

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIdent. No. 65-23471*Amended***APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

*Amended*1. Name of applicant(s) Rudolph J. and Judy K. Prachyl Phone (208)462-2576
Name connector (check one): ☒ and ☐ or ☐ and/orMailing address: 53 Circle Dr City Garden ValleyState ID Zip 83622 Email: jprachyl@frontiernet.net2. Source of water supply South Fork Payette River which is a tributary of Payette River

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
9N	4E	21	4		NW	NW	Boise	South Fork Payette River	

4. Water will be used for the following purposes:

Amount 0.02 for irrigation purposes from 3/15 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)Amount _____ for _____ purposes from _____ to _____ (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) 0.02 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Pump

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. _____

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. _____

RECEIVED

NOV 15 2011

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	
9N	4E	21						0.5											0.5
								GL4											

Total number of acres to be irrigated: 0.5

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? Subdivision well used only for in-house domestic use.

10. a. Who owns the property at the point of diversion? Block 6 Property Owners Association - c/o Brian Taylor
- b. Who owns the land to be irrigated or place of use? Applicants
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Permission was granted from each property owner (10) of Block 6 - See attached
11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. To be able to keep lawn and surrounding area green, not only for fire prevention but aesthetic appearance as well. To be able to wash off decks and sidewalks. For watering out side potted plants and flowers.

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.

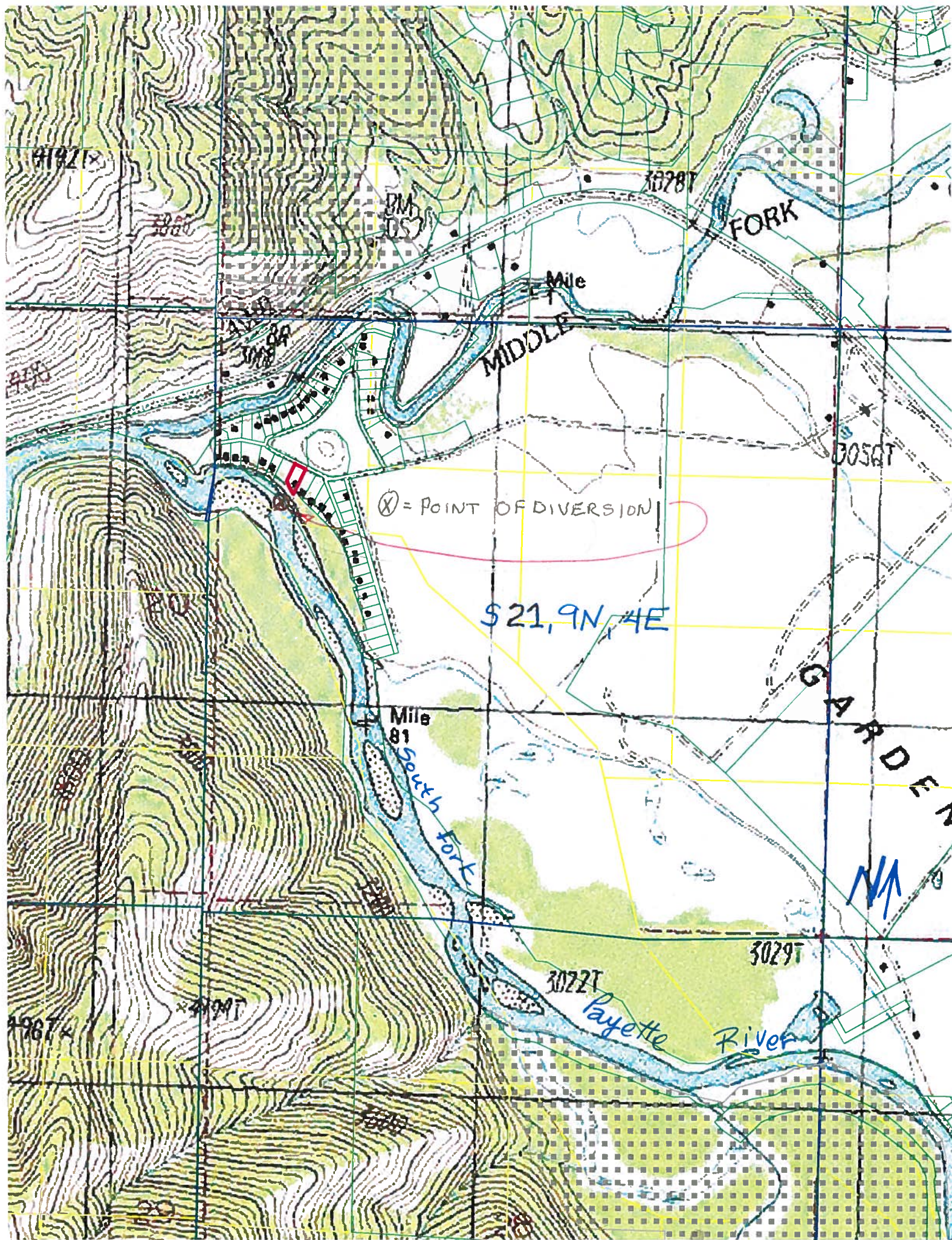
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


 Signature of Applicant
Rudolph J. Prachyl
 Print Name (and title, if applicable)


 Signature of Applicant
Judy K. Prachyl
 Print Name (and title, if applicable)

For Department Use:

Received by  Date 11-15-11 Time 10:59 Preliminary check by KW
 Fee \$ 100.00 Receipted by SB Receipt No. W039649 Date 9/23/11



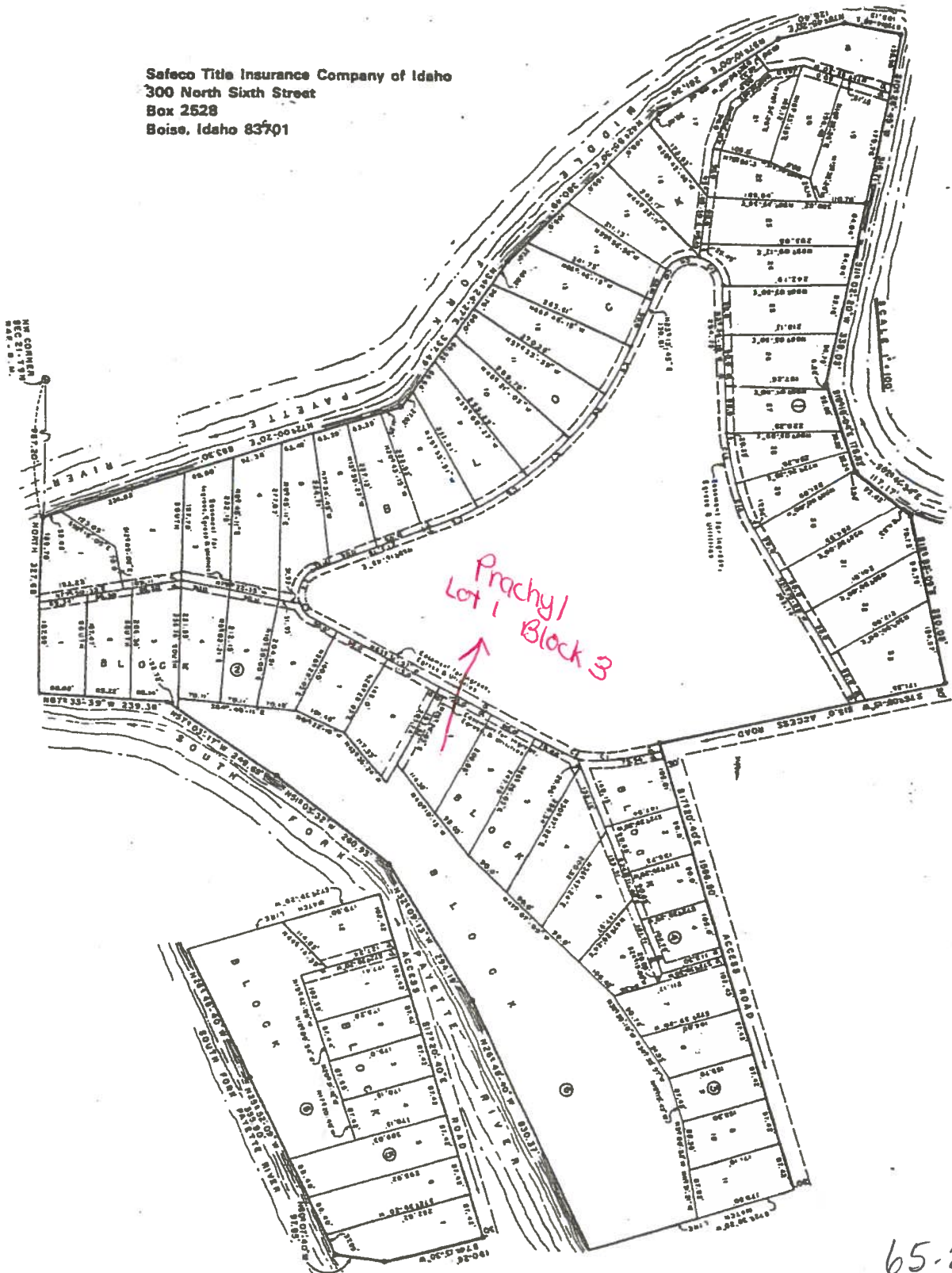
RIVER'S POINT SUBDIVISION

BOISE COUNTY IDAHO



While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the Company assumes no liability for variation, if any, with another or re-survey.

Safeco Title Insurance Company of Idaho
300 North Sixth Street
Box 2528
Boise, Idaho 83701



65-23471

September 15, 2011

Rudy & Judy Prachyl
53 Circle Drive
Garden Valley, ID 83622

I have enclosed copies of approvals from all ten owners of block 6 in which will allow you the right to run electrical and water lines across block 6.

Please let me know if you need any other materials for your approval for the water permit.

Sincerely,

A handwritten signature in cursive script that reads "Brian Taylor". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Brian Taylor

August 26, 2011

Terry, I have enclosed a copy of the letter from Rudy and Judy regarding the access to block 6 for water rights. They need to have the approval of all block 6 members to obtain the license to pump from the South Fork.

Please return your approval or denial to me at the following address:

Brian Taylor
3892 Oxbow Ave
Boise, Id 83713

Thanks, Brian

Brian -

This is OK with me
for water only -


9-1-11

RUDY PRACHYL
53 Circle Drive
Garden Valley, Idaho 83622
208.462.2576
jprachyl@frontiernet.net

April 25, 2011

We, the undersigned, as joint owners of Block 6, Rivers Point Subdivision, do hereby give permission to Rudy Prachyl at above address to cross Block 6 property in order to gain access to the South Fork of the Payette River for the purpose of placing a pump in the river to be used for irrigation purposes.

Gorge Shigeta
Gorge Shigeta

5/8/2011
Date

Diane K. Shigeta
Diane Shigeta

5/8/2011
Date

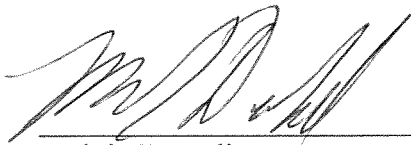
Alan Shigeta
Alan Shigeta

5/8/2011
Date

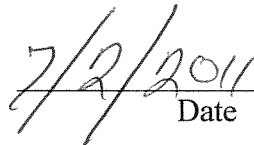
RUDY PRACHYL
53 Circle Drive
Garden Valley, Idaho 83622
208.462.2576
jprachyl@frontiernet.net

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Melvin Decarli



Date

Phyllis Decarli

Date

November 10, 2010

Mr. & Mrs. John O'Connor
P O Box 106
Buhl, ID 83316

Dear Block 6 Property Owners

This letter is in regards to a letter sent to each of us from Rudy and Judy Prachyl, dated Oct. 18, 2010. This letter was requesting the rights to cross block 6 with a buried pipe and power to place a pump in the river for irrigation purposes.

They need to know if we will grant them the rights so they can apply for the water permit. I told Judy that I would follow up with all the owners and try to be the point person for collection of the responses.

Therefore, I need each of you to return this letter or another letter with your name attached, so I can be sure we get all of them back as to how you feel about this. As you can see in paragraph 3, of Rudy's letter he does bring out the point of fire prevention that is very important to all of the subdivision.

Please return your response to:

Brian Taylor
3892 Oxbow Ave
Boise, ID 83713

3-8-2011

Brian, Kacee and I are in agreement with granting an easement to the Prachyls for irrigation water to their property.

John C. O'Connor

November 10, 2010

Mr. & Mrs. Harry Couglar
2197 E Sidewinder Dr
Meridian, ID 83646

We approve of
the Prachyl request
to cross block 6 w/ a
buried pipe line
and for the late
response. J. Taylor
12/12/10

December 9, 2010 Second Request, have not heard back and need to let Rudy and Judy know what the outcome is. Please respond, thanks.

Dear Block 6 Property Owners

This letter is in regards to a letter sent to each of us from Rudy and Judy Prachyl, dated Oct. 18, 2010. This letter was requesting the rights to cross block 6 with a buried pipe and power to place a pump in the river for irrigation purposes.

They need to know if we will grant them the rights so they can apply for the water permit. I told Judy that I would follow up with all the owners and try to be the point person for collection of the responses.

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Please return your response to:

Brian Taylor
3892 Oxbow Ave
Boise, ID 83713

November 10, 2010

Mr. & Mrs. Greg Jacobson
4175 W Quail Ridge Rd
Boise, ID 83703

Dear Block 6 Property Owners

This letter is in regards to a letter sent to each of us from Rudy and Judy Prachyl, dated Oct. 18, 2010. This letter was requesting the rights to cross block 6 with a buried pipe and power to place a pump in the river for irrigation purposes.

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Please return your response to:

Brian Taylor
3892 Oxbow Ave
Boise, ID 83713

11/13/2010 OK
Greg Jacobson
Jean Cranner

November 10, 2010

Dr. & Mrs. Michael Koenig
P O Box 585
Garden Valley, ID 83622

Dear Block 6 Property Owners

This letter is in regards to a letter sent to each of us from Rudy and Judy Prachyl, dated Oct. 18, 2010. This letter was requesting the rights to cross block 6 with a buried pipe and power to place a pump in the river for irrigation purposes.

They need to know if we will grant them the rights so they can apply for the water permit. I told Judy that I would follow up with all the owners and try to be the point person for collection of the responses.

Therefore, I need each of you to return this letter or another letter with your name attached, so I can be sure we get all of them back as to how you feel about this. As you can see in paragraph 3, of Rudy's letter he does bring out the point of fire prevention that is very important to all of the subdivision.

Please return your response to:

Brian Taylor
3892 Oxbow Ave
Boise, ID 83713

We'll allow Rudy and Judy Prachyl
to cross block 6 with buried pipe
and power to place pump.

Rosemary Koenig

November 09, 2010

Brian Taylor
3892 Oxbow Avenue
Boise, ID 83713

Re: Rudy Prachyl request.

I don't have any problem with Rudy and Judy Prachyl running electrical or water line across block 6 property. They have my permission.

Sincerely,

Gladys Curtis

A handwritten signature in cursive script that reads "Gladys Curtis". The signature is written in dark ink and is positioned below the printed name.

RUDY PRACHYL
53 Circle Drive
Garden Valley, Idaho 83622
208.462.2576
jprachyl@frontiernet.net

October 18, 2010

Brian Taylor
Block 6 Property Owners Assoc.
3892 Oxbow Avenue
Boise, Idaho 83713

RE: Placing pump in South Fork of the Payette for irrigation purposes.
PLACE: Block 3, Lot 1 53 Circle Drive

Dear Brian,

We are submitting this request for permission to run the electrical and water line across the block 6 property (in front of our cabin) down to the river making possible the placing of a pump into the river for irrigation purposes. This of course would be buried underground and would not take away anything from the appearance of the existing access road or side of the hill.

We are in the process of applying for a permit/license to pump water out of the South Fork of the Payette, and 10c on the permit/license application reads: "If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing"; and then we are to describe the arrangement made for access agreement, thus the reason we are submitting this request.

As I am sure you are aware, our subdivision well is not adequate for purposes of watering lawns, flowers, bushes, washing off decks, or overall fire prevention that is very important not only for the whole subdivision but the owners of block 6 as well.

When we purchased the property in the mid 70s we were told that pumping water out of the river was not a problem and did so for many years. As time has progressed, new people moved in, regulations changed, and we are now forced to apply for a permit.

If permission is granted for the pump to be placed we would also need permission to access our pump from block 6 property. We are certainly open to suggestions and invite any or all to come and assess our situation.

Thank you for your time and consideration in this matter and we will be waiting to hear from you.

Regards,

Rudy Prachyl

Rudy and Judy Prachyl

*I Approve,
Brian Taylor*

Block 6 Garden Valley

Terry & Darcy Beck 2040 E. Sidewinder Dr., Meridian ID 83646

Harry & Linda Couglar 2197 E Sidewinder Dr. , Meridian ID 83646

Paul & Gladys Curtis 4881 Lake Shore Pl, Boise, ID 83703

Melvin & Phyllis Decarli 28 Coyote Ln, Garden Valley, ID 83622

Dr. Michael & Rosemary Koenig P O box 585, Garden Valley, ID 83622 849 Bank-Lowman Rd.

John & Kacee O'Connor P O Box 106, Buhl, ID 83316

Gorge & Diane Shigeta 5600 Willow Ln, Nampa, ID 83651

Ken & Sylvia Thornberg 1663 Castlerock Ct. Boise, ID 83712

Greg & Jean Jacobson, 4175 W Quail Ridge RD, Boise, ID 83703

As of January 7, 2009

*you have our
permission!!
Ken and Sylvia
Thornberg*

Gorge & Diane Shigeta 5600 Willow Ln, Nampa, ID 83651

Ken & Sylvia Thornberg 1663 Castlerock Ct. Boise, ID 83712

Greg & Jean Jacobson, 4175 W Quail Ridge RD, Boise, ID 83703

As of January 7, 2009

For water rights

You have our
permission!!
Ken and Sylvia
Thornberg

RECEIVED

SEP 23 2011

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 65-234711. Name of applicant(s) Rudolph J. and Judy K. Prachyl Phone 208.462.2576
Name connector (check one): ☐ and ☐ or ☐ and/orMailing address: 53 Circle Drive City Garden ValleyState ID _____ Zip 83622 Email: jprachyl@frontiemet.net2. Source of water supply South Fork of the Payette Rive which is a tributary of _____

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
9N	4E	21					Boise	South Fork of Payette River	

4. Water will be used for the following purposes:

Amount 0.02 for irrigation purposes from 3-15 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)Amount _____ for _____ purposes from _____ to _____ (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) 0.2 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. pump

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. _____

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. _____

Superseded by Amended App. Rec'd 11/15/2011

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	
9N	4E	21						0.5											

Total number of acres to be irrigated: 0.5

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? Subdivision well used only for in-house domestic use.

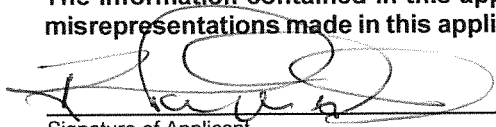
10. a. Who owns the property at the point of diversion? Block 6 Property Owners Association - c/o Brian Taylor
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Permission was granted from each property owner (10) of Block 6 - See attached

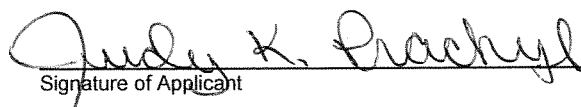
11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. To be able to keep lawn and surrounding area green, not only for fire prevention but asthetic appearance as well. To be able to wash off decks and sidewalks. For watering out side potted plants and flowers.

12. Time required for completion of works and application of water to proposed beneficial use is 1-5 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.


 Signature of Applicant
Rudolph J. Prachyl
 Print Name (and title, if applicable)


 Signature of Applicant
Judy K. Prachyl
 Print Name (and title, if applicable)

For Department Use:

Received by SB Date 9/23/11 Time 10:00 Preliminary check by _____
 Fee \$ 100.00 Received by SB Receipt No. W039649 Date 9/23/11

Borgeman, Sherry

From: Borgeman, Sherry
Sent: Tuesday, November 29, 2011 11:23 AM
To: 'rick.ward@idfg.idaho.gov'
Subject: Comment Letter for application # 65-23471
Attachments: Comment Letter to F & G.doc; 65-23471 APP.pdf

Attached is a cover letter & copies of application(s) for your review and/or comment. If you have any questions regarding this information please feel free to contact this office.

Thank you,

Sherry Borgeman
Idaho Department of Water Resources, Western Region
208-334-2190 (ph)
208-334-2348 (fax)

November 29, 2011

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

RE: Application(s) for Permit: 65-23471

Dear Mr. Ward:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days.

The Department can publish notice of the application as soon as the initial review is completed. Therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Sherry Borgeman
Administrative Assistant

Enclosure(s)

Borgeman, Sherry

From: Borgeman, Sherry
Sent: Tuesday, November 29, 2011 11:22 AM
To: 'waterdist65'
Subject: Comment Letter for application # 65-23471
Attachments: Comment Letter to WD65.doc; 65-23471 APP.pdf

Attached is a cover letter & copies of application(s) for your review and/or comment. If you have any questions regarding this information please feel free to contact this office.

Thank you,

Sherry Borgeman
Idaho Department of Water Resources, Western Region
208-334-2190 (ph)
208-334-2348 (fax)

November 29, 2011

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

RE: Application for Permit: 65-23471

Dear Watermaster:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Sherry Borgeman
Administrative Assistant

Enclosure(s)

Borgeman, Sherry

From: Borgeman, Sherry
Sent: Tuesday, November 29, 2011 10:09 AM
To: 'editor@idahoworld.com'
Subject: Legal Notice
Attachments: Boise County - Cover Letter.docx; Boise County - Ad.docx

Attached is (1) legal notice being submitted for publication. If you have any questions regarding the attached information, or if you can not publish the ad on the dates indicated please contact me immediately.

Sherry Borgeman
Idaho Department of Water Resources, Western Region
208-334-2190 (ph)
208-334-2348 (fax)

November 29, 2011

LEGAL NOTICE DEPARTMENT
IDAHO WORLD
PO BOX 99
GARDEN VALLEY, ID 83622

RE: Application For Permit No.(s): **65-23471**

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 12/27/2011. Your cooperation is appreciated.

Sincerely,

Sherry Borgeman
Administrative Assistant

Enclosure(s)

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

65-23471

RUDOLPH J PRACHYL

JUDY K PRACHYL

53 CIRCLE DR

GARDEN VALLEY, ID 83622

Point of Diversion L4(NWNW) S21 T09N R04E BOISE County Source SOUTH FORK PAYETTE RIVER Tributary PAYETTE RIVER

Use: IRRIGATION 03/15 to 10/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 9/23/2011

Place Of Use: IRRIGATION

T09N R04E S21 L4(NWNW)

Total Acres: 0.5

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 see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp for a full description of the right(s). 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 December 27, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 12/7/2011 and 12/14/2011



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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

October 21, 2011

RUDOLPH H & JUDY K PRACHYL
53 CIRCLE DR
GARDEN VALLEY ID 83622

RE: Application for Permit 65-23471

Dear Mr. and Mrs. Prachyl:

In an initial review of the above referenced application for permit we find that we needed some corrections to the form before it was acceptable. Enclosed you will find a copy of your original application form along with an "amended" form for your signature. We have also included 2 maps of the area of your tax lot (shown in red). Please mark the location of your proposed point of diversion, on one of these maps, and attach it to the amended application form. Review the "amended" form and if you agree with the changes, sign it and return it to this office at your earliest convenience. We cannot proceed with our review of your application until we receive the amended form.

If you have any questions regarding this matter, please feel free to contact me at (208)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

KW:k
Enclosures