

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 65-24015

Priority: February 12, 2021

Maximum Diversion Volume: 0.2 AF

It is hereby certified that:

CHAD W ROSKELLEY
9200 S TALON LN
BOISE ID 83709-7830

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 12, 2021, and has submitted Proof of Beneficial Use on September 12, 2022. An examination confirms water is diverted from:

Source : UNNAMED STREAM

Tributary: DRY BUCK CREEK

Beneficial Use

RECREATION STORAGE

Period of Use

01/01 to 12/31

Rate of Diversion

Annual Volume

0.2 AF

Location of Point(s) of Diversion

UNNAMED STREAM SE¼ SE¼, Sec. 14, Twp 09N, Rge 02E, B.M. BOISE County

Place of Use: RECREATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	02E	14																X	

Conditions of Approval

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
2. Right 65-24015 authorizes total annual storage volume of 0.2 acre-feet, 0.1 acre-feet to be used for the initial filling or carryover storage of the pond and 0.1 acre-feet for the replacement of losses caused by evaporation.
3. The pond established by the storage of water under this right shall not exceed a total capacity of 0.1 acre-feet or a total surface area of 0.1 acres.
4. 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.

SCANNED

AUG 30 2023

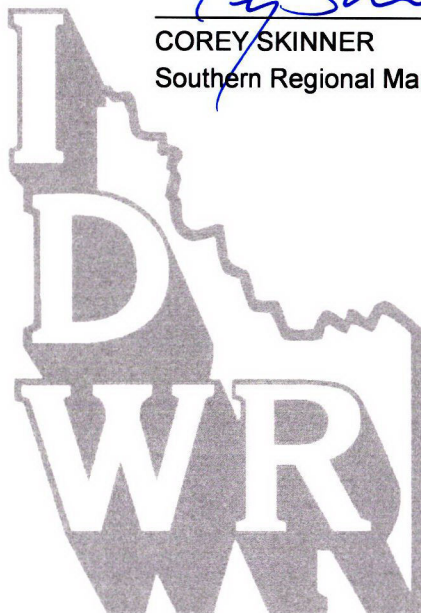
State of Idaho
Department of Water Resources
Water Right License
Water Right No. 65-24015

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

Signed this 24th day of August, 2023.



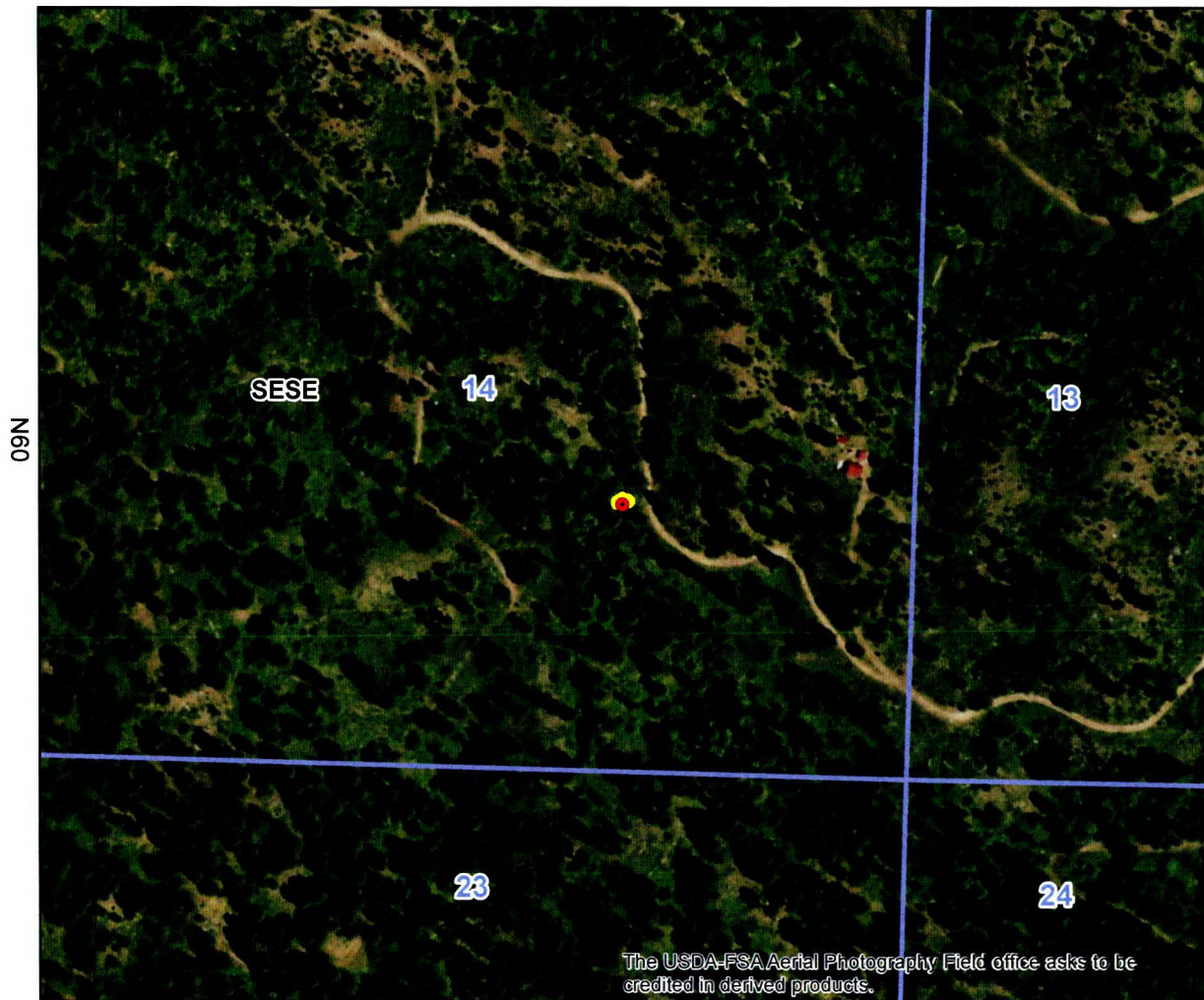
COREY SKINNER
Southern Regional Manager



State of Idaho
Department of Water Resources
Attachment to Water Right
65-24015

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

02E



0 0.035 0.07 0.14 Miles

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



SCANNED
AUG 30 2023

RECEIVED

AUG 22 2022

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
STATEMENT OF COMPLETION
FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY

Amt. of Fee \$ 502
Receipt No. C173971
Received By ICM
Date Received 9/12/2022

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

1. Permit No. 65-24015 Telephone No. 208-830-3008
2. Name of Permit Holder(s) CHAD W. ROSKELLEY
3. Mailing Address 9200 So. TALON LANE City BOISE
State ID Zip 83709 Email CWROSKELLEY@GMAIL.COM
4. Source of Water UNNAMED STREAM GROUND WATER (well), Date Drilled mo. ____ / yr. ____
Well Driller (NOT YEAR AROUND RUN) Drilling Permit Number ____
5. Extent of use(s) completed as authorized by the water right permit:
Domestic (No. of households) ____ Stockwater (No. and type of stock) ____
Irrigation (No. of acres) ____ Other RECREATIONAL STORAGE
6. Total rate of diversion or storage volume for which proof is submitted ____ cfs OR 0.3 acre-feet.

7. Compliance with a measuring device requirement, lockable controlling device requirement, and/or other conditions of permit:
Refer to the approval conditions on your permit and respond accordingly.

The Department will not issue a license if permit conditions are not met.

Measuring Device	Is a measuring device required?	Yes ☐	No ☒
	If yes, has the measuring device been installed?	Yes ☐	No ☒
Lockable Controlling Device	Is a lockable device required to control the diversion?	Yes ☐	No ☒
	If yes, has the lockable device been installed?	Yes ☐	No ☒
Fish Screen	Is a fish screen required?	Yes ☐	No ☒
	If yes, has the fish screen been installed?	Yes ☐	No ☒

Other Conditions of Permit

Do the approval conditions on your permit require you to submit additional information in connection with your proof of beneficial use? If yes, list the conditions below and attach documents with the required information.

____ Completed? Yes ☐ No ☒

8. Fee Enclosed \$ ____ or not applicable ☐. See fee schedule on page 2 of the instructions.
Proof statements filed without an appropriate fee, will be considered incomplete.
9. Person to contact to accompany the Department representative during field examination of the water system.
Name CHAD W. ROSKELLEY Telephone Number 208-830-3008
Mailing Address 9200 So. TALON LANE City BOISE
State ID Zip 83709 Email CWROSKELLEY@GMAIL.COM

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

Signature of Permit Holder [Signature] Date 8/18/22
(Include your title, if on behalf of company or organization)

Mail to: Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098

SCANNED

SEP 16 2022



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

August 28, 2023

CHAD W ROSKELLEY
9200 S TALON LN
BOISE ID 83709-7830

RE: License No. 65-24014 and 65-24015

ISSUANCE OF LICENSE

Dear Water Right Holder(s):

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

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

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

If you have any questions concerning the enclosed information, please contact me at (208) 736-3033.

Sincerely,

Corey Skinner
Southern Regional Manager

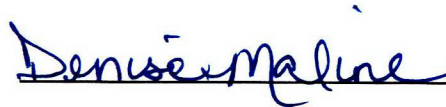
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2023, I served a true and correct copy of Water Right License No(s). 65-24014 and 65-24015 by U.S. Mail, postage prepaid, to the following:

CHAD W ROSKELLEY (Current Owner)
9200 S TALON LN
BOISE ID 83709-7830

WATER DISTRICT #65
NEIL SHIPPY (Watermaster)
102 N MAIN ST
PAYETTE ID 83661-2522

A handwritten signature in blue ink that reads "Denise Maline". The signature is written in a cursive style and is positioned above a horizontal line.

Denise Maline
Administrative Assistant 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 65-24015
Exam Date: 08/17/2023

1. Current Owner:

CHAD W ROSKELLEY
9200 S TALON LN
BOISE ID 83709-7830

2. Accompanied by: Corey Skinner, IDWR Southern Region manager

Phone No:

Address:

Relationship to permit Holder:

3. **SOURCE:**

UNNAMED STREAM

Tributary

DRY BUCK CREEK

Method of Determination: Site visit and ArcMap DRG layer**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 SYSTEM1. **LOCATION OF POINT(S) OF DIVERSION:**

UNNAMED STREAM SE¼ SE¼, Sec. 14, Twp 09N, Rge 02E, B.M. BOISE County

Method of Determination: Site visit and ArcMap aerial imagery**PLACE OF USE:** RECREATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	02E	14																X	

Method of Determination: Site visit and ArcMap aerial imagery

3.

Delivery System Diagram Attached (required). Indicate all major components and distances between components.
 X Indicate weir size/pipe as applicable.

Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be
 X 1:24,000 or greater.

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

 X Photo of Diversion and System Attached

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
NA					

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NA						

2. Measurements: No flow rate; area and volume of pond determined during Beneficial Use Examination.

E. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method: NA

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$$

2. Volume Calculations for Other Uses: Surface area of pond was determined to be 10' x 20' (surface area of 0.005 acre); average depth of pond was 1' for a volume of 0.005 AF, which rounds up to 0.1 AF.

G. NARRATIVE/REMARKS/COMMENTS

The field exam for permit 65-23015 was conducted on August 17, 2023 with IDWR Southern Region manager Corey Skinner in attendance. Attempts to make contact with the permit holder were unsuccessful, so the exam was carried out without the permit holder present, but we were able to locate the pond successfully. The pond was dug into the unnamed stream, which was not running at the time of the exam, and it appeared that soil from the excavation, and some soil from another location, was used for the embankment. A six inch outlet pipe was placed into the embankment, which controls the storage capacity of the pond. A spillway was built into the top of the embankment at the right abutment, but would likely only function during high water events such as spring snowmelt or a heavy thunderstorm. The close proximity of the pond to the cabin makes it likely that the pond was used by the occupants for recreation during visits.

The pond was determined to be 20 feet wide by 10 feet long for a surface area of 200 feet, or 0.005 acre. The average depth of the pond appears to be 1', so the volume of the pond is 0.005 acre-feet, which rounds up to 0.1 AF. Seepage from the pond isn't an issue since it is on-stream and seepage would run back into the stream. Evaporation was determined by using the University of Idaho ET Idaho website. Garden Valley was the closest location, and 'Open water – shallow systems (ponds/streams)' (see attached sheet) was used to determine evaporative losses. The yearly precipitation deficit is shown to be 175 mm, or 0.57 feet. This figure multiplied by the 0.005 acre surface area gives a loss of 0.003 AF of evaporation per year, which rounds to 0.1 AF. This figure added to the storage volume give the amount recommended for licensing of 0.2 AF.

Included with this report is a October 2022 email from the Water District 65 Watermaster indicating that he thought that the lockable device condition and the measuring device condition could be waived, so those two conditions will be dropped from the license. Therefore, the conditions appear to have been met.

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS

1. Recommended Amounts

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Annual Volume</u>
RECREATION STORAGE	01/01 to 12/31	0.2 AF

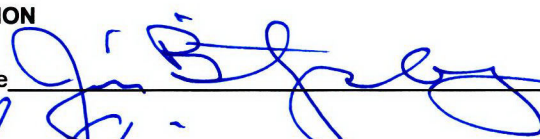
Totals: 0.2 AF

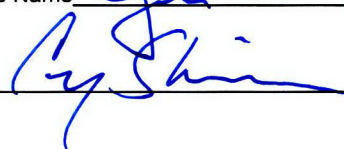
2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ None

I. AUTHENTICATION

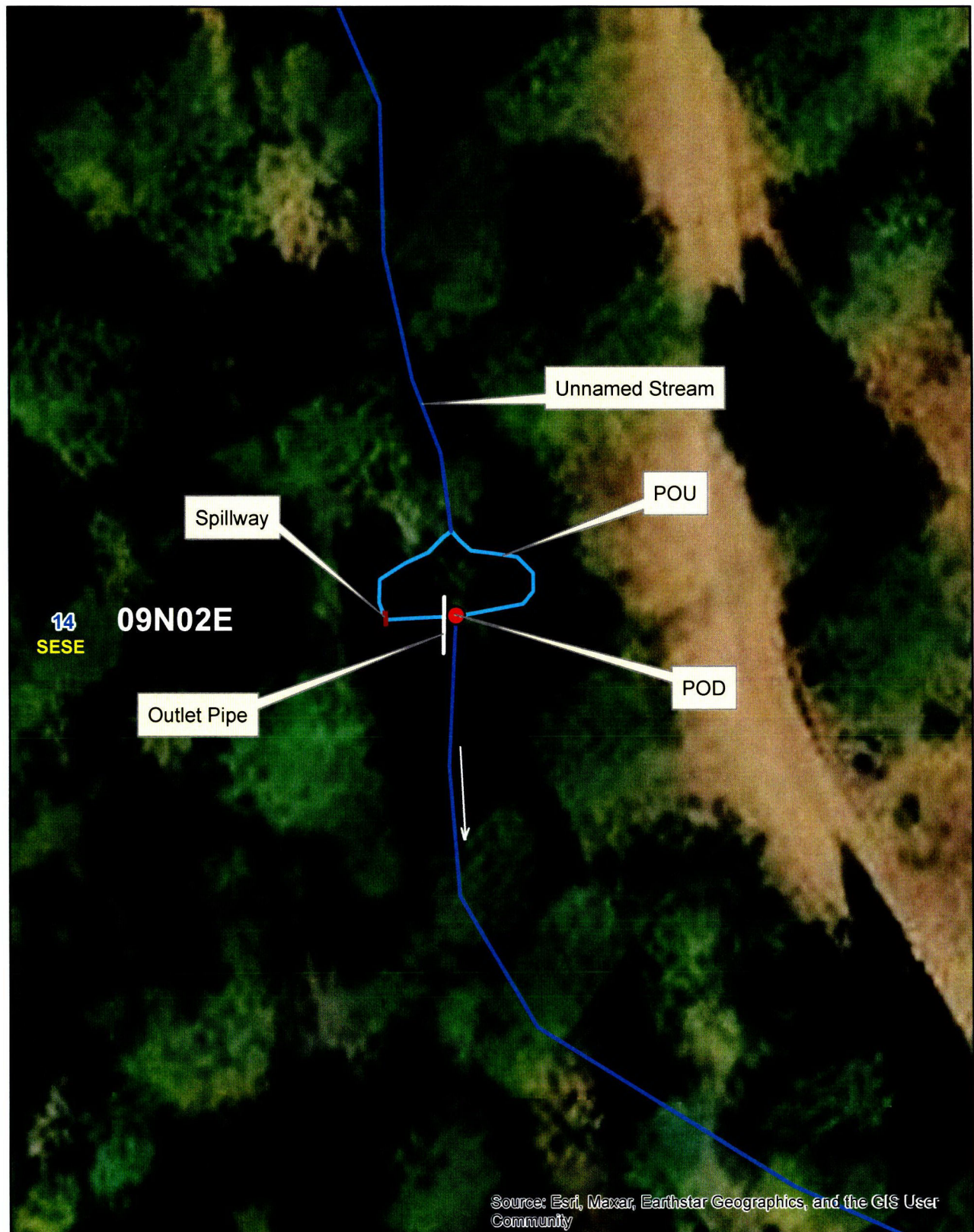
Field Examiner's Name  Date 8-23-2023

Reviewer  Date 8/24/2023



View of pond looking downstream toward embankment

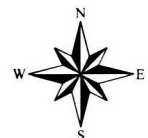
65-24015 System Diagram and POU/POD Map



Legend

- Township/Range
- Sections
- QQ

0 0.00225 0.0045 0.009 Miles



SCANNED
AUG 30 2023



University of Idaho

Kimberly Research
and Extension Center

Water Resources Program

ETIdaho 2017

Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho

Please send suggestions for
improving this site to robison at
uidaho dot edu

2023-08-23 10:59

Copyright 2018, University of
Idaho.

Garden Valley RS (NWS -- USC00103448) Statistics based on thirty year normal spans 1978 to 2013 years

For a different land cover or crop click on the above link.

You can highlight this table and copy via the clipboard to a Microsoft Excel or OpenOffice spreadsheet to plot or otherwise work with this data.

Open water - shallow systems (ponds/streams) Precipitation Deficit (Click here for a graph)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ^j	mm/day												mm		
Monthly ^c	-2.83	-1.42	-0.69	0.81	1.73	2.91	4.39	3.83	2.30	0.39	-2.31	-3.47	175	0	175
15-Day Moving Average ^d	-2.79	-1.70	-0.84	0.83	1.70	2.98	4.48	3.83	2.26	0.36	-2.29	-3.14			
7-Day Moving Average ^e	-2.78	-1.61	-0.72	0.80	1.70	2.98	4.45	3.84	2.27	0.40	-2.29	-3.27			
3-Day Moving Average ^f	-2.81	-1.48	-0.72	0.81	1.72	2.95	4.40	3.84	2.30	0.38	-2.25	-3.43			

Miller, Nick

From: Neil Shippy <neil.waterdistrict65@gmail.com>
Sent: Tuesday, October 25, 2022 10:19 AM
To: Miller, Nick
Subject: Applications 65-24014 and 65-24015 Roskelley

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good morning Nick,

I met with Chad Roskelley at the site of these two ponds. I think requirements for the locking headworks and the measuring devices could be waived as the ponds are very small and the flows do not continue throughout the summer. If you have any questions or concerns please let me know.

--

Neil Shippy
Watermaster
Water District #65
Cell 208-454-5678
Office 208-642-4465

SCANNED

NOV 03 2022



Governor Brad Little
September 15, 2022

Director Gary Spackman

CHAD W ROSKELLEY
9200 S TALON LN
BOISE ID 83709-7830

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 65-24015

Dear Permit Holder:

The Department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Conditions of this permit may not have been complied with according to the information you have provided on your proof form.

Condition no. 3 of this permit states:

"Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir."

Condition no. 4 of this permit states:

"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."

You must comply with conditions of the permit without delay and prior to the field examination. I have enclosed a copy of this permit for your information. If you feel the conditions are unnecessary you may submit a written request to the Department asking the requirements be waived. If your permit is subject to a water district you must also provide a written agreement from the watermaster that the requirements may be waived. The Department will consider your request and the watermaster's comments and may issue an order waiving the requirements at this time.

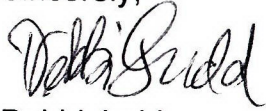
The next step in the process of developing a water right is for the Department to conduct a field examination to determine and confirm the use being made of the water.

Please be advised that Idaho Code § 42-248, 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 or at the Department's website at www.idwr.idaho.gov.

SCANNED
SEP 16 2022

If you have any questions concerning the field examination, please contact the Western Region Office of the Department located in Boise at (208) 334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read "Debbi Judd". The signature is fluid and cursive, with the first name "Debbi" and last name "Judd" clearly distinguishable.

Debbi Judd
Technical Records Specialist

Enclosures

SCANNED
SEP 16 2022

Beneficial Use Proof Evaluation

Permit Number: 65-24015 Reviewer: djudd Review Date: 9/13/2022

Acceptability

- 1) Is the contact on the request the current permit holder? Yes
- 2) Does the address of record need to be updated? No
- 3) Proof Submitted Date: 9/12/2022
- 4) Proof Due Date: 4/1/2026
- 5) Days added for weekend due date? 0
- 6) Days added for holiday due date? 0
- 7) Number of days late: -1297
- 8) Proof received timely? Yes

Analysis

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

Fees

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

Receipt IDs

W049102

Comments

Proof acknowledged



IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Gary Spackman

September 2, 2022

CHAD W ROSKELLEY
9200 S TALON LN
BOISE ID 83709-7830

PROOF DEFICIENCY LETTER

RE: Permit No. 65-24015

Dear Permit Holder:

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

This permit authorizes a diversion volume of 0.03 acre feet of surface water requiring a license examination fee of \$50.00.

Please submit the required fees at your earliest convenience before the proof due date of **April 01, 2026** to avoid the possibility of your permit lapsing. If you have any questions concerning this matter, please contact me at (208) 287-4920 or debby.judd@idwr.idaho.gov.

Sincerely,

Debby Judd
Technical Records Specialist

SCANNED
SEP 06 2022