

65-13799

SOUTHWEST EMMETT QUADRANGLE
IDAHO
7.5-MINUTE SERIES (ORTHO PHOTOQUAD)

2W 1W

536

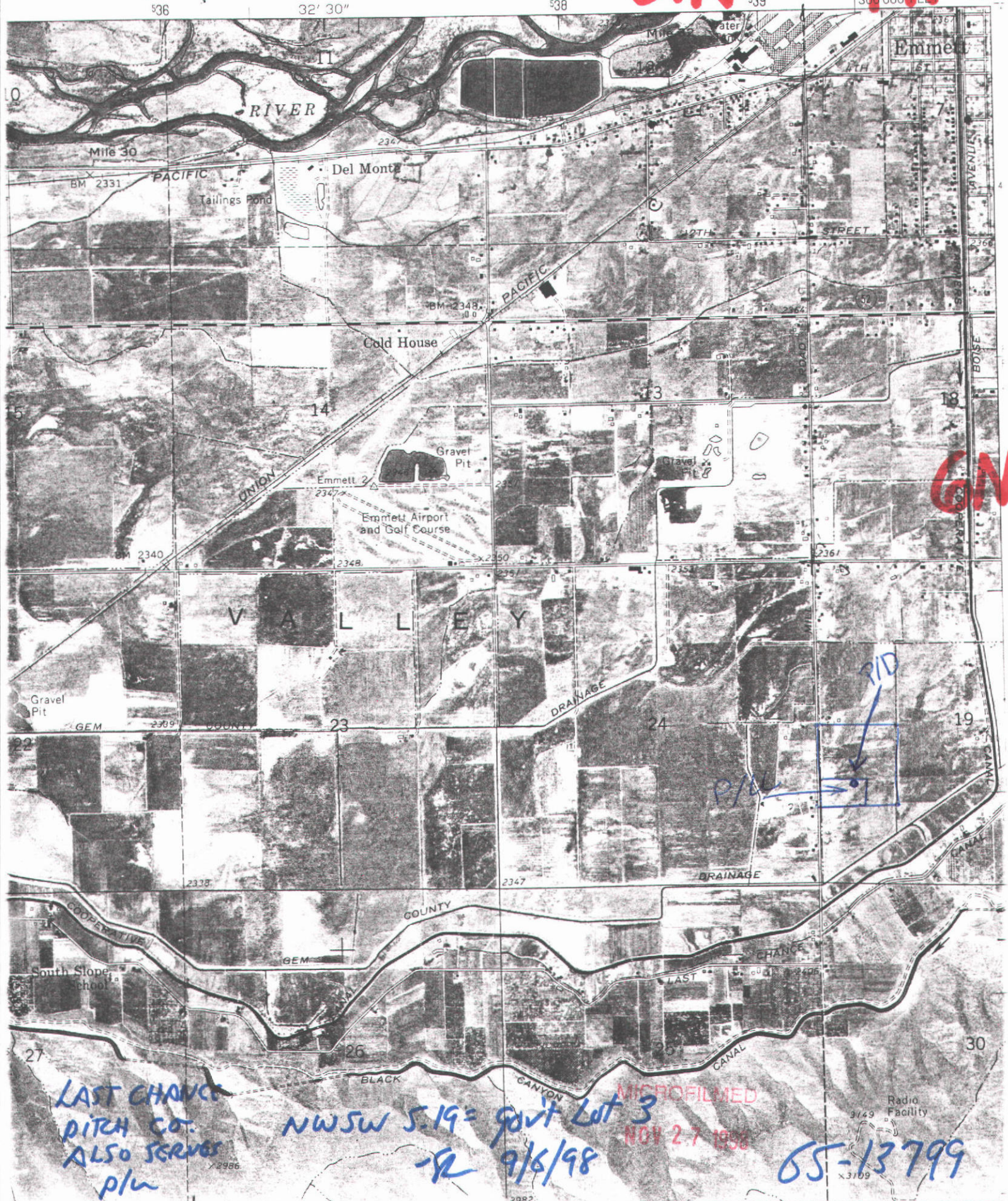
32' 30"

538

539

300 000 FEET

116° 3



LAST CHANCE
DITCH CO.
ALSO SERVES
p/w

NWSW 5.19 = Gov't Lot 3
-R 9/6/98

MICROFILMED
NOV 27 1998

65-13799

39.88 Sec. 19
3 639.28

39.76
4 80 160

39.64
S. 89° 45' E. 79.76

39.67

2 80 160

39.82 Sec. 19

→ (3) 639.58

39.97
4 80 160

40.12
S. 89° 51' E. 80.05

40.15

2 80 160

40.18 Sec. 30

40.21 640.78

40.21

NORTH

NORTH

NORTH

6N
1W
5.19

1935 June

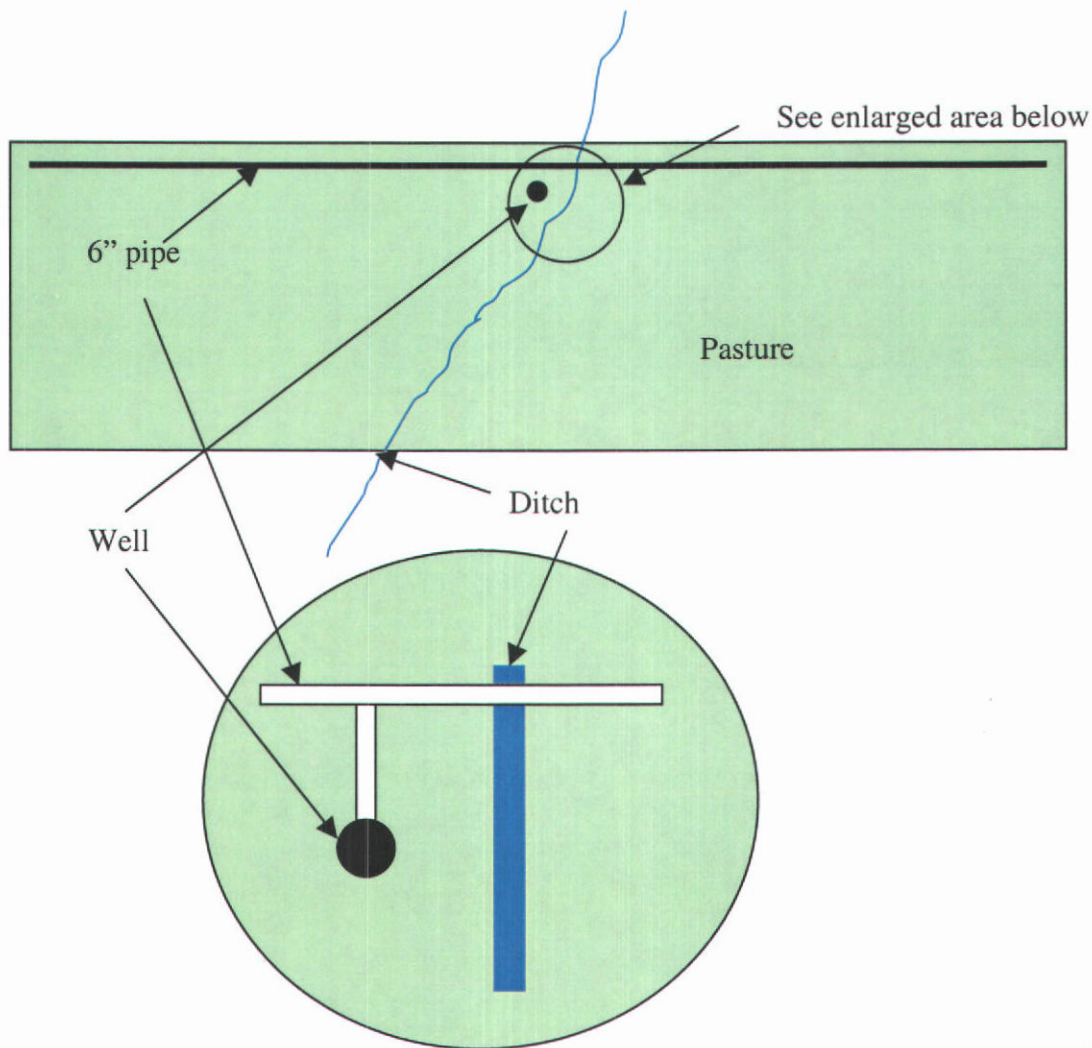
65-13799

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NOV 27 1998

E. NARRATIVE/REMARKS/COMMENTS

The point of diversion and the place of use are located in the NWSW (Lot 3) of Section 19, Township 06N, Range 01W. The permit holders own 5.37 acres per the Gem County Assessor. Approximately 4.5 acres are irrigated with water from the well. The number of acres being irrigated was determined using a planimeter (data attached). The permit holders have 6 shares in the Last Chance Ditch Co. The neighbor filled in two ditches that provided water to parts of the 4.5 acres. After the neighbor filled in the ditches, Mr. Beauvais could not get water to portions of the 4.5 acres. There is still one ditch, which occasionally provides some water from the ditch company. The well was drilled to provide water to the areas that were previously irrigated with water from the ditches that were filled in. Water from the well is pumped into 6-inch mainlines, which feed 6-inch gated pipe. The system is used to flood irrigate the pasture. It was not possible to measure the diversion rate. A low-pressure/high-volume Jacuzzi pump was installed by Valley Pump and Equipment Co. Dennis White of Valley pump provided the attached pump data. Mr. White and Mr. Beauvais indicated that the pump produces about 55 gpm (0.12 cfs).



The additional property include a house and yard. Water for the house and yard are provided for by other systems. There is a domestic well used for internal domestic use. The lawn is watered using waster water from the drain in front of the house.

Have the conditions of permit been met? ☒ YES ☐ NO

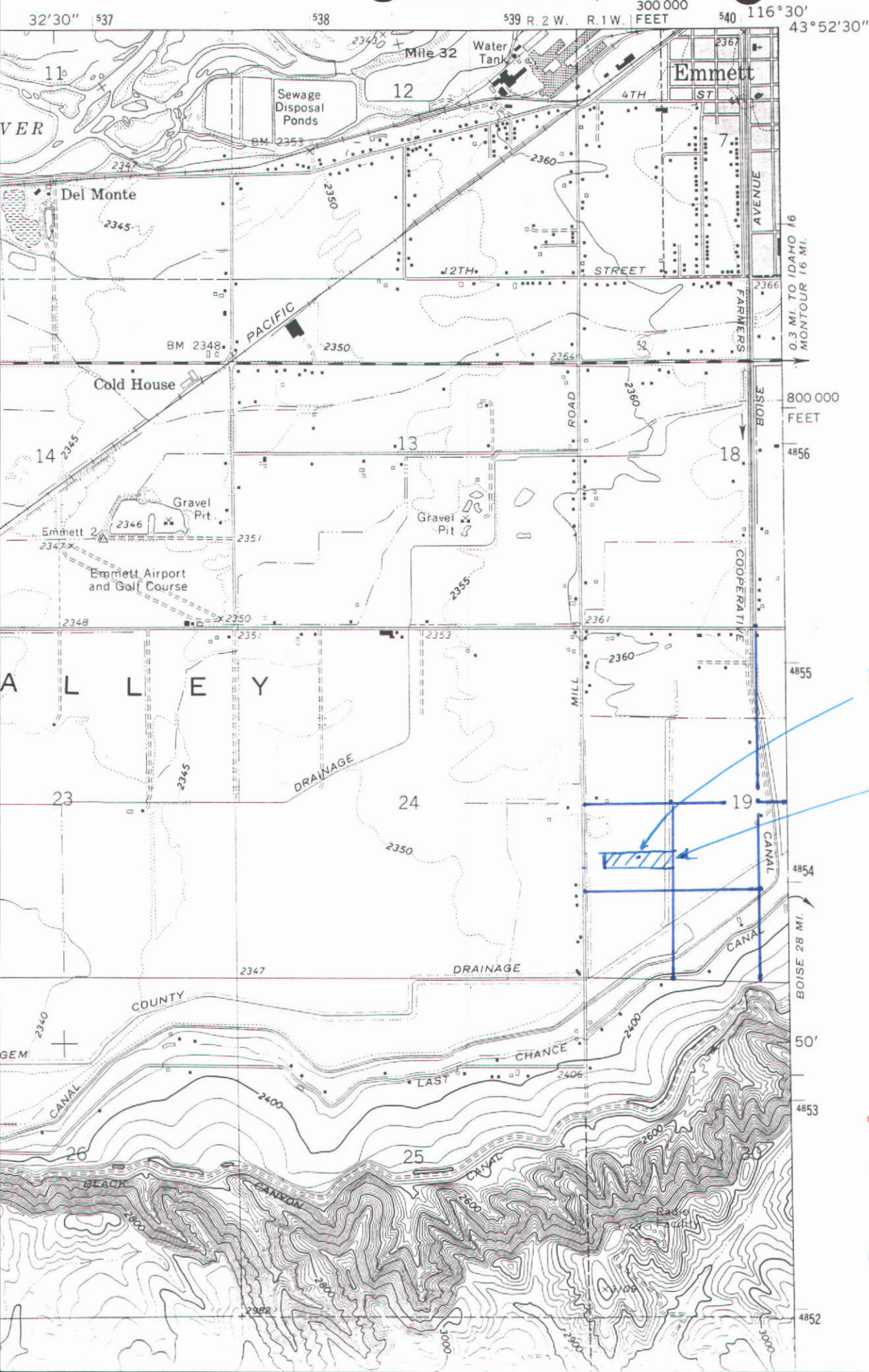
MICROFILMED
MAR 17 2003

SOUTHWEST EMMETT QUADRANGLE

IDAHO

5 MINUTE SERIES (TOPOGRAPHIC)

2711
(MONTGOMERY)

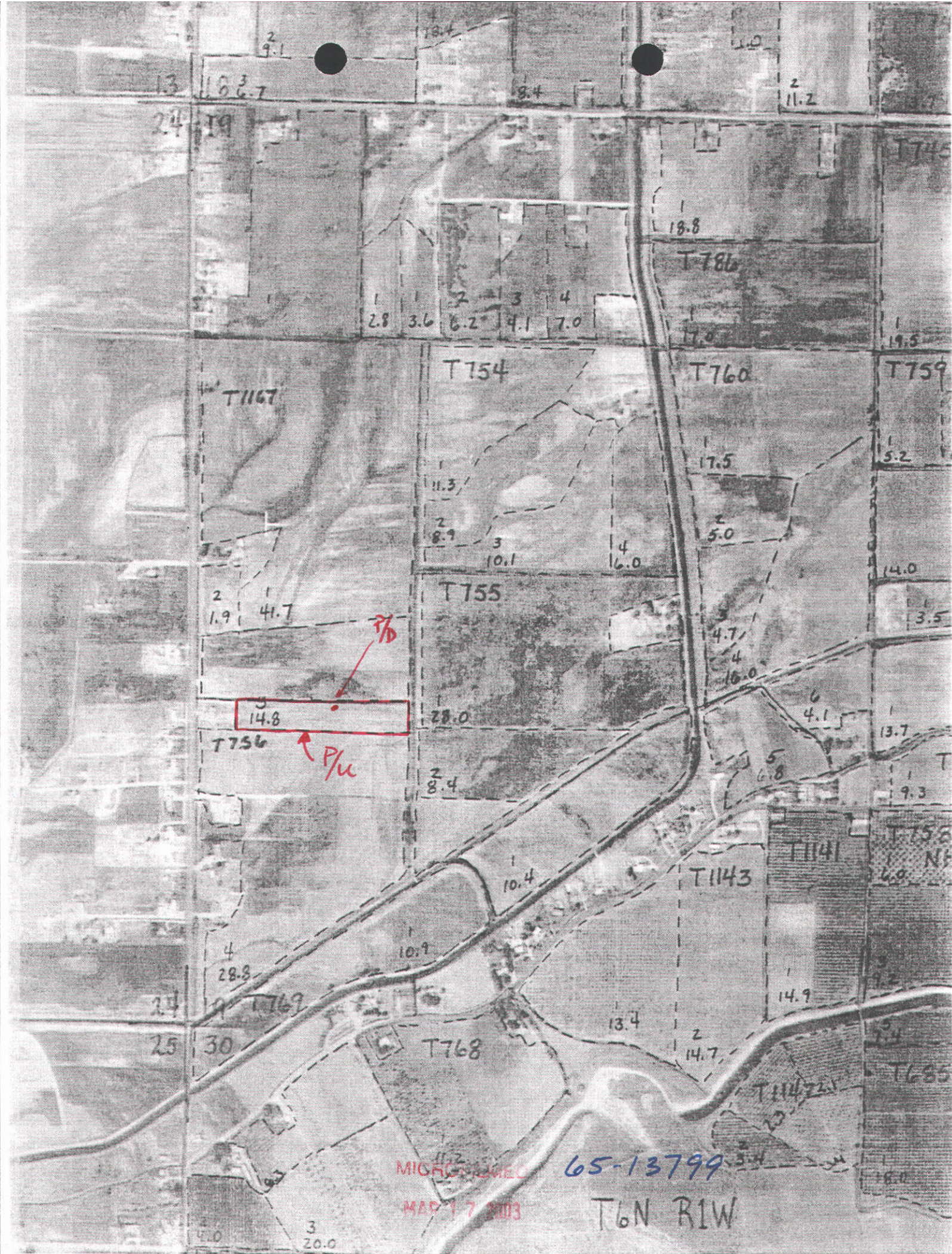


T6N
R1W
Sec. 19
NWSW
Lot 3

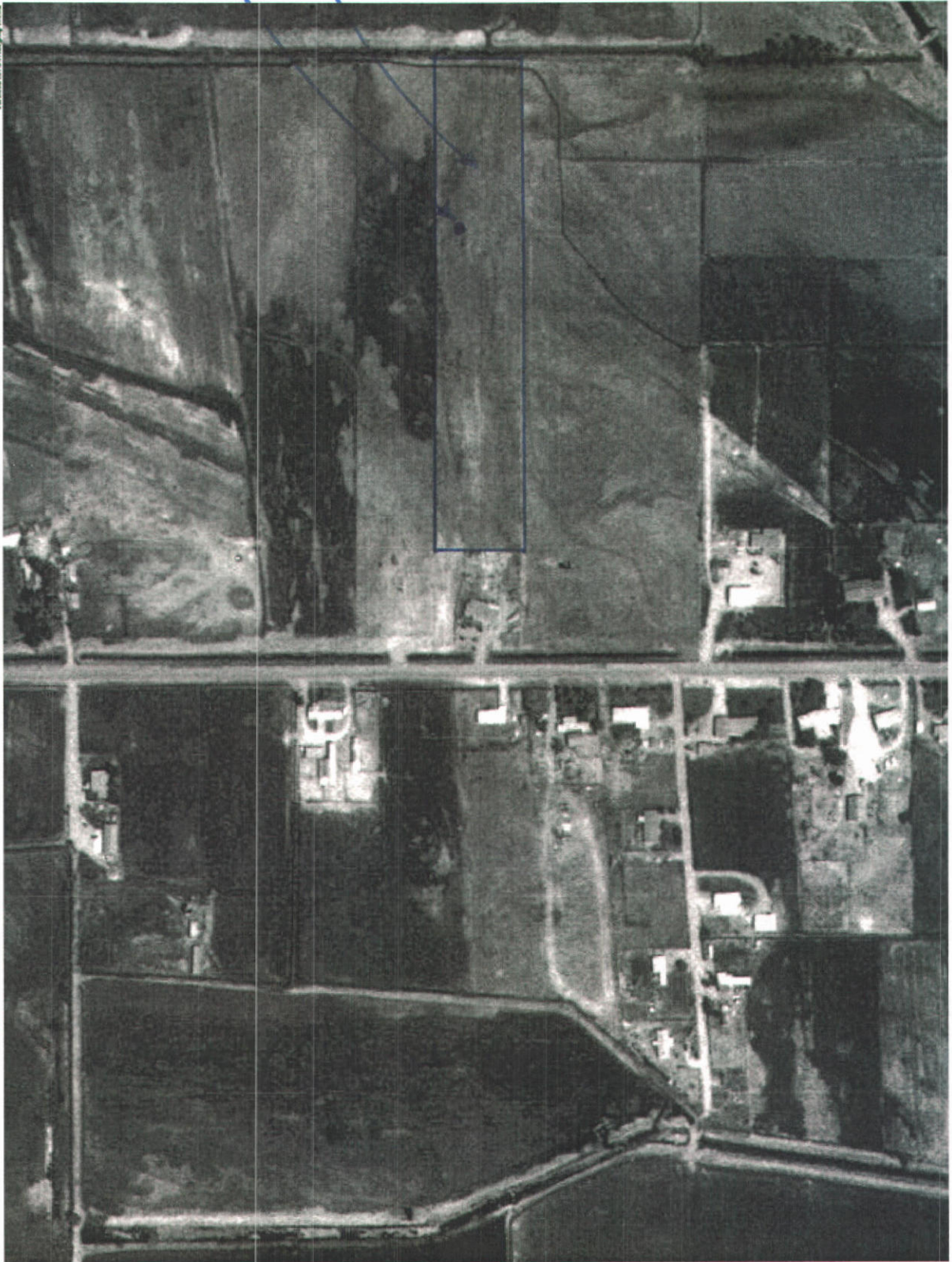
P/D
P/U

MICROFILMED
JUL 17 2003

65-13799



25 May 1992



MICROFILMED
MAR 17 2003

65-13799

65-13799



T6N
R1W
Sec. 19
NWSW
Lot 3

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MAR 17 2003

40.00 S. 89° 51' E.	80 00	40.00	89° 46' W.	S
(20.00) (20.00)	40.00	79.96		
40.00	80	160		
2				
39.88	Sec. 18		Sec. 17	
3	639.28		640	
39.78				
4	80	160		
39.64				
S. 89° 45' E.	79.76		WEST	S
(19.76) (20.00)	40.00	79.92		
1				
39.67	80	160		
2				
39.82	Sec. 19		Sec. 20	
3	639.58		640	
39.97				
4	80	160		
40.12				
S. 89° 51' E.	80.06		S. 89° 53' W.	
(20.06) (20.00)	40.00	80.00		
1				
40.15	80	160		
2				
40.18	Sec. 30		Sec. 29	
3	640.78		640	
40.21				
4	80	160		
40.24				
EAST	80.12		WEST	
(20.12) (20.00)	40.00	80.00		
1				
40.24	80	160		
2				
40.18	Sec. 31		Sec. 32	
3	640.60		640	
40.12				
4	80	160		
40.06				
(20.06) (20.00)	80.00	40.00	FIRST	

20 40 80



Point of Diversion

MICROFILMED

2003

65-13799



Place of use



MICROFILMED
MAR 17 2003

65-13799

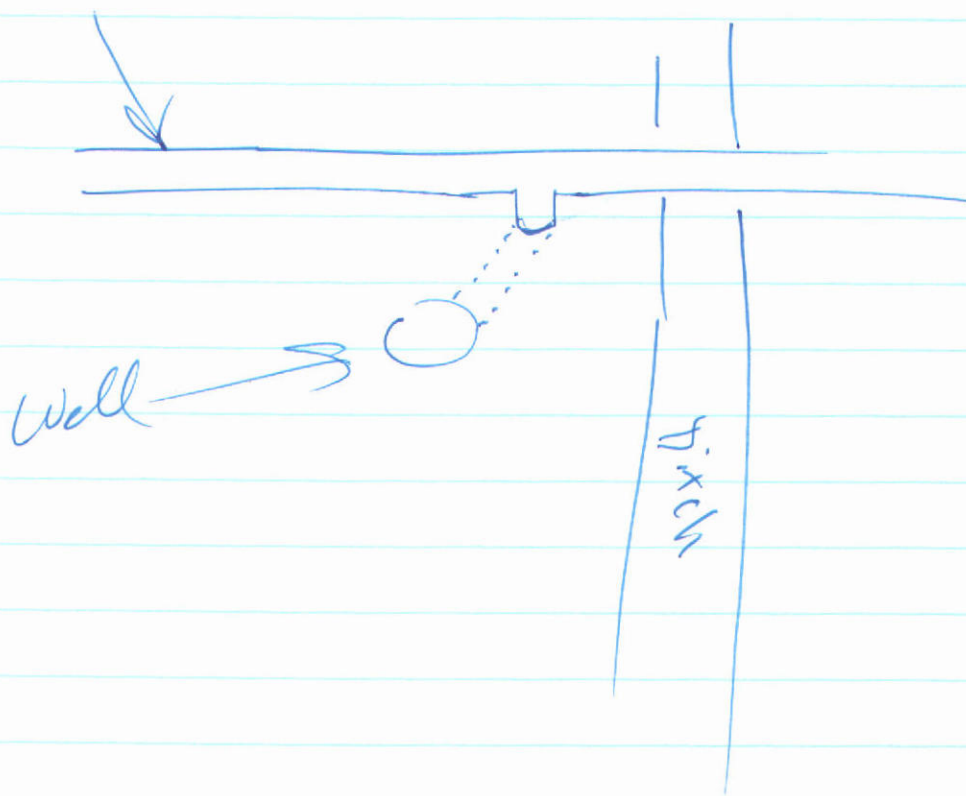
Field Notes

~~6-7-7-00~~ 7-7-00

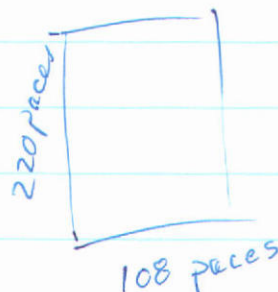
Neighbor cut off 2 ditches, leaving
portions of the pasture dry

55 gpm

6" mainlines
6" gated pipe



Valley Pump



MICROFILMED

MAR 17 2003

65-13799

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
 ss.
COUNTY OF GEM,

Mary K. Black, being first
duly sworn, on her oath deposes and
says that she is the clerk of the Mes-
senger Index, a legal weekly news-
paper published at Emmett, in Gem
County, Idaho; that said newspaper
is in general circulation in said
county and has been published unin-
terruptedly and continuously for
more than 78 weeks prior to the
first publication of the annexed
document; and that the document
notice, process, or advertisement
hereunto annexed was published in
the regular edition of Messenger
Index for two

consecutive weekly issues thereof,
beginning with the issue of
September 16, 1998,
and ending with the issue of
September 23, 1998
Mary K. Black

Subscribed and sworn to me this

3rd day of
Sept, 1998
Jeanne Fisk
Notary Public
Residing at Emmett, Idaho

MY COMMISSION EXPIRES
JUNE 21ST, 2008

My Commission Expires

RECEIVED

SEP 24 1998

WATER RESOURCES
WESTERN REGION

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13799

BEAUVAIS, CHARLES
BEAUVAIS, MARGARET
3800 S. MILL RD
EMMETT, ID 83617

Source: GROUNDWATER

Diversion Pt: LOT 3 (NWSW) Sec 19 T 06N R01W in GEM County.

Use: IRRIGATION
Total Diversion:

{ 0.150 CFS)
0.150 CFS)

Date Filed: 8/10/1998

In: GEM County
T06N R01W S19 Lot 3 (NWSW)

5.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in future as needed.

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 OCTOBER 5, 1998. The protestant must also send a copy of the
protest to the applicant.

Pub.: 9 - 16, 23, 1998

KARL J. DREHER, Director

Legal Notice No. 3356
Published in the Messenger Index

MICROFILMED

NOV 27 1998

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13799

Priority: August 10, 1998

Maximum Diversion Rate: 0.12 CFS

It is hereby certified that MARGARET BEAUVAIS And/Or CHARLES BEAUVAIS
3800 S MILL RD
EMMETT ID 83617 have complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated August 10, 1998; and has submitted Proof of
Beneficial Use on January 10, 2000. An examination indicates that the works have a diversion capacity
of 0.12 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/01 to 11/15	0.12 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L3 (NW¼SW¼) Sec. 19, Twp 06N, Rge 01W, B.M. GEM County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 01W 19							4.0										4.0
							L3										

Total Acres: 4

CONDITIONS OF APPROVAL

1. The right holder shall use the full ~~allocation of appurtenant surface water~~ rights in conjunction with groundwater diverted under this right and ~~shall only divert groundwater~~ under this right when water from the appurtenant surface water rights is insufficient for irrigation of the place of use described above.
2. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor exceed a combined annual maximum diversion volume of 18 af at the field headgate for the lands above.

MICROFILMED

MAR 1 / 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13799

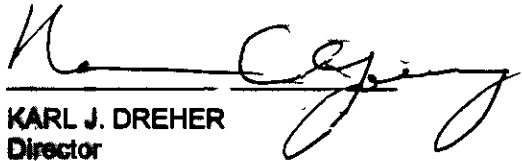
CONDITIONS OF APPROVAL continued

4. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. 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.

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 23RD day of DECEMBER, 2002.

Acting for


KARL J. DREHER
Director

MICROFILMED

MAR 17 2003

RECEIVED
SEP 03 1999

FOR OFFICE USE ONLY

Amt. of Fee \$: _____

Receipt No. _____

Receipt By: _____

Date Received: _____

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 who has been appointed by the department.

1. Permit No. 15-13799 Telephone No. 365-6601

2. Name(s) of Permit Holder(s): Margaret, Charles Beaurais

3. Mailing Address: 3800 S Mill Rd Emmett ID 83617

4. Source of Water: Ground Water If GROUNDWATER (well), Date Drilled: mo. 11 / yr. 98

a. Well Driller: Dossell Well Drilling Drilling Permit Number: 15-98-4-0386-000

b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 5.6 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.150 cfs OR 0.150 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 X

Has the measuring device been installed? Yes _____ or No _____

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No X

Has the measurement port been installed? Yes _____ or No _____

8. Fee Enclosed: \$ see note (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: Charles J. Beaurais Telephone Number: 365-6601

Address: 3800 S. Mill Rd, Emmett, ID

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Charles J. Beaurais Date: 2 Sept. 99
(include your title, if on behalf of company or organization)

JAN 31 2000

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
65-13799 IN THE NAME OF)
MARGARET AND CHARLES)
BEAUVAIS)
_____)

**ORDER OF
REINSTATEMENT**

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use ("proof of beneficial use") be submitted to the Department on or before November 1, 1999; and,

WHEREAS, the Department notified the permit holder on August 31, 1999, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, on November 1, 1999, the permit lapsed, since the permit holder had not submitted an acceptable proof of beneficial use or request for extension of time to the Department; and,

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on January 10, 2000;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-13799 is **REINSTATED** with no advance in priority.

DATED this 21st day of January, 2000.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

JAN 31 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
SL. 03 1999
Department of Water Resources
FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. CD-17685
Receipt By: AK
Date Received: 1-10-00
RECEIVED
JAN 10 2000
JAN 10 2000

PROOF OF BENEFICIAL USE

Department of Water Resources

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 who has been appointed by the department. 65-

1. Permit No. 15-13799 Telephone No. 365-6601

2. Name(s) of Permit Holder(s): Margaret, Charles Beaurais

3. Mailing Address: 3800 S. Mill Rd Emmett ID 83617

4. Source of Water: Ground Water If GROUNDWATER (well), Date Drilled: mo. 11 / yr. 98

a. Well Driller: Dossell Well Drilling Drilling Permit Number: 45-98-4-086-000

b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 5.1 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.150 cfs OR 0.150 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 _____

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No +

Has the measurement port been installed? Yes _____ or No _____

8. Fee Enclosed: \$ see note: (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: Charles J. Beaurais Telephone Number: 365-6601

Address: 3800 S. Mill Rd, Emmett, ID

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Charles J. Beaurais Date: 2 Sept. 99
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13799

Proposed Priority: August 10, 1998

Maximum Diversion Rate:

0.15 CFS

This is to certify, that **MARGARET BEAUVAIS**
CHARLES BEAUVAIS
3800 S MILL RD
EMMETT ID 83617

has applied for a permit to appropriate water from: **GROUNDWATER**

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>
IRRIGATION	03/15 to 11/15	0.15 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NWSW), Sec. 19, Township 06N, Range 01W
GEM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N 01W 19	Lot 3(NWSW)	5.0		5.0

Total number of acres irrigated: 5.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1999**.
2. Subject to all prior water rights.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
7. 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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NOV 27 1998

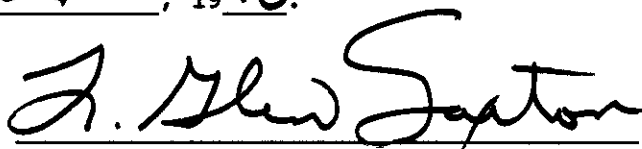
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13799

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

12th day of November, 1998.


for Karl J. Dreher, Director

MICROFILMED

NOV 27 1998

Ident. No. 65-13799
RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOV 04 1998

APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name: CHARLES BEAUVAIS 208-365-6601
Address: 3800 S MILL RD
EMMETT ID 83617
AND/OR
Name: MARGARET BEAUVAIS 208-365-6601
Address: 3800 S MILL RD
EMMETT ID 83617

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: LOT 3 (NWSW) Sec. 19, Township 06N, Range 01W
GEM County *

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.150		

5. Total quantity to be appropriated is:
0.150 CFS (and/or) AF

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc.
WELL & PUMP
b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
c. Proposed well diameter is 8 inches; proposed depth of well is 100
feet.
d. Is groundwater with a temperature greater than 85F being sought? NO
e. If well is already drilled, when?
Drilling Firm
Well was drilled for

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).

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NOV 27 1998

* d'base updates per g.l. plat. -92 9/6/98

8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
06N	01W	19	LOT 3 (NWSW) 05			5

Total number of acres irrigated: 5

9. 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.

10. Remarks: Applicant agrees to mitigate consumptive use in the future as needed.

11. Map of proposed point of diversion and place of use attached? ☒

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

Charles D. Bennett
Applicant

Received by KW Date 8/10/98 Time 2:20 Preliminary check by SL

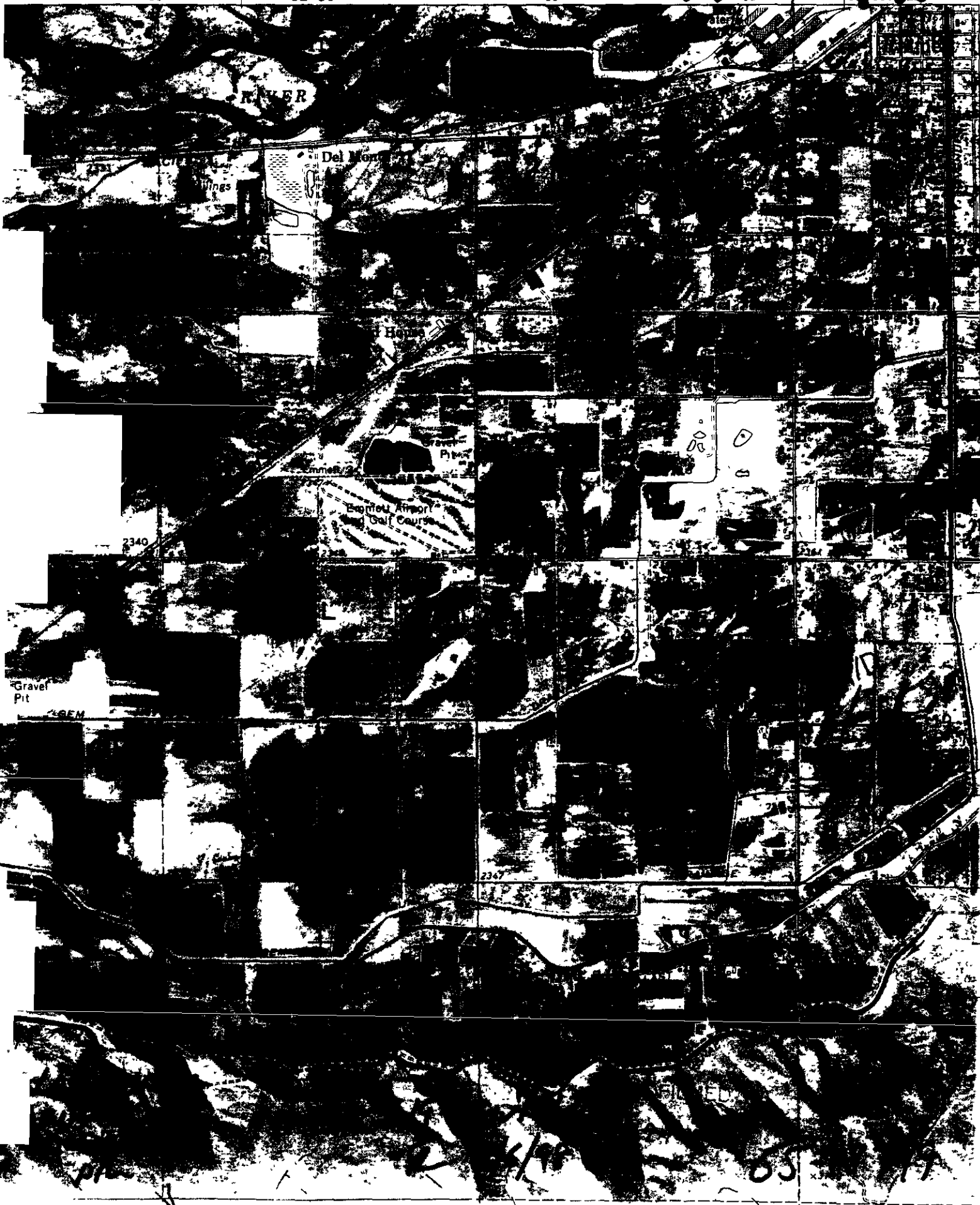
Fee \$ 50.00 Receipted by KW # W024259 Date 8/10/98

Publication prepared by AT Date 9-9-98 Published in Mag. Index

Publication approved AT Date 10-6-98

* g. lot per plot.
"Future mitigation" per 9/2/98 tel. comm w/ NOV 27 1998
D'base updated 9/6/98. -SL

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NOV 27 1998



NORTH

39.88 Sec. 7

3 639.28

39.78

4 80 160

39.64

S. 89° 45' E 79.78

1

39.67

2 80 160

39.82 Sec. 19

→ (3) 639.58

39.97

4 80 160

40.12

S. 89° 51' E 80.78

1

40.15

2 80 160

40.18 Sec. 30

MICROFILMED 40.78

NOV 27 1998

40.21

NORTH

NORTH

NORTH

6N
1W
5.19

1935 June

65-13799



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 26, 2002

CHARLES BEAUVAIS
MARGARET BEAUVAIS
3800 S MILL RD
EMMETT ID 83617

RE: License No. 65-13799 - 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.

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:kit

Enclosure(s)

MICROFILMED

MAR 17 2003

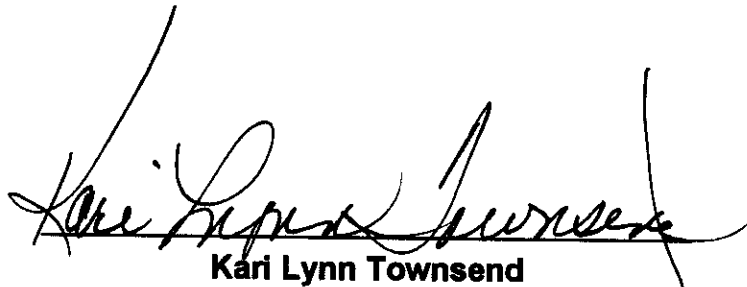
CERTIFICATE OF SERVICE

I hereby certify that on December 26, 2002 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.

65-13799

**CHARLES BEAUVAIS
MARGARET BEAUVAIS
3800 S MILL RD
EMMETT ID 83617**



**Kari Lynn Townsend
Secretary**

MICROFILMED

MAR 17 2003

**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).

MICROFILMED
MAR 17 2003

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.

MICROFILMED

MAR 1 1977

MEMORANDUM

Date: December 20, 2002
To: Water Right File 65-13799
From: S. Keen *swk*
Re: License Review

License review and data entry by S. Keen on 12/20/2002.

Season of use updated to new standard. Digitized place of use is barely 4.0 acres, not nearly the 4.5 acres recommended by the field examiner.

MICROFILMED

MAR 17 2003

A. GENERAL INFORMATION

Permit No. 65-13799

1. Owner: Charles and Margaret Beauvais Phone No. (208) 365-6601

Current Address: 3800 S. Mill Road, Emmett, ID 83617

2. Accompanied by: Charles Beauvais Exam Date: 07/06/2000

Address: 3800 S. Mill Road, Emmett, ID 83617 **Phone No.** (208) 365-6601

Relationship to Permit Holder: Owner

3. Source: Groundwater tributary to

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 65-00054X, 65-13609 Last Chance Ditch Co.

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, Planimeter

[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 Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

X 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
Submersible Pump	Unknown	2	Unknown	Jacuzzi	5S6B5-S

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

D. FLOW MEASUREMENTS

1.

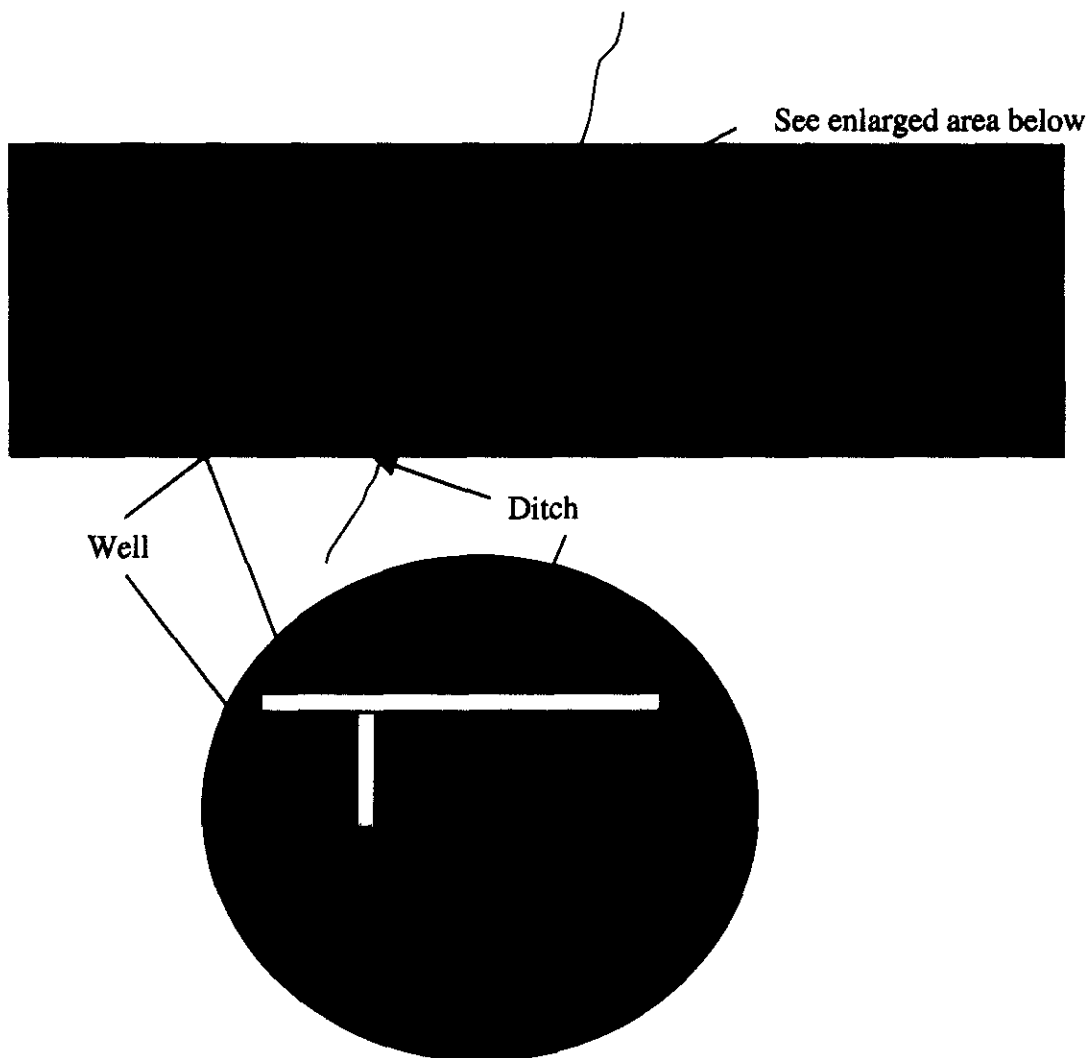
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calibration Date
N/A						

2. Measurements: No measurement was possible.

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APR 11 2003

E. NARRATIVE/REMARKS/COMMENTS

The point of diversion and the place of use are located in the NWSW (Lot 3) of Section 19, Township 06N, Range 01W. The permit holders own 5.37 acres per the Gem County Assessor. Approximately 4.5 acres are irrigated with water from the well. The number of acres being irrigated was determined using a planimeter (data attached). The permit holders have 6 shares in the Last Chance Ditch Co. The neighbor filled in two ditches that provided water to parts of the 4.5 acres. After the neighbor filled in the ditches, Mr. Beauvais could not get water to portions of the 4.5 acres. There is still one ditch, which occasionally provides some water from the ditch company. The well was drilled to provide water to the areas that were previously irrigated with water from the ditches that were filled in. Water from the well is pumped into 6-inch mainlines, which feed 6-inch gated pipe. The system is used to flood irrigate the pasture. It was not possible to measure the diversion rate. A low-pressure/high-volume Jacuzzi pump was installed by Valley Pump and Equipment Co. Dennis White of Valley pump provided the attached pump data. Mr. White and Mr. Beauvais indicated that the pump produces about 55 gpm (0.12 cfs).



The additional property include a house and yard. Water for the house and yard are provided for by other systems. There is a domestic well used for internal domestic use. The lawn is watered using waster water from the drain in front of the house.

Have the conditions of permit been met? ☒ YES ☐ NO

MICROFILMED

MAR 1, 2003

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measurement Method: Pump data

$$55 \text{ gpm} \times [1 \text{ cfs} / 448.83 \text{ gpm}] = 0.12 \text{ cfs}$$

The capacity of the pump limits the rate of diversion to 0.12 cfs.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 4.5 \times 3.5 = 15.8 \text{ AF}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.12 \text{ cfs} \times 260 \text{ days} \times 1.9835 = 61.9 \text{ AF}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 15.8 \text{ AF}$$

2. Volume Calculations for Other Uses:

N/A

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (AFA)
	From	To		
Irrigation	03/15	11/15	0.12	15.8
Totals:			0.12 cfs	15.8 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: 7-7-2000

Reviewer _____ Date: _____

seal

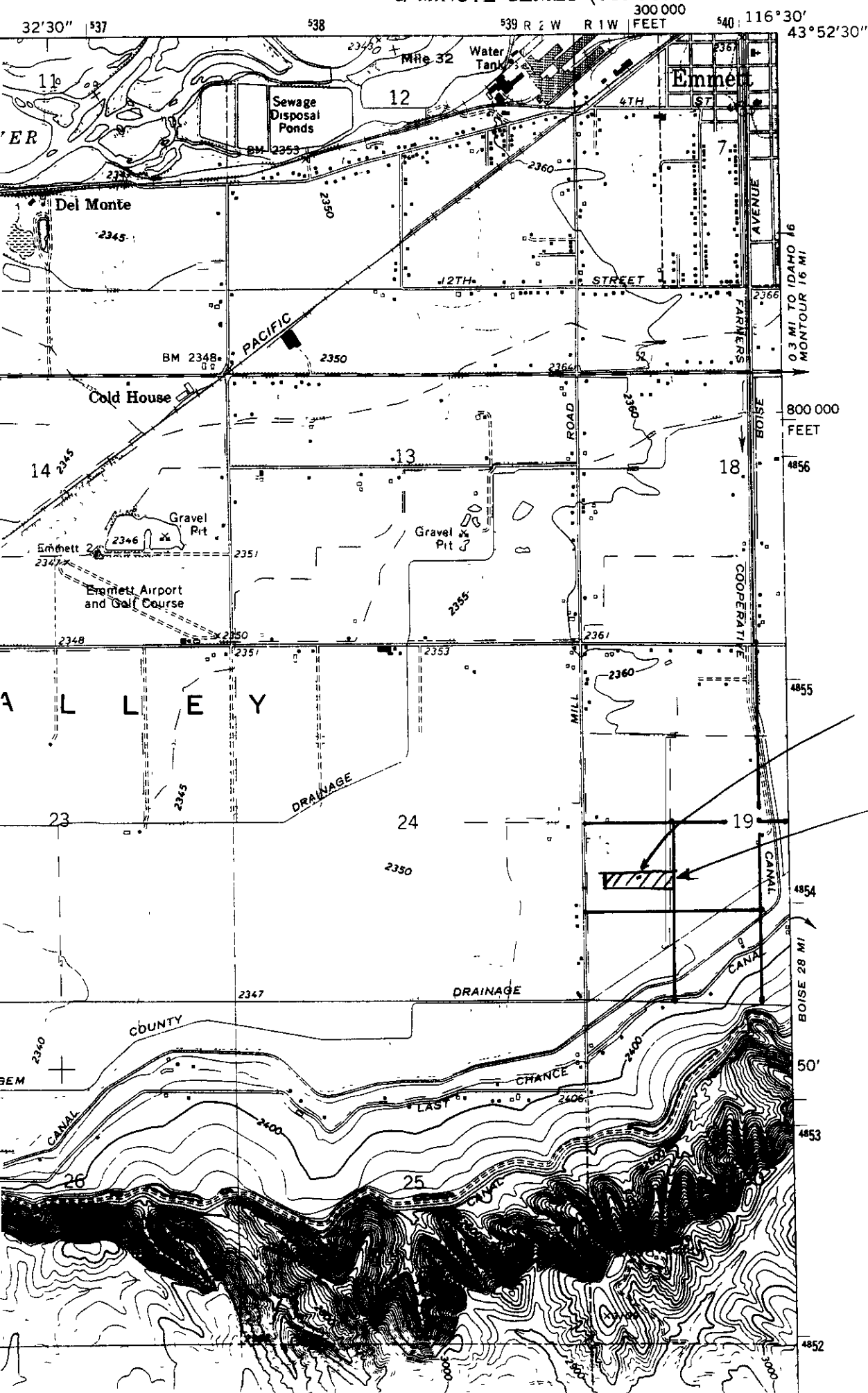
MICROFILMED

MAY 17 2003

SOUTHWEST EMMETT QUADRANGLE
IDAHO

5 MINUTE SERIES (TOPOGRAPHIC)

271
(MONTGOMERY)



T6N

R1W

Sec. 19

NWSW

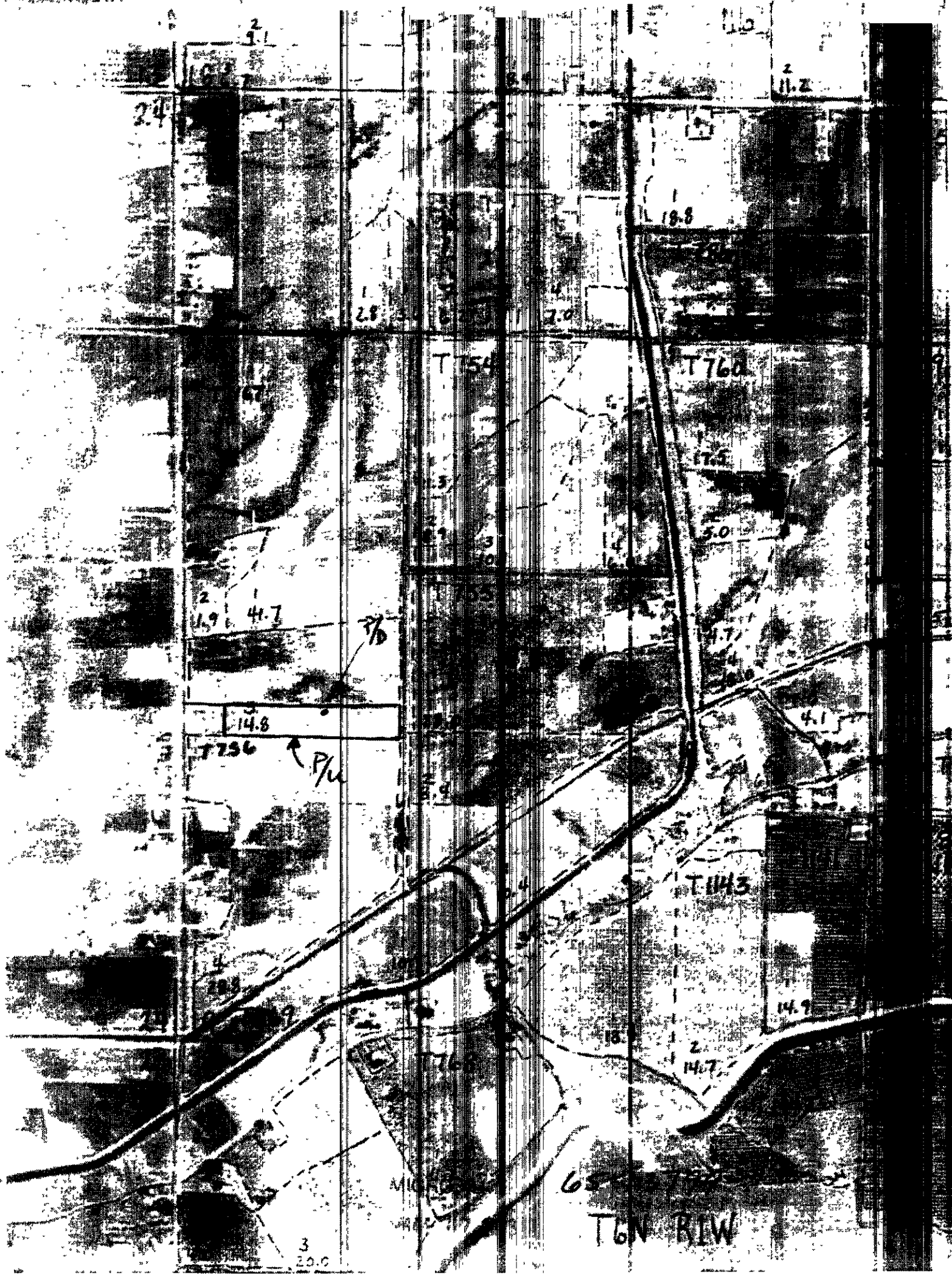
Lot 3

P/D

P/u

RECORDED

65-13799



2
9.1

11.2

2
11.2

2.4

18.8

2.8

2.0

T 54

T 760

67

17.5

5.0

2
1.9 4.7

7/6

14.8

T 256

P/L

4.1

T 1143

14.9

14.7

3
20.0

65

T6N RIW

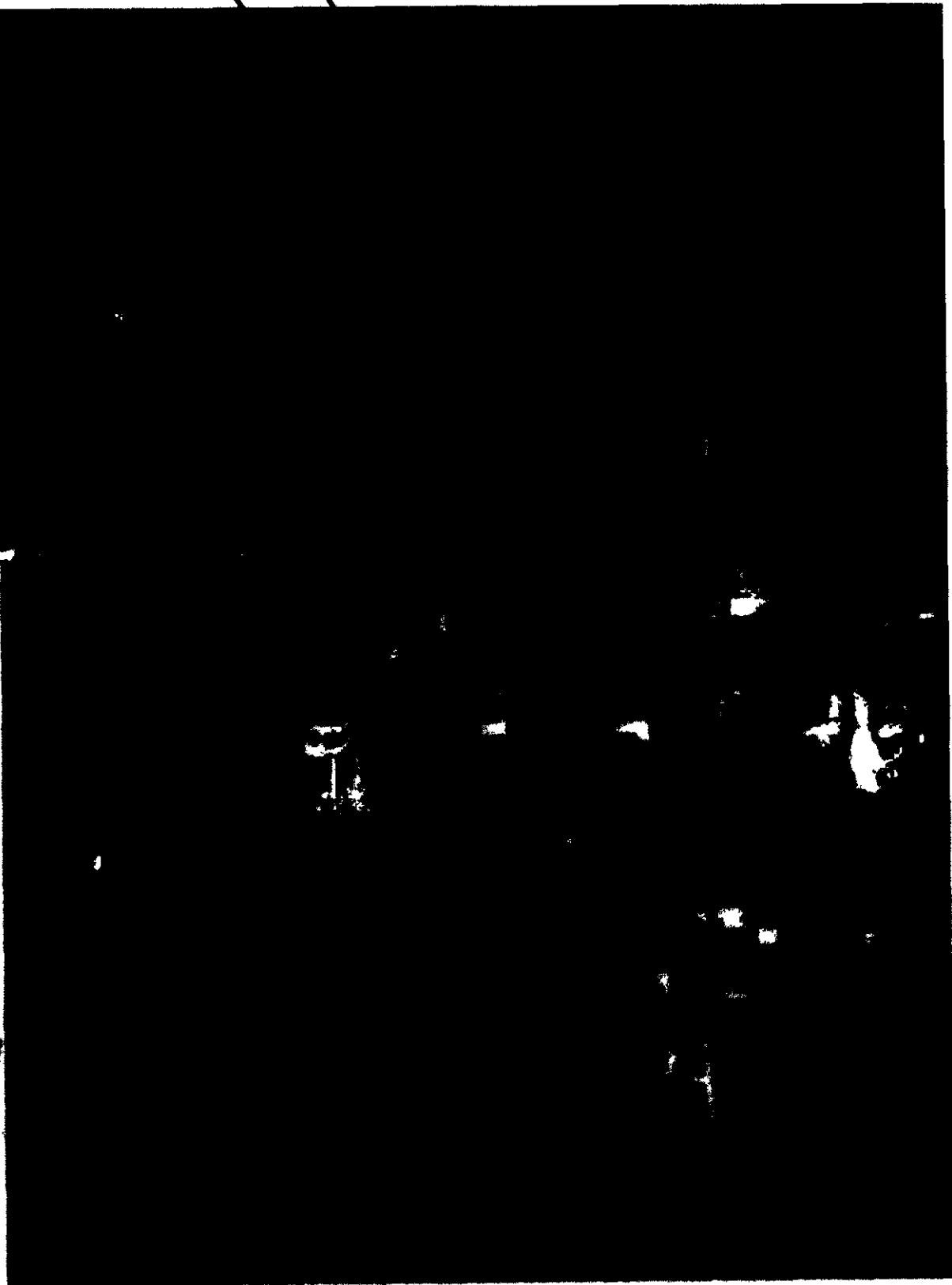
MICRO

25 May 1992



Zoom

1m



P/D
P/u

MICROSOFT

MAY 17 2003

65-13799



65-13799

<http://terraserter.microsoft.com/image.asp?S=10&T=1&X=2696&Y=24271&Z=11&W=2>

7/6/00



T6N
R1W
Sec. 19
NWSW
Lot 3

MILNE

MAY 1 / 2003

40.00	S. 89° 51' E.	80.00	S. 89° 46' W.	S
(20.00) (20.00)	40.00		79.96	
40.00	80	160		
2				
39.88	Sec. 18		Sec. 17	
3	639.28		640	
39.76				
4	80	160		
39.64	S. 89° 45' E.	79.76	WEST	S
(19.76) (20.00)	40.00		79.92	
39.67				
2	80	160		
39.82	Sec. 19		Sec. 20	
3	639.58		640	
39.97				
4	80	160		
40.12	S. 89° 51' E.	80.06	S. 89° 53' W.	
(20.06) (20.00)	40.00		80.00	
40.15				
2	80	160		
40.18	Sec. 30		Sec. 29	
3	640.78		640	
40.21				
4	80	160		
40.24	EAST	80.12	WEST	
(20.12) (20.00)	40.00		80.00	
40.24				
2	80	160		
40.18	Sec. 31		Sec. 32	
3	640.60		640	
40.12				
4	80	160		
40.06	80.00	40.00	65-13799	
(20.00) (20.00)			FIRST	

20 40 80

Planimeter

4.55 acres

4.06 acres

4.45 acres

4.06 acres

3.97 acres

4.36 acres

Average = 4.24 acres

65-13799

MICROFILMED

2003

3450 RPM - 60 CYCLE

PUMP MODEL NO.		Motor HP Rating	Max. O.D. (In.)	lbs./ sq. (In.)	DEPTH TO PUMPING WATER LEVEL IN FEET																	Shut Off Head Ft.			
					Capacities in U.S. Gallons per Minute against Discharge Pressures Shown																				
1-Phase	3-Phase				40	60	80	100	120	140	160	180	200	250	300	350	400	450	500	550	600	650	700	750	800
15S6A4-S	15S6A4-T	1½	5½	0	73	65	57	48	39	26															158
				20	54	46	36	20																	
				30	45	34	18																		
				40	32	13																			
				50																					
				60																					
25S6A5-S	25S6A5-T	2	5½	0	75	69	63	57	50	43	34	23													198
				20	62	55	48	41	32	18															
				30	54	47	39	30	15																
				40	46	38	28																		
				50	37	26																			
				60	24																				
35S6A6-S	35S6A6-T	3	5½	0	78	73	68	63	58	52	46	40	13												260
				20	71	66	61	56	50	44	37	29	16												
				30	66	61	55	49	43	36	27	14													
				40	60	54	48	42	35	25															
				50	53	47	41	34	23																
				60	46	40	32	22																	
55S6A10-S	55S6A10-T	5	5½	0																					434
(3½" Mtr. O.D.)	(3½" Mtr. O.D.)	(3-Ph)	(3-Ph)	20																					
				40	73	70	67	64	61	58	54	51	47	38	24										
55S6A10-S	55S6A10-T	5	5-11/16	50	70	67	64	61	57	54	51	47	43	32											
(5½" Mtr. O.D.)	(5½" Mtr. O.D.)	(1-Ph)	(1-Ph)	60	66	65	61	57	54	50	47	43	39	25											
75S6A15-S	75S6A15-T	7½	5-11/16	0																					650
				20																					
				30																					
				40																					
				50																					
				60																					

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: 65-13799

2. OWNER: _____ Phone: _____
Address: _____

3. WELL LOCATION: Twp _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4
County _____ (Provide sketch map and photo on reverse.)

4. DRILLER: _____ Lic. No. _____
When Drilled? _____

5. WELL CONSTRUCTION:

Casing Diameter 8 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No

Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____

Depth of Casing 39 ft. Method Drilled Caphe

Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____

Control Valve? ☒ Yes ☒ No Pressure Gauge: ☐ Yes ☒ No

Condition of Piping and Valving Good

Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No

Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)

6. HYDROLOGIC INFORMATION:

Depth to Static Water 6 ft. Water Temperature Cold °F

Flowing Artesian ☐ Yes ☒ No Pressure: _____ (psi)

Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____

Water Quality Measurements/Observations (Describe) _____

7. WELL USE:

☐ Domestic	☒ Irrigation	☐ Stock
☐ Test	☐ Municipal	☐ Industrial
☐ Abandoned	☐ Waste Disposal/Injection	☐ Not Used
☐ Other: <u>Municipal</u>		

8. **POSSIBLE CONTAMINATION SOURCES:**

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. **REMARKS:** _____

Richard D. Hansen Field Examiner
Signature of Dept. Representative & Title

7-6-2000
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

MICROFILMED

1993

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat: : : Long: : :

1. WELL TAG NO. D 0007979
 DRILLING PERMIT NO. 65-98-W-0386-000
 Other IDWR No. 65-13799

2. OWNER: Charles Beauvais
Name
Address 3800 S. Mill Rd.
City Emmett State ID Zip 83617

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
 W E
 S
 Twp. 6N North ☒ or South ☐
 Rge 1 East ☐ or West ☒
 Sec. 19 1/4 NW 1/4 SW 1/4
 Gov't Lot _____ 10 acres Gem 40 acres 160 acres
 Lat: _____ Long: _____
 Address of Well Site 3800 Mill Rd.
 City Emmett

(Give at least name of road + Distance to Road or Landmark)

Lt. Blk. Sub. Name

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☐ Air Rotary ☒ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
bentonite	3	18	300lb	overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) _____

Was drive shoe seal tested? ☒ Yes ☐ No How?

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
8"	+1	39	.25	steel	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations yes Method machine cut

Screens	Screen Type
---------	-------------

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
26'	36'	.125	96	8"	steel	☒	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

6 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or
control devices: removeable cap

11. WELL TESTS:

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Pumping Level	Time
40	8'	20'	2hr

Water Temp.	58	Bottom hole temp.	58
-------------	----	-------------------	----

Water Quality test or comments: _____

Depth first Water Encounter 6'

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

[illegible]

Completed Depth 36' (Measurable)
Date: Started 12/14/98 Completed 12/17/98

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the ng was removed.

Company Name Driscoll Well Drilling Firm No 524

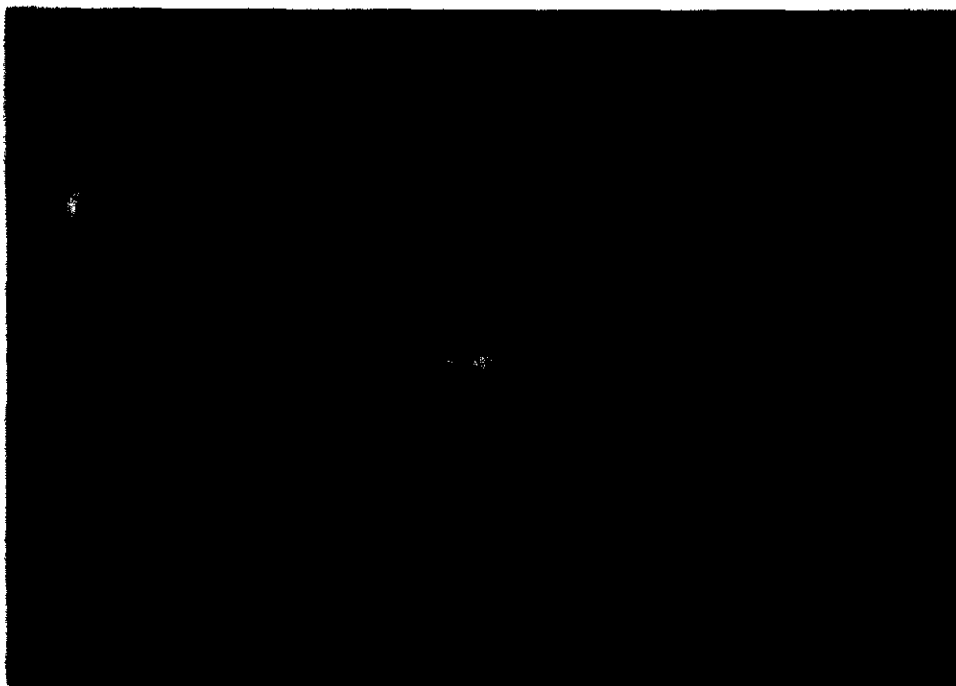
Firm Official: [Signature] Date: 12/1/90

and
Driller or Operator G. G. Quinn Date 12/17/98

(Sign once if Firm Official & Operator)

4/10 / 2013

FORWARD WHITE COPY TO WATER RESOURCES



Point of Diversion

MAILED 11 1965

11/10/65

65-13799



Place of use



MICRO

MAY 11 2003

65-13799

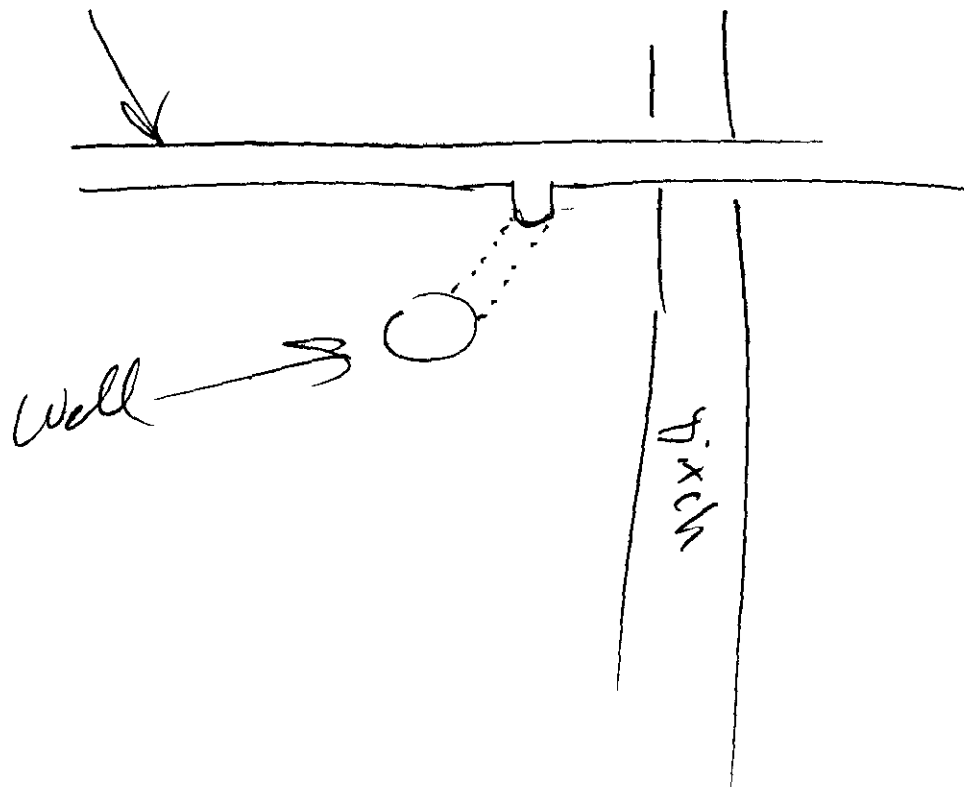
Field Notes

~~6-6-00~~ 7-7-00

Neighbor cut off 2 ditches, leaving
portions of the pasture dry

55 gpm

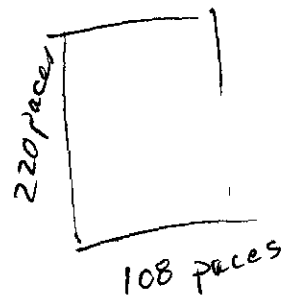
6" mainlines
& 6" gated pipe



Valley Pump

MICRO. LINES

NOV 1 1900



65-13799

C J Beauvais
3800 S Mill Rd
Emmet Id. 83617
Tel 365 6601

Dept of Waster Resources

Re Permit #65 13799

Received notice of proof of Beneficial use, I am 79 years old and sometimes get confused on paperwork. I have sent in proof of well completion and have been irrigating from well this year. I called your office to see if there were any additional fees, (had payed \$50, to get permit process started. Office stated they thought I need pay no more fees, if any addditional fees are required let me know.

Charles J. Bonner MICROFILMED
JAN 31 2000

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

Date:

Time:

Received

From:

BENOVAIS, CHARLES

Type of Payment

Program A cct

Amount

BENEFICIAL USE _____ # 5-13799

56104

2019 11 1105

50.00

Total

50.00

CHELI

7856

Region: STATE

Signature: _____



MICROFILMED

JAN 31 2000

MICROFILMED



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

January 21, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLES BEAUVAIS
3800 S MILL RD
EMMETT ID 83617

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13799

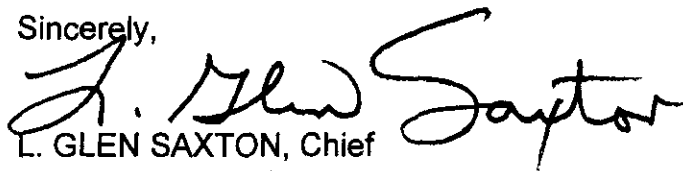
Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order reinstating the permit since proof was submitted after the proof due date.

Please 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.

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

Sincerely,


L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosure

c. IDWR - Region

MICROFILMED

JAN 31 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 65-13799 Reviewed by VZ Date 01-05-00

GENERAL CONSIDERATIONS

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

TYPES OF USE

for - 50c
Correct Uses? yes

SOURCE OF WATER

Surface water source

✓ Ground water source

yes Drilling permit required?

Copy in the file?

Amount paid for permit

Well log in the file?

Drilling Permit No. 65-98-W-0386-000

Correct?

LICENSE EXAMINATION FEE

yes Required?
Amount Submitted
Correct?

MEASURING DEVICE

Required?
Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received _____
Date proof due _____ - _____
No. of days late _____ = _____
Priority Date _____ + _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

- ~~Full license fee of \$50⁰⁰~~
- ~~need to check amt of D.P. fee~~
- Reinstate w/o advance of priority

DATA ENTRY

New Address _____ Proof Made 1-10-2000



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

January 5, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLES BEAUVAIS
3800 S MILL RD
EMMETT, ID 83617

RE: PERMIT NO. 65-13799

Dear Permit Holder:

Returned is a copy of the Proof of Beneficial Use statement you submitted in connection with the above referenced water right permit. The proof is not acceptable, since it was not accompanied by the required \$50.00 license examination fee.

Please return the copy of the proof form along with the \$50.00 license examination fee within **30 days** of receipt of this letter. **Please also address your correspondence to my attention.**

Feel free to contact me if you have questions regarding this matter.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED

JAN 31 2000

August 31, 1999

MARGARET BEAUVAIS
CHARLES BEAUVAIS
3800 S MILL RD
EMMETT ID 83617

PROOF DUE NOTICE

RE: PERMIT NO. 65-13799

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 November 1, 1999.

(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.

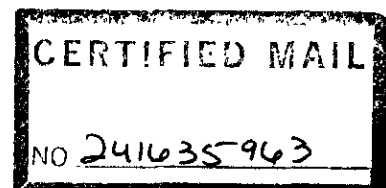
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JAN 31 2000



IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat: _____ Long: _____ :

1. WELL TAG NO. D 0007979
 DRILLING PERMIT NO. 65-98-W-0386-000
 Other IDWR No. 65-13799

2. OWNER:

2. OWNER.
Name Charles Beauvais
Address 3800 S. Mill Rd.
City Emmett State ID Zip 83617

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
 Twp 6N North ☒ or South ☐
 Rge 1 East ☐ or West ☒
 Sec 19 1/4 NW 1/4 SW 1/4
10 acres 40 acres 160 acres
 Gov't Lot _____ County Gen
 Lat _____ Long _____
 Address of Well Site 3800 Mill Rd.
 City Emmett

 (Give at least name of road + Distance to Road or Landmark)

Lt.	Blk	Sub.	Name
-----	-----	------	------

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☐ Air Rotary ☒ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
bentonite	3	18	300lb	overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) _____

Was drive shoe seal tested? ☐ Yes ☒ No How?

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
8"	+1	39	.25	steel	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe Length of Tailpipe

9. PERFORATIONS/SCREENS

Perforations Yes Method machine cut

Screens	Screen Type
---------	-------------

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
26'	36'	.125	96	8"	steel	☒	☐
						☐	☐

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10. STATIC WATER LEVEL OR ARTESIAN MEASURE:

6 ft below ground Artesian pressure lb

Depth flow encountered _____ ft Describe access port or control devices. removeable cap

11. WELL TESTS:

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Pumping Level	Time
40	8'	20'	2hr

Water Temp. 58 Bottom hole temp. 58

Water Quality test or comments: _____

Depth first Water Encounter 6'

12. LITHOLOGIC LOG: (Describe repairs or abandonment) water

[illegible]

Completed Depth 36' (Measurable)
Date: Started 12/14/98 Completed 12/17/98

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the ng was removed.

Company Name Driscoll Well Drilling 524

Firm Official:  Date: 12/1/90

and Chas. J. [Signature] Date 12/11/18

Driller or Operator G. B. Quinn Date 12/17/98

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 13, 1998

MARGARET BEAUVAIS
CHARLES BEAUVAIS
3800 S MILL RD
EMMETT ID 83617

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13799

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.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

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 home page on the Internet to obtain the proper reporting form.

NOV 27 1998

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name and title.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

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NOV 27 1998

CERTIFICATE OF MAILING

I hereby certify that on the 13th day of November, 1998, 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. 65-13799

MARGARET BEAUVAIS
CHARLES BEAUVAIS
3800 S MILL RD
EMMETT ID 83617


Kari Lynn Townsend
Secretary

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NOV 27 1998

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.

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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.

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NOV 27 1998

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy*No.: 65-13799 Name: Beauvais Date: 11/10/98 Ad OK? - ✓ Gvmt Lts: -

AREA OF CONCERN:

- No/Yes _____ Mor / _____ GWMA / Trust / Non-trust
- 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

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

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

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

WMD Supplemental use

- > 0 24 cfs/5 acres - No MD
- ≤ 0 24 cfs/5 acres - 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)
- 01M (report when notified)
- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

In Basin 34?

Irr within WD

- **046 P23**
- 085
- P05 (new well location)

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

FISH & GAME CONTACTED

IN/ABOVE MIN STR FLOW (✓ MAP)

WD (✓ MAP & LISTING)

> 0 10 cfs

≤ 0 10 cfs

WMD (✓ MAP)

> 0 24 cfs/5 acres

≤ 0 24 cfs/5 acres

- YES / No, RESPONSE _____
- *WB9 _____
- R04 (WD # _____)
- 01J-P08 (MD & LD)
- 01H-P01 (LD), 01P or No MD (in-stream stock)
- 067 or No MD (in-stream stock or power)
- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0 24 cfs/5 acres

≤ 0 24 cfs/5 acres

- 01M or No MD (in-stream stock or power)
- No MD

RIVER BASINS: (*Surface water)

Snake R (01)

(02/03-irr)

Payette R(65)

Salmon R (70's)

Weiser R (67)

- *W22 -P04, NA
- 007 (w/ remark *WB9 if above Weiser), NA
- *W22 (regulated uses), 047-P04 (Payette Lake), NA
- 029 (fish screens), NA
- 086, 087

USE:

Domestic surface

>1 in rest area

Fire Protection

Fish Propagation

Heating/Cooling

Irr ≤ 5 acres

> 5 acres

Mining

Municipal

Power

Stockwater

Storage (✓ 3 compo)

- *WB5 (Big Wood R or Boise R ↑ Star Bridge), 27A (Payette River), NA
- 071-070
- 077
- 029(70's only)-007-042(req)-081 (WQ)-P10
- R07 (injection well)
- R66/R67/R68/R69 (0 03 cfs/acre + 3 0/3 5/4 0/4 5 AF)
- R62/R63/R64/R65 (0 02 cfs/acre + 3 0/3 5/4 0/4 5 AF)
- 054(req)-081-P10
- 022, 075, 004 (+memo?), NA (not in restricted area)
- 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
- R37 (BLM/USFS), NA
- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

Boise Front LoGeo

In-stream dev

Mitigation

SWAN FALLS FLAG (See Code Chart)

Trust

Non-Trust (1)

- **P84** (in 20/30/40/50/60/70/80 (87) basin)
- 058 (<85° GW temp only)
- P52 (stream channel alteration)
- 120

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- 051-052-053-P74 (Consumptive Uses), NA
- 048-049 (Consumptive Uses), NA
- 004 (PD/PU)
- 11/1/ 1999

NOV 04 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: JL DATE: 9/6/98 APPLICATION: 65-13799

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. $\geq$ 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:

Y P/D
P/U

ADDITIONAL INFORMATION

✓ ADVERTISE REMARK(S)

(Reviewer identify which remarks)

N/A 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:
✓ Bull trout impact area
✓ 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.
N/A immediate = acceptable plan required and submitted.
yes future = open areas, acceptance of condition of approval is in file.
✓ Send power requirement letter:
✓ Send 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

Sent "request to process" letter for signature to follow up
9/2/98 telephone conv. → OK to include in application for immediate processing.

Date Requested 9/8/98 Date Response Received 9/11/98 OK ✓

PROCESSING

APP. NO.

65-13799

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. #

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

10-5-98

Protests received.

Recommendations attached:

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

120,046

See below for additional information

Recommended Date or Priority

8/10/98

Recommended by:

Darys

Date:

10/31/98

STATE OFFICE REVIEW

See below for additional information. By

Date

ADDITIONAL INFORMATION:

Surface water (Last Chance Pit & Co.) serves property. Property is undeveloped so applicant wants to enhance with proposed well.

Looks Appraisable w/ condition linking to continued surface water use & plan. Applicant requests immediate processing to get well drilled asap to be ready for next spring.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
 ss.
COUNTY OF GEM,

Mary K. Black, being first
duly sworn, on her oath deposes and
says that she is the clerk of the Mes-
senger Index, a legal weekly news-
paper published at Emmett, in Gem
County, Idaho; that said newspaper
is in general circulation in said
county and has been published unin-
terruptedly and continuously for
more than 78 weeks prior to the
first publication of the annexed
document; and that the document
notice, process, or advertisement
hereunto annexed was published in
the regular edition of Messenger
Index for two

consecutive weekly issues thereof,
beginning with the issue of
September 16, 1998,
and ending with the issue of
September 23, 1998
Mary K. Black

Subscribed and sworn to me this

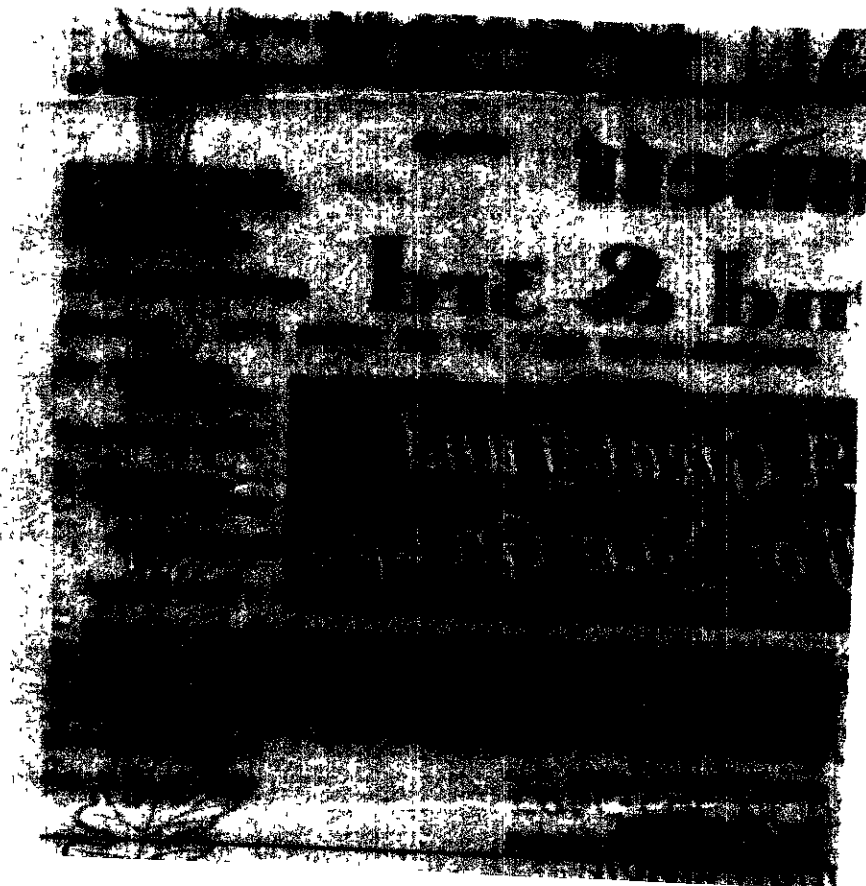
23rd day of
Sept 1998
Jane G. Gresh
Notary Public
Residing at Emmett, Idaho

My Commission Expires JUNE 21ST, 2000

RECEIVED

SEP 24 1998

WATER RESOURCES
WESTERN REGION



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NOV 27 1998

RECEIVED

SEP 11 1998

WATER RESOURCES
WESTERN REGION

REQUEST TO PROCESS

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

Name of Applicant

Charles & Margaret Beauvais

Mailing Address

3820 S. Mill Rd.

Gunnath ID 83617

Application No.
(if known)

65-13799

☐ 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

Charles & Margaret Beauvais

Date

9 Sept 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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NOV 27 1998

CONVERSATION MEMORANDUM

DATE 9/2/98
FILE 65-13799

NAME OF PARTY Charles Beauvais
EMPLOYEE JL

RE: Report to Process

Would like to process asap so can
be sure to get well in before winter.
That way will know can have any water
next year to alleviate ditch delivery problem
noted in KW's 8/10/98 note. *

✓ Agrees to "future mitigation" condition - OK
to process based on this call while form
being sent to him for signature.

✓
Sent on
9/8/98

*

65-13799

Applicant would
like processed
ASAP -

Irrig. water is
no longer ~~available~~ ^{reliable}
from ditch
company - this
well is to
supplement ditch
water - new
neighbors have
caused ditch to
be unreliable.

RECORDED

NOV 27 1998

KW
8/10/98

MICROFILMED
NOV 27 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

SEPTEMBER 9, 1998

Legal Notices Department
Messenger-Index
P.O. Box 577
Emmett, ID 83617

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 OCTOBER 5, 1998.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

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NOV 27 1998

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

NOV 27 1998

65-13799

BEAUVAIS, CHARLES
BEAUVAIS, MARGARET
3800 S MILL RD
EMMETT, ID 83617

Source: GROUNDWATER

Diversion Pt: LOT 3 (NWSW) Sec 19 T 06N R 01W in GEM County.

Use: IRRIGATION (0.150 CFS)
Total Diversion: (0.150 CFS)

Date Filed: 8/10/1998

In: GEM County
T06N R01W S19 Lot 3 (NWSW)

5.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as needed.

RECORDED

NOV 27 1998

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 OCTOBER 5, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 9/16/1998 & 9/23/1998

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NOV 27 1998