

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 65-23513

1. Name of applicant(s) GHEORGHE BORLOVAN Phone (208) 440-6781
Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address: 11204 W KIPLING WAY City NAMPA
State ID Zip 83651 Email: _____

2. Source of water supply UNNAMED STREAM which is a tributary of ROUND VALLEY CREEK

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
12N	4E	30			SW	NE	VALLEY	UNNAMED STREAM	
12N	4E	30			SW	NE	VALLEY	UNNAMED STREAM	

4. Water will be used for the following purposes:

Amount 1.0 for STOCKWATER STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount 1.0 for AESTHETIC STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount 0.09 for IRRIGATION purposes from 4/15 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) 0.09 cubic feet per second (cfs) and/or (b) 1.0 acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Deepen stream channel to store water. Pump water from stream to irrigate trees.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.

For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No

e. If well is already drilled, when? _____; drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. 100 CATTLE

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. _____

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8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	4E	30			X	X													
		30			3														3

Total number of acres to be irrigated: 3

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? _____

X= Stockwater Storage and Aesthetic Storage place of use

10. a. Who owns the property at the point of diversion? APPLICANT
- b. Who owns the land to be irrigated or place of use? APPLICANT
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Plan to dig the stream channel deeper, up to 10 feet deep, which will store up to 1 AF of water. The stream will not be widened so there will not be an increase in evaporation or seepage losses. The point of diversion will be the point where water is naturally backed up because it was not dug deeper at that point. Stock will drink directly from the stream. The irrigation point of diversion will be a pump set in the creek to divert water to trees.

12. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

X George Borlovan Sep. 14 -12
Signature of Applicant

X GEORGE BORLOVAN
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

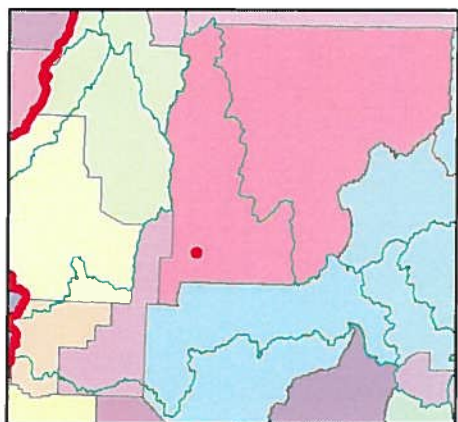
Received by MP Date 9-14-12 Time 11:30am Preliminary check by KW
Fee \$ 100.00 Received by JA Receipt No. W040465 Date 8-8-12



Idaho Department of Water Resources

Application
65-23513
(IRRIGATION)

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



Valley County
IDWR Basin 65

Prepared by Saxton, Craig

2009 Aerial Photography

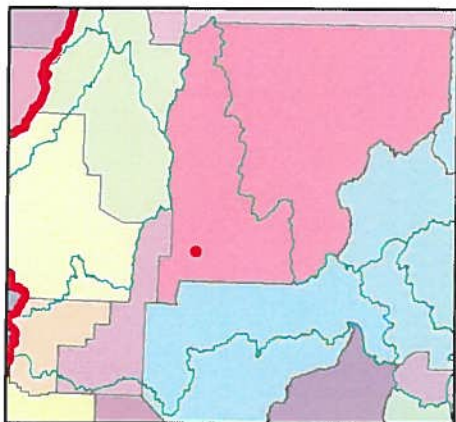




Idaho Department of Water Resources

Application
65-23513
(STOCKWATER STORAGE)

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



Valley County
IDWR Basin 65

Prepared by Saxton, Craig

2009 Aerial Photography



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WATER RESOURCES
WESTERN REGION

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Ident. No. 65-23513

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

1. Name: GHEORGHE BORLOVAN
11204 W KIPLING WAY
NAMPA ID 83651
(208) 440-6781
2. Source: UNNAMED STREAM Tributary to: ROUND VALLEY CREEK
3. Location of Point of Diversion:
 - #1 UNNAMED STREAM SE1/4NE1/4 Sec. 30, Twp 12N, Rge 04E, B.M.
VALLEY County
 - #2 UNNAMED STREAM SE1/4NE1/4 Sec. 30, Twp 12N, Rge 04E, B.M.
VALLEY County
4. Water will be used for the following purposes:

Purpose	From	To	RATE OF DIVERSION	ANNUAL VOLUME
STOCKWATER STORAGE	01/01	to 12/31		1.0 AF
AESTHETIC STORAGE	01/01	to 12/31		1.0 AF
IRRIGATION	01/01	to 12/31	0.09 CFS	
5. Total quantity to be appropriated is: 0.09 CFS 1.0 AF
6. Proposed diverting works:

POINT OF DIVERSION #1

- a. Type and size of devices used to divert water from the source:
DEEPEN STREAM CHANNEL TO STORE WATER.
- b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;.
- c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85F being sought?
- e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

Superseded by Amended Application 9/14/12

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

POINT OF DIVERSION #2

- a. Type and size of devices used to divert water from the source:
PUMP FROM CREEK TO IRRIGATE TREES.

- b. Height of storage dam _____ feet;

Active reservoir capacity _____ acre-feet;

Total reservoir capacity _____ acre-feet;.

- c. Proposed well diameter is _____ inches;

Proposed depth of well is _____ feet.

- d. Is ground water with a temperature of greater than 85F being sought?

- e. If well is already drilled, when? _____;

Drilling Firm _____;

Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8.

PLACE OF USE: STOCKWATER STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
12N 04E 30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X	X													

PLACE OF USE: AESTHETIC STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
12N 04E 30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X	X													

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
12N 04E 30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			3.0														3.0

Total Acres: 3

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

Plan to dig the stream channel deeper, up to 10 feet deep, which will store up to 1 AF of water. The stream will not be widened so there will not be an increase in evaporation or seepage losses. The point

of diversion will be the point where water is naturally backed up because it was not dug deeper at that

point. Stock will drink directly from the stream.

The irrigation point of diversion will be a pump set in the creek to divert water to trees.

11. Map of proposed point of diversion and place of use attached? []

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.



Applicant

Received by JA Date 8-8-12 Time 12:17 Preliminary check by _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

Receipt No. W040465 = \$100.00

Date: 8-8-12

Received by: JA

November 9, 2012

IDAHO DEPT OF WATER RESOURCES
ATTN: SANDRA THIEL, PLANNING BUREAU
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

RE: Application for Permit: 65-23513

Dear Ms. Thiel:

Attached are copies of one or more applications that may be of interest to you. Please contact the applicant(s) if you have concerns about the application(s). In addition, you may refer to the current Review Memo, which can be found in Power Docs, listed under the water right number referenced above.

Please submit any comments you may have to this office within 21 days of the date of this letter. Regional review of unprotested applications can be completed as soon as the final protest period is past; your prompt response to this request is appreciated so that your recommendation can be considered during regional review.

Please contact this office at 334-2190 if you have any questions regarding the application(s).

Sincerely,

Mandi Pearson
Office Specialist II

Enclosure

November 9, 2012

RON SHURTLEFF
WATER DISTRICT #65
102 N MAIN
PAYETTE, ID 83661

RE: Application for Permit No. 65-23513

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. A copy of the application is enclosed with this email for your reference. Please review the application, complete the enclosed recommendation form, and submit your reply, if any, to this office within 21 days.

The protest deadline for any interested party is December 3, 2012. A written protest and the \$25 filing fee must be received by 5:00 p.m. that day in order to be recognized by IDWR.

IDWR will assume you do not object to this application if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Steve Lester
Water Rights Supervisor

November 9, 2012

STATE OF IDAHO
DEPT OF FISH & GAME
ATTN: RICK WARD
3101 S POWERLINE RD
NAMPA, ID 83686

RE: Application(s) for Permit No(s). 2-10480, 65-23513

Dear Mr. Ward:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your agency regarding the above referenced water right application(s). A copy of the application(s) is enclosed with this email for your reference. Please review the application(s), complete the enclosed recommendation form(s), and submit your reply, if any, to this office within 30 days.

If your agency desires to formally protest approval of this application(s), you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by December 3, 2012.

IDWR will assume your agency does not object to this application(s) if a timely response is not received. Please contact me if you have any questions regarding the application(s). Thank you for your help.

Sincerely,

Mandi Pearson
Office Specialist II

Pearson, Mandi

From: Pearson, Mandi
Sent: Friday, November 09, 2012 7:39 AM
To: 'starcaryl@frontier.com'
Subject: Legal Ad
Attachments: Valley Cover Letter.docx; Valley Legal Notice.docx

Carol,

Please see the attached ad for publication 11-15 and 11-22.
Please verify it is okay to run as shown.

Thanks, and have a great day!

Mandi Pearson

Office Specialist 2
Idaho Department of Water Resources, Western Region
208-334-2190 (ph)
208-334-2348 (fax)

November 9, 2012

LEGAL NOTICE DEPARTMENT

STAR NEWS
1000 1ST ST
MCCALL, ID 83638

RE: Application For Permit No.(s): 65-23513

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 12/3/2012. Your cooperation is appreciated.

Sincerely,

Mandi Pearson
Office Specialist II

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

65-23513

GHEORGHE BORLOVAN
11204 W KIPLING WAY
NAMPA, ID 83651

2 Points of Diversion SWNE S30 T12N R04E VALLEY County Source UNNAMED STREAM Tributary ROUND VALLEY CREEK
Use: AESTHETIC STORAGE 01/01 to 12/31 1 AF, IRRIGATION 04/15 to 10/31 0.09 CFS, STOCKWATER STORAGE 01/01 to 12/31 1 AF
Total Diversion: 0.09 CFS
Date Filed: 8/8/2012
Place Of Use: STOCKWATER STORAGE, AESTHETIC STORAGE, IRRIGATION
T12N R04E S30 SWNE SENE (Irrigation in SWNE)
Total Acres: 3

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application 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 12/3/2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/15/2012 and 11/22/2012

SIDNEY E. SMITH III

3792 W. HOUSELAND CT. EAGLE, IDAHO 83616
208-938-0355

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OCT 04 2012

WATER RESOURCES
WESTERN REGION

Mr. George Borlovan
11204 W Kipling Way
Nampa, ID 83651

September 24, 2012

George,

In reference to our recent telephone conversation regarding the creek which runs through our adjacent properties in Round Valley.

You have my permission to do whatever you need to do to the "unnamed" creek. I have no further irrigation plans for the season.

This letter shall suffice as any consent required by the State of Idaho Water Resources Department, Valley County or the Irrigation district.

Should anyone need clarification please contact me at the above telephone number or e-mail to smithsidaho@msn.com.

Very Truly Yours,



S.E. (Sandy) Smith III

MEMORANDUM

To: Kay

From: Sharla

Date: September 14, 2012

RE: Application Requirements

On this date, Mr. Borlovan brought his Amended Application for Permit into the office for filing. He said that someone had sent him a letter from our office requesting that he get a letter from his neighbor to accompany the application. I see that you are the one processing the file.

Mr. Borlovan has not been able to get in touch with his neighbor but will keep trying. Since the application says the applicant owns the POD and POU, I wasn't sure what you needed from the neighbor but Mr. Borlovan said it was just to say he had no problem with the filing. ???? Anyway, I told him to continue trying to reach the neighbor for a written statement and that if everything is ready for processing except the neighbor's statement, that we could send a comment letter to him.



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

September 7, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

GHEORGHE BORLOVAN
11204 W KIPLING WAY
NAMPA ID 83651

RE: Application for Permit 65-23513

Dear Mr. Borlovan:

*9-10-12
Discussed w/ Mr.
Borlovan - he will
attempt to get letter
from Smith's regarding
water * (see below)
fw*

In review of the above referenced application for permit we find we need to request that you make a correction to the application form, and we must also request additional information concerning this proposal.

When the application was completed an error was made in regard to the points of diversion. The application form shows the proposed points of diversion to be located within the SE1/4NE1/4, Sec. 30, Twp. 12N, Rge. 04E. However, the map attached to the application form shows that the points of diversion will actually be located in the SW1/4NE1/4, Sec. 30, Twp. 12N, Rge. 04E. We have included an amended application form for your signature.

We noticed that the application had listed an irrigation season of 1/1 to 12/31. Please note that we have corrected this to the recommended irrigation season of use for your area.

Please complete Item 7b on the form regarding the number and type of stock you intend to water. This should reflect the maximum number of stock you would ever have on your property.

We also have concerns regarding the availability of water in this area. Please submit credible data documenting that additional water is available from the source for this proposal.

* Another concern we have is that your proposal may injure the water rights held by your neighbor. One of your points of diversion is at the same location as a point of diversion of Permit No. 65-13962 in the name of Sidney and Kristine Smith. Since the Smith's have a senior water right we must make sure that your proposal would not impact their use of the water. We need to know how you intend to prevent injury to their water right once you have developed your water use. One way to satisfy the Department's

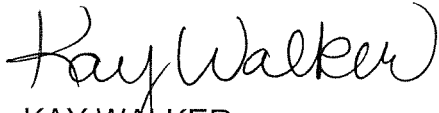
concern in this matter would be for the Smith's to write a letter stating they have no objections to your proposal because there is plenty of water available in this source.

Another thought we had was that you may want to consider drilling a well for this proposal. This would eliminate the need for information concerning water availability and there also would be no injury to your neighbor's senior water right.

Please submit the amended application form within 30 days for processing to continue. You may seek additional time to provide the information by making a written request to delay or interrupt processing. A response including the requested information, or a request for more time to seek the information, must be received within the 30 days. The application will be voided without a timely reply.

If you have any questions or concerns regarding this matter, please do not hesitate to contact me at 334-2190.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is written in a cursive, flowing style.

KAY WALKER
Sr. Water Resource Agent

Enclosure