

RECEIVED

FORM 202 Rev. 09/16

NOV 05 2020

STATE OF IDAHO

Ident. No.

65-24001

RECEIVED

WATER RESOURCES  
WESTERN REGION

DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

OCT 27 2020

INCOMPLETE

WATER RESOURCES  
WESTERN REGION

1. Name of applicant(s) Donald C. Roell Tina Monroe-Behrens Phone 208-462-0015

Name connector (check one): ☐ and ☐ or ☒ and/or

Mailing address 36 Kevins Way City Garden Valley

State Idaho ZIP 83622 Email droell@live.com

2. Name of representative, if any N/A 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.

3. Source of water supply Middle Fork of the Payette which is a tributary of Payette 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 # |
|-----|-----|-----|----------|-----|-----|-----|--------|---------------------------|---------------------|
| 10N | 4E  | 23  |          |     | NW  | NE  | Boise  | Middle Fork Payette River |                     |
|     |     |     |          |     |     |     |        |                           |                     |
|     |     |     |          |     |     |     |        |                           |                     |
|     |     |     |          |     |     |     |        |                           |                     |

5. Water will be used for the following purposes:

Amount .06 cfs for Irrigation purposes from 3-15 to 10-31 (both dates inclusive)  
(cfs or acre-feet per year)

Amount .06 cfs for aesthetic feature purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per year)

Amount .06 cfs for Fire Protection purposes from 1-1 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)

6. Total quantity to be appropriated is (a) 18 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. Irrigation Pump capable of up to 50gpm plus additional pump as needed for fire protection

b. Height of storage dam N/A 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. Application required? ☐ Yes ☐ No

c. Proposed well diameter is N/A inches; proposed depth of well is \_\_\_\_\_ 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 \_\_\_\_\_; well was drilled for (well owner) \_\_\_\_\_; Drilling Permit No. \_\_\_\_\_

For Department Use

Received by LE Date 10/27/2020 Time 11:35AM Preliminary check by \_\_\_\_\_

Fee \$ 100.00 Received by LE Receipt No. W046629 Date 10/27/2020

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. \_\_\_\_\_
  - Stockwatering; list number and kind of livestock. \_\_\_\_\_
  - Municipal; must complete and attach the Municipal Water Right Application Checklist.
  - Domestic; show number of households \_\_\_\_\_
  - Other; describe fully. Irrigation, water- feature-fountain/disapearing river and fire protection
9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
  - 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.

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | TOTALS |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 10N | 04E | 23  |    | I  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 1.25   |
|     |     |     |    | J  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 0      |
|     |     |     |    | F  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 0      |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Total number of acres to be irrigated: 1.25

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? We have a domestic well for household and potable water.
11. a. Who owns the property at the point of diversion? applicant
- b. Who owns the land to be irrigated or place of use? applicant
- c. 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. Irrigation 1.25 acres and create aesthetic feature to include fountain, water wheel and disapearing river
13. Time required for completion of works and application of water to proposed beneficial use is 25<sup>00R</sup> 5 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  
 Donald C. Roell  
 Print Name (and title, if applicable)

  
 Signature of Applicant  
 Tina Monroe-Behrens  
 Print Name (and title, if applicable)

Application for Water Right  
Roell and Monroe-Behrens

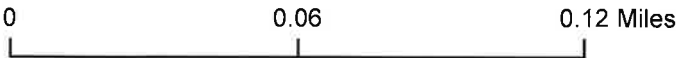


**Legend**

Township/Range

Sections

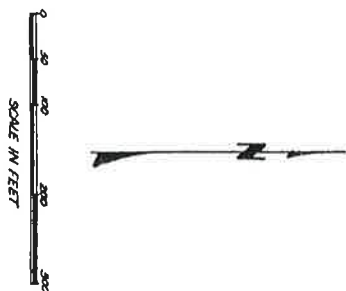
QQ



# SCOTT MOUNTAIN SUBDIVISION NO. 2

A PORTION OF THE NW<sup>1</sup>/4 NE<sup>1</sup>/4 OF SECTION 23, T.10N., R.4E., B.M.

- LEGEND**
- Initial Point
  - Angle Points on Boundary, 90° 45' Street Axis
  - All Other Points 90° 45' Street Axis
  - Block Number
  - Lot Number



| CURVE NO. | RADIUS | Δ      | LENGTH | BEARINGS-LONG CHORD    |
|-----------|--------|--------|--------|------------------------|
| 1         | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 2         | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 3         | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 4         | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 5         | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 6         | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 7         | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 8         | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 9         | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 10        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 11        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 12        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 13        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 14        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 15        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 16        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 17        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 18        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 19        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 20        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 21        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 22        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 23        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 24        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 25        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 26        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 27        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 28        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 29        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 30        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 31        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 32        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 33        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 34        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 35        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 36        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 37        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 38        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 39        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |
| 40        | 40'    | 35.07° | 24.82' | S 84° 33' 37" W 24.13' |



**TUDOR ENGINEERING COMPANY**  
1802 N. 33rd Street  
Boise, Idaho

Leslie L. Arhemman, being duly sworn, says that he is a Registered Professional Engineer, that the final map of the foregoing plat was prepared under his supervision, and that this tracing is an exact copy of said final map.



STATE OF IDAHO  
COUNTY OF ADAMS  
Subscribed and sworn to before me, this 14th day of July, 1971.

*Deputy L. Arhemman*  
Notary Public  
for the State of Idaho  
SUNNARY RESTRICTION IN FORCE UNDER  
TITLE 50, CHAPTER 13, IDAHO CODE

## Kaiser, Anna

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**From:** Kaiser, Anna  
**Sent:** Friday, November 13, 2020 2:06 PM  
**To:** 'casey.pozzanghera@idfg.idaho.gov'  
**Subject:** Application for Permit No(s). 65-24001, 65-23994, 65-23995, 79-14279  
**Attachments:** 65-42001.pdf; 65-23994.pdf; 65-23995.pdf; 79-14279.pdf; IDFG Recommendation Form.docx

November 13, 2020

STATE OF IDAHO  
DEPT OF FISH & GAME  
3101 S POWERLINE RD  
NAMPA, ID 83686

**RE: Application for Permit No(s). 65-24001, 65-23994, 65-23995, 79-14279**

Dear IDFG:

The Idaho Department of Water Resources (IDWR) requests written comment and/or recommendation from your agency regarding the above referenced water right applications. A copy of the application is enclosed with this email for your reference. Please review the application, complete the enclosed recommendation form, and submit your reply, if any, to this office by the December 7, 2020.

if you do not respond before December 7, IDWR will assume your agency does not object to the application(s). Please contact me if you have any questions regarding the applications. Thank you for your help.

Sincerely,

**Anna Kaiser** | Water Resource Agent  
IDWR-Western Region  
2735 W Airport Way, Boise ID 83705  
(208).334.2190 | [anna.kaiser@idwr.idaho.gov](mailto:anna.kaiser@idwr.idaho.gov)

## Kaiser, Anna

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**From:** Kaiser, Anna  
**Sent:** Friday, November 13, 2020 1:44 PM  
**To:** 'Ron Shurtleff'  
**Subject:** Applications 65-24001, 65-23986, 65-23994, 65-23995  
**Attachments:** 65-23986.pdf; 65-23994.pdf; 65-23995.pdf; 65-42001.pdf; Watermaster Recommendation Form.docx

November 13, 2020

RON SHURTLEFF  
WATER DISTRICT #65

**RE: Application for Permit Nos: 65-24001, 65-23986, 65-23994, 65-23995**

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. Copies of the applications are enclosed with this email for your reference. Please review the applications, complete a recommendation form, and submit your reply, if any, to this office by **December 7, 2020**.

IDWR will assume you do not object to these applications if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

**Anna Kaiser** | Water Resource Agent  
IDWR-Western Region  
2735 W Airport Way, Boise ID 83705  
(208).334.2190 | [anna.kaiser@idwr.idaho.gov](mailto:anna.kaiser@idwr.idaho.gov)



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

November 12, 2020

DONALD ROELL  
TINA MONROE-BEHRENS  
36 KEVIN WAY  
GARDEN VALLEY, ID 83622-5233

**RE: Application for Permit No. 65-24001**

Dear Applicant(s):

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 IDAHO WORLD on 11/18/2020 and 11/25/2020. 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,

A handwritten signature in blue ink, appearing to read 'Anna Kaiser'.

Anna Kaiser  
Water Resource Agent

## Kaiser, Anna

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**From:** Kaiser, Anna  
**Sent:** Thursday, November 12, 2020 2:19 PM  
**To:** 'Idaho World Editor'  
**Subject:** BOISE Legal Notice  
**Attachments:** BOISE Cover Letter.docx; BOISE Legal Notice.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Afternoon Legal Clerk,

Please see the attached ad for publication on 11/18/2020 and 11/25/2020.

Please confirm this is okay to publish as shown and send confirmation and all other correspondence to this email.

Thank you,

**Anna Kaiser** | Water Resource Agent  
IDWR-Western Region  
2735 W Airport Way, Boise ID 83705  
(208).334.2190 | [anna.kaiser@idwr.idaho.gov](mailto:anna.kaiser@idwr.idaho.gov)



State of Idaho

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Brad Little  
Governor

Gary Spackman  
Director

November 12, 2020

LEGAL NOTICE DEPARTMENT  
IDAHO WORLD  
PO BOX 50248  
BOISE, ID 83705

**RE: Application for Permit Nos. 65-23986, 65-23994, 65-23995, 65-24001, 65-24002**

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 12/7/2020. Your cooperation is appreciated.

Sincerely,

Anna Kaiser  
Water Resource Agent

Enclosure(s)

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

**65-23986**

DAVE LINDO  
12 BONNIE LN  
GARDEN VALLEY, ID 83622-1048  
Point of Diversion SWSE S6 T08N R05E BOISE County Source SPRING Tributary PAYETTE RIVER  
Use: HEATING 01/01 to 12/31 0.07 CFS  
Use: RECREATION STORAGE 01/01 to 12/31 0.03 AF  
Use: DIVERSION TO STORAGE 01/01 to 12/31 0.08 CFS  
Use: DOMESTIC 01/01 to 12/31 0.04 CFS  
Use: IRRIGATION 03/15 to 10/31 0.02 CFS  
Total Diversion: 0.21 CFS 0.03 AF  
Date Filed: 09-18-2020  
Place Of Use: DIVERSION TO STORAGE, DOMESTIC, HEATING, IRRIGATION, RECREATION STORAGE  
T08N R05E S6 SWSE  
Total Acres: 0.8

**65-23994**

STABLE INDUSTRIES LLC  
PO BOX 407  
GARDEN VALLEY, ID 83622-0407  
Point of Diversion SWNE S15 T09N R04E BOISE County Source PAYETTE RIVER Tributary PAYETTE RIVER  
Use: IRRIGATION 03/15 to 10/31 0.16 CFS  
Total Diversion: 0.16 CFS  
Date Filed: 10-16-2020  
Place Of Use: IRRIGATION  
T09N R04E S15 SWNE  
Total Acres: 7.9

**65-23995**

RODGER CRANDLEMIRE  
ELIZABETH FRANKLIN  
PO BOX 407  
GARDEN VALLEY, ID 83622-0407  
Point of Diversion SWNE S15 T09N R04E BOISE County Source PAYETTE RIVER Tributary PAYETTE RIVER  
Use: IRRIGATION 03/15 to 10/31 0.4 CFS  
Total Diversion: 0.4 CFS  
Date Filed: 10-16-2020  
Place Of Use: IRRIGATION  
T09N R04E S15 SWNE SENE  
Total Acres: 20.7

**65-24001**

DONALD ROELL  
TINA MONROE-BEHRENS  
36 KEVIN WAY  
GARDEN VALLEY, ID 83622-5233  
Point of Diversion NWNE S23 T10N R04E BOISE County Source PAYETTE RIVER Tributary PAYETTE RIVER  
Use: IRRIGATION 03/15 to 10/31 0.04 CFS  
Use: AESTHETIC 01/01 to 12/31 0.06 CFS  
Use: FIRE PROTECTION 01/01 to 12/31 0.06 CFS  
Total Diversion: 0.16 CFS  
Date Filed: 11-05-2020  
Place Of Use: AESTHETIC, FIRE PROTECTION, IRRIGATION  
T10N R04E S23 NWNE  
Total Acres: 1.25

**65-24002**

SCOTT A CORN REVOCABLE LIVING TRUST  
26 WOODED RIVER DR  
GARDEN VALLEY, ID 83622-5054  
Point of Diversion NESE S3 T09N R04E BOISE County Source GROUND WATER  
Use: IRRIGATION 03/15 to 10/31 0.05 CFS  
Use: DOMESTIC 01/01 to 12/31 0.04 CFS  
Use: STOCKWATER 01/01 to 12/31 0.02 CFS  
Total Diversion: 0.11 CFS  
Date Filed: 11-04-2020  
Place Of Use: DOMESTIC, IRRIGATION, STOCKWATER  
T09N R04E S3 NWSE

Place Of Use: IRRIGATION  
T09N R04E S3 NESE  
Total Acres: 2

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; 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, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 12/7/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/18/2020 and 11/25/2020



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

10/28/20

DONALD ROELL AND TINA MONROE BEHRENS  
36 KEVINS WAY  
GARDEN VALLEY, IDAHO 83622

**Re: Water Right Application Incomplete - Returned**

Dear Applicant:

This office received your application on October 27, 2020. The application cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following items are addressed:

- **4 - Proposed Use**  
As per department standards we typically permit 0.03 CFS per acre for irrigation, please change the irrigation amount to 0.04 CFS or provide an explanation for 0.06 CFS.
- **5 - Total Quantity**  
The total quantity will be 0.16 CFS
- **12 - Time**  
Beneficial use time needs to be between 1 and 5 years
- **13 - The Map**  
Please see attached map and initial if you agree with the proposed Place of Use and Point of Diversion

The original incomplete application is enclosed. Please make the necessary amendments to the original form and re-submit within the next thirty (30) days. If IDWR does not receive your written response within thirty (30) days, a refund will be issued for this filing. This letter is an attempt to ensure that your application is complete in order to establish a priority date. You may receive future correspondence regarding more specific details of your application. IDWR forms and other information are available on the Internet at [www.idwr.idaho.gov](http://www.idwr.idaho.gov). Please consult the IDWR website or contact this office at 208-334-2190 and ask for the "office day person" if you have any questions about the necessary information or fee.

Sincerely,

Western Region Water Rights Staff

Enclosure: Original Application