

HORSESHOE LANE

4177

RIVER CANYON RANCH
DIVISION 1 4910

4598

4233

10

SURVEY BY BENTON
ENG. JOB # 3027RS
FEB. 1993

1.3 acres
Place of use

5.4 axis
place of use

7.07 AC

18. CB AC

2

64

502

512°40'41"

512'22'22"

585.33.23.14

300-11

SAITI
COO

SAITI
COO

NOTE: I ALSO OWN THE PROPERTY ILLUMINATED. ALSO NOTE THAT THIS PROPERTY GOES TO THE ESTATE ON THE N.W. THESE AREN'T WOULD NOT BE ILLUMINATED

KIBY
DITCH

18. CB AC

W N
MICROFILMED
FEB 11 1999

NORTH

80.00

82.23
80.50

Sec. 6

Sec. 7

Sec. 18

T
3N

R41E

Sec. 17

Sec. 8
73.19

SOUTH

Sec. 16
98.29

FORK

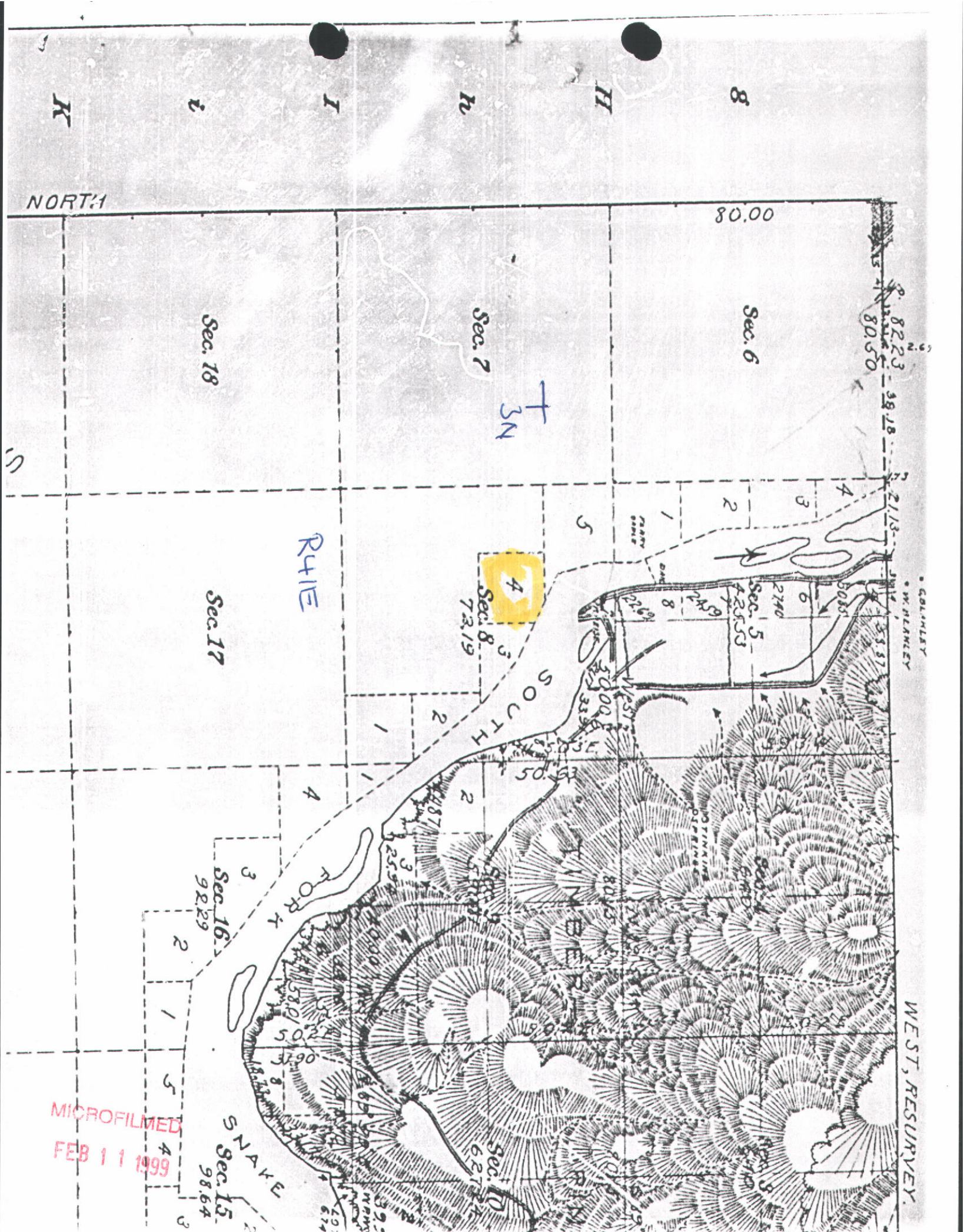
SNAKE

Sec. 15
98.64

MICROFILMED
FEB 11 1999

W. MEANLEY

WEST, RESURVEY.



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 01-10438

Priority: November 23, 1998

Maximum Diversion Rate: 0.24 CFS
Maximum Diversion Volume: 52.0 AF

It is hereby certified that KEN HORISZNY
809 SWAN VALLEY HWY
RIRIE ID 83443 has complied with the terms and conditions of the permit,
issued pursuant to Application for Permit dated November 23, 1998; and has submitted Proof of
Beneficial Use on December 20, 1999. An examination indicates that the works have a diversion
capacity of 0.24 cfs of water from:

SOURCE

SOUTH FORK SNAKE RIVER

Tributary: SNAKE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	0.24 CFS	52.0 AF

LOCATION OF POINT OF DIVERSION:

SOUTH FORK SNAKE RIVER L15 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 8, Twp 03N, Rge 41E, B.M., BONNEVILLE
County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N 41E 8								13.0									13.0
							L 4										

Total Acres: 13

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. When water is not available to fill this right, the right holder shall cease diversion or shall rent water from Snake River Rental Pool.

MICROFILMED

APR 06 2004

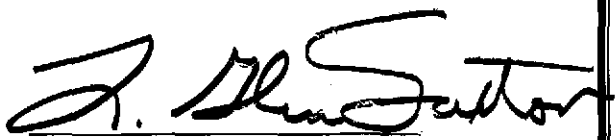
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 01-10438

5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 30th day of March, 2004.


for KARL J. DREHER
Director

MICROFILMED

APR 06 2004

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 01-10438

Date of Priority: November 23, 1998

Maximum Diversion Rate: 0.24 CFS

Maximum Diversion Volume: 52.0 AF

Comes now KEN HORISZNY

809 SWAN VALLEY HWY

RIRIE ID 83443 and represents to the Director of the Idaho Department

of Water Resources that he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 01-10438, and requests that the permit be changed as follows:

Source: SOUTH FORK SNAKE RIVER **Tributary:** SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.24 CFS	52.0 AF

LOCATION OF POINT OF DIVERSION:

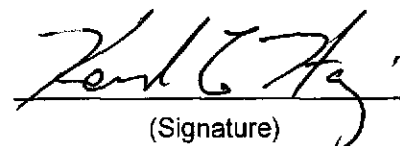
SOUTH FORK SNAKE RIVER L15 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 8, Twp 03N, Rge 41E, B.M., BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 41E 8								13.0									13.0
							1.4										

Total Acres: 13

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 24 day of MARCH, 2004.


(Signature)

MICROFILMED

APR 06 2004

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 01-10438

FOR DEPARTMENT USE ONLY
Preliminary check by fw Fee = 50.00 Received by MM # C07320 Date 3/29/04

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 01-10438 with the following:

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. When water is not available to fill this right, the right holder shall cease diversion or shall rent water from Snake River Rental Pool.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

Witness my hand this 30th day of March, 2004.

Karl J. Dreher
for **KARL J. DREHER**
Director

MICROFILMED

APR 06 2004

Water Permit Report 23-7176

WATER RIGHT NUMBER: 23-7176

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KEN HORISZNY 809 SWAN VALLEY HWY RIRIE, ID 83443 (208)538-7865

Priority Date: 11/23/1998

Basis:

Status: Parent

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	0.260 CFS	
	Total Diversion:	0.260 CFS	

Location of Point(s) of Diversion

SNAKE RIVER L4 (SE1/4NW1/4) Sec. 8, Twp 03N, Rge 41E, B.M.
BONNEVILLE County

Place of Use

IRRIGATION

[illegible]

Total Acres: 13

Conditions of Approval:

1. 01J Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
3. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Remarks:

1. General When water is not available to fill this right, the right holder shall cease diversion or shall rent water from Snake River Rental Pool or shall purchase 25 shares of Palisades Water Users stock.

MICROFILMED

ACKNOWLEDGMENTS

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 23-7176

Comments:

1. CZIMMERM 2/5/1999 Diversion Description

Comment: Pump in river. Moratorium Exception This application is located within the non-trust area of the Eastern Snake River Plain Moratorium. This application meets the criteria described in paragraph 9.b. of the April 30, 1993 order.

2. KTOWNSEN 1/13/2000 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

3. Renumber 2/20/2004 9:02:18 AM Renumber WR 23-7176

Comment: This has been renumbered to 01-10438

kw

Dates and Other Information:

Permit Proof Due Date: 2/1/2000

Permit Proof Made Date: 12/20/1999

Permit Approved Date: 2/9/1999

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Field Exam Date: 6/14/2000

Date Sent to State Office: 2/28/2002

Date Received at State Office: 3/11/2002

State or Federal:

Owner Name Connector:

Water District Number: 01

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

MICHAEL J. J.

APR 15 2004

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 23-07176

Proposed Priority: November 23, 1998 Maximum Diversion Rate: 0.26 CFS

This is to certify, that KEN HORISZNY

809 SWAN VALLEY HWY

RIRIE ID 83443

has applied for a permit to appropriate water from:

SNAKE RIVER, SOUTH FORK

tributary of SNAKE RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	04/01 to 10/31	0.26 CFS
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LOCATION OF POINT(S) OF DIVERSION: Lot 4 (SENW), Sec. 8, Township 03N, Range 41E
BONNEVILLE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	41E	8	Lot 4 (SENW)	13.0		13.0

Total number of acres irrigated: 13.0

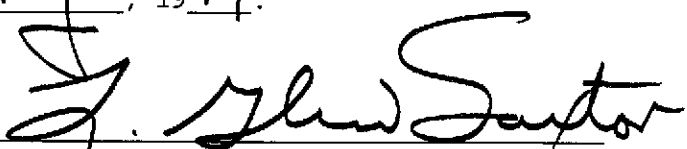
CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 2000.
2. Subject to all prior water rights.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
4. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. When water is not available to fill this right, the right holder shall cease diversion or shall rent water from Snake River Rental Pool or shall purchase 25 shares of Palisades Water Users stock.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.

Witness the signature of the Director, affixed at Boise, this

9th day of February, 1999.


for Karl J. Dreher, Director

#100 fee

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED**JAN 19 1999**

Department of Water Resources

1. Name of Applicant Ken Horisny Phone (208) 538-7865
Mailing address 809 Swan Valley Hwy Rivie ID 83443
2. Source of water supply Snake River, South Fork which is a tributary of Snake River
3. Location of point of diversion is Township 3N Range 4E Sec. 8 in the 1/4,
SE 1/4, NW 1/4, Govt. Lot 4, B.M., Bonneville County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.26 cfs for Irrigation purposes from 4-01 to 10-31 (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)
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) 0.26 cfs 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 pump in river to
sprinklers
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 85°F being sought? _____
e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is ONE 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. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. _____
e. Other; describe fully. * I would hope to be operational by 5/99

RECEIVED

NOV 22 2010

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

use below. See instructions for standard symbols.

TWP	RGE	SEC
3N	4E	8
NE		
NE	NW	SW
SE	SW	SE
NE		
NE	NW	SW
SE	SW	SE
NW		
NE	NW	SW
SE	SW	SE
SW		
NE	NW	SW
SE	SW	SE
SE		
NE	NW	SW
SE	SW	SE
SE		
TOTALS		

Total number of acres to be irrigated

13.

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? KEN C. HOKISZNY

b. Who owns the land to be irrigated or place of use? KCN C. HOVISZNY

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

:၆၂၅၄ ရှုမာ

12. Remarks:

Remarks: Applicant will be required to rent storage container whenever a 1998 priority claim be filed.

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 of 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

25

Date 11-23-98 Time

Preliminary check by

Date _____

Date	23	8	12	10
------	----	---	----	----

Publication prepared by

Date _____

Publication approved

ORIGINAL

Wells

4177

HORSESHOE LANE

SURVEY BY BENTON
ENG. JOB # 3027RS
FEB. 1993

4233

RIVER CANYON RANCH
DIVISION 1 4910

LOT 11

NOTE: I ALSO OWN THE
PROPERTY ADJACENT. AS
NOTED THAT THIS PROPERTY
GOES TO THE RIVER ON
THE N.W. CORNER. THESE AREAS
WOULD NOT BE INDICATED

LIKEN
DITCH

18.08 AC.

7.07 AC

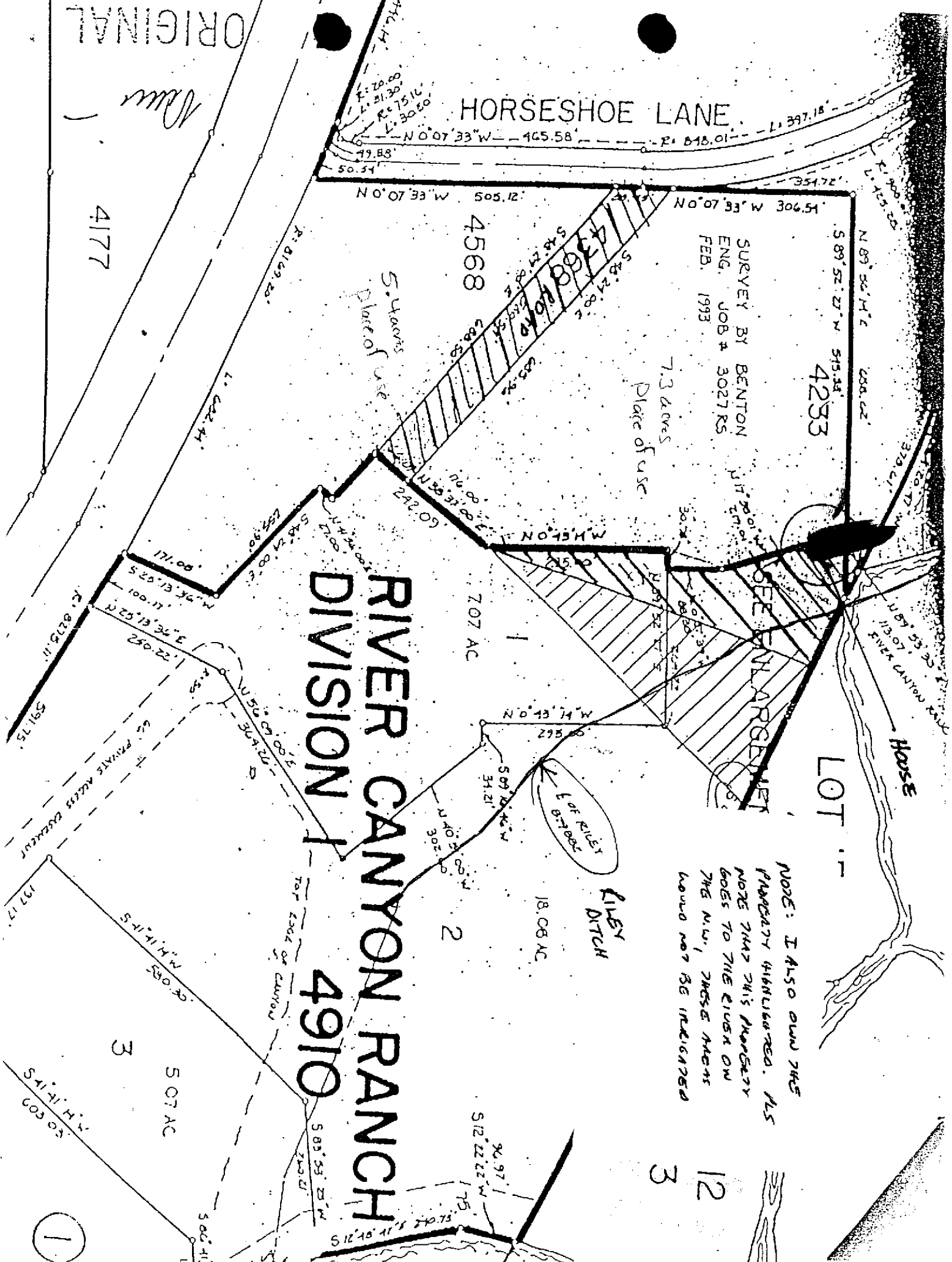
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NORTH

80.00

Sec. 6

Sec. 7

Sec. 18

54

Sec 17

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72319

72.19

SOUTH

Sec 16
92.29

Sec 16
92.29

SLAKE

907-15

907-15

• MR. JAMES

WEST, RESUMAYE

RECEIVED

OCT 30 1998

Department of Water Resources
Eastern Region

Date: 10/27/98

To: Ron Carlson
Dept. of Water Resources
900 N. Skyline
Idaho Falls, ID. 83402
208 525-7127

From: Ken Horiszny
809 Swan Valley Hwy
Ririe, ID 83443
208 538-7865

Subject: Irrigation of approximately 13 acres located at 809 Swan Valley Hwy

As we have discussed on the phone I am interested in acquiring the rights to irrigate the pasture adjacent to my home. The area is approximately 13 acres and is described in the enclosed record of survey, recorded in April of 1993. The area to be irrigated is described by the legal descriptions identified as Parcel 1 and Parcel 2.

As we also discussed my intention would be to install a pump with flow meter, on the snake river directly below my house and pump the water up to the pasture from there.

There is a an irrigation ditch between my house and the river, however I am informed by both Poplar and Progressive that this ditch is to be abandoned and that I must therefore procure water from the river itself.

Please let me know what paper work must be prepared and what contracts signed in order for me to proceed with installation of the pump and acquiring the right to utilize it.

I appreciate your help.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 1, 2004

KEN HORISZNY
809 SWAN VALLEY HWY
RIRIE ID 83443

RE: License No. 1-10438 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MAILED

APR 2 2004

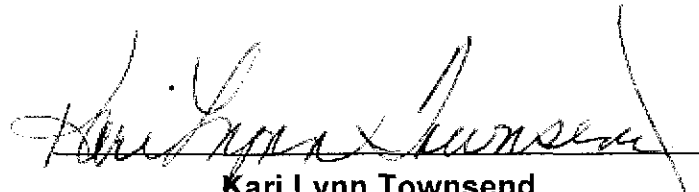
CERTIFICATE OF SERVICE

I hereby certify that on April 1, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

1-10438

**KEN HORISZNY
809 SWAN VALLEY HWY
RIRIE ID 83443**



**Kari Lynn Townsend
Secretary**

RECEIVED
APR 1 2004

**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).

MAIL ROOM
JAN 15 2004

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.

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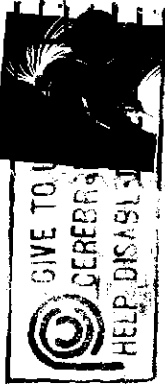
Nov 15 2004
c/o HKA
639 Front St
SF, CA 94111



POSSIBLE NEW ADDRESS



NOTE



IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706

83706+2237

MICROFILMED
APR 06 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 25, 2004

KEN HORISZNY
809 SWAN VALLEY HWY
RIRIE ID 83443

RE: Water Right Permit No. 01-10438 (Previously Numbered 23-07176)

Dear Permit Holder:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

 Point of Diversion

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

3-24-04 @ 3:15
Mr. Horiszny
called - does not
believe the point of
diversion has changed
is what he filed for -
Will call me back.
KW

MICROFILMED

APR 6 6 2004

Walker, Kay

From: Carlson, Dave
Sent: Friday, February 20, 2004 10:37 AM
To: Walker, Kay
Subject: RE: Permit 23-7176 (New number 01-10438)

hey kay
according to Tony, Horiszy will have to rent storage from 01 in order to use this pump.

palisades Water users is just storage anyway and its not available often. He doesnt have any.

hope that helps
dave

-----Original Message-----

From: Walker, Kay
Sent: Friday, February 20, 2004 10:27 AM
To: Carlson, Dave
Cc: Walker, Kay; Dunn, Dennis
Subject: Permit 23-7176 (New number 01-10438)

Hi, Dave... I am working on getting an amendment ready for this permit so I can license (Dennis said a transfer will be filed on it and requested I expedite). In looking at the exam I see that you believe Mr. Horiszy has obtained water from Palisades Water Users. Can you get some documentation from WD 01 (or the water user) that will provide evidence of this. I am going to hold up sending out the licensing amendment until I get something from you. Thanks!
Kay

LICENSE REVIEW CHECKLIST

Permit No. 23-7176 Date: 2-20-2004 Reviewer: Kay Walker

Change/OK

Name/Address

Source

Point of Diversion:

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

File reviewed Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.24 cfs

Fee Limit 1.0 cfs

Measured 0.24 cfs

Theoretical _____ cfs

Recommended Total Diversion Rate 0.24

Water Uses

OK Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation 0.24 cfs 52.0 af

Stockwater _____ cfs _____ af

Domestic _____ cfs _____ af

_____ cfs _____ af

_____ cfs _____ af

Total 0.24 cfs 52.0 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.24 cfs x 1.9835 x 214 days = 101.8 af (vs) 13 acres x 4.0 (FHR) = 52.0 af
~ 102.0

Remarks:

Additional Conditions Yes Watermaster Control 01

Yes GW Measurement/Measuring Device

Other

Trust R55 - remove 051)

Non-trust (048)

GW Dist? _____

Water Msmt. Dist? _____

Crit. GWMA? _____

GWMA? _____

Government Lots? _____

Advance Priority? yes If yes, explain why below.

no

SRBA Claim?

NO - not reg'd

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

P49

S06

*NO - must
sent from
Snake River
Bentall pool -
01*