

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 03 2014

WATER RESOURCES
WESTERN REGION

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

Section 42-222(4), Idaho Code, provides that a water right holder may apply to protect a valid water right from forfeiture. Upon a showing of reasonable cause, the Director may grant one (1) extension of five (5) years in which to resume use.

- Water Right No. 63-32058 (one right per application)
☒ Attach a copy of the water right record, available at <http://www.idwr.idaho.gov>, Water Right Transfers, Step 1, or by contacting any Department office.
- Applicant Dorel Antimie, Ligia Antimie Phone 208-789-3949
- Are you the current water right holder of record? Yes ☒ No ☐
☐ If no, provide documentation of your authority to sign on behalf of the right holder -- OR -- attach a Notice of Change in Water Right Ownership form along with the required documentation and fee.
- Mailing address ☒ Same as water right record -- OR -- complete the following information:
Address _____ City _____
State _____ Zip code _____ Email _____
- Give the last date water was beneficially used don't know.
- Explain your reasons for non-use of the water right and your reasons for requesting an extension of time.
Attach additional documentation if needed.
We recently bought the property, we are currently building a home and need time to be able to install and set up an irrigation from our well on the land.

The information contained in this application is true to the best of my knowledge.

<u>Dorel Antimie</u> Signature of applicant or authorized agent	<u>Dorel Antimie - owner</u> Print name (and title, if applicable)	<u>7-1-2014</u> Date
<u>Ligia Antimie</u> Signature of applicant or authorized agent	<u>Ligia Antimie - owner</u> Print name (and title, if applicable)	<u>07-01-2014</u> Date

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby approve said application, subject to the following conditions or reasons:

The right holder shall resume beneficial use of water on or before Dec. 31, 2019

Signed this 29th day of April, 2015.
Title: Interim Mgr. Western Region
Stamped received ☒ Fee received by J. Strange Date 7-3-14 Receipt # W042288

SCANNED

NOV 18 2014



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

April 30, 2015

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

DOREL ANTIMIE
LIGIA ANTIMIE
844 W HEATHER WOODS DR
NAMPA ID 83686

RE: Water Right No. 63-32058

Extension to Avoid Forfeiture of Water Right Approval Letter

Dear Water Right Holders:

Enclosed is a copy of an approved Application for Extension of Time to Avoid Forfeiture for the above referenced water right. Please note that resumption of beneficial use for this right shall occur on or before **DECEMBER 31, 2015**.

Please notify the Department as soon as you resume use of water under this right. If you have not notified the Department sixty (60) days prior to the resumption deadline, the Department will send you a Resumption of Use Notice by certified mail.

Section 42-248, *Idaho Code*, requires water right owners to maintain current ownership and address records on file with the Department. Please refer to www.idwr.idaho.gov or contact any office of the Department for the proper form to file a change of ownership of water right and/or a change in address of the owner.

Please contact this office at 208-334-2190 if you have any questions concerning this matter.

Sincerely,

Rachel Neely
For:

Jeff Peppersack
Interim Manager, Western Region

Enclosures

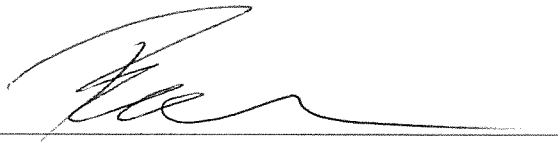
CERTIFICATE OF SERVICE

I hereby certify that on April 30th __, 2015, I mailed a true and correct copy, postage prepaid, of the foregoing EXTENSION OF TIME TO AVOID FORFEITURE to the persons listed below:

RE: WATER RIGHT NO.

63-32058

DOREL ANTIMIE
LIGIA ANTIMIE
844 W HEATHER WOODS DR
NAMPA ID 83686

A handwritten signature in black ink, appearing to read 'Rachel Neely', is written over a horizontal line.

Rachel Neely
Administrative Assistant 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.

RECEIVED

DEC 15 2014

WATER RESOURCES
WESTERN REGION

29512 1205131

1 IDAHO DEPT. OF WATER RESOURCES

WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)

County of Canyon)

)SS.

Tiffany Patchett
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principle Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 times(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

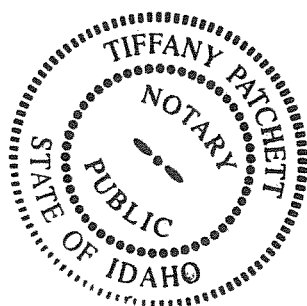
That said notice was published the following:
12/04/2014 12/11/2014

Linda Spencer
STATE OF IDAHO)

County of Canyon)

On this 11th day of December in the year of 2014 before me a Notary Public, personally appeared. Tiffany Patchett, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

[Signature]
Notary Public for Idaho
Residing at Canyon County
My Commission expires 09/12/2018



LEGAL NOTICE

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-33910

BID LLC
950 W BANNOCK ST STE 1050
BOISE, ID 83702
Point of Diversion L4(SWNW) S26 T05N R05W CANYON
County Source BOISE RIVER Tributary SNAKE RIVER
Use: DIVERSION TO STORAGE, RECREATION, WILDLIFE
09/01 to 02/28 4.5 CFS
Use: RECREATION STORAGE, WILDLIFE STORAGE 09/01
to 02/28 15 AF
Total Diversion: 4.5 CFS
Date Filed: 2/3/2014
Place of Use: RECREATION, RECREATION STORAGE,
WILDLIFE, WILDLIFE STORAGE
T05N R05W S26 L4(NWNW) L4(SWNW)

63-33957

A J P FARMS INC
23546 HARTLEY LN
MIDDLETON, ID 83644
Point of Diversion SENE S11 T04N R03W CANYON County
Source GROUND WATER
Point of Diversion SENW S12 T04N R03W CANYON County
Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 5 CFS
Total Diversion: 5 CFS
Date Filed: 6/18/2014
Place of Use: IRRIGATION
T04N R03W S11 SWNE SENE NENW SWNW SENW L3
(NESW) L4(NWSW) L1(NESE) L2(NWSE)
T04N R03W S12 SWNW SENW L3(NESW) L4(NWSW)
Total Acres: 250
Water bearing zone to be appropriated is from 20 to 180 feet.

63-33958

A J P FARMS INC
23546 HARTLEY LN
MIDDLETON, ID 83644
GREG S PAYNE
24295 FARMWAY RD
CALDWELL, ID 83607
Point of Diversion L1(NENE) S5 T04N R03W CANYON
County Source GROUND WATER
Point of Diversion L2(SWSE) S32 T05N R03W CANYON
County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 4.44 CFS
Total Diversion: 4.44 CFS
Date Filed: 6/18/2014
Place of Use: IRRIGATION
T04N R03W S5 L1(NENE) L2(NWNE) SENE L3(NENW)
T05N R03W S32 NESE NWSE L2(SWSE) L1(SESE)
Total Acres: 230
Water bearing zone to be appropriated is from 20 to 150 feet.

63-33960

HIGHLAND LIVESTOCK & LAND CO LTD
PO BOX 488
EMMETT, ID 83617
Point of Diversion L3(NENW) S6 T05N R04W CANYON
County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 1.8 CFS
Total Diversion: 1.8 CFS
Date Filed: 6/10/2014
Place of Use: IRRIGATION
T05N R04W S6 L3(NENW) L4(NWNW) L5(SWNW) SENW
Total Acres: 102
Water bearing zone to be appropriated is from 50 to 500 feet.

63-33995

VALLIVUE SCHOOL DISTRICT #139
5207 S MONTANA
CALDWELL, ID 83607
(3) Points of Diversion SESW S35 T04N R04W CANYON
County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 0.84 CFS
Total Diversion: 0.84 CFS
Date Filed: 10/9/2014
Place of Use: IRRIGATION
T04N R04W S35 SESW
Total Acres: 14
Water bearing zone to be appropriated is from 80 to 435 feet.
Place of use aka West Canyon Elementary School located at
19548 Ustick Rd, Caldwell, ID.

63-34003

RICHARD J LUTHER
KAREN LUTHER
4901 HEMLOCK WAY
NAMPA, ID 83687
(2) Points of Diversion SWNW S8 T03N R01W CANYON
County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 10/22/2014
Place of Use: IRRIGATION
T03N R01W S8 SWNW
Total Acres: 1.4
Water bearing zone to be appropriated is from 18 to 145 feet.

EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHT

Dorel and Ligia Antimie of 844 W Heather Woods Dr, Nampa, ID 83686 filed an Application proposing an Extension of Time to Avoid Forfeiture for Water Right No. 63-32058 with a 1967 priority from ground water totaling 0.08 cfs. The applicants do not know the year the right was last used. The right serves property located in the Salmon Ridge Subdivision, southeast of the intersection of Farner Road and Lewis Lane in Nampa. The applicants requests the extension of time because they recently purchased the property, are currently building a home, and need additional time to install the irrigation system.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. For specific details of the extension see this link www.idwr.idaho.gov/apps/ExtSearch/SearchWRAJ.asp using right no 63-32058. Protests may be submitted based on the criteria of Sec 42-203A and 42-222, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 12/22/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

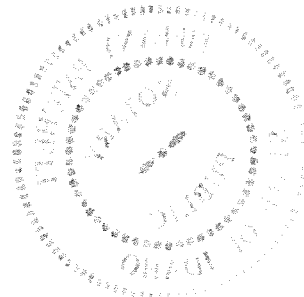
December 04, 11, 2014

1205131

OK
1-6-15
Rf.
RECEIVED

DEC 15 2014

**WATER RESOURCES
WESTERN REGION**



NOV 28 2014

LEGAL PROOF OF PUBLICATION

WATER RESOURCES
WESTERN REGION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
263978	0001402286	LEGAL NOTICE The following applications I	BID LLC	\$124.52	2	67

Attention: RACHEL SOMMER

IDAHO DEPT WATER RESOURCE/ WEST
2735 AIRPORT WAY
BOISE, ID 837055082

LEGAL NOTICE

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-33910

BID LLC

950 W BANNOCK ST STE 1050

BOISE, ID 83702

Point of Diversion L4(SWNW) S26 T05N R05W CANYON County Source
BOISE RIVER Tributary SNAKE RIVER

Use: DIVERSION TO STORAGE, RECREATION, WILDLIFE 09/01 to
02/28 4.5 CFS

Use: RECREATION STORAGE, WILDLIFE STORAGE 09/01 to 02/28 15
AF

Total Diversion: 4.5 CFS

Date Filed: 2/3/2014

Place of Use: RECREATION, RECREATION STORAGE, WILDLIFE, WILDLIFE STORAGE

T05N R05W S26 L4(NWNW) L4(SWNW)

63-33995

VALLIVUE SCHOOL DISTRICT #139

5207 S MONTANA

CALDWELL, ID 83607

(3) Points of Diversion SESW S35 T04N R04W CANYON County Source
GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.84 CFS

Total Diversion: 0.84 CFS

Date Filed: 10/9/2014

Place of Use: IRRIGATION

T04N R04W S35 SESW

Total Acres: 14

Water bearing zone to be appropriated is from 80 to 435 feet.

Place of use aka West Canyon Elementary School located at 19548

Ustick Rd, Caldwell, ID.

EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHT

Dorel and Ligia Antimie of 844 W Heather Woods Dr, Nampa, ID 83686 filed an Application proposing an Extension of Time to Avoid Forfeiture for Water Right No. 63-32058 with a 1967 priority from ground water totaling 0.08 cfs. The applicants do not know the year the right was last used. The right serves property located in the Salmon Ridge Subdivision, southeast of the intersection of Farner Road and Lewis Lane in Nampa. The applicants requests the extension of time because they recently purchased the property, are currently building a home, and need additional time to install the irrigation system.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right, please see www.idwr.idaho.gov/apps/ExtSearch/WRFileing.asp. For specific details of the extension see this link www.idwr.idaho.gov/apps/ExtSearch/SearchWR/AJ.asp using right no 63-32058. Protests may be submitted based on the criteria of Sec 42-203A and 42-222, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 12/8/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Pub. Nov. 20, 27, 2014

0001402286-01

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformat with Section 60-108, Idaho Code, as amended, for:

1 Insertions

Beginning issue of: 11/20/2014

Ending issue of: 11/20/2014

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)

.SS

COUNTY OF ADA)

On this 21st day of November in the year of 2014 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Heather Harradine

Notary Public FOR Idaho
Residing at: Boise, Idaho

My Commission expires: 2/11/2021

