 2023

CYNTHIA PETERSEN
TERRY A PETERSEN
PO BOX 143
CARMEN ID 83462-0143

RE: License No. 75-15055

ISSUANCE OF LICENSE

Dear Water Right Holder(s):

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 287-4925.

Sincerely,

Phill Hummer

Phill Hummer
Water Rights Section Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2023, I served a true and correct copy of Water Right License No. 75-15055 by U.S. Mail, postage prepaid, to the following:

CYNTHIA PETERSEN (Current Owner)
PO BOX 143
CARMEN ID 83462-0143

TERRY A PETERSEN (Current Owner)
PO BOX 143
CARMEN ID 83462-0143

WATER DISTRICT #170
DAVID GRAYBILL (Watermaster)
WATER DISTRICT 170
1301 MAIN ST STE 10
SALMON ID 83467-4453

Debra Mansfield
Technical Records Specialist 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Mansfield, Debra

From: Mansfield, Debra
Sent: Friday, December 15, 2023 3:48 PM
To: Graybill, David
Subject: Issuance of License, Water Right 75-15055
Attachments: License & Supporting Documents.pdf

Hello David,

Please see the attached letter for Issuance of License No. 75-15055 for Terry A Petersen & Cynthia Petersen.

Thank you,

Debra Mansfield | Technical Records Specialist 1
IDWR – State Office
322 E Front St, Boise ID 83702-7371
(208) 287-4921 | Debra.Mansfield@idwr.idaho.gov

Permit No: 75-15055 Page 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
IN-OFFICE REVIEW/BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Exam Date: 12/12/2023

1. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.r)? _X_Y ____N
   a. _X_ Irrigation of 5 acres or less
   b. ____ Storage of up to 14.6 AF for stockwater purposes only
   c. ____ Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
   d. ____ Other < >

2. Current Owner: **TERRY & CYNTHIA PETERSEN**
   Owner of Record Correct? _X_ Y ____N
   Address of Record Correct? _X_ Y ____N
   If No Explain:

3. Beneficial Use Fees have been paid: _X_Y ____N Receipt No: C117243

4. Source: **EAST FORK TOWER CREEK** Tributary: **SALMON RIVER**

Method of Determination:
Change in Source: ____Y __X_N

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _X_ No Overlap

Water Right No.	Source	Purpose of Use	Basis
NONE	NA	NA	NA

Comments: There are no rights overlapping the permit place of use (POU).

2. Other water rights with the same point of diversion: _X_ NO Overlap

Water Right No.	Source	Purpose of Use	Basis
NONE	NA	NA	NA

Comments: There are no rights sharing the permit point of diversion (POD).

C. DIVERSION AND DELIVERY SYSTEM

1. Location of Point(s) of Diversion:

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Inlet in Creek to Portable Pump			NE	NW	10	23N	22E	B.M.	LEMHI

Method of Determination: GIS and Taxlot data.

Change in POD? ___Y _X_N Amendment Required? ____Y __X_N

2. Place of Use: IRRIGATION

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	22E	10					0.8												0.8
		Lot #																	
																Total Acres =			0.8

Method of Determination: Lemhi County Maps, GIS, and TAXLOT DATA

Change in POU? ____Y __X_N Amendment Required? ____Y __X_N

__Delivery System Diagram Attached (required). Indicate all major components and distances between components.

Indicate weir size/pipe as applicable:

_X_ Aerial Photo Attached (required for irrigation of 10+ acres).

_X_ Photo of Diversion and System Attached

3. Diversion Id No.*	Motor Make	HP	Pump Model	Pump Make	Pump Serial No. or Discharge Size
Screened inlet in Cr	Unknown	2.0	QP-20	Unknown.	1" discharge

**Code to correspond with No. on map and aerial photo*

D. FLOW MEASUREMENTS

1. Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE	NA	NA	NA	NA	NA	NA

2. Measurement Comments: The permit holder provided a photo of the 2.0 Hp pump and curve. A maximum head of about 30ft was estimated to the licensed POU using the DRG map.

E. FLOW CALCULATIONS ___Additional Computation Sheets Attached

Measured Method:

A theoretical calculation and Administrative Memo #17 were used to determine a reasonable rate of diversion.

Q = (2.0Hp)(8.8)(0.80 efficiency)/(30 ft lift) + (2.31)*(45 psi) = 0.11cfs

Theoretical Calculation= 0.11cfs
Permit allowed = 0.04cfs
Recommendation= 0.02cfs

Comments:

The permit holder submitted system photos, and images of the boundary of the irrigated areas, approximately 0.8 acre total. The system was described as a 2 Hp pump with an 1 ½ " inlet, which has a sand point on the end and is placed inside a 5-gallon bucket filled with rocks, and holes drilled in it, The bucked is placed in and removed from the creek seasonally. The outlet is a 1" line that runs to control valves to feed pop up rotary sprinklers throughout the POU. The permit holder identified an area of irrigation in the northeast corner of their parcel, approximately 0.25 acres in area, however, aerial and satellite imagery did not provide any evidence of irrigation within the northeast corner. I confirm 0.8 acres of irrigation via imagery within the area indicated by the permit holder, the license should be issued for 0.8 acres. The permit holder was notified that I would be processing the license for the confirmed area.

Approximately 0.11cfs is possible with the 2.0 Hp pump. According to Administrative memo #17 up to 0.03cfs per acre is standard for the irrigation of up to 5 acres. I am recommending a diversion rate of 0.02cfs for the license.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 0.8 acre x 3.5 AF= 2.8 AF

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation season) x 1.9835 = 0.11cfs x 214 days x 1.9835= 46.7 AF

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 2.8 AF

Comments:

This permit was issued for irrigation use from a natural steam/river source. According to the IDAPA Beneficial Use Examination Rules 37.03.02.35. 01j.viii a diversion volume is not required for irrigation if water is diverted from a natural flowing stream/river or spring.

G. PURPOSE OF USE

Irrigation __X__Y ____N # Stock__NA_____ Domestic # of Homes _NA__

Change in Purpose of Use? ____Y __X_N

Method of Determination: Bonner County Maps, GIS, and Taxlot Data

H. NARRATIVE/REMARKS/COMMENTS

This permit for the irrigation of 2 acres qualifies for an in-office examination for license. The permit holder submitted the Proof of Beneficial Use, received by IDWR on October 23, 2023, stating in section #5 that 2 acres of irrigation was developed. I was able to confirm approximately 0.8 acres irrigation was developed using aerial imagery (see figures 1 & 2), so I called the permit holder on December 4, 2023, requesting additional information including photos of the development and a system diagram. An email was received from the permit holder December 12, 2023, with 2 attached aerial images (see figures 3 & 4) of the irrigation POU and photos of the system components (see photos 1-4). A section of exposed pipe was photographed, and the diversion description was provided (as described in section E) to confirm compliance with the permit conditions 5 and 9 on the permit. The pump and diversion system are portable, which allows for compliance with condition 4 on the permit.

After reviewing the permit holder's response to the information request an area of approximately 0.8 acres are confirmed for irrigation. No evidence of irrigation was found in the northeast corner of the permit holder's parcel. A theoretical calculation confirmed that the pump can provide the 0.04cfs rate on the permit. However, as the place of use is approximately 0.8 acres in area I am recommending the license be issued with a reported irrigated area of 0.8 acres and a rate of 0.02cfs (as per Administrative Memos #17). As the diversion is from streamflow the volume was not reported on the license (IDAPA Rules 37.03.02.35. 01j.viii).

I am recommending the license be issued with a rate of 0.02cfs and conditions R05, 195, 196, 197, 198, and X31. Condition R63 should be replaced with condition X31, as the irrigated area is less than 1 acre. Condition 029 should be removed as the permit holder confirmed there is a screen installed at the intake.

Have conditions of permit approval been met? __X_Yes ____No

I. RECOMMENDATIONS

1. Recommended Amounts:

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/01 TO 10/31	0.02CFS	NA
	Totals:	0.02CFS	NA

2. Recommended Amendments:

___Change P.D. as reflected above ___Add P.D. as reflected above __X_None

___Change P.U. as reflected above ___Add P.U. as reflected above __X_None

Other: < >

J. AUTHENTICATION- Bob Howe- Water Resource Agent

Field Examiner's Bob Howe Date 12/13/23

Reviewer PA Date 12/13/23

Howe, Bob

From: terry petersen <terryapete@gmail.com>
Sent: Tuesday, December 12, 2023 9:33 AM
To: Howe, Bob
Subject: Re: Information requested- Permit 75-15055

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.

IMG_0513.JPG



Figure 1- Google Earth 2022 image of POU.



Figure 2- GIS 2021- Image of POU. Outline in light blue. Light blue point is the point of diversion.



Figure 3- Image from permit holder of irrigated area in the northeast corner of their parcel. Imagery provided no evidence of irrigation within the area outlined.

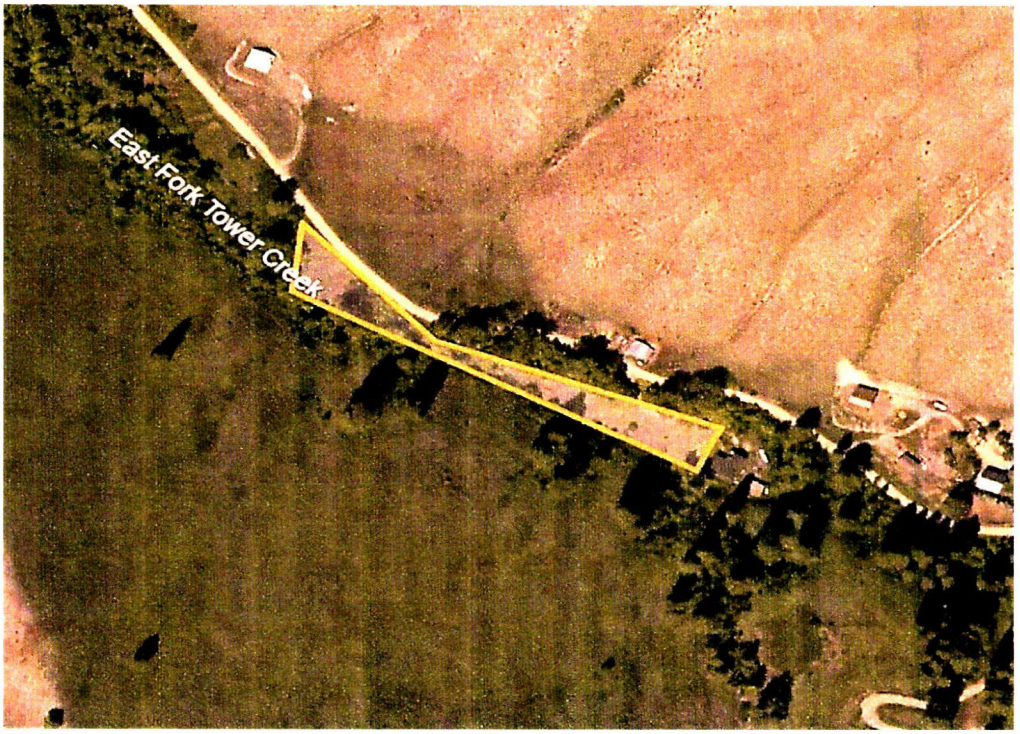


Figure 4- Image from the permit holder of irrigated area within the south end of the permit POU. Total area was measured to be approximately 0.8 acres.

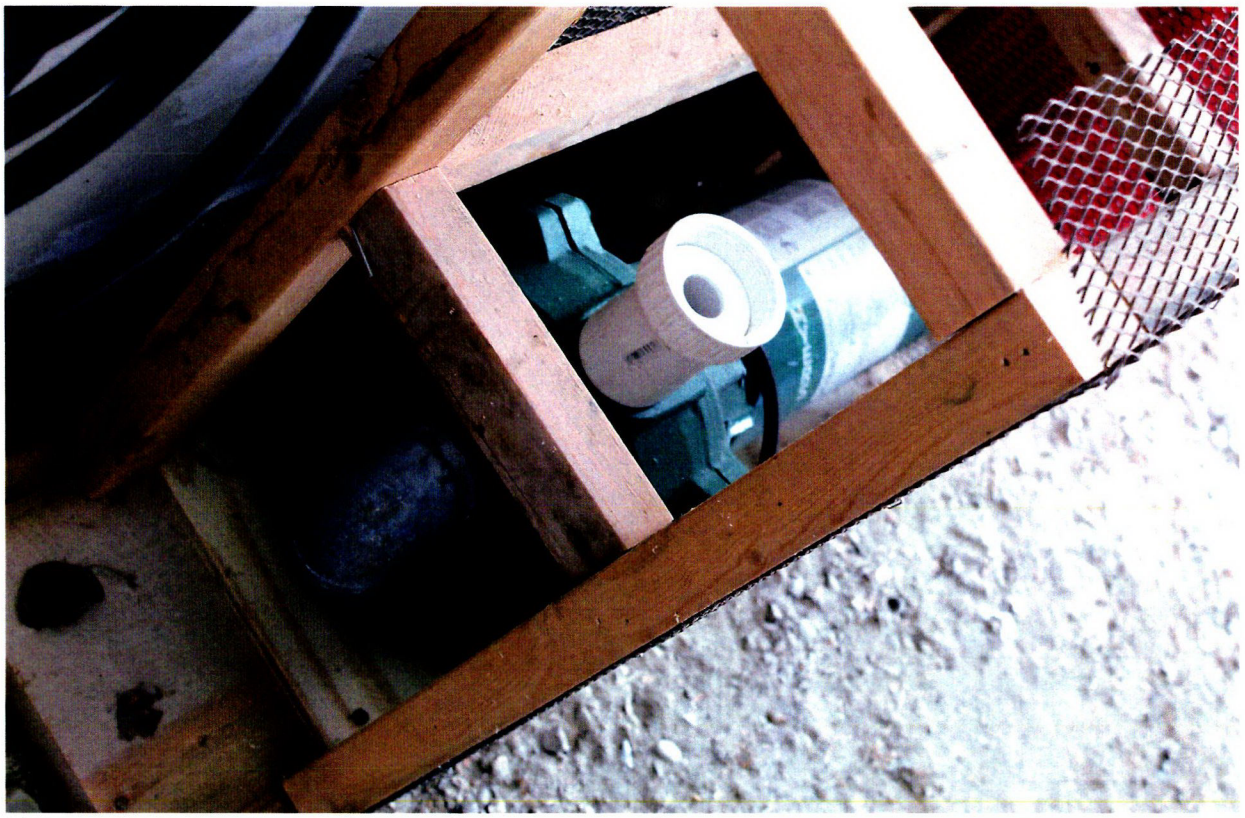


Photo 1- 2 Hp Pump in crate housing for storage over the winter.



Photo 2- POD- Described as the location where seasonally a bucket with holes drilled in it is set bottom at the edge of the creek-the 1 ½" pump intake with a sand point on the end at the center. The surrounding bucket is filled with rocks. The system has been removed for the winter.



Photo 3- Exposed length of discharge line left accessible, as per permit conditions.



Photo 4- One of the pop-up sprinklers in use throughout the irrigation POU.

Howe, Bob

From: Howe, Bob
Sent: Monday, December 4, 2023 1:01 PM
To: terryapete@gmail.com
Subject: Information requested- Permit 75-15055
Attachments: Irrigated Area.PNG; Google Earth 2014 image.PNG; GIS 2021 Image.PNG

Good Afternoon Terry & Cindy,

The Department received the Proof of Beneficial Use you submitted for permit #75-15055. I am currently reviewing the permit eligibility for an in-office examination for licensing. In-office examination expedites the licensing process by using information and documentation submitted by the permit holder(s) and GIS aerial images to process the examination without the need for a field examination to be scheduled and conducted at a later time. The permit issued provided a scope for the development of future uses. The purpose of the examination is to record the details of the use that has been developed.

After reviewing your Proof of Beneficial Use, there are a few items in need of further information or clarification.

(1) The aerial imagery indicates approximately 0.5 acres of irrigable area developed; other areas appear to be riparian (see attached Irrigation image). On section #3 of the Statement of Completion you stated that the extent of the irrigation use developed is 2.0 acres. Please indicate if the area identified is correct or provide a map of the irrigated area.

(2) Please provide a sketch of the system diagram from the point of diversion to delivery for the irrigation occurring. Making sure to identify the **boundary of the area(s) irrigated**, **sprinklers**, **water lines** (including dia. and type, for example ½" poly pipe), and **pump** location. This can be drawn on one of the images I have attached to this email, or you may use your own. Then attach the diagram to an email with any additional information regarding the system and/or that would be helpful in describing the system diagram. Please provide photos of the system (sprinkler heads, pump, and control valves).

(3) On your permit condition #4 requires that a lockable device for control of the diversion. However, on Section #6 of your Statement of Completion you did not indicat that lockable controlling works have been installed. Has a lockable device for controlling the diversion been installed? If so, please confirm that it is installed and provide a photo of the lockable device.

(4) On your permit condition #5 requires that you install an exposed/accessible straight length of conduit at least 15 times the diameter of the conduit, or a length of ditch suitable for installing a measuring device for measuring the entire flow of water being diverted in connection to this right. On the Statement of Completion you indicated that the 1 ½" intake and a 1" discharge line. Is an adequate straight length of the intake (22 ½"or more) or the discharge line (15" or more) exposed and accessible to meet this requirement? If so, please confirm that it is.

(4) On your permit condition # 9 requires that you comply with all Idaho Fish and Game requirements, including those requiring fish screens at the intake. On Section #6 of your Statement of Completion you did not indicate that you have installed a fish screen. Is a fish screen installed at this time? If so, please confirm that it is and provide a photo of the screen or foot valve installed with the system diagram email.

Feel free to reach out to me with any questions or concerns regarding the items requested. If I am unavailable any of my team members should be able to assist you, if you provide your permit # 75-15055. It is important that you **respond to this request within 14 days** by email and/or phone, in order to pursue this method to expedite your licensing process.

Thank you for your time and attention in this matter.

Bob Howe [redacted] [redacted]

IDAHO DEPARTMENT OF
WATER RESOURCES
Bob Howe | Water Resource Agent
322 E Front St, PO Box 83720, Boise, ID 83720
(208) 287-4800 | www.idwr.idaho.gov

Beneficial Use Proof Evaluation

Permit Number: 75-15055 Reviewer: AVeibell Review Date: 10/31/2023

Acceptability

1) Is the contact on the request the current permit holder? Yes
2) Does the address of record need to be updated? No
3) Proof Submitted Date: 10/30/2023
4) Proof Due Date: 11/1/2023
5) Days added for weekend due date? 0
6) Days added for holiday due date? 0
7) Number of days late: -2
8) Proof received timely? Yes

Analysis

1) Are the water uses correct? Yes
2) Are one of the following items required?
    a. Measuring Device -- No
    b. Lockable Device --Yes
    c. Fish Screen -- No
3) Are the required items installed?
    a. Measuring Device --
    b. Lockable Device --
    c. Fish Screen --
4) Is there a request to waive the required items? No
5) Drilling Permit Number:
6) Is a drilling permit upgrade needed? No
7) Was a well drillers report filed? No
8) Is proof accepted? Yes

Fees

1) Is a licensing exam fee required? Yes
2) Was proof submitted with an exam report from a CWE? No
3) Filing fee due: $50.00
4) Filing fee submitted: $50.00
5) Remaining fee or (refund): $0.00

Receipt IDs

E048367

Comments

Proof deemed acceptable. Gave file to water right agent for in-house license review. Water right agent will enter the proof made date in AdHoc at the time of licensing.

Veibell, Amanda

From: Veibell, Amanda
Sent: Wednesday, October 25, 2023 11:42 AM
To: terryapete@gmail.com
Subject: Proof Deficiency Regarding Permit # 75-15055
Attachments: 75-15055 proof received.pdf; Statement-of-Completion-of-Beneficial-Use-instructions-1.pdf

Dear Permit Holder(s):

The Department received the proof of beneficial use (proof) form submitted for the above-referenced permit. The proof is not acceptable without the correct fee. A copy of the form is enclosed for your reference.

This permit authorizes a diversion rate of 0.04 cfs (cubic feet per second) and was stated the same on the form requiring a license examination fee of $50.00. Please submit the required fee of $50.00.

Please submit the required fees at your earliest convenience before the proof due date of **November 01, 2023** to avoid the possibility of your permit lapsing. Note the Department is unable to process payments over the phone or online. Fees can be made in person at any IDWR office or mail a check or money order. If you have any questions concerning this matter, please contact me.

Sincerely,

Amanda Veibell
Technical Records Specialist I

IDAHO DEPARTMENT OF WATER RESOURCES
PO Box 83720 Boise ID 83720-0098
208-287-4945

If you would like to submit documents electronically, they must be emailed to file@idwr.idaho.gov per IDAPA 37.01.01.053 in PDF form. Please note, the documents will not be considered complete until the required payment is received. The Department is not able to process payments over the phone or via the internet at this time.

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

August 31, 2023

TERRY A PETERSEN
CYNTHIA PETERSEN
PO BOX 143
CARMEN ID 83462-0143

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 75-15055

IMPORTANT: A response from you is required to maintain the active status of the referenced water right permit. If no response is received from you, the permit will lapse and your authorization to develop and/or use this water right will be cancelled.

Dear Permit Holder(s):

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before **November 01, 2023**. Please complete and return the enclosed Statement of Completion for Submitting Proof of Beneficial Use (proof) if you have completed the water project authorized by your permit. The proof statement must be accompanied by either the appropriate license examination fee or a field examination report prepared by a certified water right examiner.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been delayed by a government agency or by litigation that brings title to the water in question, an extension of time may be granted if appropriate documentation is provided at the time of filing. An extension request must be accompanied by a $50.00 filing fee and signed by the appropriate authorized permit holder(s) or authorized representative with a power of attorney.

Either an acceptable proof or an acceptable extension request must be received by this department on or before the above proof due date. If neither is received, the department will send you a lapse notice and the permit will no longer be of any force or effect.

Sincerely,

Amanda Veibell
Technical Records Specialist

Enclosure(s)

SCANNED
SEP 07 2023

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 Gary Spackman

October 06, 2022

TERRY A PETERSEN
CYNTHIA PETERSEN
PO BOX 143
CARMEN ID 83462-0143

RE: Permit No. 75-15055

Permit Approval Notice

Dear Permit Holders:

The Department of Water Resources ("Department") has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review all the conditions of approval listed on your permit. The conditions include requirements that you must accomplish, such as timely submittal of proof of beneficial use or installation of a measuring device, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Failure to comply with the conditions of approval may result in your permit lapsing or being canceled.

The permit is a PRELIMINARY ORDER issued pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

The final step in the water right process is issuance of a water right license. To receive a water right license, you must divert and use water to the full extent intended and submit a *Statement of Completion for Submitting Proof of Beneficial Use* by the date shown in condition no. 1 of your permit. The Department will send you a *Proof Due Notice* approximately 60 days prior to the date listed in condition no. 1 of your permit.

You may also require approvals from other Department programs, such as Ground Water Protection, Safety of Dams, or Stream Channel Protection, to accomplish your proposed development. Please call or visit any Department office or see the Department's website at idwr.idaho.gov for more information about these programs.

SCANNED
OCT 07 2022

Please be advised that Idaho Code § 42-248, requires you or the owner of this water permit to maintain current ownership and address records on file with the Department. Forms to file an assignment of permit and/or a change in the address of the permit owner are available from any Department office or at the Department's website at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3784.

Sincerely,

James Cefalo
Eastern Regional Manager

Enclosure(s)

SCANNED
OCT 07 2022

CERTIFICATE OF SERVICE

I hereby certify that on October 06, 2022, I served a true and correct copy of Permit to Appropriate Water No. 75-15055 by U.S. Mail, postage prepaid, to the following:

TERRY A PETERSEN
CYNTHIA PETERSEN
PO BOX 143
CARMEN ID 83462-0143

WATER DISTRICT #170
DAVID GRAYBILL
WATER DISTRICT 170
102 S WARPATH
SALMON ID 83467-4435

Christina Henman
Administrative Asst. I

SCANNED
OCT 07 2022

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

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OCT 07 2022

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

SCANNED
OCT 07 2022

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 85893

RICHARD L HUSSEY and FRAN M MCVAY, 275 IRON CREEK RD, SALMON, ID 83467-5121 has filed Application No. 85893 for changes to the following water rights within LEMHI County(s): Right No(s). 75-11615; 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: correct point of diversion and place of use to reflect actual location of spring box and house. Proposed point of diversion is in SWNENW Sec 8 T18N R21E for 0.04 cfs from a spring tributary to sinks. Proposed place of use is in Lot 2 (SWNW) Sec 8 T18N R21E for domestic use at one home.

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 9/19/2022. The protestant must also send a copy of the protest to the applicant.

The following application(s) have been filed to appropriate the public waters of the State of Idaho: 75-15051.

FRAN M MCVAY, 275 IRON CREEK RD, SALMON, ID 83467-512 Point of Diversion L1(SW SW NW) S8 T18N R21E LEMHI County.

Source SPRING Tributary IRON CREEK
Use: IRRIGATION 04/01 to 10/31
0.09 CFS
Total: Diversion:0.09 CFS
Date Filed: 07-22-2022
Place Of Use: IRRIGATION
T18N R21E S8
SENW
Total Acres: 3

This application proposes the diversion and use of water from a spring 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

RECEIVED

SEP 12 2022

Department of Water Resources
Eastern Region

SCANNED SEP 27 2022

Affidavit of Publication

STATE OF IDAHO } ss.
County of Lemhi }

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the **NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 85893** a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for **TWO (2)** consecutive issue(s), commencing with the issue dated **09-01-2022** and ending with the issue dated **09-08-2022.**

STATE OF IDAHO } ss.
County of Lemhi }

On this **8th day of September** in this year of 2022 before me. A Notary Public, personally appeared RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing At Salmon, Idaho

Commission expires 04-10-2023

Publication Fee $399.60 OK CH 63100

RD

RONNIE L. DEFORD NOTARY PUBLIC STATE OF IDAHO

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.

75-15052

RICHARD L HUSSEY, 275 IRON CREEK RD, SALMON, ID 83467-5121

Point of Diversion L1(SWSWNW) S8 T18N R21E LEMHI County

Source SPRING Tributary IRON CREEK

Use: IRRIGATION
04/01 to 10/31
0.06 CFS
Total Diversion:
0.06 CFS
Date Filed: 07-22-2022
Place Of Use: IRRIGATION
T18N R21E S8
L2(SWNW)
Total Acres: 2

This application proposes the diversion and use of water from a spring 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.

75-15053

MICHAEL MC CLURE, 3056 HIGHWAY 93 N, GIBBONSVILLE, ID 83463-8502

Point of Diversion NWNW S1 T25N R21E LEMHI County

Source SALMON RIVER Tributary SALMON RIVER

Use: IRRIGATION
04/01 to 10/31
0.04 CFS
Use: FIRE PROTECTION
01/01 to 12/31
0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 08-24-2022
Place Of Use: FIRE PROTECTION, IRRIGATION
T25N R21E S1 NWNW
Total Acres: 1.8

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.

75-15055

TERRY A & CYNTHIA PETERSEN, PO BOX 143, CARMEN, ID 83462-0143

Point of Diversion NENW S10 T23N R22E LEMHI County

Source TOWER CREEK Tributary SALMON RIVER

Use: IRRIGATION
04/01 to 10/31
0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 08-01-2022
Place Of Use: IRRIGATION
T23N R22E S10 NENW
Total Acres: 2

This application proposes the diversion and use of water from East Fork Tower Creek, 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/WRApplicationResults/.

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 9/19/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

09-01-2tc

SCANNED
SEP 27 2022

Henman, Christina

From: Henman, Christina
Sent: Wednesday, August 24, 2022 2:37 PM
To: Graybill, David
Subject: Application for Permit of 75-15051, 75-15052, 75-15055, Transfer 85893
Attachments: tmpAD63.docx; tmp3655.docx; tmp8E26.docx; tmpDA43.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 12 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

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

SCANNED
SEP 27 2022

Henman, Christina

From: Henman, Christina
Sent: Wednesday, August 24, 2022 2:16 PM
To: IWRB Water Use Reviews; Cassel, Amy; Clark, Cynthia Bridge; Alex Bell; Richards,Jeff
Subject: Notice of Application Within Wild and Scenic River; Permits: 75-15051, 75-15052, 75-15055

Dear Idaho Water Resource Board, Department of Environmental Quality, and Idaho Department of Fish & Game,

The Idaho Department of Water Resources (IDWR) is providing notice to your organization regarding the above referenced water right applications. You can find a complete copy of the application(s) at: https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx.

Public notice of these applications will be published in The Recorder Herald on 9/1/2022 and 9/8/2022.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a $25.00 filing fee within 10 days after final publication.

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

Thank You,

IDAHO DEPARTMENT OF WATER RESOURCES

Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
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