

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 98-8055

Priority: August 20, 2021

Maximum Diversion Volume: 1.3 AF

It is hereby certified that:

NATALIE LONG 533 DIAMOND RD BONNERS FERRY ID 83805-5701 AND/OR
GREGORY BEALS 533 DIAMOND RD BONNERS FERRY ID 83805-5701

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 20, 2021, and has submitted Proof of Beneficial Use on September 05, 2023. An examination confirms water is diverted from:

Source : UNNAMED STREAM

Tributary: BROWN CREEK

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
STOCKWATER STORAGE	01/01 to 12/31		1.3 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		0.7 AF

Location of Point(s) of Diversion

UNNAMED STREAM SE¼ NW¼, Sec. 23, Twp 61N, Rge 01E, B.M. BOUNDARY County

Place of Use: STOCKWATER STORAGE and STOCKWATER FROM 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	
61N	01E	23								X									

Conditions of Approval

1. Right 98-8055 authorizes the storage of an annual total of 1.3 acre-feet, comprised of 0.4 acre-feet to be used for the initial filling or carryover storage of the pond, 0.2 acre-feet for the replacement of losses due to seepage and evaporation, and up to 0.7 acre-feet for additional refills for stockwater from storage use.
2. The pond established by the storage of water under this right shall not exceed a total capacity of 0.4 acre-feet or a total surface area of 0.1 acres.

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 December, 2023.

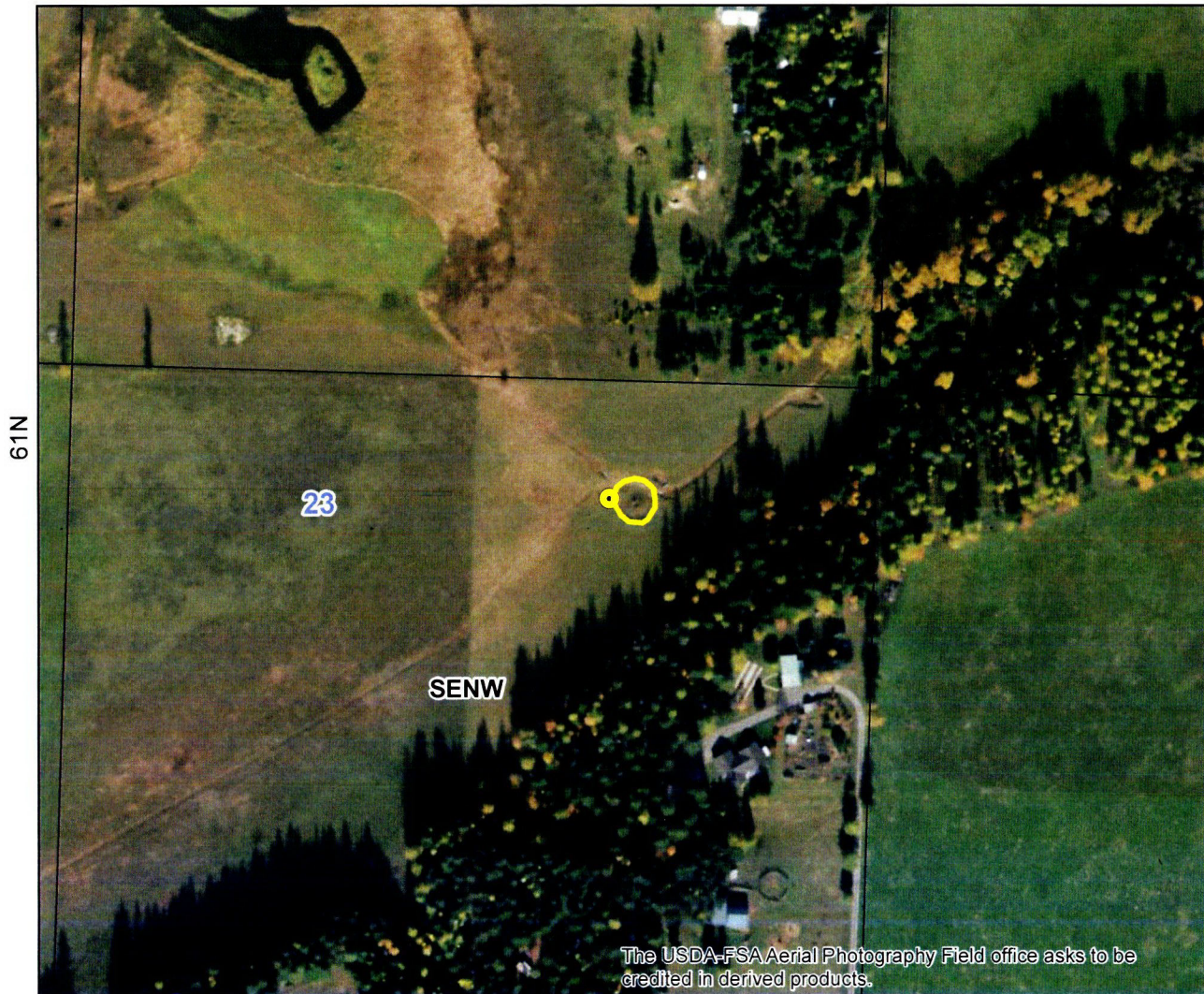


PHILL HUMMER
Water Rights Section Manager

State of Idaho
Department of Water Resources
Attachment to Water Right
98-8055

This map depicts the STOCKWATER 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.

01E



0 0.035 0.07 0.14 Miles

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



State of Idaho
Department of Water Resources
Attachment to Water Right
98-8055

This map depicts the STOCKWATER FROM 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.

01E



0 0.035 0.07 0.14 Miles

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



RECEIVED

SEP 05 2023

DEPARTMENT OF
WATER RESOURCES

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

FOR OFFICE USE ONLY
Amt. of Fee \$ 50.00
Receipt No. C117013
Received By KM
Date Received 9-5-23

The Idaho Department of Water Resources (Department) considers this form a statement that the permit holder(s) applied water to beneficial use and completed development of a water right 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 (CWRE).** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, complete a Notice of Change in Water Right Ownership form. If you wish to relinquish your permit because you have not established the authorized water use and are not applying for an extension, please notify the Department in writing.

- Permit No. 98-08055 Name of Permit Holder(s) GREGORY BEALS - NATALIE LONG
Telephone No. (208) 267-3138 Email natalieidaho13@reagan.com
Mailing Address 533 DIAMOND RD. City BONNERS FERRY State ID Zip 83805
- Source of Water Small stream If Ground Water (well), Date Drilled mo. / yr.
Drilling Permit/Tag No. 4 Drilling Company's Name 4
- Extent of use(s) completed as authorized by the water right permit:
Domestic (No. households) X Irrigation (No. acres) X Stockwater (No. and stock type) 5 cattle
Other _____
- Total diversion rate or volume (storage only) for which proof is submitted 1.3 cfs OR _____ af
If the total developed water use is 5 acres of irrigation or less, is stockwater storage of 14.6 acre-feet or less, or has a diversion rate of less than 0.24 cfs, attach a map of the place of use and point of diversion and photographs showing beneficial use.
- Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)
flow of water from a small stream (seasonal)
- Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:
Required? Yes No (If "Yes", attach required data, evidence of compliance, or evidence of installation)

☐	☐	Ground water level data, pumping information, or other diversion data
☐	☐	Mitigation plan
☐	☒	Lockable controlling works
☐	☒	Measuring device
☐	☒	Fish screen <u>no fish - small stream - seasonal</u>
☐	☒	Other requirements of the water right permit _____
☐	☐	Reasonably Anticipated Future Needs ("RAFN") Municipal use

If RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No
- Fee Enclosed \$ 50.00 or ☐ CWRE field report attached or ☐ No fee required
See fee schedule on page 3 of the instructions. Proof statements filed without an appropriate fee are incomplete.

8. Person to accompany a Department representative during the field examination of the water system:

Name: NATALIE LONG - GREG BEALS Telephone No. 208 267-3138 Email _____
Mailing Address 533 DIAMOND RD City BONNERS FERRY State ID Zip 83805

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 beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

Natalie Long NATALIE LONG 8-10-2023
SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE DATE

*Attach power of attorney if completing on behalf of permit holder.



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 Mathew Weaver

January 05, 2024

GREGORY BEALS
NATALIE LONG
533 DIAMOND RD
BONNERS FERRY ID 83805-5701

RE: License No. **98-8055**

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) 287-4925.

Sincerely,

Phill Hammer

Phill Hammer
Water Rights Section Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on January 05, 2024, I served a true and correct copy of Water Right License No. 98-8055 by U.S. Mail, postage prepaid, to the following:

GREGORY BEALS (Current Owner)
533 DIAMOND RD
BONNERS FERRY ID 83805-5701

NATALIE LONG (Current Owner)
533 DIAMOND RD
BONNERS FERRY ID 83805-5701

THOMAS A BUSHNELL (Representative)
PO BOX 1833
BONNERS FERRY ID 83805-1833



Debra Mansfield
Technical Records Specialist 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: 98-8055
Exam Date: 12/13/2023

1. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.r)? x Y N

- a. Irrigation of 5 acres or less
- b. x Storage of up to 14.6 AF for stockwater purposes only
- c. Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
- d. Other < >

2. Current Owner:

NATALIE LONG 533 DIAMOND RD BONNERS FERRY ID 83805-5701 AND/OR
GREGORY BEALS 533 DIAMOND RD BONNERS FERRY ID 83805-5701

3. **SOURCE:**

UNNAMED STREAM

Tributary

BROWN CREEK

Method of Determination: GIS ArcMap Tools, Aerial Imagery, and Taxlot Data

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NO Overlap

Water Right No.	Source	Purpose of Use	Basis

Comments: None

2. Other water rights with the same point-of-diversion: NO Overlap

Water Right No.	Source	Purpose of Use	Basis

Comments: None

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**

UNNAMED STREAM SE¼ NW¼, Sec. 23, Twp 61N, Rge 01E, B.M. BOUNDARY County

Method of Determination: GIS ArcMap Tools, Aerial Imagery, and Taxlot Data

PLACE OF USE: STOCKWATER 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	
61N	01E	23								X									

PLACE OF USE: STOCKWATER FROM 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	
61N	01E	23								X									

Method of Determination: GIS ArcMap Tools, Aerial Imagery, and Taxlot Data

3.

Delivery System Diagram Attached (required). Indicate all major components and distances between components.
 _____ 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 1:24,000 or greater.

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

_____ 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
N/A	N/A	N/A	N/A	N/A	N/A

D. FLOW MEASUREMENTS

1.

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

2. Measurements: No measurement is required for an in-office examination.

E. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method: N/A

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation: N/A

2. Volume Calculations for Other Uses: Stockwater Storage & Stockwater from Storage

Pond Capacity = surface area of pond (0.1 ac) x average pond depth (4 ft) = 0.4 af

Estimated seepage loss = 0.1 af

Estimated evaporation loss = 0.1 af

Volume required for additional refills = 0.7 af

Total volume = 1.3 af

G. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-office examination because it is for storage of less than 14.6 af for stockwater purposes only.

Field exam was conducted on December 13, 2023, by Justin Shearer. Ownership of the permit is in the name of Gregory Beals and/or Natalie Long. Current Boundary County Taxlot data represents Gregory Beals owns the land appurtenant to

the place of use (POU) and point diversion (POD). Proof of Beneficial Use was submitted on September 5, 2023.

The original application for permit indicated the applicant intended to excavate a small existing pond for stockwater storage for up to 50 head of cattle and divert from said pond for stockwater from storage purposes using small pump into a tank. Aerial imagery available to the department indicates that a pond with a surface area of 0.1 acres was developed. Because there is evidence of cattle trails on the property it is safe to assume that this pond is being used for stockwater purposes. Additionally, it can likely be presumed that the owner has the capacity to divert the small amount of 0.7 af from the pond using a small pump into a small tank satisfying the stockwater from storage component of this permit. As a result, I am recommending 1.3 af total, with 1.3 af being for stockwater storage, and 0.7 af for stockwater from storage.

All conditions of the permit have been met. Condition 029 is being removed since Fish and Game were sought for comment and none were received requiring the permit holder to install a fish screen, thus it can be dropped at licensing as per condition usage description. Condition X02 is being removed as per department standard. Condition 004 is being removed since there is no apparent concern for ownership issues at the POD or POU at the time of licensing.

Have conditions of permit approval been met? X Yes No

H. RECOMMENDATIONS

1. Recommended Amounts

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
STOCKWATER STORAGE	01/01 to 12/31		1.3 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		0.7 AF

Totals:

1.3 AF

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 X None

I. AUTHENTICATION

Justin Shearer -

Field Examiner's Name  Date 12/13/2023

Reviewer  Date 12/26/23



2021 Image showing the area of the pond and likely area of stockwatering use.

Beneficial Use Proof Evaluation

Permit Number: 98-8055 Reviewer: AVeibell Review Date: 9/15/2023

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: 9/5/2023
- 4) Proof Due Date: 10/1/2023
- 5) Days added for weekend due date? 2
- 6) Days added for holiday due date? 0
- 7) Number of days late: -28
- 8) Proof received timely?

Analysis

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

N037263

Comments

Proof deemed acceptable. Gave file to water right agent for in-house license review. Water right agent will enter the proof made date in AdHoc at the time of licensing.



Governor Brad Little

Director Gary Spackman

July 31, 2023

GREGORY BEALS
NATALIE LONG
533 DIAMOND RD
BONNERS FERRY ID 83805-5701

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 98-08055

IMPORTANT: A response from you is required to maintain the active status of the referenced water right permit. If no response is received from you, the permit will lapse and your authorization to develop and/or use this water right will be cancelled.

Dear Permit Holder(s):

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 **October 01, 2023**. Please complete and return the enclosed Statement of Completion for Submitting Proof of Beneficial Use (proof) if you have completed the water project authorized by your permit. The proof statement must be accompanied by either the appropriate license examination fee or a field examination report prepared by a certified water right examiner.

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 delayed by a government agency or by litigation that brings title to the water in question, an extension of time may be granted if appropriate documentation is provided at the time of filing. An extension request must be accompanied by a \$50.00 filing fee and signed by the appropriate authorized permit holder(s) or authorized representative with a power of attorney.

Either an acceptable proof or an acceptable extension request must be received by this department on or before the above proof due date. If neither is received, the department will send you a lapse notice and the permit will no longer be of any force or effect.

Sincerely,

Water Right Section

Enclosure(s)

c: THOMAS A BUSHNELL

CERTIFIED MAIL

7020 2450 0000 1566 5933

NO _____

RECEIVED

AUG 02 2023