

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
IN-OFFICE REVIEW/BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATIONExam Date: 3/6/2026

1. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.q)? X Y ___ N
- a. ___ Irrigation of 5 acres or less
- b. ___ Storage of up to 14.6 AF for stockwater purposes only
- c. X Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
- d. ___ Other < >

Comment: According to Department records a field exam was conducted on June 26th, 2012. However, field exam records could not be found. Therefore, an new in-office review will be conducted.

2. Current Owner: Theodore and Mary Royer

Owner of Record Correct? X Y ___ N

Address of Record Correct? X Y ___ N

If No Explain:

3. Beneficial Use Fees have been paid: X Y ___ N Receipt No: C081763

4. Source:

Tributary:

Johnson Gulch Creek

North Fork Salmon River

Method of Determination: GIS, Idaho Tax Parcel Data, and the Permit Holders Statement of Completion for Proof of Beneficial Use (Proof Statement). The permit holder indicated on their application for permit form and map they proposed to divert from Johnson Gulch Creek. 2023 NAIP and 2009 Google Earth Aerial Imagery confirm development of domestic use in the same PLSS description containing Johnson Gulch Creek. It seems likely with the GIS technology available at the time the Department mistakenly determined the source was an unnamed stream. Moreover, hydrographic layers and Aerial Imagery indicate there are no unnamed streams, tributary to the North Fork Salmon River within the permitted PLSS description for point of diversion (POD) or place of use (POU). Therefore, the source can be clarified at licensing.

Change in Source: X Y ___ N

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Overlap ? ___ Yes X No

Water Right No.	Source	Purpose of Use	Basis
N/A			

Comments: There are no other water rights overlapping the permitted place of use.

2. Other water rights with the same point of diversion: Overlap ? X Yes ___ No

Water Right No.	Source	Purpose of Use	Basis
75-10222	Johnson Gulch Creek	Irrigation	Decree

Comments: Water right 75-10222 overlaps the likely point of diversion (POD). There is no indication on the original application for permit or other documents the permitted POD overlaps 75-10222. Therefore, there is no reason to limit this permit with the existing WR.

C. DIVERSION AND DELIVERY SYSTEM

1. Location of Point(s) of Diversion:

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Johnson Gulch Creek			NW	SW	23	26N	21E	B.M.	Lemhi

Method of Determination: GIS, Tax Parcel Data, 2009 Google Earth Aerial Imagery, and 2023 NAIP Aerial Imagery. The current POD is located in the SWSW Quarter/Quarter. The applicant indicated on their application for permit, confirmed by Idaho Tax Parcel Data they own the property containing access to the POD. Due to technological limitations at the time the application was submitted its likely the applicant proposed to divert in the NWSW Quarter/Quarter. An amendment would still be required but the applicant would not be required to pay the \$100 fee due to the specific situation.

Change in POD? X Y ___ N Amendment Required? X Y ___ N

Place of Use: Domestic

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
26N	21E	23										X							X
		Lot #																	

Method of Determination: GIS, Idaho Tax Parcel Data, GIS, Tax Parcel Data, 2009 Google Earth Aerial Imagery, and 2023 NAIP Aerial Imagery. The current POU is located in the SWSW Quarter/Quarter. The applicant indicated on their application for permit and Idaho Tax Parcel Data confirms they own the property containing the POU. Due to technological limitations at the time the application was submitted its likely the applicant proposed to divert in the NWSW Quarter/Quarter. An amendment would still be required but the applicant would not be required to pay the \$100 fee due to the specific situation.

Change in POU? X Y N Amendment Required? X Y N

3. Diversion System Information:

Description: N/A

 Delivery System Diagram Attached. (mark all major components and distances between components)X Aerial Photo indicating the location of the recommended POD and POU.X Aerial Photo Attached (required) Photo of Diversion and System Attached

3. Diversion Id No.*	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A					

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

D. FLOW MEASUREMENTS

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

2. Measurement Comments: No measurement is required for permits qualifying for an in-office examination according to the IDAPA Beneficial Use Examination Rules.

E. FLOW CALCULATIONS Additional Computation Sheets Attached

Measured Method: According to Administrative Application Processing Memo #22 the standard diversion rate for a single-family home is 0.04 cfs. I am recommending a 0.04 cfs diversion rate.

Administrative Application Processing Memo #22 Standard: 0.04 cfs

Permit allowed = 0.04 cfs

Total Recommendation = 0.04 cfs

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{N/A}$$

2. Volume Calculations for Other Uses: A condition on the permit limits the permit holder to 13,000 gallons per day. However, according to the IDAPA Beneficial Use Examination Rules 37.03.02.035.01iii.ii if a permit authorizes domestic use diverting from groundwater meeting the definition of Idaho Code §42-111 a recorded diversion volume is required at licensing. Because this permit authorizes domestic use from surface water it does not make sense to not record a diversion volume and limit use to 13,000 gal/day. Therefore, I recommend condition 071 be removed from the license and a recorded volume be added to remove any confusion. According to the permit domestic use is limited to in-house use only. According to Administrative Application Processing Memo #22 the standard diversion volume for a single domestic in-house use is 0.6 af. I am recommending a 0.6 af diversion volume.

G. PURPOSE OF USEIrrigation ☐ Y ☒ X ☐ N # Stock N/A Domestic # of Homes 1Change in Purpose of Use? ☐ Y ☒ X ☐ NMethod of Determination: GIS, Idaho Tax Parcel Data, 2009 Google Earth and 2023 NAIP Aerial Imagery, and the permit holders Proof Statement.**H. NARRATIVE/REMARKS/COMMENTS**

This permit qualifies for an in-office examination. The applicant submitted their Proof Statement on August 17th, 2026, with the correct fee payment received the same date. According to Department records a field examination was conducted on June 26th, 2012. However, records regarding the examination or proposed recommendations could not be located. After speaking with the permit holder on March 6th, 2026, they confirmed no field exam was conducted. The permit authorizes in-house domestic use for one home.

According to Idaho Tax Parcel Data and 2006 NAIP and Google Earth Aerial Imagery in-house domestic use was developed within a different PLSS legal description and diverting from a source than described on the permit. According to the permit holders application for permit form and attached map they proposed to divert from Johnson Gulch Creek. However, they placed the PLSS legal description within the SWSW Quarter/Quarter. When the permit was issued the legal description remained identical to the application, but the source was changed to unnamed stream, tributary to the North Fork of the Salmon River. It seems likely with the limited GIS technology at the time the Department mistakenly determined the source was an unnamed stream given the PLSS information provided on the application and map. The actual legal description of the point of diversion (POD) and place of use (POU) is located within the NWSW according to Idaho Tax Parcel data 2023 NAIP Aerial Imagery, and 2009 Google Earth Aerial Imagery. An amendment would be required but due to the mistake on the Departments part I recommend the \$100 fee be waived.

The standards set in Administrative Application Processing Memo #22 were utilized in making a diversion rate and volume recommendation. The permit contains a condition limiting the permit holder to 13,000 gal/day. According to the IDAPA Beneficial Use Examination Rules 37.03.02.035.01iii.ii if a permit authorizes domestic use diverting from groundwater meeting the definition of Idaho Code §42-111 a recorded diversion volume is not required at licensing. Since this permit authorizes diversion from surface water I recommend condition 071 be removed and a recorded diversion volume be added to the license to quell any confusion and meet the current IDAPA rules. A condition on the permit requires the permit holder to install a fish screen meeting the fish screening and passage requirement of the Idaho Department of Fish and Game. After a phone conversation with the permit holder on Marh 6th, 2026 they confirmed a screen was installed on the pump intake. All conditions of permit approval have been met, and development of beneficial use was confirmed within authorization on the permit. Therefore, I am recommending a 0.04 cfs diversion rate and 0.6 af diversion volume.

Conditions #2 on the permit and WB5 should remain on the license. Condition 071 should be removed to alleviate any confusion since a recorded diversion volume will be recommended on the license. Condition 029 should be removed because the permit holder confirmed a fish screen meeting the fish screening and passage requirements of the Idaho Department of Fish and Game was installed. Condition 26A should be removed as is the standard with licensing.

Have conditions of permit approval been met? ☒ X Yes ☐ No**I. RECOMMENDATIONS**

1. Recommended Amounts:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Domestic	01/01-12/31	0.04 CFS	0.6 AF
Totals:		0.04 CFS	0.6 AF

2. Recommended Amendments:

☒ X Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None☒ X Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ None☒ X Change Source as reflected above

SCANNED

10/30/2026

J. AUTHENTICATION

Field Examiner: Skyler Cheever – Water Resource Agent, Sr – State Office

Field Examiner's  Date 3/10/2026

Reviewer  Date 3/10/2026

Field Exam Map

Map showing the authorized point of diversion (yellow point) and place of use (orange outline).



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APR 30 2026

2009 Google Earth Aerial Imagery





IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Mathew Weaver

April 1, 2026

THEODORE J AND MARY B ROYER
3334 HIGHWAY 93 N
GIBBONSVILLE ID 83463-8505

RE: Water Right Permit No. 75-14143

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit(s) referenced above prior to issuing water right license(s). By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit.

The examiner who verified your water use reported that certain elements of the permit(s) have been developed differently than described on your permit(s). Changes that do not increase the authorized use of water under the permit(s) can be requested and approved in accordance with Idaho Code § 42-211. Before license(s) can be issued, your permit(s) must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit(s):

 X Point(s) of Diversion, X Place(s) of Use, X Other (Change of Source)

The enclosed Application for Amendment form(s) depicts the elements of the water right(s) as they will appear on the license(s) when issued. Please review the amendment form(s) carefully. If you concur with the information presented, please sign and return the form(s) with the filing fee of \$100.00 within fourteen (14) days.

If you have any questions, please call me at 208-287-4913 or
skyler.cheever@idwr.idaho.gov.

Sincerely,

Skyler Cheever
Water Resource Agent, Sr
Idaho Dept. of Water Resources

Enclosure(s): Application for Amendment

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