

RECEIVED

SEP 19 2008

Page 1

Ident. No. 63-12371
WATER RESOURCES
WESTERN REGION

63-12371

Amended

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

1. Name: WILLA D BERGE
4928 CENTER LN
FRUITLAND ID 83619
~~(208) 336-1260~~ 208 405 1264

AND

JOHN M BERGE
4928 CENTER LN
FRUITLAND ID 83619
~~(208) 336-1260~~ 208 405 1263

2. Source: GROUND WATER

3. Location of Point of Diversion:

#1 GROUND WATER NW1/4NE1/4 Sec. 22, Twp 07N, Rge 05W, B.M.
PAYETTE County

4. Water will be used for the following purposes:

Purpose	From To	RATE OF DIVERSION	ANNUAL VOLUME
STOCKWATER	01/01 to 12/31	0.02 CFS	
IRRIGATION	3/15 to 11/15	0.10 CFS	
DOMESTIC	01/01 to 12/31	0.02 CFS	

5. Total quantity to be appropriated is: 0.14 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

a. Type and size of devices used to divert water from the source: WELL, PUMP

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. _____.

No Change
See Original

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 year(s).

8.

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
07N 05W 22	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	5.0
	1.0	~~2.0~~			3.03												

Total Acres: 4.03

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:

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.

William D. Borge

Applicant

Date 09-18-08

Received by DB Date 9/19/08 Time _____ Preliminary check by _____
 Publication prepared by DB Date 10/31/2008 Published in INDEPENDENT ENTERPRISE
 Publication approved _____ DATE: _____ Date NOVEMBER 5 & 12, 2008

Receipt No. _____

Date: See original

William D. Borge
Applicant

Date 09-18-08

Received by: _____

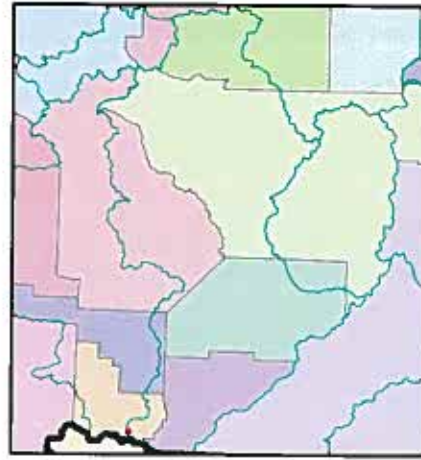


Idaho Department of Water Resources

Application
63-12371
(IRRIGATION)

Legend

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



Payette County
IDWR Basin 63

Prepared by John Westra
On September 12, 2008
2004 Aerial Photography

NWNE NE NE

R05W



T07N



Well is where red dot is behind the house

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR)

PERMIT #63-12371 IN THE NAME OF)

JOHN M AND WILLA D BORGE)

PRELIMINARY ORDER

VOIDING APPLICATION

FINDINGS OF FACT

1. On May 15, 1992, IDWR placed a "Hold" on the processing of new ground water appropriations in the Boise River Basin.

2. On November 21, 1992, John M and Willa D Borge filed application for permit #63-12371 with the Idaho Department of Water Resources (IDWR) seeking ground water for irrigation, domestic, and stockwater beneficial use.

3. In early January 2008, IDWR again resumed processing of new ground water appropriations in the Boise Basin. On July 23, 2008, IDWR sent the Borge a letter requesting their intent for processing the application for permit. A response was required within 30 days from the letter date.

4. To date, IDWR has not received a response from John M and Willa D Borge.

CONCLUSIONS OF LAW

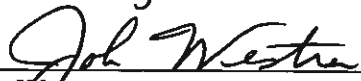
1. Idaho Code (IC)§ 42-204 and the Rules and Regulations of IDWR state that if an applicant does not submit requested information to IDWR within thirty (30) days of the date of request, IDWR may void the application. Water Appropriation Rule #35 also requires applicants to provide written notification to IDWR of changes in the applicant's name or address.

2. John M and Willa D Borge failed or refused to provide IDWR the requested information. The application should be voided.

ORDER

IT IS HEREBY ORDERED that Application for Permit #63-12371 in the name of John M and Willa D Borge be VOIDED.

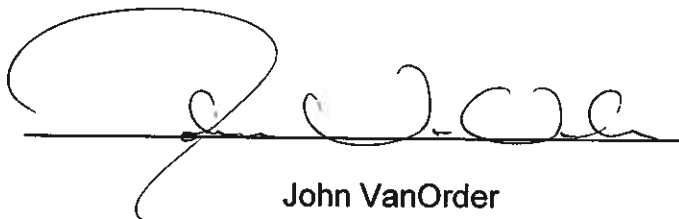
Dated this 29th day of August, 2008



John Westra
Manager, Western Regional Office

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of September, 2008, I mailed a true and correct copy of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:



John VanOrder
Office Specialist

Application for Permit #63-12371

John M and Willa D Borge
4895 Center LN
Fruitland ID 83619

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JOHN M BERGE 208-336-1260
Address: 4895 CENTER LN 4928
FRUITLAND ID 83619
AND
Name: WILLA D BERGE 208-336-1260
Address: 4895 CENTER LN 4928
FRUITLAND ID 83619

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NENE Sec. 22, Township 07N, Range 05W
PAYETTE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.100		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.020		

5. Total quantity to be appropriated is:
0.140 CFS (and/or) AF

6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc.
WELL, PUMP
b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
c. Proposed well diameter is 6 inches; proposed depth of well is 218
feet.
d. Is groundwater with a temperature greater than 85F being sought? NO
e. If well is already drilled, when? 10/24/1996
Drilling Firm DENNIS PHIPPS WELL DRILLING
Well was drilled for APPLICANT

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).

8. Place of Use: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
07N 05W 22	NENE 05			5

Total number of acres irrigated: 5

Place of Use: STOCKWATER, same as IRRIGATION use

Place of Use: DOMESTIC, same as IRRIGATION use

9. 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.

10. Remarks:

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 _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 75.00 Receipted by _____ #W021750 Date 11/21/1996

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

Ident. No. 63-12371

Comments: Date: 12/ 3/1996 User-ID: LGRAVES

Subject: MISC

Processing delayed pending backlog reduction.
Balance of drilling fees need collected prior to permit approval.
Domestic use for one home.
Stock water use is for 20 calves.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant John M. & Willa D. Borge Phone 336-1260 (work)
Mailing address 4895 Center Lane, Fruitland, ID. 83619
2. Source of water supply Groundwater (Private well) which is a tributary of _____
3. Location of point of diversion is Township 07N Range 05W Sec. 22 in the _____ 1/4,
NE 1/4, NE 1/4, Govt. Lot _____, B.M., Payette County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .10 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for Stock Water purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .14 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source _____
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is 6 inches; proposed depth of well is 218 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? 10-24-96; Drilling firm Dennis Phipps Well Drilling;
Well was drilled for (well owner) John & Willa Borge; Drilling Permit No. 63-96-W-0773-000
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW. _____
 - b. Stockwatering; list number and kind of livestock. 20 Calves
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. 1
 - e. Other; describe fully. _____

9. 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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	5W	22	5																5
			S/D																

Total number of acres to be irrigated 5

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? Applicant

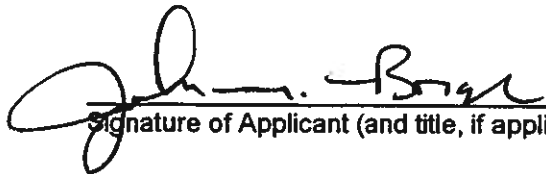
b. Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

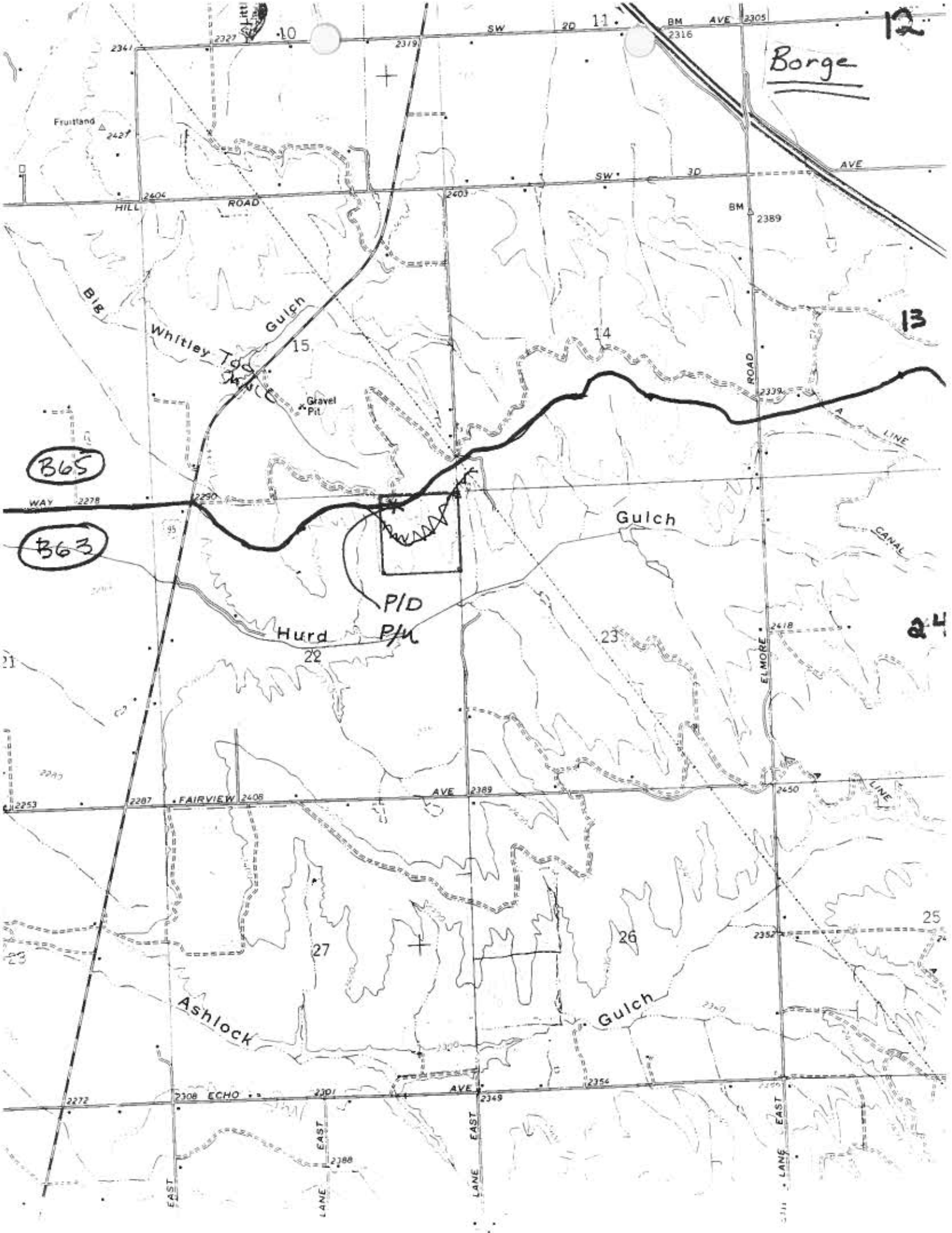
12. Remarks: _____

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy or a USGS 7.5 minute topographic quadrangle map is preferred.)

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


 Signature of Applicant (and title, if applicable)

Received by JFW Date 11/21/96 Time 3:30 PM Preliminary check by _____
 Fee \$ 50.00 Received by JFW # W021750 Date 11/21/96
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____



803NP
00-5803)

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT NUMBER INDEX

DATE: 11/18/96

PAGE: 1

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	ACC FLG	COUNTY
63-96-W-0773-000	O	JOHN BERGE 28336 OLD HWY 30 CALDWELL, ID 83605 (541) 889-2454	07N	05W	22	NE NE		P	PAYETTE

Subdivision Well Site Location and Description:

Subdivision Name:

Well Site Address: CENTER AVE

City, State: FRUITLAND, ID

Lot(s):

Block(s):

Geographic Location:

GPS Site ID:

Lat: : : N

Long: : : W

Accuracy Code:

Injection Permit No.

Water Right No.

Well Construction Information:

Anticipated Bottom Temp: 85F or less

Proposed Use of Well: Domestic ^{Fee} \$75 Proposed Casing Diameter: 6 In. Proposed Depth: 250 Ft.

Well Use Comments: ^{An Additional \$125} would be needed to upgrade this drilling permit to Irrigation use.
\$200 Irrigation Use

Driller License No: 0332

Firm Name: DENNIS PHIPPS WELL DRILLING

Official: DENNIS L PHIPPS

Permit Status: Permit

Verbal Issued Date:	10/11/1996	Receipt No.	Receipt Date	Fee
Verbal Issued Time:	10:56:01			
Received Date:	10/24/1996	W021663	10/25/1996	\$ 375.00
Approved Date:	10/24/1996			
Proposed Start Date:	10/10/1996			
Extension Date:				
Extension Expiration:				

Specific Conditions:

Permit Remarks:

Conditions of Approval: This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.

This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.

The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.

Buffington, Denise

From: Buffington, Denise
Sent: Friday, October 31, 2008 8:42 AM
To: lisaallison@qwest.net
Subject: Legal Notice
Attachments: Payette County - Cover Letter.RTF; 63-12371 Ad.RTF; 63-32641 Ad.RTF

Attached please find (2) legal notices, being submitted for publication. Please contact me if you are not able to run the notices on the dates requested.

Thank you,

Denise Buffington
Idaho Department of Water Resources
Western Region

10/31/2008

October 31, 2008

Legal Notice Department
INDEPENDENT ENTERPRISE
124 S MAIN
PAYETTE ID 83661

RE: Application for Permit No. 63-12371 & 63-32641

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 11/24/2008. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

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

63-12371

JOHN M BORGE
WILLA D BORGE
4928 CENTER LN
FRUITLAND ID 83619

Point(s) of Diversion NWNE S22 T07N R05W PAYETTE County Source GROUND WATER

Use: IRRIGATION	3/15 To 11/15	0.1 CFS
Use: STOCKWATER	01/01 To 12/31	0.02 CFS
Use: DOMESTIC	01/01 To 12/31	0.02 CFS
Total Diversion:		0.14 CFS

Date Filed: 11/21/1996

Place Of Use: IRRIGATION

T07N R05W S22 NENE NWNE

Number of Acres 4.1

Remark: Water bearing zone to be appropriated is from 200 to 218 feet.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 11/24/2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published on November 5th & 12th, 2008



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 15, 2008

John M & Willa D Borge
4928 Center LN
Fruitland ID 83619

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

RE: Application for Permit 63-12371

Dear Mr. & Mrs. Borge:

Thank you for your response for processing the above described application. The application is ready for public notice, which is scheduled for October.

While reviewing the application and developing the shape file (attached) for your parcel, I noticed the point of diversion and place of use legal description may not be correct. Technology has greatly improved since 1996, and we now have accurate aerial views and county tax lot online information to utilize. Making corrections is easily done at this stage of the process. Once public notice has been made, it becomes much more difficult.

Please review the map enclosed. The 40 acre tract line (red dotted) runs through your parcel placing some acreage in both 40s. If the well is close to your residence, it definitely is in the NWNE 40 tract instead of the NENE. Also, if the irrigation place of use location is on the left of the dotted line, it too is in the NWNE 40 acre tract. You may want to irrigate land in both 40 tracts; if so convey the number of acres you desire to irrigate in each tract—mark it on the map and add it to the application form.

I have enclosed an amended version of your application that reflects the correct legal 40 acre tract descriptions. Both parties should sign, date the amended application, and return it to this office. Please timely submit this information and a current phone number to retain your place in the processing line.

I was unsuccessful in contacting you by phone, and would certainly welcome further discussion with you. Water rights are very confusing at best.

Appreciate your cooperation,

John Westra, Manager
Western Region

Enclosure: Original Application Copy, Shape file map, Amended App.

RECEIVED
SEP 08 2008
WATER RESOURCES
WESTERN REGION

Response Form

Name of Applicant: JOHN M AND WILLA D BERGE

Address: 4928 ~~4895~~ CENTER LN
FRUITLAND, ID 83619

Application No: # 63-12371

(Please read carefully and mark)

☒ Yes, I intend to proceed with the water use development outlined in the application. I retain full possessory interest in the listed point of diversion and place of use locations on the application. I request the Department continue processing the application. (Please describe on the back updates/changes needed on your application)

(Please fill in) The estimated (well) water bearing zone will be _____ ft to 218 ft below the ground surface.

____ No, I do not wish to proceed with final processing of this application. I hereby withdraw my Application for Permit to Appropriate the Public Water of the State of Idaho

Signed this 6 day of September 2008

Applicant Signature



Printed Applicant Name John M. Borge

Return Form to: J. Westra
Idaho Dept. of Water Resources
2735 Airport Way
Boise, Idaho 83705



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

DAVID R. TUTHILL, JR.
Director

August 29, 2008

John M and Willa D Borge
4895 Center LN
Fruitland ID 83619

RE: Preliminary Order in the Matter of Application for Permit #63-12371

Dear Applicant:

The accompanying order 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 unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed information sheet.

If you have any questions regarding this matter, please call me at 208-334-2190.

Sincerely,

John Westra, Manager
Western Regional Office

Enclosures

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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. 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 Idaho Water Resource Board (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 issuance 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.



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

July 23, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

JOHN M AND WILLA D BORGE
4895 CENTER LN
FRUITLAND, ID 83619

RE: Held Application for Permit #63-12371--Filed November 21, 1996

Dear Applicant:

As you aware, the above reference application for permit located in the Boise River Basin has been held by our agency since the 1990s. The Department began holding new groundwater applications for consumptive use due to prolonged drought and concerns about declining aquifer levels. As a result, the Treasure Valley Ground Water Study was initiated. The study was completed in 2002, and now provides modeling for projecting future groundwater availability in the valley. Our agency will commence processing held applications as staff resources are available.

Attached is a profile report of your application as submitted to our agency. Please check carefully the specifics on the application. You must still have full possessory interest- ownership in the listed point of diversion and place of use land locations for processing consideration. Your application will need to have public notice published in your local county newspaper. The notice will be published once per week for 2 consecutive weeks. Anyone having issue with an application may file a protest within the time allowed.

We are asking for you to convey your intentions regarding this application by completing the attached response form. *Please respond to the following:*

- If you desire to develop the water use, and wish our agency to complete the processing of your application, please mark the *YES* response, provide any updates/changes needed, and list the water bearing zone for the well source.

OR

-Mark the *NO* response to withdraw the application. The application will be removed from processing and our records. Our agency will not be able to provide refunds of fees for withdrawn applications.

-Sign, date, and return the response. Response forms need to returned to this office no later than 30 days of this letter date.

Should you have questions about further processing of this application, please contact Denise Buffington or John Westra at the Western Regional Office, phone 334-2190.

Sincerely,

for John Westra, Manager Western Region
Enclosure: Proof Report, Response Sheet



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

December 3, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

John & Willa Borge
4895 Center Ln
Fruitland ID 83619

RE: APPLICATION FOR PERMIT

Dear Mr. & Mrs. Borge:

Your application for permit, No. 63-12371, to appropriate ground water for irrigation, stockwater, and domestic uses was received on November 21, 1996. Processing of the application must be delayed.

Due to continued drought and to protect existing water rights and water supplies, the Director of this agency declared a moratorium on May 15, 1992, concerning water right applications proposing new consumptive uses of public water. The moratorium has been lifted, but processing of all new or pending applications has been suspended until technical data are available from a comprehensive Treasure Valley ground water study now underway. Initial results of the study will not be available for at least one year.

To facilitate handling of your filing once it can be processed, please provide the following information.

- 1) What is the proposed depth(s) of the water bearing zone(s) to be developed within the aquifer. For example, a well with a total depth of 250 feet might be developed with a water bearing zone in the 140-190 feet depth interval. This information can be determined from your well log. Contact your driller if unsure.

This office will hold your application and will begin processing as soon as possible. Delays related to department actions do not affect the date of priority or seniority of any application, once established.

If you have any questions, please feel free to contact this office at 334-2190.

Sincerely,

Lori Graves
Sr. Water Resource Agent