

map 09
NO DOWN LOTS

North OAN
1-6-99

TION
RZE
SIB

P/D + POU

MICROFILMED

JUN 09 1999

Roger Beal

Place of Use & Point of Diversion



Inlet



POND
&
Outlet

JUN 20 2001

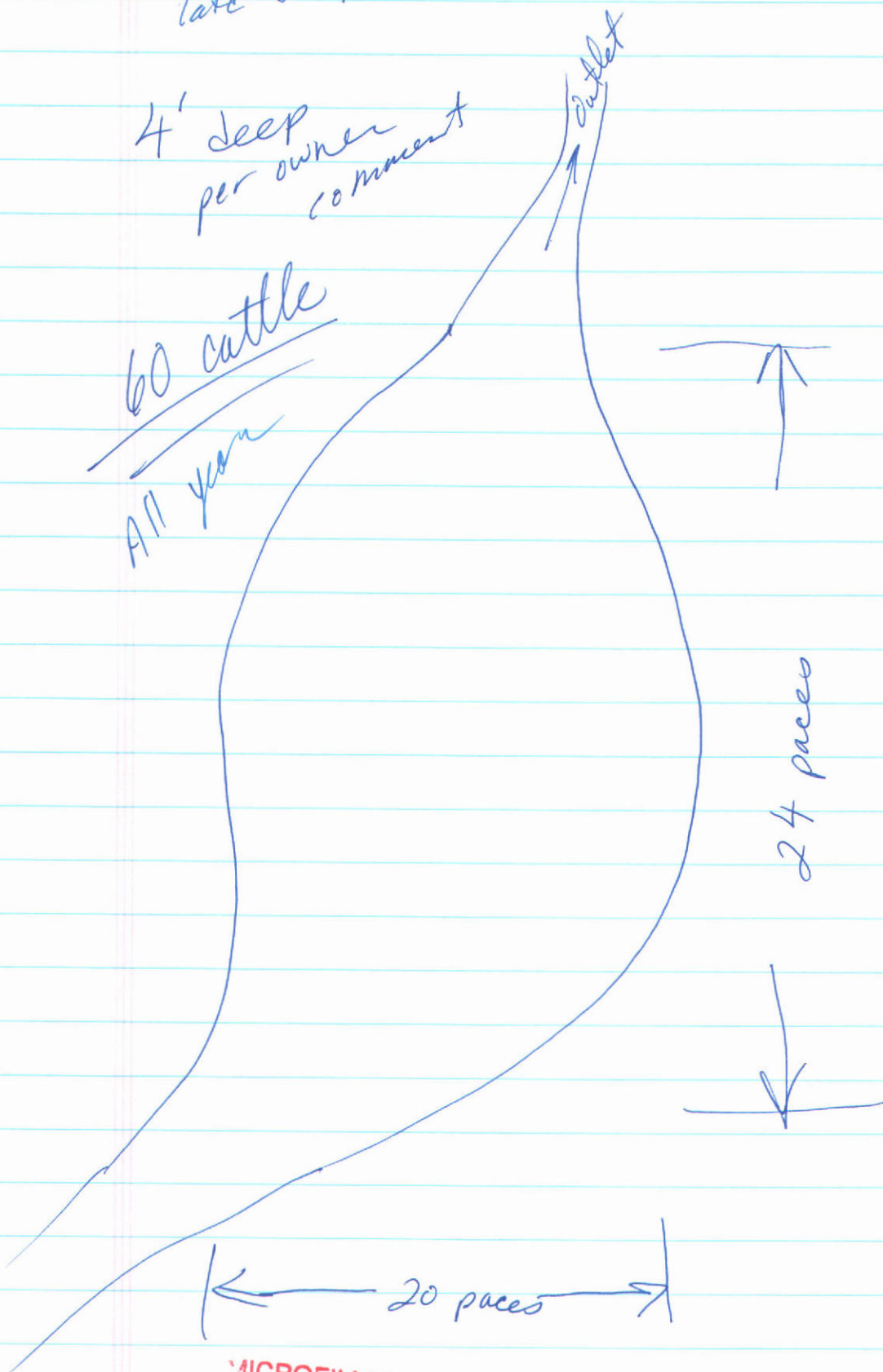
65-13826

Spring dries up
late July / August

65-13826

4' deep
per owner
comment

60 cattle
All year



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JUN 20 2001 pace = 2.5 feet

RECEIVED

FEB 02 1999

WATER RESOURCES
WESTERN REGION

Mr. Nelson,

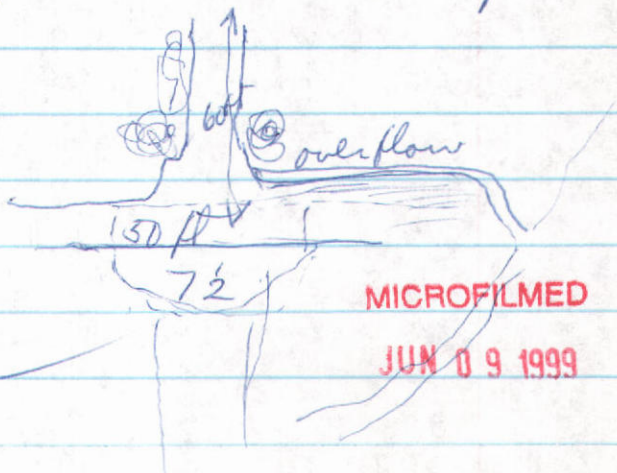
Re: Application to divert surface water from unnamed stream tributary to Squaw Creek.

Would you go ahead and change the season of use from 1/1 to 12/31.

I skied back there to the site two weeks ago. This is much smaller than 75 acre storages. It is just to catch the water for a watering pond.

It is about 50 feet across a draw and about 60 feet long. The bottom ^{in the} draw is about $7\frac{1}{2}$ feet and 10-12 feet ^{wide} at the top. It has an overflow ditch that diverts to another draw which flows into the main draw. It is cut quite low and I estimate it will hardly have 3 ft of water at the deepest part.

This is an overview:



Yours truly,
Loren Seal

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JUN 09 1999

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13826

Priority: November 06, 1998

Maximum Diversion Rate: 0.01 CFS
Maximum Diversion Volume: 1.1 AF

It is hereby certified that ROGER F BEAL
PO BOX 56
OLA ID 83657-0056 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated November 06, 1998, and has
submitted Proof of Beneficial Use on April 17, 2000. An examination indicates that the works have a
diversion capacity of 0.1 cfs of water from:

SOURCE

UNNAMED STREAM

Tributary: LITTLE SQUAW CREEK

and a water right has been established as follows

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
STOCKWATER	01/01 to 12/31	0.01 CFS	0.8 AF
STOCKWATER STORAGE	01/01 to 12/31		0.3 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 13, Twp 10N, Rge 02E, B.M., VALLEY County
(Beginning of Reach)

UNNAMED STREAM SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 13, Twp 10N, Rge 02E, B.M., VALLEY County
(Ending of Reach)

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N 02E 13								X									

PLACE OF USE: STOCKWATER STORAGE – Same as Stockwater

CONDITIONS OF APPROVAL

1. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

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JUN 20 2005

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13826

2. Use of water under this water right will be regulated by the watermaster of State Water District No 65A.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. 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 and sealed this 16TH day of MAY, 2001

Acting for


KARL J. DREHER
Director

MICROFILMED
JUN 20 2001

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT	)	ORDER WAIVING CONDITION
NO. 65-13826 IN THE NAME OF	)	REQUIRING LOCKABLE DEVICE
ROGER F BEAL	)	
_____	)	

This matter having come before the Department of Water Resources (Department) as a petition to remove measuring device and lockable controlling works requirement, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

- 1 On May 28, 1999, the Department issued Permit 65-13826 (permit) to Roger F Beal (permit holder) with a condition of approval requiring the installation and maintenance of a measuring devices and lockable controlling works before any diversion of water under the permit.
- 2 On May 8, 2000, the Department received a petition from the permit holder to remove the measuring devices requirement
- 3 On June 8, 2000, the Department issued an Order waiving the installation of measuring devices.
- 4 Installation of lockable controlling works also is not necessary.

CONCLUSIONS OF LAW

1. Beneficial Use Examination Rule 35.02.d. (IDAPA 37.03.02.35.02.d.) provides for the waiver of a measuring device and lockable controlling works requirement by the Department.
2. The Department should issue an order which waives the installation of a lockable device on the diversion works.

ORDER

IT IS THEREFORE HEREBY ORDERED as follows:

The condition of approval requiring the installation of lockable controlling works as part of the diversion works for the permit is **WAIVED**

Dated this 16th day of May, 2001.



L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED
JUN 20 2001

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE)
MEASURING DEVICE CONDITION OF)
APPROVAL FOR PERMIT NO. 65-13826)
IN THE NAME OF ROGER F. BEAL)
_____)

ORDER

WHEREAS, the Department of Water Resources (department) has issued the above captioned water right permit with a condition of approval requiring the permit holder to install/maintain permanent measuring devices on a storage reservoir; and

WHEREAS, the department has determined that the measuring devices are not presently needed to measure the water in question; and

IT IS THEREFORE HEREBY ORDERED that the condition of approval requiring the installation of a measuring devices for the above captioned permit is **WAIVED**. The department retains jurisdiction to reinstate the condition in the future upon a finding of need by the department.

Dated this 8th of June, 2000.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

JUN 25 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No 65-13826 Telephone No. 584-3563 or 584-3593
2. Name of Permit Holder(s): Roger F. Beal
3. Mailing Address: PO Box 56
City Ola State ID Zip 83657
4. Source of Water: springs/stream If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
 - a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): RB 60 35 cows
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .01 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional Please check either yes or no Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes _____ or No _____
	Has the measuring device been installed?	Yes _____ or No _____
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Roger F. Beal Telephone Number: 584-3563 or 3593
Address: PO Box 56 Ola Idaho
- 10 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. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder

Roger F. Beal
(include your title, if on behalf of company or organization)

Date:

04.17.2000

MAILED
APR 20 2000

JUN 26 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13826

Proposed Priority: November 6, 1998 Maximum Diversion Rate: 0.01 CFS

This is to certify, that ROGER F BEAL

PO BOX 56

OLA ID 83657-0056

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of LITTLE SQUAW CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.01 CFS	
STOCKWATER STORAGE	01/01 to 12/31		0.8 AF
	Totals	0.01 CFS	

LOCATION OF POINT(S) OF DIVERSION:

Beginning of Stream Flow Reach

SENW , Sec. 13, Township 10N, Range 02E

End of Stream Flow Reach

SENW , Sec. 13, Township 10N, Range 02E

VALLEY County

PLACE OF USE: STOCKWATER

TWN RGE SEC

10N 02E 13

SENW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 2000.
2. Subject to all prior water rights.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 65A.
4. The right holder shall install/maintain permanent measuring devices in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
5. 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 the watermaster suitable control of the diversion.
6. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

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JUN 9 9 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

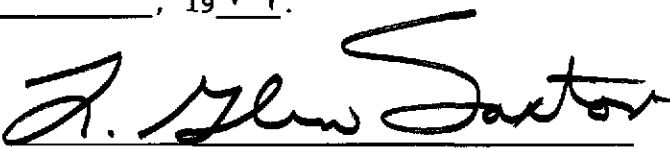
NO. 65-13826

CONDITIONS OF APPROVAL AND REMARKS

7. The issuance of this right does not grant any right-of-way or easement across the land of another.
8. Stockwater storage use is located within SENW, S13, T10N, R02E.
9. Stockwater use is for 60 range cattle.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

28 day of May, 1999.


Karl J. Dreher, Director
for

MICROFILMED
JUN 3 3 1999

RECEIVED

MAY 21 1999

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

NOV 10 1998

WATER RESOURCES
WESTERN REGION

1. Name of Applicant Roger F Beal Phone 584-3563
Mailing address PO Box 56 Old Idaho 83657
2. Source of water supply Spring Unnamed Stream which is a tributary of Spaw Creek
3. Location of point of diversion is Township 10N Range 2E Sec. 13 in the SE 1/4, NW 1/4, Govt. Lot Valley B.M., County
- ★ additional points of diversion if any: Shaw Agg + Gnd pt. for instream use
4. Water will be used for the following purposes:
- | Amount | for | purposes from | to | (both dates inclusive) |
|------------------------------|-------------------------------|---------------|--------------|------------------------|
| <u>.75</u> | for <u>stockwater storage</u> | <u>July 1</u> | <u>12/31</u> | |
| (cfs or acre-feet per annum) | | | | |
| <u>.8</u> | for <u>stockwater</u> | <u>7/1</u> | <u>12/31</u> | |
| (cfs or acre-feet per annum) | | | | |
| | for | | | |
| (cfs or acre-feet per annum) | | | | |
| | for | | | |
| (cfs or acre-feet per annum) | | | | |
| | for | | | |
| (cfs or acre-feet per annum) | | | | |
| | for | | | |
| (cfs or acre-feet per annum) | | | | |
5. Total quantity to be appropriated is (a) .01 cubic feet per second and/or (b) .75 1.8 acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source off earthen dam
with overflow ditch
- b. Height of storage dam 6 feet; active reservoir capacity .75 1.8 acre-feet; total reservoir capacity .75 1.8 acre-feet
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 60 range cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

* changes to season of use made per correspondence with
Applicant Dated 2-2-99. DAW 2-3-99

★ SC per NTS shown in file. 7/5/99

SEE Revised
version for
processing
document

RECORDED

NOV 10 1999

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.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	2E	13								S									

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Dorothy Seal

b. Who owns the land to be irrigated or place of use? Dorothy Seal

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: I am running the property for my mother.

12. Remarks: In-stream stock watering and small on-stream reservoir. - COMMENTS

DAN

2-3-99

N/A since pond area < 1/2 acre (8L 2/5/99 per file note)
 APPLICANT agrees to mitigate consumptive use in the future as needed.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

JUN 09 1999

Dorothy Seal
 Signature of Applicant (and title, if applicable)

Received by S.W. Keen Date 11/6/1998 Time 2:00 p.m. Preliminary check by S.W. Keen
 Fee \$ 50.00 Received by [Signature] # 003858 Date 11/6/98
 Publication prepared by ST Date 9-16-99 Published in Long Valley Advocate
 Publication approved _____ Date 2-17-99 & 2-24-99

Comments: Date: 2/ 5/1999 User-ID: DNELSON

Subject: ADDITIONAL INFORMATION

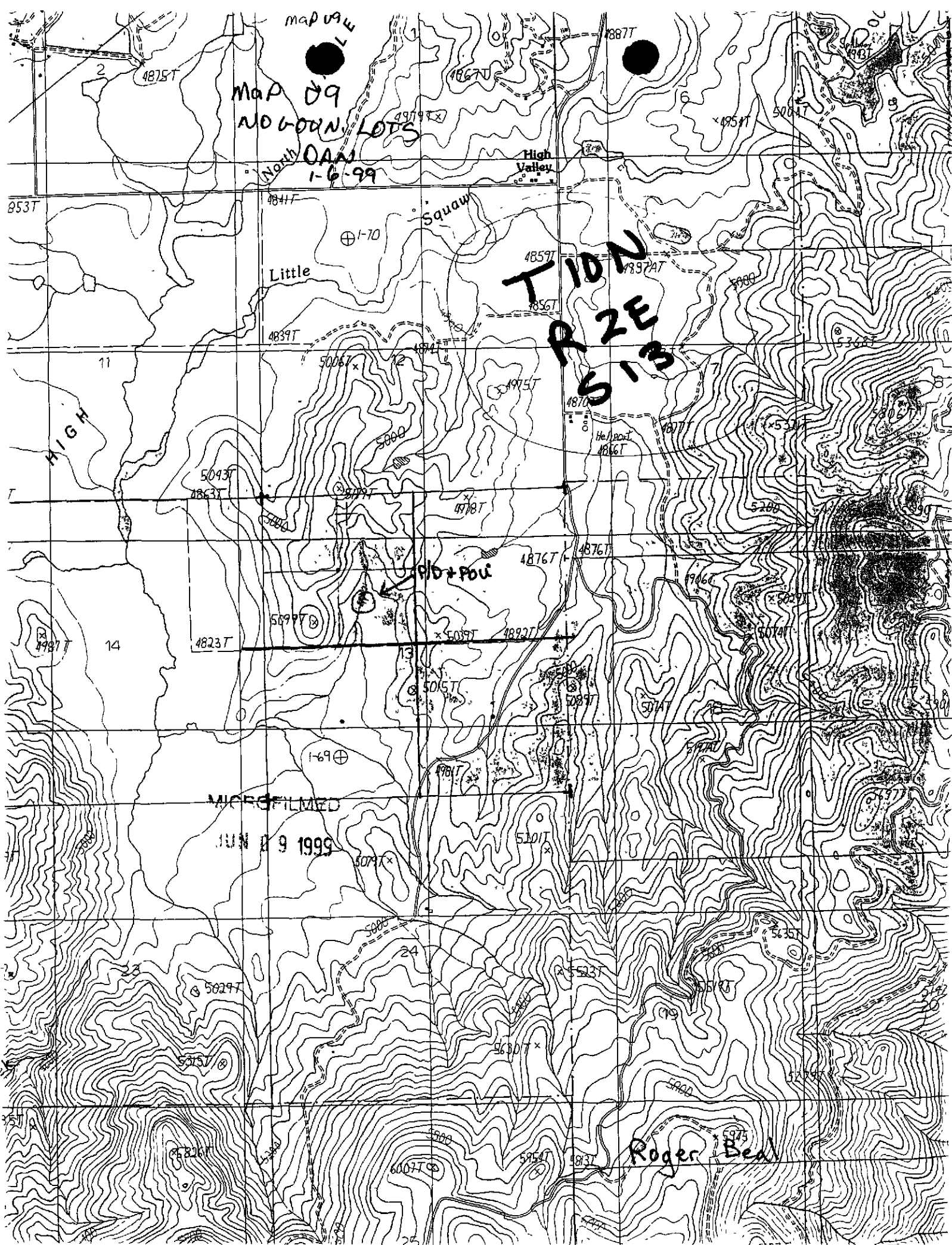
IDWR review determined that source is tributary to Little Squaw Creek. No overlap is found. Applicant estimates pond dimensions as 50'x60'x3', or .2 af. Field examiner will need to determine actual pond dimensions and adjust volume (applicant indicated that depth may vary so can allow up to .8 af maximum based on that information). Use includes instream stock and onstream pond for 60 range cattle.

NOTE: D.A.N. had original comments on 2/5. I Revised comments based on mistaken assumptions per file. In subsequent discussion with D.A.N., learned that pond could be from .2 - .8 af capacity. Subsequently revised comments to ± original. Computer version of Application is therefore correct.

-FC 2/8/99

MICROFILMED

JUN 09 1999



MAP 09
NO 600N LOTS
1-6-99

TIDN
RZE
S13

MICROFILMED
JUN 09 1999

Roger Beal



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 17, 2001

ROGER F BEAL
PO BOX 56
OLA ID 83657-0056

RE. License No 65-13826 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources 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 the conditions of approval and remarks listed on your license.

The license 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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Also enclosed is an Order Waiving Condition Requiring Lockable Device

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. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions

If you have any questions, please contact me at 208-327-7946

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK.klt

Enclosure(s)

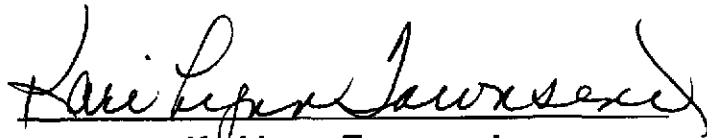
MICROFILMED
JUN 20 2001

CERTIFICATE OF MAILING

I hereby certify that on May 17, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 65-13826

**ROGER F BEAL
PO BOX 56
OLA ID 83657-0056**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
JUN 20 2001**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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. 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 Idaho Water Resource Board (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 issuance 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.

RECEIVED

20 2001

LICENSE REVIEW CHECKLIST

Permit No 65-13826 Date 5-16-01 Reviewer. Kay Walker

topo V9

Change/OK

Name/Address OK

Source OK

Point of Diversion OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s) _____
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion

Permitted rate 0.01 cfs
Fee Limit 0.20 cfs
Measured _____ cfs
Theoretical 0.10 cfs

Recommended Total Diversion Rate 0.01

Water Uses OK

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af
Stockwater 0.01 cfs 0.8 af
Domestic _____ cfs _____ af
55 _____ cfs 0.3 af
_____ cfs _____ af
Total 0.01 cfs 1.1 af

~~Irrigation~~ - overlap (R58-R61, R62-R65, R66-R69)
~~supp Gw~~ (WB7/065/104)
~~overlap spec combined rts~~ (W35)
~~1 acre~~ (W31)
~~Domestic~~ (W01/wb5/070/071/075)
~~Pewer~~ (W42 or W43/025/027/R22 or R23)
~~Fish~~ (042)
~~Fire~~ (077)
~~Water Quality~~ (081/R07)
~~Payette~~ - (W22/047/27A)
~~Stockwater for US~~ (R37)

Volume Determination

_____ cfs x 1 9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks R04, 103

Additional Conditions yes

Watermaster Control 65A
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048/049)

GW Dist? _____
Water Msmt Dist? _____
Cmt GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below
no

SRBA Claim?

Not req'd

Adjust memo _____

Amend Letters _____

P87, S06

Second Amendment Notice _____

S06

A. GENERAL INFORMATION

Permit No. 65-13826

1. Owner: Roger F. Beal Phone No. (208) 584-3563

Current Address: P.O. Box 56, Ola, ID 83657-0056

2. Accompanied by: Roger F. Beal Exam Date: 06/21/2000

Address: P.O. Box 56, Ola, ID 83657-0056 Phone No. (208) 584-3563

Relationship to Permit Holder: Owner

3. Source: Unnamed stream tributary to Little Squaw Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

[illegible]

2. Place(s) of Use: Indicate Method of Determination: USGS Quad Angle Map

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

SEE ATTACHED SHEET.

X Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

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

X Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A					

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calibration Date
N/A						

2. Measurements: There was not enough flow to make a measurement.

MICROFILMED
JUN 20 2001

E. NARRATIVE/REMARKS/COMMENTS

The instream pond has been constructed and is located in the SENW of Section 13, Township 10N, Range 02E. The dimensions of the pond are approximately 50 ft x 60 ft x 4 ft. The capacity $[(50' * 60' * 4') \times (1 \text{ AF} / 43,560 \text{ ft}^3)] = 0.28 \text{ AF}$ of the pond is 0.3 AF. The pond and stream are used to water 60 head of range cattle.

Condition of Approval No. 4 was waived by an order issued on June 8, 2000.

Condition of Approval No. 5 has not been met. A lockable device has not been installed in a manner that will provide the watermaster suitable control of the diversion.

The unnamed stream is fed from a small spring and runoff from the snowmelt. The stream channel is capable of carrying a flow of more than 0.1 cfs. According to the permit holder the spring usually dries up at the end of July or early August each year.

I recommend that this permit be licensed, even though not all of the conditions of the permit have been met. The installation of a lockable device is impractical and is not needed at this time.

Have the conditions of permit been met? _____ YES X NO

MICROFILMED
JUN 20 2001

F. FLOW CALCULATIONS

Measurement Method: None

Additional Computation Sheets Attached

Allow the amount of **0.01 cfs** as specified by the permit.**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation: N/A

 $V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{LR} \text{ and } V_{DR} =$ _____

2. Volume Calculations for Other Uses:

[60 range head of cattle] x [12 GPD / head] = 720 GPD

[720 gallons / 1 day] x [365 day / 1 year] = 262,800 gallons per year

[262,800 gallons / 1 year] x [1 AF / 325,850 gallons] = 0.81 AFA

The capacity [(50' * 60' * 4') x (1 AF / 43,560 ft³) = 0.28 AF] of the pond is **0.3 AF**.**H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (AFA)
	From	To		
Stockwater	01/01	12/31	0.01 cfs	
Stockwater Storage	01/01	12/31		0.3 AFA
Totals:			0.01 cfs	0.3 AFA

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 ___ Other

I. AUTHENTICATION

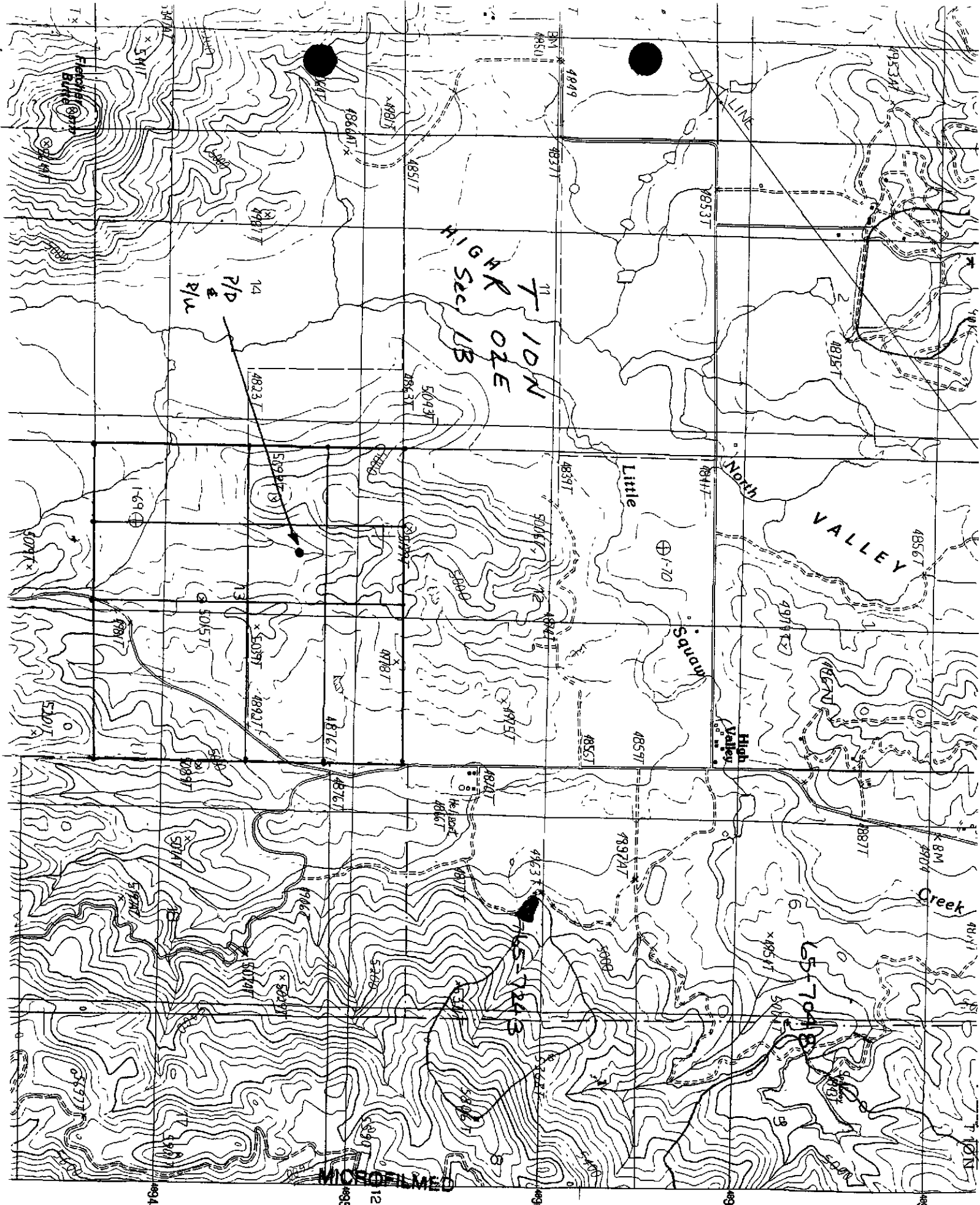
Richard D. Hansen – Field Examiner

Field Examiner's Name Richard D Hansen Date: 6/27/00

Reviewer _____ Date: _____

seal

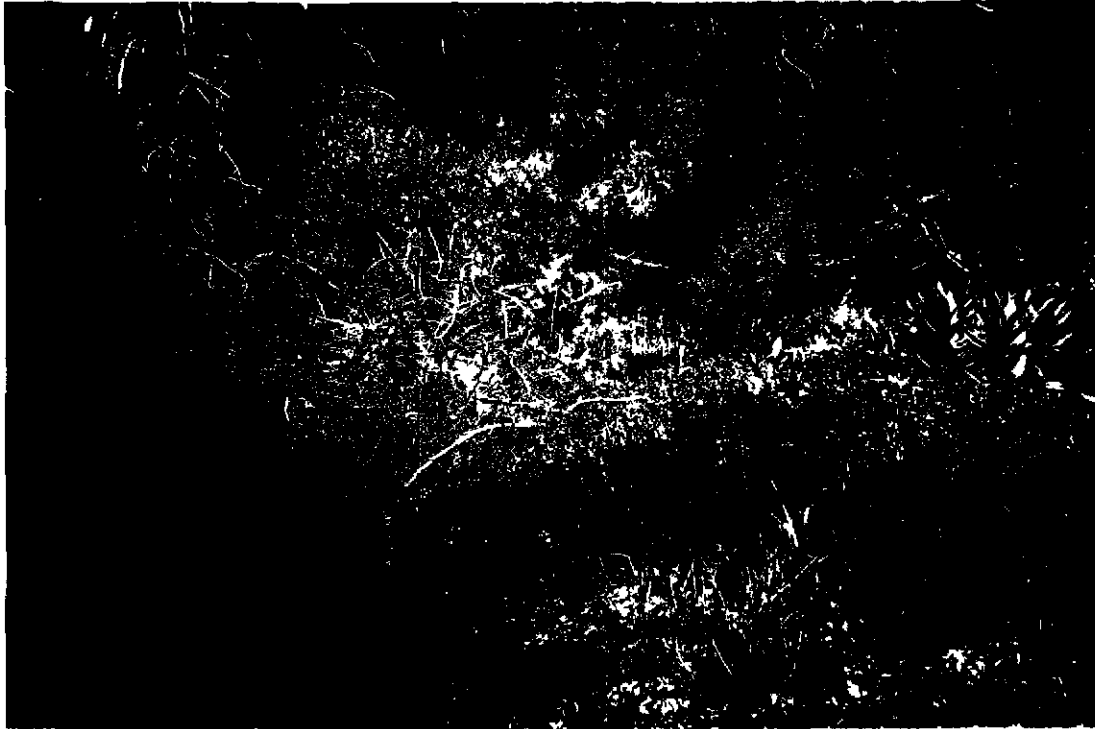
MICROFILMED
JUN 20 2001



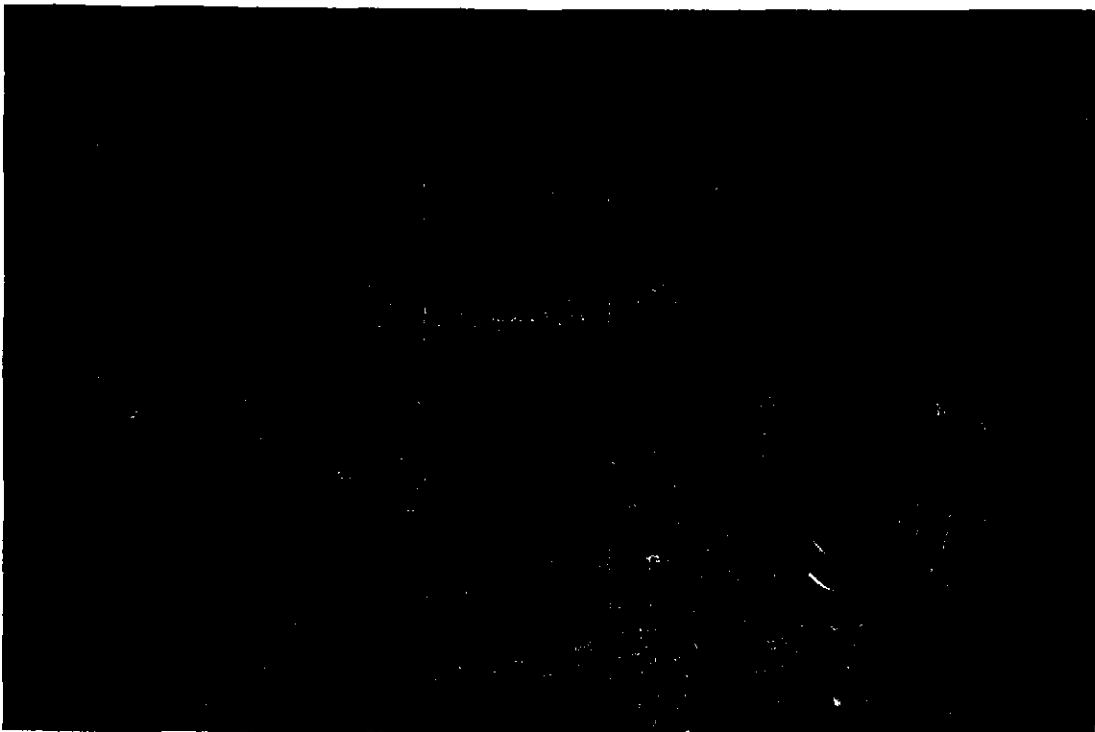
MICROFILMED
JUN 20 2001

65-13826

Place of Use & Point of Diversion



Inlet



POND
&
Outlet

65-13826

Spring dries up
late July / August

65-13826

4' deep
per owner
comment

60 cattle

All year

Outlet

24 paces

20 paces

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IN 2001 pace = 2.5 feet



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

June 9, 2000

KARL J. DREHER
DIRECTOR

ROGER F BEAL
PO BOX 56
OLA ID 83657

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13826

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Enclosed is an Order waiving the measuring device requirement for this right. This order may be revoked if the department determines that a measuring device is necessary for the use of this water and will notify you at that time.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the Western Regional Office of the department in Boise, Idaho at (208)334-2190

Sincerely,

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED
JUN 26 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 65-13826 Reviewed by D. Ellis Date 6/5/00

GENERAL CONSIDERATIONS

Yes Name same as permit?
Yes Address same as permit?
Yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Stockwater/Storage

Correct Uses? Yes

SOURCE OF WATER

Yes Surface water source

No Ground water source

Drilling permit required?

Copy in the file? Drilling Permit No. /

Amount paid for permit

Well log in the file?

Correct? /

LICENSE EXAMINATION FEE

Yes Required?

\$50.00 Amount Submitted

Yes Correct?

MEASURING DEVICE

Yes Required?

No Installed?

Yes Waiver requested? 4/27 letter requested written approval by the water master.

PRIORITY CALCULATION

Date proof received 4/17/00
Date proof due 6/1/00 - /
No. of days late / = /
Priority Date / + /
New Priority Date /

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof & request of waiver.
Issue Order waiving requirement for well measurement device.

DATA ENTRY

New Address 760

Proof Made 4/17/00

May 4, 2000

Ola, Idaho
PO Box 56
83657

Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
 Boise, Idaho 83720-0098

RECEIVED

MAY 8 - 2000

Department of Water Resources

Deborah Drew-Ellie
Administrative Assistant
Water Allocation Bureau

Re: permit No. 65-13826

I would like to waive Condition No. 4 of the above permit requiring the installation of a measuring device.

This is quite impractical. When the spring runoff ends, no water will enter the pond, thus, no water runs out the spillway. If I had to remove the pond, no water ~~would~~ reach the creek, Little Squaw, as it is a mile or more from the pond site, and the water would be lost to evaporation or soaking up the streambed & gulley along the way.

I have talked to the water master, Eric Herr, and he will send a letter concerning this project.

MICROFILMED

JUN 26 2000

Yours truly,

Robert T. Seal



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 27, 2000

Roger F. Beal
P.O. Box 56
Ola, ID 83657

Re: Permit No. 65-13826

Dear Mr. Beal:

This is a follow up to our meeting on April 17, 2000. During our meeting it was determined that Condition No. 4 of your permit required the installation of a measuring device. However, you wished to have this condition waived. In order for the department to consider this request, please submit your request in writing, and provide written approval from the watermaster of your water district. Upon submittal of this information, I will be able to further consider your request for waiver. Your permit requires proof be made complete on or before June 1, 2000.

Sincerely,

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

MICROFILMED

JUN 25 2000

March 31, 2000

ROGER F BEAL
PO BOX 56
OLA ID 836570056

PROOF DUE NOTICE

RE: PERMIT NO. 65-13826

Dear Permit Holder:

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 June 1, 2000.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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 prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

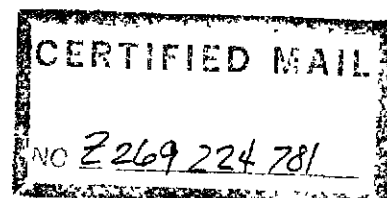
SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures

MICROFILMED

JUN 25 2000





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 1, 1999

DIRK KEMPTHORNE
GOVERNOR

ROGER F BEAL
PO BOX 56
OLA ID 83657-0056

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13826

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

MICROFILMED

JUN 09 1999

SK:klt

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of June, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 65-13826

ROGER F BEAL
PO BOX 56
OLA ID 83657-0056


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 09 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the order. 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

JUN 09 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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 issuance 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.

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by CindyNo.: 65-13826 Name: B221 Date: 5/27/99 Ad OK? ☒ ☒ Gvmt Lts: ☒

AREA OF CONCERN: - No/Yes _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year - 26A-P17
≤ 1 year/no proof P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

All wells (✓ WDQ3) - 046-P23

In Basin 34? - 085

Irr within WD - P05 (new well location)

WMD (✓ MAP) - North / East / West

> 0 24 cfs/5 acres - 067 or No MD (in-stream stock or power)

≤ 0 24 cfs/5 acres - No MD

WMD

Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)

Supp irr + uses - 100-101

> 0 24 cfs/5 acres - 01M (report when notified)

≤ 0 24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated)

FISH & GAME CONTACTED - YES / NO, WHEN: 1/28/99 RESPONSE None

IN/ABOVE MSF (✓ MAP) - *WB9

IN-STREAM DEVELOPMENT P62 (stream channel alteration)WD (✓ MAP & LISTING) - R04 (WD # 65A)

> 0 20 cfs - 01J-P08 (MD & LD)

≤ 0 20 cfs - 01H-P01 (LD) or No MD (in-stream stock)

WMD (✓ MAP)

> 0 24 cfs/5 acres - 067 or No MD (in-stream stock or power)

≤ 0 24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0 24 cfs/5 acres - 01M or No MD (in-stream stock or power)

≤ 0 24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water)

Snake R (01) - *W22 -P04, NA

(02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA

Payette R (65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's) - 029 (fish screens), NA

Weiser R (67) - 086, 087

USE:

STORAGE (✓ 3 compo) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

IRR ≤ 5 acres - R66/R67/R68/R69 (0 03 cfs/acre + 3 0/3 5/4 0/4 5 AF)

> 5 acres - R62/R63/R64/R65 (0 02 cfs/acre + 3 0/3 5/4 0/4 5 AF)

STOCKWATER - R37 (BLM/USFS), NA

MINING - 054(req) -081-P10

FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10

HEATING/COOLING - R07 (injection well)

POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons use),
17G (FERC) or 17M (FERC), 18B-P09, >25 cfs-P18

MUNICIPAL

In restricted area? - 022, 075, 004 (+memo?)

Irr, GW supp to SW? - 102

DOMESTIC

Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge), 27A (Payette River), NA

>1 in rest area - 071-070

FIRE PROTECTION

- 077

LOCATION:

BOISE FRONT LOGEO - 058 (<85° GW temp only)

MITIGATION - 120

42-248 AREA P62 (in 20/30/40/50/60/70/80 (87) basin)

SWAN FALLS FLAG (✓ Code) -

Trust - 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

- (1) W02 / GORC

BENEFICIAL USE DUE:

- 6 / 1 / 2000

COMMENTS:

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
MAY 21 1999
Department of Water Resources

INITIAL REVIEW BY: DAN DATE: 1-6-99 APPLICATION: 05-13826

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Gov't. Lots:
NO P/D
NO P/U

ADDITIONAL INFORMATION

☒ ~~NO~~ ~~YES~~ ADVERTISE REMARK(S)
(Reviewer identify which remarks)

☒ T FLAG CHANGED TO P FLAG

YES NO

- ☒ ☒ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ ☒ Overlapping point of diversion.
- ☒ ☒ Critical groundwater area:
- ☒ ☒ Groundwater management area:
- ☒ ☒ 1992 moratorium:
- ☒ ☒ Surface water source, IDFG letter needed.
- ☒ ☒ Bull trout impact area, IDFG letter needed
- ☒ ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☒ ☒ E-mail to Dam Safety staff: (for any storage)
- ☒ ☒ Mitigation plan: Check any that apply.
- ☒ ☒ immediate = acceptable plan required and submitted.
- ☒ ☒ future = open areas, acceptance of condition of approval is in file.
- ☒ ☒ Send power requirement letter &/or fish farm requirement letter.
- ☒ ☒ Power residency affidavit:
- ☒ ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☒ ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Requested POND Dimensions and Clarification
of Season of Use

Date Requested 1-6-99 Date Response Received 2-2-99

PROCESSING

APP. NO.

65 13 824

YES NO

☒ ☐ In form for advertising:
☐ ☒ Statewide advertising: (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐ ☒ I.D. Health & Welfare
☐ ☒ I.D. District Health
☒ ☐ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ Water Dist. # 65A Reply received
☐ ☒ Other _____

FINAL REGIONAL PROCESSING REVIEW:

YES NO

☒ ☐ Affidavit of publication received:
☒ ☐ Application published correctly: If not, record action taken.

☒ ☐ Publication dates and paper recorded on application:
Final date for protest 3-8-99 4-26-99 (republished)
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Water delivered by water master? District # _____
☒ ☐ Special conditions of approval or cover letter: Std. conditions, watermaster control, allow dual stock water uses

☐ ☒ See below for additional information

Recommended Date or Priority 11-6-1998 -JL
Recommended by: JL Date: 5-19-99

ADDITIONAL INFORMATION:

IDWR Review

WATER SOURCE, THIS ~~FILE~~ UNNAMED IS ACTUALLY
TRIBUTARY TO ANOTHER UN NAMED STREAM THAT IS
TRIBUTARY TO LITTLE SNOW CREEK.
APPLICANT STATES POND DIMENSIONS ARE APPROXIMATELY
50 FT WIDE - 60 FT LONG - 3 FT DEEP, WHICH ARE WELL
WITHIN DOMESTIC STOCK WATER DESCRIPTION IN 42-111
IDWR REVIEW SHOWS NO OVERLAPPING WATER RIGHTS.
Discussed file revision with D.A.N. on 2/5/99. -JL

**NOTICE OF CORRECTION OF
APPLICATION FOR PERMIT**

Notice hereby given that on February 17 at 9 application for permit in the name of Roger F. Beal was advertised without a water right number. The following is the corrected advertisement.

65-13826
BEAL, ROGER F.
PO BOX 56
OI A, ID 83657
Source UNNAMED STREAM
Tributary LITTLE SQUAW CREEK
Diversion Pt SENW Sec 13 T 10N R 02E
in VALLEY County
SENW Sec 13 T 10N R 02E in VAL-
LEY County
SENW Sec 13 T 10N R 02E in VAL-
LEY County
Use STOCKWATER (0.010 CFS)
STOCKWATER STORAGE (0.80 AF)
Total Diversion (0.010 CFS)
Date Filed 11/6 1998
In VALLEY County
T10N R02E S13 SENW

120
OK.

The permit will be subject to all prior water rights. Protests must be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 on or before April 26, 1999. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Publish April 21, 28

Affidavit of Publication

STATE OF IDAHO COUNTY OF VALLEY

I, Robin M. Simpson, being duly sworn deposes, and says, I am the Publisher of The Long Valley Advocate, a weekly newspaper published at Cascade, in Valley County, Idaho, and having a general circulation therein and of legal status in said county.

The Notice of Collection of permit application ^{beal}, a copy of which is attached hereto, was published in said newspaper once a week for 4/28 consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement, and that publication of such notice began 4/28, 19 99, and ended 4/28, 19 99.

Robin M Simpson

RECEIVED

MAY 06 1999

WATER RESOURCES
WESTERN REGION

Signed this the _____ day of _____, 19 _____

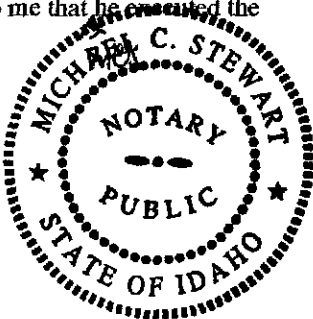
STATE OF IDAHO)

:SS.

COUNTY OF VALLEY)

On this the 6th day of May, 19, 99, before me, a Notary Public in and for said State, personally appeared Robin M. Simpson, known or identified to me to be the person whose name is 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

Michael Stewart
Notary Public State of Idaho
Residing at Cascade
Commission Expires: 10/30/2004



MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

April 13, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LONG VALLEY ADVOCATE
PO BOX 1079
CASCADE ID 83611

Re: Application for Permit No. 65-13826 in the Name of Roger F. Beal

Dear Legal Dept.:

Enclosed is a copy of a legal notice and a copy of the affidavit for the above-referenced application for permit. You will notice that there is a discrepancy between the two. The application was advertised without a water right number.

Please republish the enclosed corrected ad.

An affidavit of the corrected publication should be submitted to the department by May 10, 1998, at which time I will forward the bill for the first publication to our accounting section.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sue'.

Sue Taylor
Senior Secretary

Enclosures

MICROFILMED

JUN 09 1999

NOTICE OF CORRECTION OF APPLICATION FOR PERMIT

Notice is hereby given that on February 17 and 25, 1999, application for permit in the name of Roger F. Beal was advertised without a water right number. The following is the corrected advertisement.

65-13826

BEAL, ROGER F
PO BOX 56
OLA, ID 83657

Source: UNNAMED STREAM

Tributary: LITTLE SQUAW CREEK

Diversion Pt:	SEnw	Sec 13 T 10N R 02E in VALLEY County.
	SEnw	Sec 13 T 10N R 02E in VALLEY County.
	SEnw	Sec 13 T 10N R 02E in VALLEY County.

Use: STOCKWATER	(	0.010 CFS)	
STOCKWATER STORAGE			(0.80 AF)
Total Diversion:	(	0.010 CFS)	

Date Filed: 11/ 6/1998

In: VALLEY County
T10N R02E S13 SENW

The permit will be subject to all prior water rights. Protests must be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Department of Water Resources, Western Region, 2735 Airport Way, Boise, Id. 83705 together with a protest fee of \$25.00 on or before April 26, 1999. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Dir

Advertised in the Long Valley Advocate on April 7 and 14, 1999.

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JUN 09 1999

**NOTICE OF APPLICATION FOR
WATER RIGHT**

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

BEAL, ROGER F
PO BOX 56
OLA, ID 83657

OK

Source UNNAMED STREAM
Tributary: LITTLE SQUAW CREEK
Diversion Pt: SENW Sec 13 T 10N R 02E
in VALLEY County.

SENW Sec 13 T 10N R 02E in VALLEY
County

SENW Sec 13 T 10N R 02E in VALLEY
County

Use: STOCKWATER (0.010 CFS)
STOCKWATER STORAGE (.80 AF)
Total Diversion: 0.010 CFS)
Date Filed: 11/6/1998
In: VALLEY County
T10N R02E S13 SENW

Permits will be subject to all prior water
rights. Protests may be submitted based
on the criteria of Sec. 42-203A, Idaho
Code. Any protest against the approval of
this application must be filed with the
Director, Dept. of Water Resources, Western
Region, 2735 Airport Way, Boise, Idaho
83705 together with a protest fee of \$25.00
on or before MARCH 8, 1999. The protes-
tant must also send a copy of the protest
to the applicant.
Publish 2/17, 2/24

2-6-171

Affidavit of Publication

STATE OF IDAHO COUNTY OF VALLEY

I, Robin M Simpson, being duly sworn deposes, and says, I am the Publisher of The Long Valley Advocate, a weekly newspaper published at Cascade, in Valley County, Idaho; and having a general circulation therein and of legal status in said county.

The Application for water right - deal, a copy of which is attached hereto; was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began 2/17, 19 99, and ended 2/24, 19 99.

Robin M Simpson

RECEIVED

MAR 11 1999

WATER RESOURCES
WESTERN REGION

Signed this the _____ day of _____, 19____.

STATE OF IDAHO)

:SS.

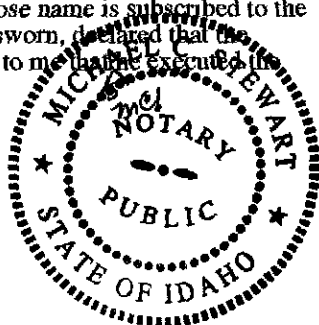
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COUNTY OF VALLEY)

JUN 09 1999

On this the 10th day of March, 19, 99, before me, a Notary Public in and for said State, personally appeared Michael C Stewart, known or identified to me to be the person whose name is 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.

Michael C Stewart
Notary Public State of Idaho
Residing at: Cascade
Commission Expires 10/30/2004



01-99

State of Idaho
Department of Water Resources

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FEB 24 1999

WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

Application No: 65-13826

Applicant's Name: Roger F. Beal

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows: _____

- c) ☐ I oppose approval of this application for the following reasons: _____

- d) Additional Comment : _____

Dated this 24th day of February, 1999.

Water District No: 65A

Eudora
Watermaster's Signature

Use reverse side of page if you need more space.

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JUN 09 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

February 17, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ERIC HERR
WATER DISTRICT 65A
8917 BUTTE RD
SWEET ID 83670

Re: Application for Permit No. 65-13826 in the Name of Roger F. Beal

Dear Sir:

Enclosed is a copy of the above-referenced application for permit within your district. Also enclosed is a form for your recommendation concerning this application for permit.

Please review the application and submit any comments you may have within two weeks. If you have any questions or need information, feel free to contact this office.

Sincerely,


Gary Spackman

GS:st

Encl.

MICROFILMED
JUN 09 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FEBRUARY 10, 1999

Legal Notices Department
Long Valley Advocate
PO Box 1079
Cascade, ID 83611

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 8, 1999.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED

JUN 09 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

JUN 09 1999

65-13826

BEAL, ROGER F
PO BOX 56
OLA, ID 83657

Source: UNNAMED STREAM

Tributary: LITTLE SQUAW CREEK

Diversion Pt:	SEnw	Sec 13 T 10N R 02E in VALLEY County.
	SEnw	Sec 13 T 10N R 02E in VALLEY County.
	SEnw	Sec 13 T 10N R 02E in VALLEY County.

Use: STOCKWATER	(	0.010 CFS)	
STOCKWATER STORAGE			(0.80 AF)
Total Diversion:	(	0.010 CFS)	

Date Filed: 11/ 6/1998

In: VALLEY County
T10N R02E S13 SENW

MICROFILMED

11 09 1999

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before MARCH 8, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 2/17/1999 & 2/24/1999

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JUN 09 1999

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant

Logan Seal

Mailing Address

PO Box 50

Olney, Idaho 83657

Application No.
(if known)

8305

IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Logan Seal

Date

November 6, 1998

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

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JUN 08 1999

N/A to 65-13826
since pond too small.

-JL 2/5/99

From: DWR80::DNELSON 5-FEB-1999 08:43:07.44
To: JWESTRA, DNELSON, GGIBSON
CC:
Subj: WATER RIGHT APPLICATION

DEAR GENE & JOHN,

I have just reviewed a application for permit that you guys may want to look at. The water right number is 65-13826 and is to construct a onstream reservoir. The reservoir size is fairly small with an estimated dam hieght of 6 feet. According to the Quadrangle map it is difficult to determine if this a perennial stream so I thought it best that Gene makes that determination.

The application will be in Steve Lester's office for pre-advertising review and then will be at Sue Taylor's desk for advertising.

Thank you for your time

Dan Nelson

RECEIVED

FEB 02 1999

WATER RESOURCES
WESTERN REGION

Mr. Nelson,

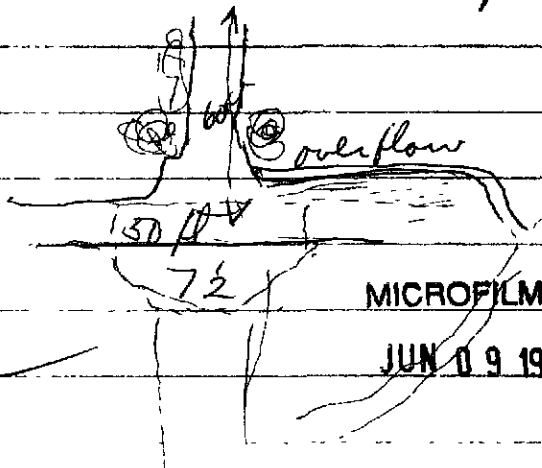
Re: Application to divert surface water
from unnamed stream tributary to
Squaw Creek.

Would you go ahead and change the
season of use from 1/1 to 12/31.

I skidded back there to the site two
weeks ago. This is much smaller than
175 acre storages. It is just to catch
the water for a watering pond.

It is about 50 feet across a draw and
about 60 feet long. The bottom ^{in the} draw
is about $7\frac{1}{2}$ feet and 10-12 feet ^{wide} at
the top. It has an overflow ditch
that diverts to another draw which
flows into the main draw. It is
cut quite low and I estimate it will
hardly have 3 ft of water at the deepest
part.

This is an overview:



Yours truly,
Roger Seal

MICROFILMED

JUN 09 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

January 28, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

Re: Application for Permit Nos 78-07395, 78-07392 and 65-13826

Dear Sir:

Enclosed are copies of the above-referenced applications for permit which may be of interest to your agency. The proposed use of application nos. 78-07395 and 78-07392 is from a source in the bull trout impact area. The proposed source of all three applications is surface water. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by March 8, 1999.

If you have any questions regarding the application, please contact this office.

Sincerely,

Gary Spackman

GS:st

Encl.

MICROFILMED
JUN 09 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

01/07/1999

DIRK KEMPTHORNE GOVERNOR

KARL J. DREHER
DIRECTOR

ROGER F. BEAL
P.O. VOX 56
OLA, ID 83657

COPY

**RE: APPLICATION FOR PERMIT TO DIVERT SURFACE WATER FROM
UNNAMED STREAM TRIBUTARY TO SQUAW CREEK**

Dear Mr. Beal,

Our office has received your application to appropriate the waters of the State of Idaho on 11/10/1998. In order to process this application we will need some additional information and clarification. I have reviewed your application and have determine that in order to continue processing this application I will need the following information.

SEASON OF USE:

On your application you showed that you only plan to use this permit from July 1 to November 15. If you limit the storage of water to these dates then you will need to supply an explanation on how you propose to drain the reservoir and return the stream to natural flows during the period of time not covered by this water dates. If you change the season of use to 1/1 to 12/31, you could fill the pond or reservoir during the spring runoff period and mainatin a full pond or reservoir year around without needing to drain the reservoir during a portion of the year. I do not feel that changing season of use to year round use would pose any problems with the approval of this permit. You can contact me by mail or telephone to discuss this or to change the season of use if you wish.

MICROFILMED

19 1999

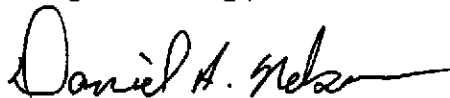
DIAGRAM OR DIMENSIONS OF STORAGE POND:

Please send the estimated dimensions or a diagram showing the length, width, and depth (in feet) of the proposed storage pond. You have submitted a .75 acre storage pond but neglected to give the actual dimensions of the pond or reservoir you are proposing. You can fax these or send them in the mail to the above address C/O Dan Nelson.

Once you have submitted the above items I can then continue to process and advertise your application for permit. You may also want to contact John Westra and Gene Gibson of this office. John Westra is the dam safety specialist in our office and Gene Gibson is the stream channel specialist. Each of these gentlemen will be notified of your application during the processing and may require additional permits and/or information. You may want to contact them at the above address or telephone number to get a head start compiling any information you may need to submit to them.

If you have any questions please contact me at the above address or telephone number.

Respectfully,



Daniel A. Nelson
Water Right Agent

COPY

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JUN 09 1993