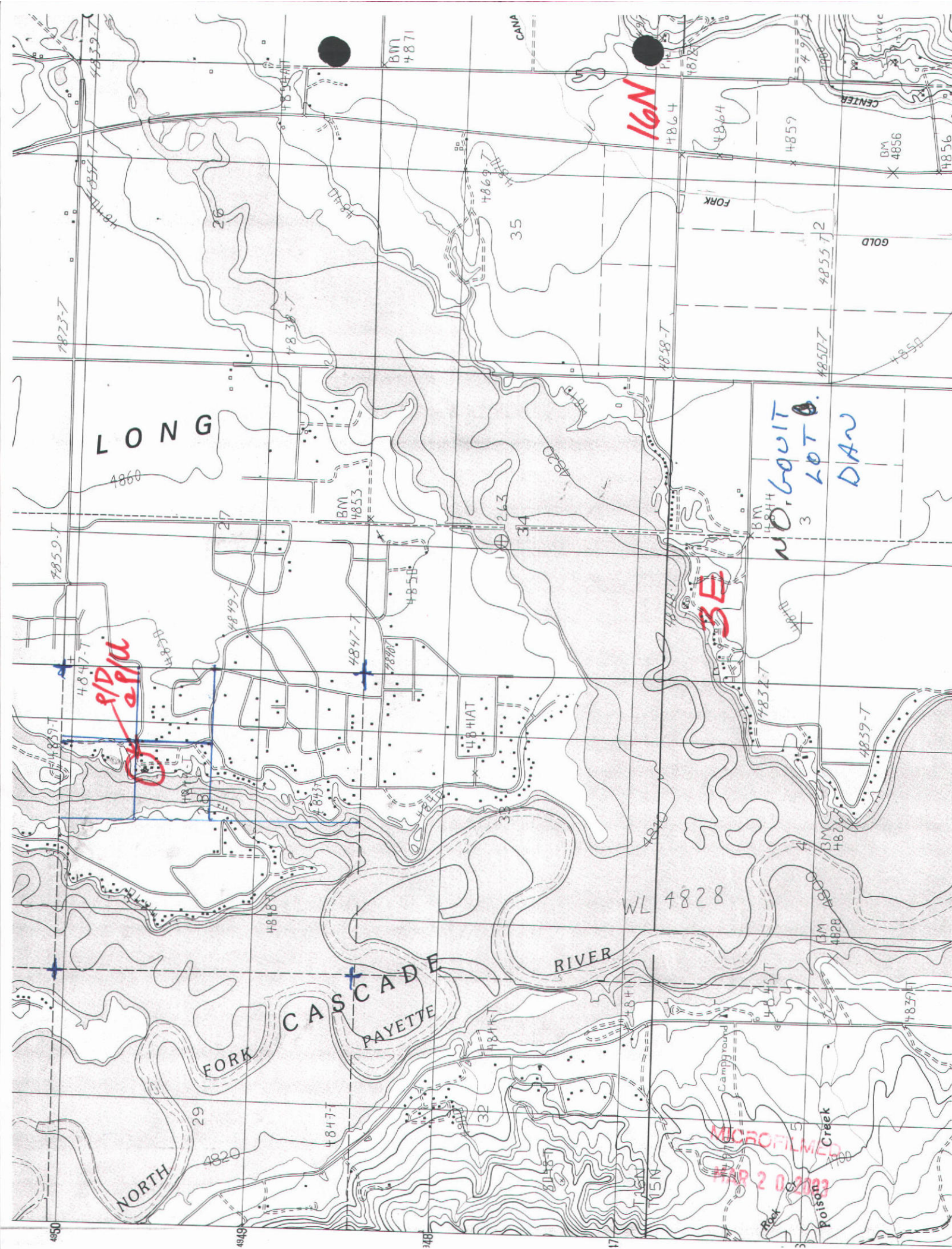


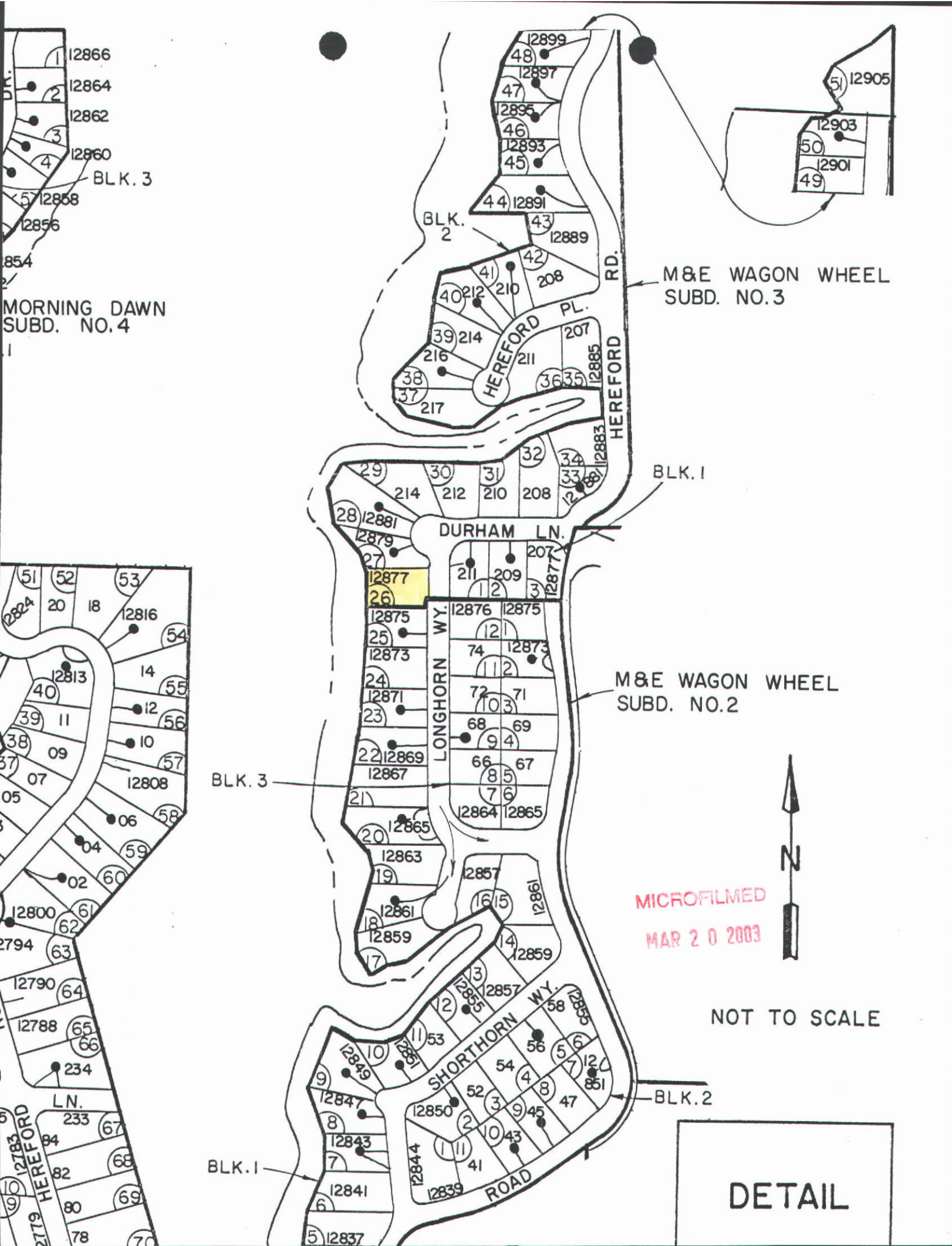


An aerial photograph showing a wide river flowing through a dense forest. A yellow rectangular area with a black dot is highlighted on the right bank. A red dot is visible further down the river. A yellow label is overlaid on the bottom right of the image.

Workflow Shape Updated
by DAN 2/6/2003

MICROFILMED

MAR 20 2003



Publisher's Affidavit of Publication

STATE OF IDAHO

County of Valley

.SS

I, Carol J. Wright, being duly sworn and say, I am the receptionist of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of afore said and is a legal newspaper; that the PUBLIC NOTICE, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for a period of two weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began February 20, 2003 and ended February 27, 2003.

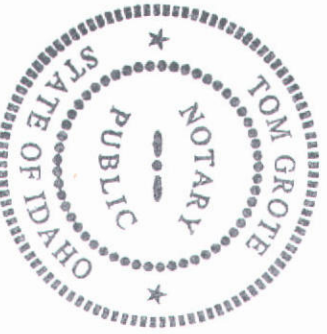
Carol J. Wright

Subscribed and sworn before me this the 28th day of February, 2003.
STATE OF IDAHO

COUNTY OF VALLEY

}

On this 28th day of February, in the year of 2003, before me, a Notary Public, personally appeared Carol J. Wright, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Tom Grote

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires 2/8/06

RECEIVED

MAR 03 2003

WATER RESOURCES
WESTERN REGION 1

THE FOLLOWING APPLICATION(S)
HAVE BEEN FILED TO APPROPRI-
ATE THE PUBLIC WATERS OF THE
STATE OF IDAHO:

65-22708

DONALD LOJER

1344 RIMROCK CT

BOISE ID 83712

Point(s) of Diversion SWNE S28 T16N

R03E VALLEY County Source GROUND

WATER

Use: IRRIGATION 04/15 To 10/31 0.02

CFS

Total Diversion: 0.02 CFS

Date Filed: 07/19/2002

Place Of Use: IRRIGATION

T16N R03E S28 SWNE

Number of Acres 0.5

Remark: Applicant agrees to mitigate con-

sumptive use in the future as needed.

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 03/10/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

NOTICE OF PROPOSED CHANGE OF

WATER RIGHT

TRANSFER NO. 70275

BOULDERMEADOWS IRRIGATION

INC

C/O MILLEMAN PITTENGER

MCMAHAN & PEMBERTON LLP

PO BOX 1066

MC CALL ID 83638, has filed Application

No. 70275 for changes to the following water

rights within VALLEY County:

Right No. 65-2963

Priority 12/9/1965

Source BOULDER CREEK

Use IRRIGATION 6.18 CFS

IRRIGATION FROM STORAGE (0 acres)

IRRIGATION STORAGE

Total Amount 6.18 CFS 490.0 AFA

Point(s) of Diversion S28 T18N R04E

Place of Use S1 T17N R03E S36 T18N

R03E

Right No. 65-12007

Priority 9/30/1977

Source BOULDER CREEK

Use IRRIGATION FROM STORAGE

(0 80.0 AFA acres)

IRRIGATION STORAGE

Total Amount 80.0 AFA

Point(s) of Diversion S28 T18N R04E

Place of Use S1 T17N R03E

S36 T18N R03E

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before March 10, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director 26c2/27

MAR 20 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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APR - 1 2003

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 65-22708 Telephone No 208-343-7733 (w)
2. Name of Permit Holder(s): DONALD LOJEK
3. Mailing Address 1344 Rimrock Ct.
City BOISE State ID Zip 83712
4. Source of Water: Well If **GROUNDWATER** (well) Date Drilled: mo _____ / yr. 1985 ±
Well Driller: unknown Drilling Permit Number unknown
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): Ø
Irrigation (No. of acres): 0.5 (trees) Other: n/a
6. Total rate of diversion and/or volume for which proof is submitted: 0.02 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional Please check either yes or no Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No X
8. Fee Enclosed. \$ n/a (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: DON LOJEK Telephone Number: 208-343-7733
Address: 1344 Rimrock Ct BOISE, ID. 83712*
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.
Signature of permit holder: [Signature] Date: 3-25-03
(include your title, if on behalf of company of organization)

* We have a cabin there and could meet an inspector if necessary.

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MAY 05 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22708

Priority: July 19, 2002

Maximum Diversion Rate: 0.02 CFS

This is to certify, that DONALD LOJEK
1344 RIMROCK CT
BOISE ID 83712

has applied for a permit to appropriate water from:

Source: GROUND WATER

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	04/15 to 10/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28, Twp 16N, Rge 03E, B.M VALLEY 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	
16N	03E	28			.5														5

Total Acres: 0.5

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before April 1, 2004.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Point of diversion and place of use are located within Lot 26, Blk. 3, McLeod Edwards Wagonwheel Subdivision No. 3.
5. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 1.5 afa at the field headgate for irrigation of the land described above.
6. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 20th day of March, 2003

MICROFILMED


for KARL J DREHER, Director

Ident. No. 65-22708

RECEIVED
JUL 24 2002
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
MAR 17 2003
Department of Water Resources

To appropriate the public waters of the State of Idaho

1 Name of Applicant DONALD W. LOJEK Phone 342-6389
Mailing address 1344 RIMROCK CT BOISE, ID 83712
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is Township 16N Range 3E Sec. 28, in the _____ 1/4,
SW 1/4, NE 1/4, Govt. Lot _____, B.M., Valley County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:
Amount 0.02 for IRRIGATION purposes from 4-15 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) 0.02 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 submersible pump
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 45 feet
d. Is ground water with a temperature of greater than 85°F being sought? no
e. If well is already drilled, when? 201970; 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 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. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. 1 home
e. Other; describe fully. _____

MICROFILMED

MAR 20 2003

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	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	3E	28			0.5														0.5

Total number of acres to be irrigated 0.5

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? 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: Property also known as Lot 26, Blk. 3, McLeod Edwards Wagonwheel Subd. #3

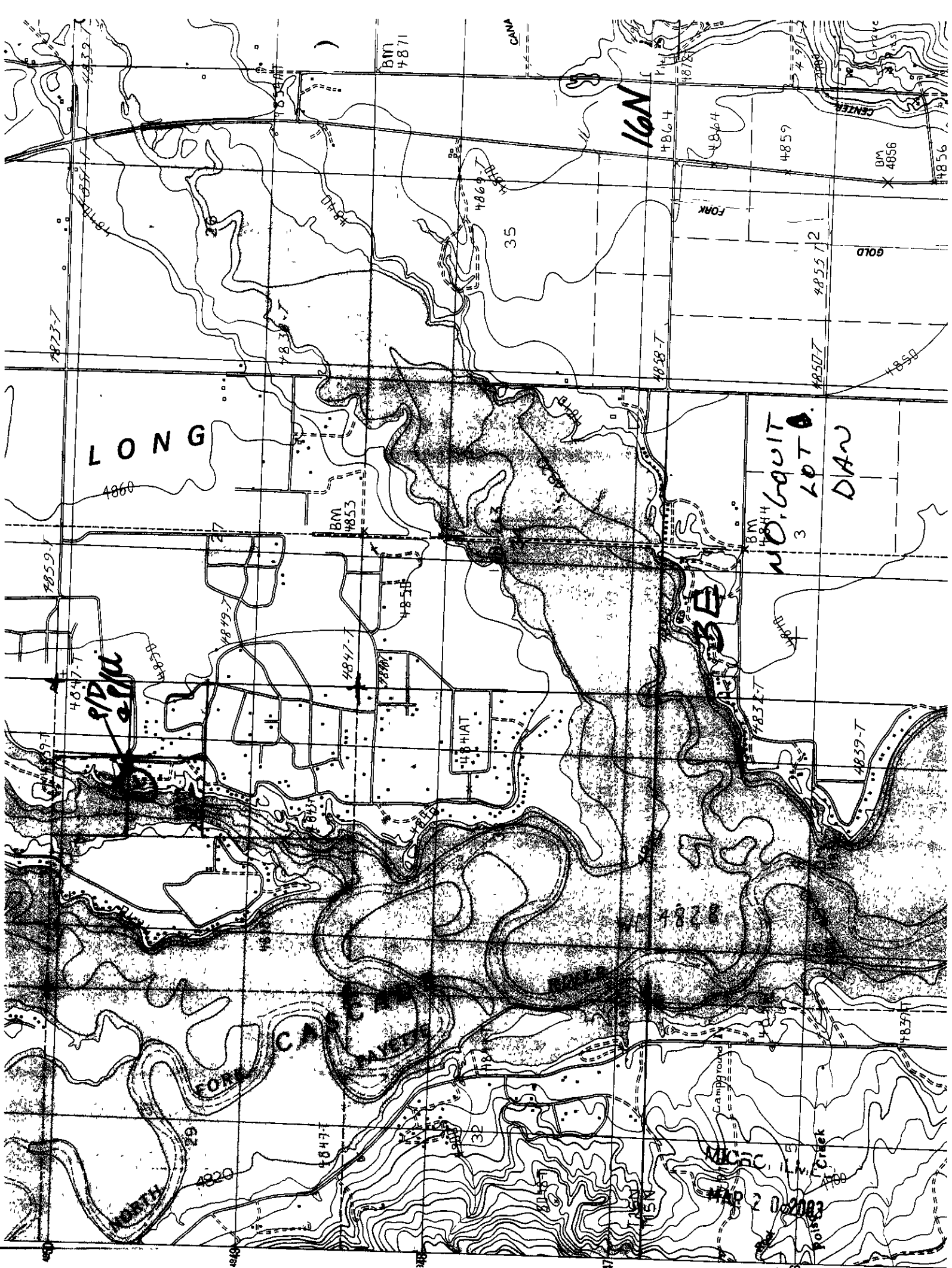
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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]
Signature of Applicant (and title, if applicable)

Received by kw Date 7/19/02 Time 8:40 AM Preliminary check by _____
 Fee \$ 100.00 Receipted by [Signature] # 0063445 Date 7/19/02
 Publication prepared by [Signature] Date 8-20-02 Published in _____
 Publication approved _____ Date 3-10-03 **STAR NEWS**
MICROFILMED

MAR 20 2003



WATER RESOURCES
WESTERN REGION
FEB 03 2003
RECEIVED

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant

DONALD W. LOJEK

Mailing Address

1344 RIMROCK CT

BOISE ID 83712

Application No.
(if known)

65-22708

☐ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

☐ PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

☒ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

DWL

Date

2-3-03

MICROFILMED

MAR 20 2003



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

May 1, 2003

DONALD LOJEK
1344 RIMROCK CT
BOISE ID 83712

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-22708

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use (proof) form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use. Your proof stated that you have applied the water to domestic and irrigation uses. According to your file the domestic use on the application was deleted and the permit was issued only for irrigation of 0.5 acre. Therefore, the field examiner will need to verify the beneficial uses of this water right during his examination.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190 or me at (208) 327-7953.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED

JUN 05 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.. 65-22708

Reviewed By: dgibson

Date: April 30, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?		X	Drilling permit No..		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		C063445,	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?		X	Measure device waiver requested?		

Priority Calculation

Date proof received	04/01/2003
Date proof due	- 04/01/2004
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 07/19/2002
New priority date	= 07/19/2002

Deficiencies of Actions Items

Acknowledge permit, note that the domestic had been removed from his application and that the only use for this water was for irrigation. Tell him the examiner will verify. ,

RECEIVED

APR - 1 2003

DONALD W. LOJEK

LOJEK LAW OFFICES

ATTORNEYS AT LAW
1199 MAIN STREET
P.O. BOX 1712
BOISE, IDAHO 83701

Department of Water Resources

TELEPHONE
(208) 343-7733
FAX
(208) 343-5200

March 28, 2003

Idaho Department of Water Resources
ATTN: Debbie Gibson
1301 N. Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Permit No. 65-22708

Dear Ms. Gibson:

I spoke with Shelley Keen and he suggested that I direct this letter to you.

I am enclosing a completed Proof of Beneficial Use form. I do not believe a fee is required as I read the instruction sheet since this is groundwater in connection with a well and the use is 0.02 cfs or less. If I am incorrect please let me know and I will get back to you immediately.

If I need to submit anything besides the Proof of Beneficial Use, please let me know also. I would expect that the water right I have filed for will become licensed after the Proof of Beneficial Use is processed.

I really appreciate your courtesy and cooperation in handling this.

Very truly yours,



Donald W. Lojek

DWL:jmc
enc.

MICROFILMED

JUN 05 2003



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

March 20, 2003

DONALD LOJEK
1344 RIMROCK CT
BOISE ID 83712

RE: Permit No. 65-22708

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit 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 form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

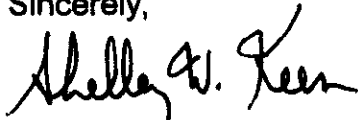
MICROFILMED

MAR 20 2003

Also, 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:kit

Enclosure(s)

MICROFILMED

MAR 20 2003

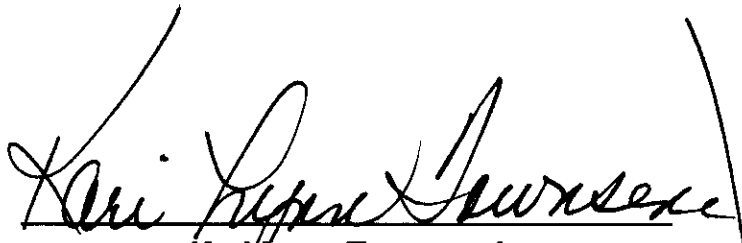
CERTIFICATE OF SERVICE

I hereby certify that on March 20, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

65-22708

**DONALD LOJEK
1344 RIMROCK CT
BOISE ID 83712**



**Karl Lynn Townsend
Secretary**

MICROFILMED

MAR 20 2003

**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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

MAR 17 2003

Department of Water Resources

Initial review by DAN Date 10-31-02 Application # 65-22708

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, the names and addresses for the director, officers, and other partners must be included)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County
- ☒ Quantity (Flow and /or Volume)
- ☒ Period of use
- ☒ Nature of proposed use (Include description of use)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map (Show T, R, S, QQ &/OR QQQ)
- ☒ Subdivision plat (for > 1 home in restricted area ≥ 5 homes in non-restricted area)
- ☒ Signature (If applicant is corporation, partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- NO Government Lots
NO ~~LOT 6~~ P/D
NO ~~LOT 6~~ P/U

ADDITIONAL INFORMATION

yes ADVERTISE REMARKS (Yes or No)

YES NO

- ☒ Overlapping place of use (Describe source and relationship to present application on next page) NO SIGNIFICANT OVERLAP.
- ☒ Overlapping point of diversion
- ☒ Critical groundwater area
- ☒ Ground water management area
- ☒ 1992 moratorium
- ☒ Surface water source, IDFG letter needed
- ☒ Protected river or minimum flow reach, notify water planning bureau
- ☒ E-mail to SCA staff (perennial stream, non-pump diversion &/or any mining)
- ☒ E-mail to Dam Safety staff (for any storage)
- ☒ Mitigation plan Check any that apply
- ☐ Immediate = acceptable plan required and submitted
- ☒ Future = open areas, acceptance of condition of approval is in file
- ☒ Send power requirement letter &/or fish farm requirement letter
- ☒ Power residency affidavit
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (If YES, attach Large Diversion supplementary analysis sheet)
- ☒ REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Request TO PROCESS

Date Requested 12-5-02 Date Response Received 2-3-03

PROCESSINGAPPLICATION # 65-22708

YES NO

☒☐

In form for advertising

☒☐

Statewide advertising (> 10 cfs &/or 1000 af)

☒☐

Fee amount, receipt number, and date recorded on application

SEND COPIES TO NOTE IF E-MAIL COMMENT LETTER USED

YES NO

☐☒

I.D. Environmental Quality

☐☒

I.D. District Health

☐☒

I.D. Fish & Game

☐☒

I.D. Lands

YES NO

☐☒

US BLM

☐☒

US Forest Service

☐☒

Water Dist #

☐☒

Water Planning Bureau

☐☒

Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒☐

Affidavit of publication received

☒☐

Application published correctly? If not, record action taken

☒☐

Publication dates and paper recorded on application

☐☒Final date for protest 3-10-03☐☒

Protests received

☐☒

Recommendations attached

☐☒

Measuring device required

☐☒

Water delivered by water master? District #

☐☒

Special conditions of approval or cover letter

Standard conditions. Existing well.MUST MEET Well CONSTRUCTION STANDARDS.Recommended Date of Priority 7-19-2002

Recommendation

☒

Approve

☐

Deny

by

Date

ADDITIONAL INFORMATION☐ See attached proof report, note any Legal Notice Remarks &/or Comments☐ See attached shapefile

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 65-22708

WATER RIGHT NUMBER: 65-22708

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONALD LOJEK 1344 RIMROCK CT BOISE, ID 83712 (208)342-6389

Priority Date: 07/19/2002

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 28, Twp 16N, Rge 03E, B.M.
VALLEY 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	
16N	03E	28				.5													.5

Total Acres: 0.5

Conditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Application Report 65-22708

Comments:

1. dnelson 2/6/2003 Legal Notice Remarks

Comment: Applicant agrees to mitigate consumptive use in the future as needed.

2. dnelson 2/6/2003 Comment/Analysis

Comment: This application for irrigation of a yard for the applicants home in Lot 26 Block 3 McLeod Edwards Wagonwheel Subdivision. No inhouse use is currently being sought.

Dates and Other Information:

Application Received Date: 7/19/2002

Application Denied Date:

Last Date of Beneficial Use:

Extension End Date:

Protest Deadline Date:

Number of Protests: 0

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Application Type: New Appropriation

Applicant Remarks: PRELIMINARY DATE. PENDING REVIEW AFTER 2002 FIELD SEASON.

Property also known as lot 26 blk 3 McLeod Edwards Wagonwheel subdivision No. 3.

Other Water Rights: none

Time to Complete Works: 1

Transfer Affected Description:

Transfer Affected Contracts:

Old Transfer Number:

Transfer Reason:

Transfer Return Flows:

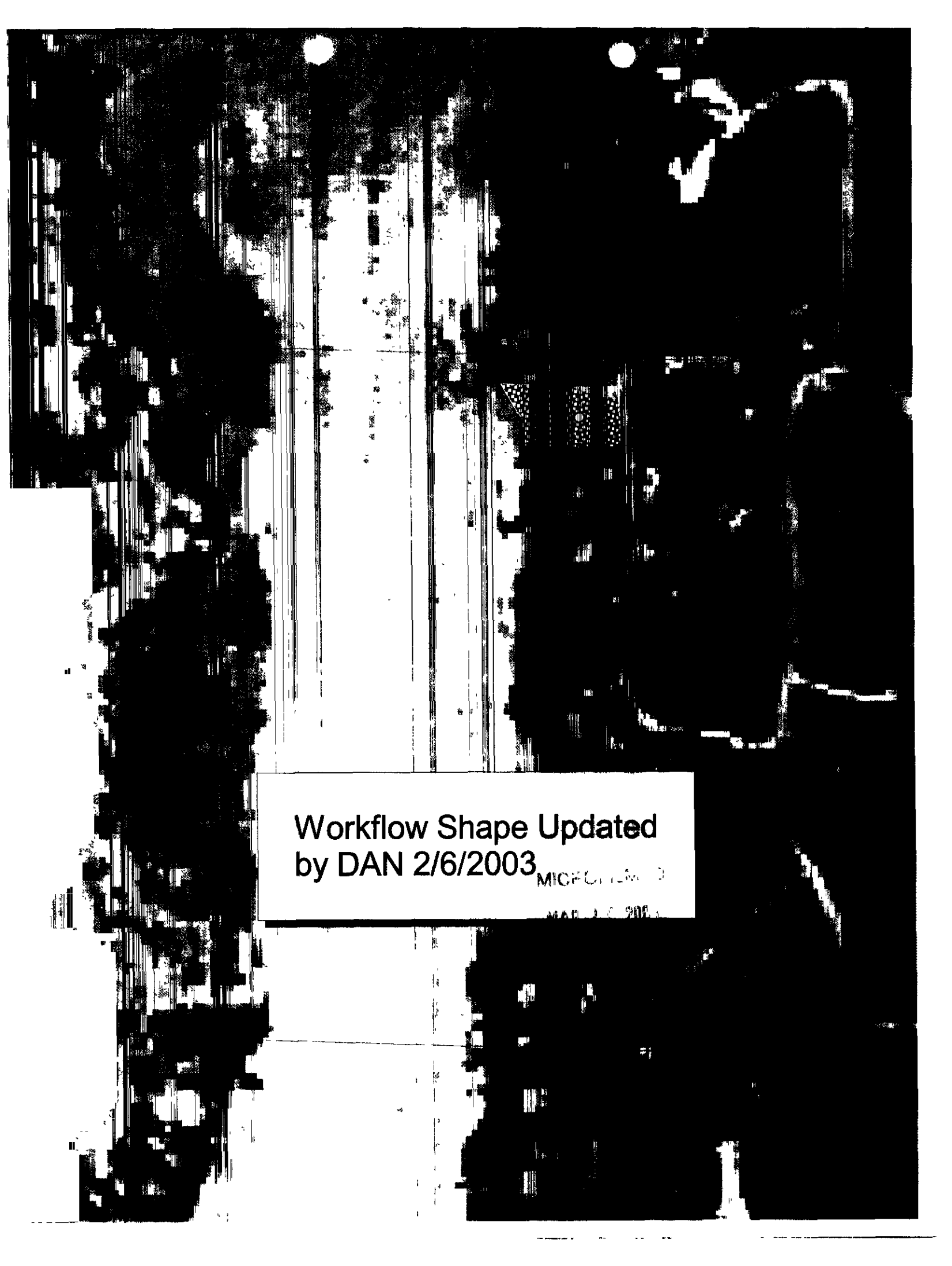
Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

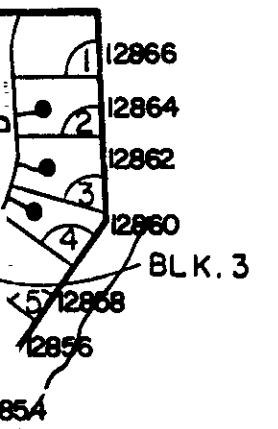
Mitigation Plan: False

An aerial photograph of a city street, showing a grid of streets and buildings. A white rectangular text box is overlaid on the center of the image. The text inside the box reads: "Workflow Shape Updated by DAN 2/6/2003".

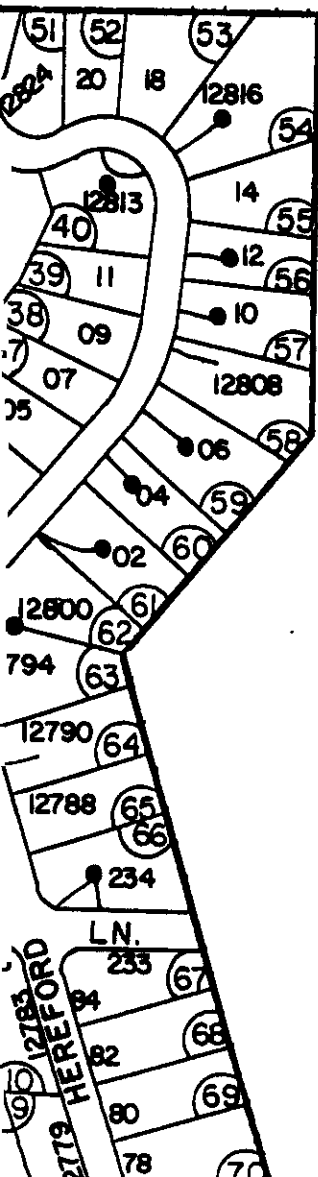
**Workflow Shape Updated
by DAN 2/6/2003**

MICROSOFT

MAR 2 2003

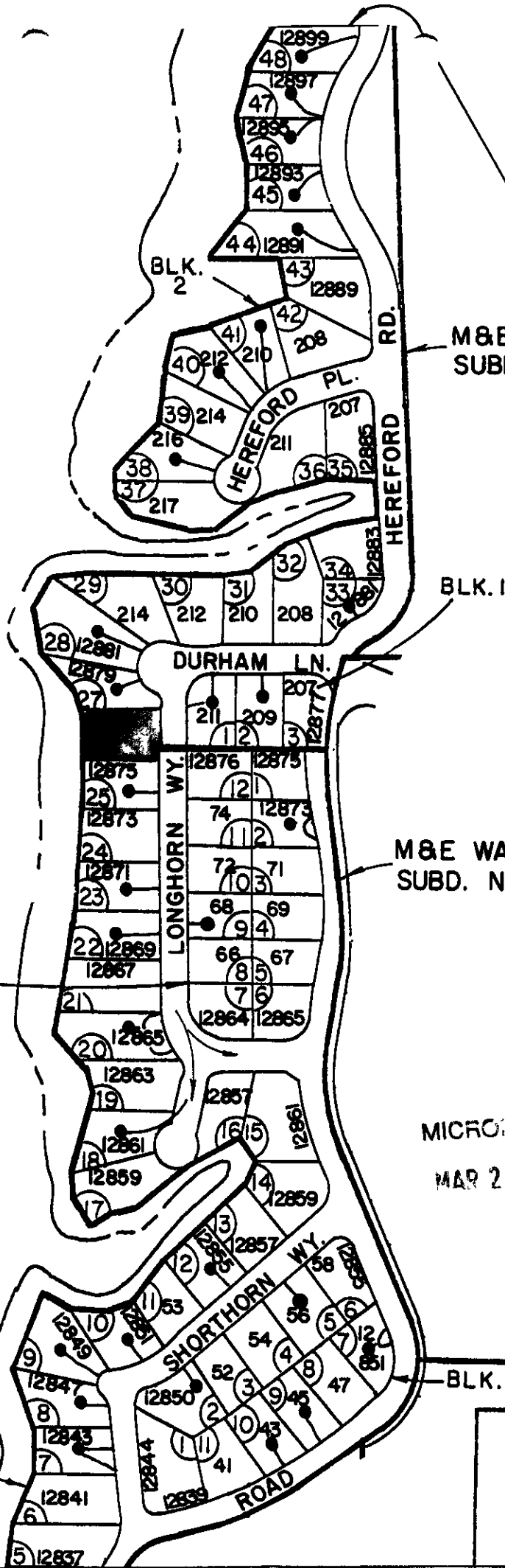


MORNING DAWN
SUBD. NO. 4



BLK. 3

BLK. 1



M&E WAGON WHEEL
SUBD. NO. 3

M&E WAGON WHEEL
SUBD. NO. 2

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MAR 20 2003

NOT TO SCALE

DETAIL

Publisher's Affidavit of Publication

STATE OF IDAHO

County of Valley

} .ss

I, Carol J. Wright, being duly sworn and say, I am the receptionist of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of afore said and is a legal newspaper; that the PUBLIC NOTICE, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for a period of two weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began February 20, 2003 and ended February 27, 2003.

Carol J. Wright

Subscribed and sworn before me this the 28th day of February, 2003.
STATE OF IDAHO

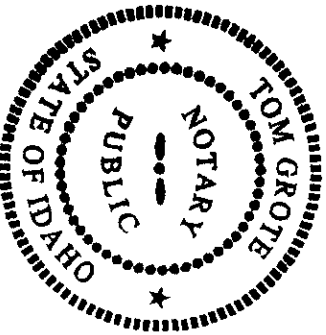
COUNTY OF VALLEY

}

On this 28th day of February, in the year of 2003, before me, a Notary Public, personally appeared Carol J. Wright, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Tom Grote

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires 2/8/06



RECEIVED
MAR 03 2003
WATER RESOURCES
WILSON RESEARCH

MAR 20 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 3, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DONALD W. LOJEK
1344 RIMROCK CT
BOISE ID 83712

RE: APPLICATION FOR PERMIT 65-22708

Dear Mr. Lojek:

Our office received your application for permit on 7/24/2002; your application was put on a temporary hold until seasonal fieldwork could be completed the last week of October. In November of 2002 I spoke to your wife on the telephone concerning the need to submit a Request to Process form with your application for permit. On 12/5/2002 I faxed a copy of the Request to Process form to your office. I have not received a response from you on this matter.

I have enclosed a Request to Process form with this letter for you to complete and return to our office. We cannot process your application without this form.

I am required by Idaho Code § 42-204 to ask that this information be returned to my office within 30 days. Our office will be required to void the application for permit if this information is not returned. **Therefore, if the above information is not received by 2/3/2003 your applications for permit will be voided.** You will be able to re-file this application, but it will have a later priority date.

If you have any questions or concerns please contact me at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

MICHO. 12/12/02

MAR 20 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 12-5-02

TO: DONALD LOSEK
343-5200

FROM DAN NELSON

DOCUMENT DESCRIPTION:

Please complete the
ENCLOSED ~~FOR~~ REQUEST TO PROCESS FORM
FOR ~~your~~ APPLICATION FOR PERMIT
65-22708 AND ~~REF~~ Fax a copy to
my OFFICE @ 334-2348 and mail the
ORIGINAL TO the above address C/O
DAN NELSON. THANK YOU.

TOTAL PAGES SENT: 3 + COVER SHEET

CONTACT:

Dan Nelson

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MAR 20 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 12, 2003

Legal Notice Department

STAR NEWS

1000 1ST ST

MC CALL ID 83638

RE: Application for Permit No. 65-22708

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 03/10/2003. Your cooperation is appreciated.

Sincerely

Sue Taylor

Senior Secretary

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MAR 20 2003

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

65-22708

DONALD LOJEK
1344 RIMROCK CT
BOISE ID 83712

Point(s) of Diversion SWNE S28 T16N R03E VALLEY County Source GROUND WATER

Use: IRRIGATION 04/15 To 10/31 0.02 CFS

Total Diversion. 0.02 CFS

Date Filed: 07/19/2002

Place Of Use: IRRIGATION

T16N R03E S28 SWNE

Number of Acres 0.5

Remark: Applicant agrees to mitigate consumptive use in the future as needed.

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 03/10/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Star News on February 20 and 27, 2003.

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MAR 20 2003