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JUL 03 2014

WATER RESOURCES
WESTERN REGIONForm 42-222(4) Rev. 06/12
FEE \$100.00STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION 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>	<u>Dorel Antimie - owner</u>	<u>7-1-2014</u>
Signature of applicant or authorized agent	Print name (and title, if applicable)	Date
<u>Ligia Antimie</u>	<u>Ligia Antimie - owner</u>	<u>07-01-2014</u>
Signature of applicant or authorized agent	Print name (and title, if applicable)	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 _____ said application, subject to the following conditions or reasons:

The right holder shall resume beneficial use of water *on or before* _____

Signed this _____ day of _____, 20____. _____
 Title: _____

Stamped received ☒ Fee receipted by J. Strange Date 7-3-14 Receipt # W042288

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/23/2014

Water Right 63-32058

Owner Type **Name and Address**
Current Owner DOREL ANTIMIE
844 W HEATHER WOODS DR
NAMPA, ID 83686
(208)789-3919

Current Owner LIGIA ANTIMIE
844 W HEATHER WOODS DR
NAMPA, ID 83686

Priority Date: 4/13/1967

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.080 CFS	39.0 AF
	<u>Total Diversion</u>		0.080 CFS	39.0 AF

Source and Point(s) of Diversion

GROUND WATER NENENW Sec. 15, Twp 02N, Rge 03W, CANYON County

Place Of Use

IRRIGATION within CANYON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	15					9.8												9.8

POU Total Acres: 9.8

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. T08 Failure of the right holder to comply with the conditions of Transfer 71816 is cause for the Director to rescind approval of the transfer.
5. T07 The right holder shall accomplish the change authorized by Transfer 71816 by 7-26-2008.
6. J01 Property is also known as Lot 2, Salmon Ridge Subdivision.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/23/2014

7. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
8. P21 This right is a split from former right 63-31287.
9. S39 The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Dates and Other Information

Decreed Date: 4/29/2009

Civil Case Number: 39576

Judicial District: FIFTH

Owner Name Connector: AND

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.5

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

13

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

1. WELL TAG NO. D 0064575

Drilling Permit No. 00064575913019-069078
Water right or injection well # _____

2. OWNER:

Name Dorell Antimie
Address 844 W Heather Woods DR
City Nampa State ID Zip 83686

3. WELL LOCATION:

Twp. 15 North ☒ or South ☐ Rge. 2 East ☐ or West ☒
Sec. 3 NW 1/4 40 acres 1/4 160 acres 1/4

Gov't Lot _____ County CANYON
Lat. N 43° 30.935 (Deg. and Decimal minutes)
Long. W 116° 41.055 (Deg. and Decimal minutes)
Address of Well Site 9901 Salmon Ridge

(Give at least name of road + Distance to Road or Landmark)
City NAMPA
Lot. 2 Blk. 1 Sub. Name Salmon Ridge Sub

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other _____

5. TYPE OF WORK:

☒ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☐ Air Rotary ☐ Mud Rotary ☒ Cable ☐ Other _____

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method/procedure
<u>3/8 Bent</u>	<u>0</u>	<u>40</u>	<u>1600 LBS</u>	<u>Dry (Hydrated)</u>

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing Liner	Threaded	Welded
<u>6</u>	<u>12</u>	<u>450</u>	<u>280</u>	<u>steel</u>	☒	☐	☒

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 450

9. PERFORATIONS/SCREENS:

Perforations ☐ Y ☒ N Method _____

Manufactured screen ☐ Y ☒ N Type _____

Method of installation _____

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule

Length of Headpipe _____ Length of Tailpipe _____

Packer ☐ Y ☒ N Type _____

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method

11. FLOWING ARTESIAN:

Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) _____

Describe control device _____

12. STATIC WATER LEVEL and WELL TESTS:

Depth first water encountered (ft) 133 Static water level (ft) 362
Water temp. (°F) 67 Bottom hole temp. (°F) _____
Describe access port 6"

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)
<u>370</u>	<u>12 Gpm</u>	<u>24 HRS</u>

Test method:

Pump ☒ Bailer ☐ Air ☐ Flowing artesian ☐

Water quality test or comments: Good

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water	
				Y	N
<u>10</u>	<u>0</u>	<u>18</u>	<u>TOP SOIL SANDY CLAY</u>		☒
<u>10</u>	<u>18</u>	<u>38</u>	<u>SANDY CLAY BROWN</u>		☒
<u>10</u>	<u>38</u>	<u>40</u>	<u>GRAY CLAY</u>		☒
<u>6</u>	<u>40</u>	<u>97</u>	<u>GRAY CLAY</u>		☒
<u>6</u>	<u>97</u>	<u>128</u>	<u>BROWN SAND</u>		☒
<u>6</u>	<u>128</u>	<u>133</u>	<u>WHITE SAND</u>	☒	
<u>6</u>	<u>133</u>	<u>140</u>	<u>SAND STONE BROWN</u>		☒
<u>6</u>	<u>140</u>	<u>170</u>	<u>SANDY CLAY BROWN</u>		☒
<u>6</u>	<u>170</u>	<u>180</u>	<u>BROWN SAND</u>		☒
<u>6</u>	<u>180</u>	<u>220</u>	<u>GRAY CLAY</u>		☒
<u>6</u>	<u>220</u>	<u>235</u>	<u>SAND STONE BROWN</u>		☒
<u>6</u>	<u>235</u>	<u>270</u>	<u>GRAY CLAY</u>		☒
<u>6</u>	<u>270</u>	<u>275</u>	<u>BROWN SAND</u>		☒
<u>6</u>	<u>275</u>	<u>308</u>	<u>GRAY CLAY</u>		☒
<u>6</u>	<u>308</u>	<u>355</u>	<u>BROWN SAND</u>	☒	
<u>6</u>	<u>355</u>	<u>370</u>	<u>GRAY CLAY</u>		☒
<u>6</u>	<u>370</u>	<u>395</u>	<u>GRAY CLAY & Blue clay PK</u>		☒
<u>6</u>	<u>395</u>	<u>420</u>	<u>GRAY SAND</u>	☒	
<u>6</u>	<u>420</u>	<u>450</u>	<u>GRAY CLAY</u>		☒
<u>6</u>	<u>450</u>	<u>455</u>	<u>BLACK SAND</u>	☒	

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AUG 20 2013

WATER RESOURCES
WESTERN REGION

Completed Depth (Measurable): 455

Date Started: 7-12-13 Date Completed: 8-9-13

14. DRILLER'S CERTIFICATION:

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Gary's Well Drilling Co. No. 317

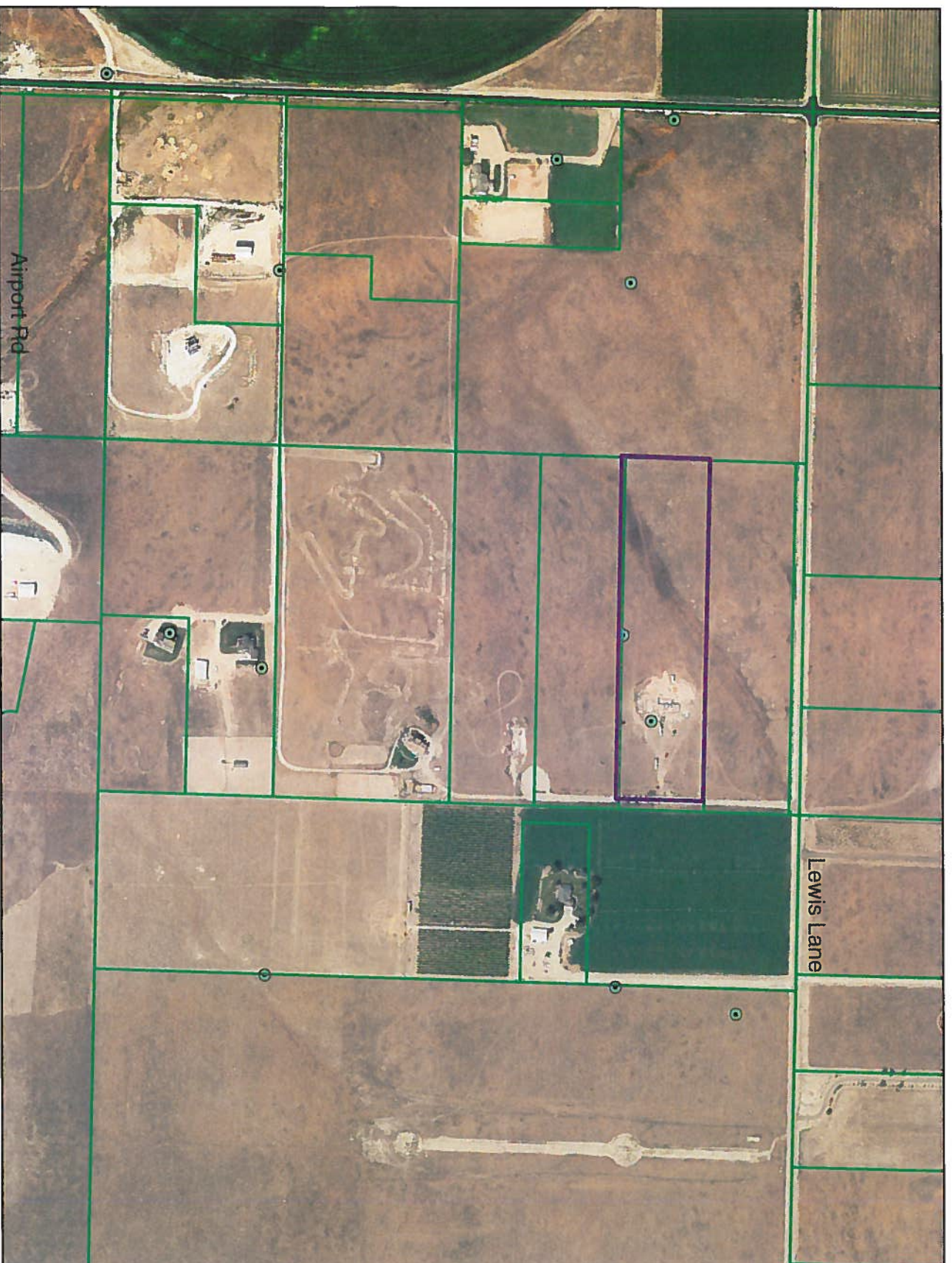
*Principal Driller Gary Wilton SR Date 8-9-13

*Driller Gary Wilton SR Date 8-9-13

*Operator II _____ Date _____

Operator I _____ Date _____

* Signature of Principal Driller and rig operator are required.



application for extension to avoid forfeiture 63-32058. well drilled 2013.

Sommer, Rachel

From: Sommer, Rachel
Sent: Wednesday, November 12, 2014 9:57 AM
To: 'LEGALS@IDAHOSTATESMAN.COM'
Subject: Ada Legal Ad
Attachments: Canyon Cover Letter.docx; Canyon Legal Ad.docx

Categories: Legal Ad Confirmed

Good Morning Janice Hildreth,

Please see the attached ad for publication on 11/20/2014 & 11/27/2014.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Sommer

Administrative Assistant
Dept. of Water Resources
Western Regional Office
2735 Airport Way, Boise ID 83705
Phone 208-334-2190 | Fax 208-334-2348
Email: rachel.sommer@idwr.idaho.gov

November 12, 2014

LEGAL NOTICE DEPARTMENT
PRESS TRIBUNE
PO BOX 9399
NAMPA, ID 83652

RE: Application for Permit No's: 63-33910, 63-33995
RE: Extension of Time for Water Right No. 63-32058

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 12/8/2014. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

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 Farmer 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 12/8/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/20/2014 and 11/27/2014

MEMORANDUM TO WATER RIGHT FILE

TO: 63-32058 WATER RIGHT FILE
FROM: VICKY MUSIC
SUBJECT: APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE OF A WATER RIGHT
DATE: 11/7/2014
CC:

An extension was filed for this right which authorizes 0.08 cfs and 9.8 acres irrigation from ground water. The applicants are the owners of record and have the authority to file this application. The right is valid because the SRBA partial decree was issued in 2009.

This is a prime example of a water right caught in multiple processes with differing procedures within IDWR. Here is a brief chronology of water right 63-32058.

4/13/1964 – priority date of license issued for 63-3597.

1987 aerial photograph shows land irrigated. No irrigation seen in aerial since then.

12/28/89 – SRBA claim filed by owners Montierths et al.

1/18/2005 – new owners Paul and Heather Silvas file transfer to split 9.8 acres and 0.08 cfs from parent. Transfer approved.

2005 – SRBA claim for 63-32058 filed by Silvas.

2007 – extension of time to complete transfer filed by Silvas because they failed to meet transfer condition T07. Reason for extension: no power or access to parcel yet. Extension granted to 7/26/2008.

2008 – extension of time to complete transfer filed by Silvas because they failed to meet transfer condition T07. Reason for extension: they could not drill well due to the economy. Extension granted to 7/26/2010.

2009 - SRBA partial decree issued

2013 – change of ownership from Silvas to Antimies. Antimies drill well.

Transfer condition T07 is put on every approved transfer and states:

“The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.”

I think the Silvas were trying to be conscientious about the transfer and it is likely they spoke to IDWR about this more than once. So, the transfer still has not been accomplished, however, this application is for an extension to avoid forfeiture, a different matter altogether.

The water right is valid. The SRBA Administrative Order 1 tolls any finding of forfeiture until a partial decree is issued, and then the forfeiture clock starts again. In this situation, forfeiture can be found 5 years after the decree was issued, or the end of 2014.

The current owner drilled the well in 2013 so progress is being made. I recommend that an extension be granted for 5 years, with a resumption of use date of 7/1/2020. I recommend this resumption date because, although strictly the resumption date should be last 2019, that does not correspond to a recognized irrigation season. It is IDWR policy to recommend a resumption date in the flowing irrigation season, hence, the 2020 date.