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FORM 2021 Rev 09/16 SEP 29 2023

STATE OF IDAHO

Ident. No. 75-15092

Department of Water Resources
Eastern Region

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Dan Mitchell Phone (406)660-1709
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 20 Pollard Creek Acres Rd. City Salmon
 State ID ZIP 83467 Email dmitchell1947@gmail.com
2. Name of representative, if any James R. Lukens (POD owner) Phone (208)993-0912
 Mailing address 39 Pollard Creek Acres Rd. City Salmon
 State ID ZIP 83467 Email wharfrat051@gmail.com
- 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.
3. Source of water supply Spring which is a tributary of Pollard Creek
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
21N	21E	02		NE	NE	SE	Lemhi	Spring	

5. Water will be used for the following purposes:
 Amount 0.04 CFS for Domestic purposes from 1/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
 a. Describe type and size of devices used to divert water from the source. 1" Pex and gravity feed
- b. Height of storage dam N/A feet; active reservoir capacity N/A 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. Application required? ☐ Yes ☐ No
- c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. 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

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 100.00 Receipted by M. Jett Receipt No. E049514 Date 9-29-23

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OCT 13 2023

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

- a. Hydropower; show total feet of head and proposed capacity in kW. N/A Department of Water Resources
 b. Stockwatering; list number and kind of livestock. N/A Eastern Region
 c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
 d. Domestic; show number of households 1
 e. Other; describe fully. N/A

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

AMENDED

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	21E	1									D								0.04

Total number of acres to be irrigated: N/A

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? Yes

There is no other water source at POU. JL 10/13/23

11. a. Who owns the property at the point of diversion? James R. and Sherri K. Lukens

b. Who owns the land to be irrigated or place of use? Dan Mitchell

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: For Mitchell POU, a legal easement will be recorded.

12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. Land owners at POD (James and Sherri Lukens) have granted Dan Mitchell right to divert domestic water to his POU. Delivery is gravity feed through 1" PEX buried underground.

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.

James R. Lukens

Signature of Applicant

James R. Lukens*

Print Name (and title, if applicable)

Dan Mitchell

Signature of Applicant

Dan Mitchell

Print Name (and title, if applicable)

* POD landowner

75-15092



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Department of Water Resources
Eastern Region

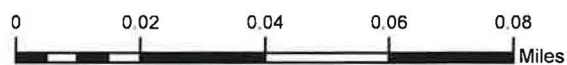
Application for Permit 75-15092



IDAHO DEPARTMENT OF
WATER RESOURCES

JNEBEKER_IDWR

- Township/Range
- Sections
- QQ
- Parcels
- Proposed POD
- Proposed POU



75-15092

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c. Municipal; must complete and attach the Municipal Water Right Application Checklist.

d. Domestic; show number of households 1

e. Other; describe fully. N/A

SUPERCEDED

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TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	21E	1										D							0.04

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James R. Lukens
Signature of Applicant

James R. Lukens*

Print Name (and title, if applicable)

Dan Mitchell
Signature of Applicant

Dan Mitchell

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

October 25, 2023

DAN MITCHELL
20 POLLARD CREEK ACRES RD
SALMON, ID 83467

RE: Application for Permit No. 75-15092

Dear Applicant:

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

A legal notice of the application has been prepared and is scheduled for publication in the RECORDER HERALD on 11/2/2023 and 11/9/2023. 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

CC:
JAMES R LUKENS
39 POLLARD CREEK ACRES RD
SALMON, ID 83467-4752

Henman, Christina

From: Henman, Christina
Sent: Wednesday, October 25, 2023 3:52 PM
To: 'rhlegals@custertel.net'
Subject: Legal Notice for Recorder Herald
Attachments: 75-15092 Recorder Herald.docx

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

RE: Application for Permit No. 75-15092

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 11/20/2023. 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:
75-15092**

DAN MITCHELL, 20 POLLARD CREEK ACRES RD, SALMON, ID 83467

Point of Diversion NENESE S2 T21N R21E LEMHI County

Source SPRING Tributary POLLARD CANYON CREEK

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 09-29-2023

Place Of Use: DOMESTIC

T21N R21E S1

NWSW

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 it is for domestic purposes.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Eastern office at (208)525-7161; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>.

Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 11/20/2023. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 11/2/2023 and 11/9/2023