

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 75-14417

Priority: January 16, 2007

Maximum Diversion Rate: 0.02 CFS

Maximum Diversion Volume: 0.1 AF

It is hereby certified that:

WESLEY G ROSE AND/OR
BONNIE L ROSE
60 FIFE LN
SALMON ID 83467

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 11, 2006, and has submitted Proof of Beneficial Use on October 10, 2017. An examination confirms water is diverted from:

Source : SPRING

Tributary: SINKS

Beneficial Use

STOCKWATER

Period of Use

01/01 to 12/31

Rate of Diversion

0.02 CFS

Annual Volume

0.1 AF

Location of Point(s) of Diversion

SPRING L5 (NE¼ NE¼ SE¼), Sec. 34, Twp 19N, Rge 21E, B.M. LEMHI County

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
19N	21E	34													X L5			

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. 170.
2. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.

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 26th day of June, 2023


JAMES CEFALO

Eastern Regional Manager

SCANNED
JUN 27 2023

State of Idaho
Department of Water Resources

Water Right

75-14417

June 26, 2023

21E

19N



0 0.035 0.07 0.14 Miles

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



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JUN 27 2023



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

June 26, 2023

WESLEY G ROSE
BONNIE L ROSE
60 FIFE LN
SALMON ID 83467

RE: License No. 75-14417

ISSUANCE OF LICENSE

Dear Water Right Holder:

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) 497-3784.

Sincerely,

James Cefalo
Eastern Regional Manager

Enclosure(s)

SCANNED

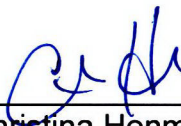
JUN 27 2023

CERTIFICATE OF SERVICE

I hereby certify that on June 26, 2023, I served a true and correct copy of Water Right License No. 75-14417 by U.S. Mail, postage prepaid, to the following:

WESLEY G ROSE
BONNIE L ROSE
60 FIFE LN
SALMON ID 83467

WATER DISTRICT #170
DAVID GRAYBILL
WATER DISTRICT 170
102 S WARPATH
SALMON ID 83467-4435



Christina Henman
Administrative Asst. I

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.

Permit No. 75-14417
Name Wesley & Bonnie Rose

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
In-Office Beneficial Use Examination

1. ☒ Copy of Permit
2. ☒ Copy of proof of beneficial use
3. ☒ Copies of amendments/orders
4. ☒ Qualifies under Rule 35.01.r (IDAPA 37.03.02)
5. ☒ Point of Diversion

Township 19N, Range 21E, Section 34, QQ Lot 5 (NENESE)

Method used to determine POD: Site visit

6. ☒ Place of Use

Township 19N, Range 21E, Section 34, QQ Lot 5 (NESE)

Method used to determine POU: Site visit

7. ☒ POD and POU match Permit Approval
8. ☒ Aerial photo of place of use
9. N/A Well driller's report
10. ☒ Within a water district? (WD# 170)
11. ☒ Volume Calculation

$$10 \text{ cattle} \times 12 \text{ gpd/cow} \times 365 = 43,800 \text{ gal} \Rightarrow \underline{0.1 \text{ af}}$$

12. ☒ Other information: According to Wesley Rose, stockwater was the only beneficial use developed. Spring is captured in underground cistern. Outlet controlled by vertical stand pipe valve. Outlet spills water on ground near spring. No trough. Cattle drink from pond.

Examiner Name James Cefalo Date 6/22/23

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JUN 27 2023

State of Idaho
Department of Water Resources
Water Right
75-14417

June 26, 2023

21E

19N



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

0 0.035 0.07 0.14 Miles

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

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JUN 27 2023

Beneficial Use Field Exam

Water Right 75-14417

June 13, 2023



Vertical standpipe used to access outlet valve on cistern.

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JUN 27 2023

RECEIVED

OCT 10 2017

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 \$	100.00
Receipt No.	C104209
Received By	TK
Date Received	10-10-2017

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.

- Permit No. 75-14417 Telephone No. (208) 756-1120
- Name of Permit Holder(s) WESLEY ROSE
- Mailing Address 60 FIFE LN. City SALMON
State ID. Zip 83467 Email wescoupleofroses@Centurytel.net
- Source of Water _____ If **GROUND WATER** (well), Date Drilled mo. 6- / yr. 2016
Well Driller SPRING Drilling Permit Number _____
- Extent of use(s) completed as authorized by the water right permit:
Domestic (No. of households) _____ Stockwater (No. and type of stock) HORSES + CATTLE
Irrigation (No. of acres) 10 Other _____
- Total rate of diversion or storage volume for which proof is submitted 0.24 cfs OR _____ acre-feet.
- 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 ☒

- Fee Enclosed \$ 100 or not applicable ☐. See fee schedule on page 2 of the instructions.
Proof statements filed without an appropriate fee, will be considered incomplete.
- Person to contact to accompany the Department representative during field examination of the water system.
Name Wesley Rose Telephone Number 208-539-2822
Mailing Address 60 Fife Ln. City Salmon
State ID. Zip 83467 Email wescoupleofroses@Centurytel.net

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 Wesley H. Rose Date 10-4-17
(Include your title, if on behalf of company or organization)

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JUN 27 2023

RECEIVED

Form No. 204
10/07

DEC 6 7 2012

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY:
\$50 Fee Received by 12-7-12
Date 12-7-12
Receipt No. 2096297

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right and file proof or beneficial use of water. There is a **FILING FEE** of \$50.00 to be included with this form when filed with IDWR.

Permit No. 75-14417 Date Proof is Due: 1-7-2013
Name(s) of Permit Holder: WESLEY G. ROSE
Address: 50 Fife Ln. City Salmon State ID Zip 83467
Telephone No. (208) 756-1120 Email: Wescoupleofroses@centurytel.net

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

None

Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

During the period we were going to do the work
on the development of this water we have had
many health issues. I have had heart surgery,
triple bypass surgery, eye surgery and my wife
Bonnie has breast cancer & 3 surgeries and chemo treatments for

Permit holder(s) request an extension to 1-7, 20 2017

Wesley G. Rose

(Signature) If other than permit holder, Power of Attorney must be supplied.

(Date)

1 yr - and will be
in Apr. 2013. This
treatment is done in
two phases
12-5-12

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be **APPROVED** and the permit **REINSTATED** with the **priority date advanced to January 16, 2007.** IT IS FURTHER ORDERED that the time within which to submit proof of beneficial use is extended to **November 01, 2017.**

Signed this 15th day of January, 20 13.

Jeff Peppersack, Chief
Water Allocation Bureau

SCANNED

JUN 27 2023

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 75-14417

Priority: December 11, 2006

Maximum Diversion Rate: 0.24 CFS

This is to certify, that WESLEY G ROSE
769 HWY 93 S
SALMON ID 83467

And/Or

BONNIE L ROSE
769 HWY 93 S
SALMON ID 83467

has applied for a permit to appropriate water from:

Source: SPRING**Tributary:** SINKS

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>
STOCKWATER	01/01 to 12/31	0.02 CFS
IRRIGATION	04/01 to 10/31	0.22 CFS

LOCATION OF POINT(S) OF DIVERSION:SPRING L5 (NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) Sec. 34, Twp 19N, Rge 21E, B.M. LEMHI 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	
19N	21E	34														6.0	5.0		
																L 5	L 5		11.0

Total Acres: 11

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2012**.
2. Subject to all prior water rights.
3. 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.
4. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.

SCANNED

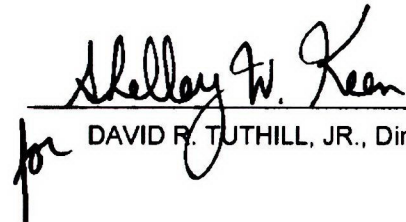
JUN 27 2023

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 75-14417

5. As part of the diversion works, the right holder shall install a straight length of conduit that will accommodate a device for measuring the entire flow of water being diverted in connection with this right. The straight length of conduit shall be at least ten times the diameter of the conduit and shall be above ground or otherwise easily accessible.
6. Upon specific notification by the Department, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
7. When notified by the Department or by a watermaster with regulatory authority over this right, the right holder shall report the amount of water diverted in connection with this right. The report shall be submitted in the manner and frequency specified by the Department or the watermaster.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10. Stockwater use is for 10 range cattle.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 23rd day of November, 2007.


for DAVID R. TUTHILL, JR., Director

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JUN 27 2023