

R42E

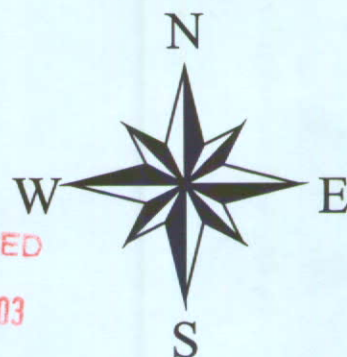


T
9N

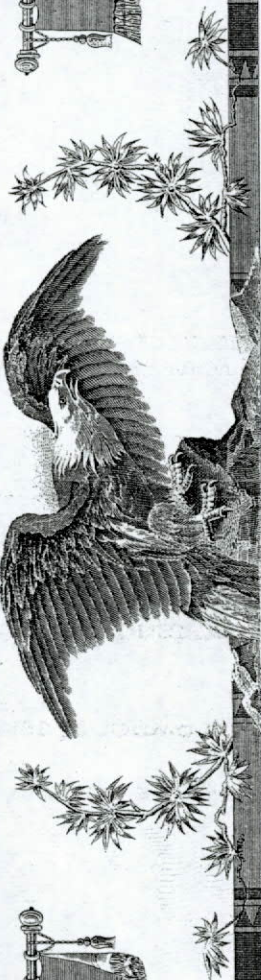
 Gcdb_section.shp
 T09n42e.shp

MICROFILMED

SEP 03 2003



Incorporated Under the Laws of Idaho



MARYSVILLE IRRIGATION COMPANY

ASHTON, IDAHO

Capital Stock - \$528,000.00

This Certifies That

FREMONT COUNTY SCHOOL DISTRICT #215

is the owner of

FORTY SEVEN AND ONE HALF (47 1/2)

shares of the capital stock of the

MARYSVILLE IRRIGATION COMPANY

each share representing a water right of one-eightieth of one cubic foot of water per second of time, together with a proportionate interest in the canal system of said corporation; transferrable only on the books of this corporation in person or by attorney upon surrender of this certificate properly endorsed, and all assessments shown paid.



IN WITNESS WHEREOF, The said corporation has caused this certificate to be signed by its duly authorized officers and its corporate seal to be hereunto affixed at Ashton, Idaho,

this 10th day of JUNE, 20 02.

James S. Atchley

Secretary

Edith Spaulding

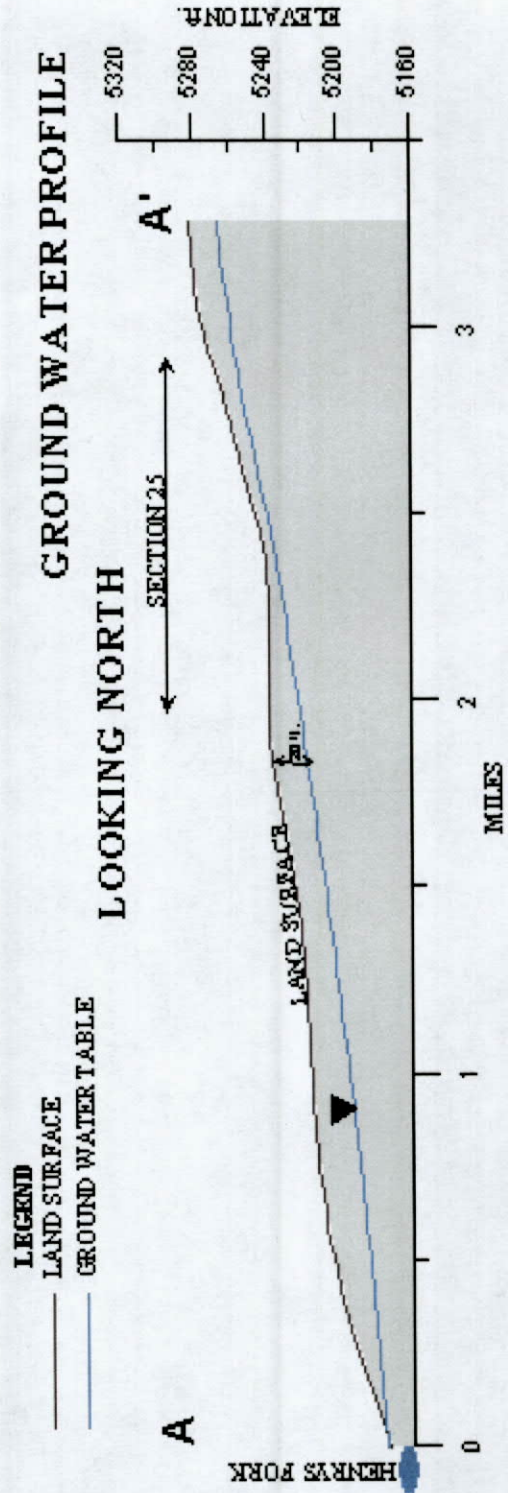
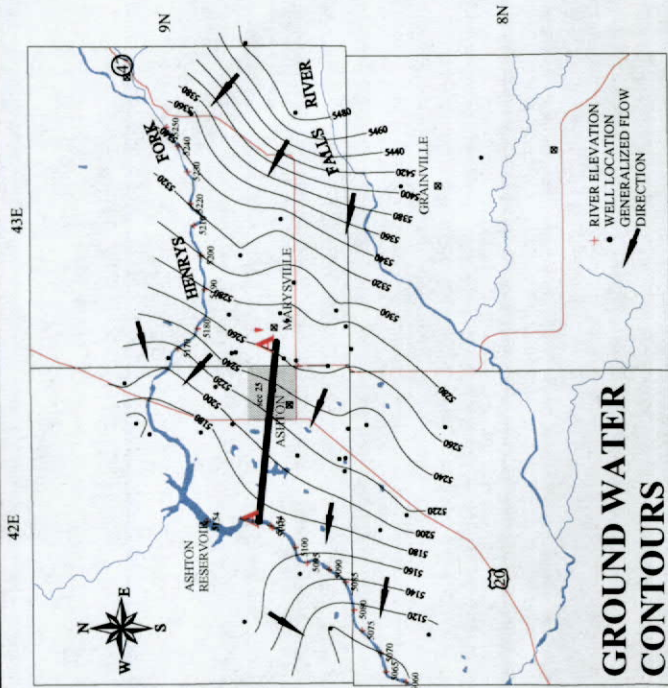
President



SEP 03 2003

HYDROLOGIC DATA

GROUND WATER CONTOURS & A GROUND WATER PROFILE FOR THE FREMONT COUNTY- ASHTON AREA

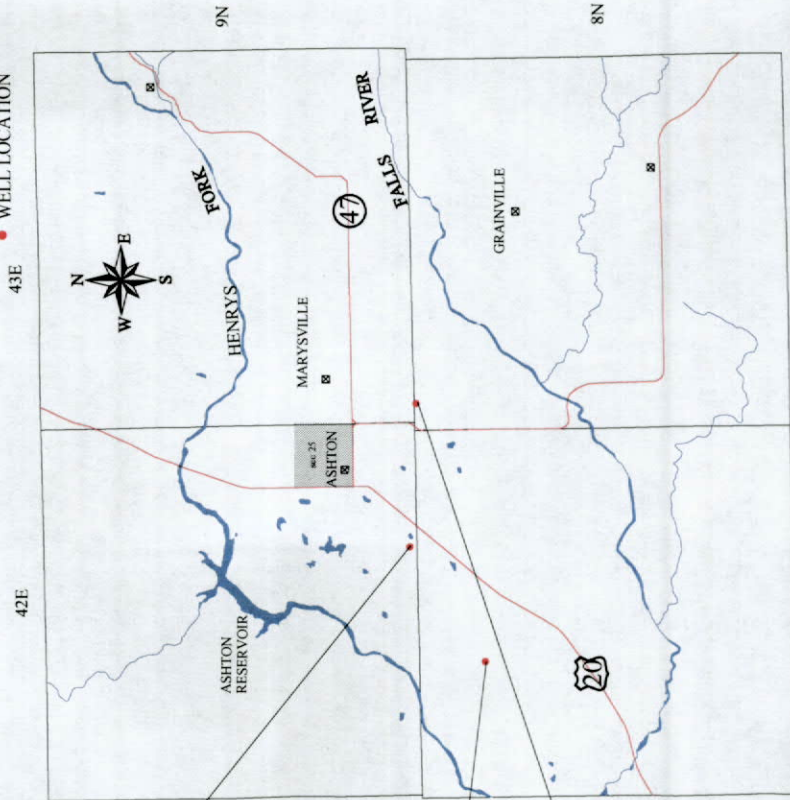
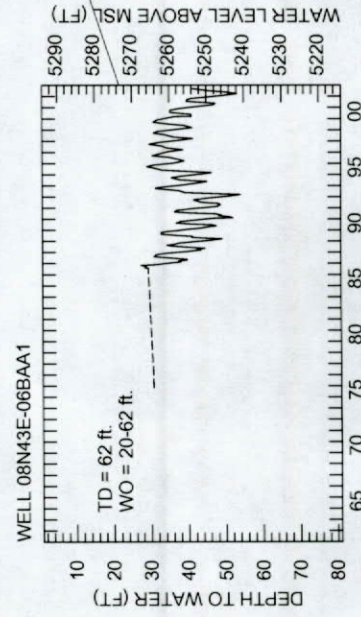
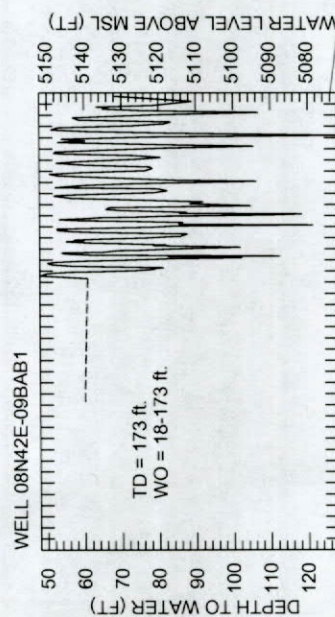
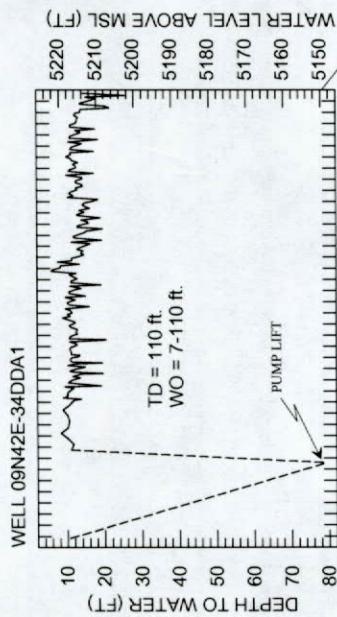


MICROFILMED
SEP 03 2003

GROUND WATER HYDROGRAPHS

LEGEND

TD: TOTAL DEPTH OF WELL
WO: WELL OPENINGS: INTERVAL AT
WHICH THE WELL IS PERFORATED
OR OPEN TO THE AQUIFER.
BASE: YEAR
ALL MEASUREMENTS IN FEET
CURRENT TO FALL 2002
● WELL LOCATION



MICROFILMED
SEP 03 2003

STANDARD JOURNAL

Rexburg, Idaho
St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

Madison and Fremont Counties

I, Jeff Rydalch, being first duly sworn, depose and say, that I am the business manager of the STANDARD JOURNAL, a 3 times a week newspaper published 3 times a week in Madison and Fremont Counties, Idaho; and I do solemnly swear that the Water rights -- Fremont County School Dist., a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue, once each week thereof for two successive issues, the first publication having been made on May 21, 2003 and the last publication having been made on May 28, 2003.

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

STATE OF IDAHO)

COUNTY OF MADISON)

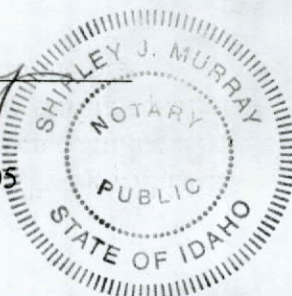
On this 29th day of May in the year of 2003 before me, a Notary Public, personally appeared Jeff Rydalch, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statement therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho
Residing at Rexburg, Idaho

My commission expires: April 29, 2005

MICROFILMED

SEP 03 2003



LEGAL NOTICE

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

21-12855
FREMONT COUNTY SCHOOL
DISTRICT 215
147 N 2ND WEST
ST. ANTHONY, ID 83445

Point(s) of Diversion: SESE S25
T09N R42E, Fremont County.

Source: Ground Water.

Use: Irrigation 04/01 to 10/31 0.2
CFS

Total Diversion: 0.2 CFS

Date Filed: 05/07/2003

Place of Use: Irrigation

T09N R42E S25 SESE

Number of Acres: 10

The applicant is offering
mitigation plan.

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, Eastern Region, 900 N.
Skyline Dr., Ste. A, Idaho Falls, ID
83402, together with a protest fee of
\$25 for each application on or
before June 9, 2003. The protestant
must also send a copy of the protest
to the applicant.

KARL J. DREHER,
Director

Publ. May 21 and 28, 2003.

RECEIVED
JUN 05 2003
Department of Water Resources
Eastern Region

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 21-12855

Priority: April 30, 2003

Maximum Diversion Rate: 0.20 CFS

This is to certify, that FREMONT COUNTY SCHOOL DISTRICT #215
147 N 2ND W
ST ANTHONY ID 83445

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	04/01 to 10/31	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, Twp 09N, Rge 42E, B.M., FREMONT 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	
09N	42E	25																	10.0
																			10.0

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 01, 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. The well constructed as the point of diversion for this right shall be cased and grouted such that all cascading water above the water table will be sealed out of the well, so that commingling of the upper and lower aquifers is prevented.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The right holder shall maintain ownership and control of 25 acre feet (AF) of storage water in the Fremont-Madison Irrigation District in order to make the water available to the Water District 01 Rental Pool for mitigation of injury to other water rights that may be determined.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. 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 permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 23rd day of July, 2003

MICROFILMED
SEP 03 2003

[Signature]
for **KARL J DREHER, Director**

\$ 100 fee

Ident. No. 21-12855

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
APR 30 2003

RECEIVED
JUL 17 2003

Department of Water Resources

1. Name of Applicant Fremont County School District 215 Phone 208-624-7542
Mailing address 147 N. 2nd West St. Anthony, ID 83445
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 9N Range 42E Sec. 25, in the _____ 1/4,
SE 1/4, SE 1/4, Govt. Lot _____, B.M., Fremont County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | |
|--|
| Amount <u>0.20 cfs</u> for <u>Irrigation</u> purposes from <u>4-1</u> to <u>10-31</u> (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) 0.20 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 12" well approx 225' deep
with a sump pump
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
- c. Proposed well diameter is 12 inches; proposed depth of well is 225 feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- 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 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW.
 - Stockwatering; list number and kind of livestock.
 - Municipal; show name of municipality.
 - Domestic; show number of households.
 - Other; describe fully. _____

RECEIVED

MAY 02 2003

MICROFILMED

SEP 03 2003

Department of Water Resources
Eastern Region

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	
9N	42E	25																10	10

Total number of acres to be irrigated 10

10. Describe any other water rights used for the same purposes as described above. 47.5 Ditch shares of Marysville Canal (North Fremont Canal System) & 60 AF of Fremont-Madison Storage

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: The district offers 2.5 AF of its 60 AF of storage water in the Fremont-Madison system for mitigation of this groundwater appropriation. The amount offered is based on 2.5 AF of consumptive use for each of the 10 acres to be irrigated. GMD

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.

MICROFILMED

SEP 03 2003

Garry M. PARKER
Signature of Applicant (and title, if applicable)

SUPERINTENDENT

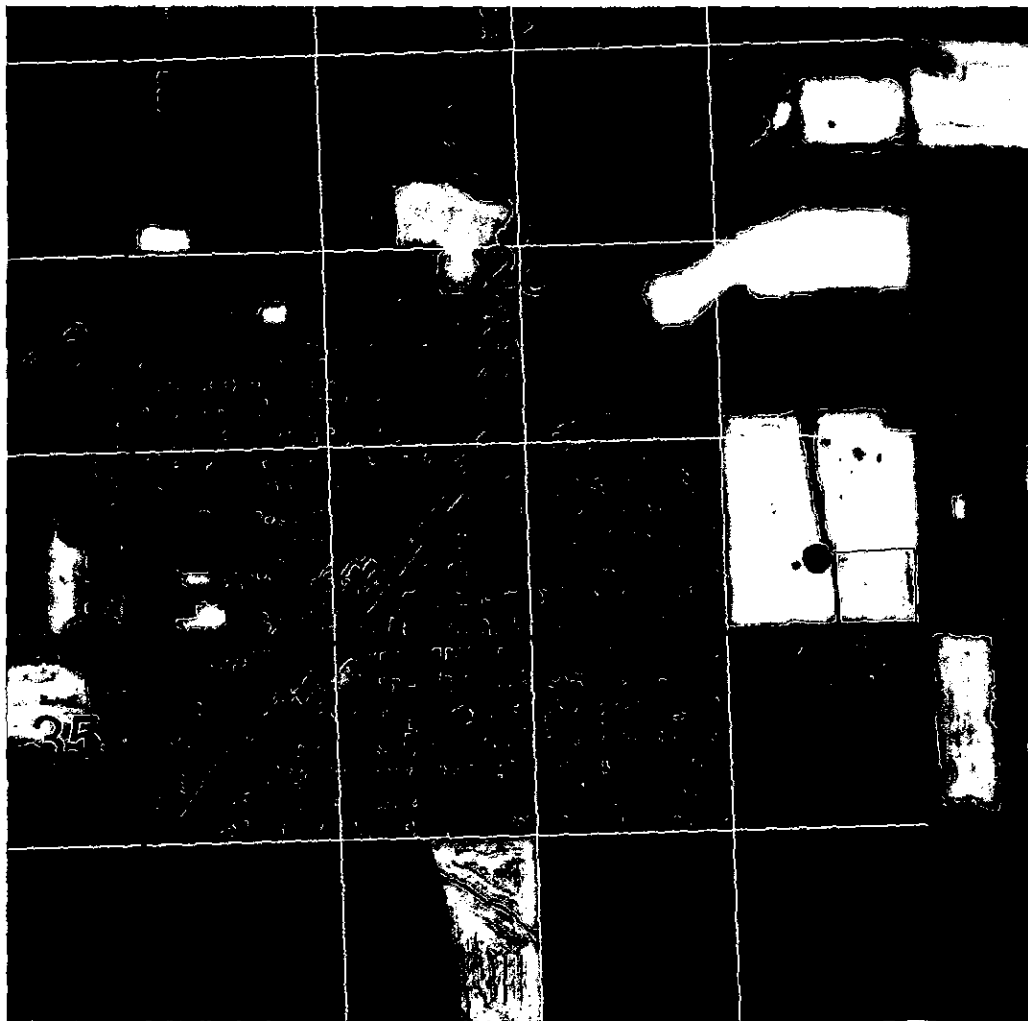
Received by VLS Date 4-30-03 Time 7:35 a.m. Preliminary check by _____

Fee \$ 100.00 Received by JM # C068832 Date APR 30 2003

Publication prepared by SC Date 5/21/03 Published in Herald Chronicle

Publication approved SC Date 6/5/03

R42E

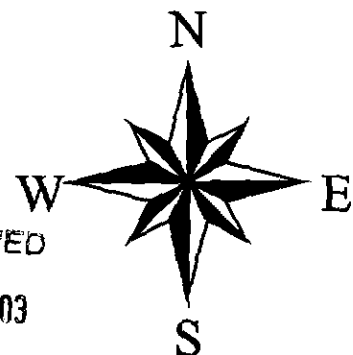


T
9N

 Gcdb_section.shp
T09n42e.shp

MICROFILMED

SEP 03 2003





Fremont County Joint School District #215

147 N 2nd W

Garry Parker-Superintendent

St. Anthony, ID 83445

TEL: 208.624.7542

FAX: 208.624.3385

www.sd215.net

RECEIVED

APR - 7 2003

Department of Water Resources

April 4, 2003

Mr. Karl Dreher, Director
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho
83707

Dear Sir:

I met with Glen Saxton to discuss the possibility of drilling a well for the North Fremont Junior/Senior High School in Ashton.

Previous to this meeting I had several discussions with Mr. Norm Young as how to proceed with the water request. (See enclosed papers).

I have also had several discussions with Mr. Scott Turlington in the Governors Office to get his advice on how to proceed with the water request. I then came to Boise to meet with Mr. Turlington.

I was given a copy of the "Amended Moratorium Order" and was told to send you this letter and the enclosed papers for your review and hopefully approval.

IN ACCORDANCE WITH THE AMENDED MORATORIUM ORDER IN THE MATTER OF APPLICATIONS FOR PERMITS FOR THE DIVERSION AND USE OF SURFACE AND GROUND WATER WITHIN THE EASTERN SNAKE RIVER PLAIN AREA AND THE BOISE RIVER DRAINAGE AREA, on page 5 (9) it reads "The moratorium does not prevent the Director from reviewing for approval on a case-by-case basis an application with otherwise would not be approved under terms of this moratorium if,

- a) Protection and furtherance of the public interest as determined by the Director, requires consideration and approval of the application irrespective of the general drought related moratorium".

If you have any questions please contact my office at 624 - 7542 or Mr. Blair Grover of Grover Law Office 745-6653 in Rigby.

Your attention to this matter is greatly appreciated.

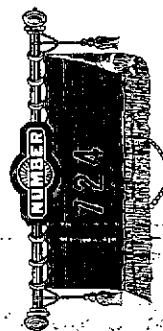
Garry Parker

A handwritten signature in black ink that reads "GARRY PARKER".

MICROFILMED

SEP 03 2003

Incorporated Under the Laws of Idaho



MARYSVILLE IRRIGATION COMPANY
ASHTON, IDAHO

Capital Stock - \$528,000.00

This Certifies That

FREMONT COUNTY SCHOOL DISTRICT #215

is the owner of

FORTY SEVEN AND ONE HALF (47 1/2)

shares of the capital stock of the

MARYSVILLE IRRIGATION COMPANY

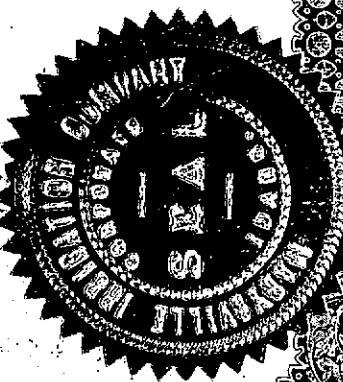
each share representing a water right of one-eighth of one cubic foot of water per second of time, together with a proportionate interest in the canal system of said corporation; transferrable only on the books of this corporation in person or by attorney upon surrender of this certificate properly endorsed, and all assessments shown paid.

IN WITNESS WHEREOF, The said corporation has caused this certificate to be signed by its duly authorized officers and its corporate seal to be hereunto affixed at Ashton, Idaho,

this 10th day of June, 20 02

Donnie S. Adkins, Secretary

President



NOTICE OF ASSIGNMENT OF STORAGE SPACE AND CONSENT

Notice is hereby given to FREMONT MADISON IRRIGATION DISTRICT of St. Anthony, Idaho (hereinafter "F/M"), by the undersigned, record owner of 60 acre feet of storage space held in F/M system (hereinafter "Assignor") that Assignor has transferred or sold its entire rights, titles, and interest in 60 acre feet of said storage space to the following person(s) or entity:

Person (s) or Entity	Address	Tax Assessors Legal Description/ Tax Number	Acre Feet Assigned
1.)	Fremont Joint School District #215 147 North 2nd West		
2.)	St. Anthony, ID 83445		
3.)			
4.)			

(Hereinafter "Assignee").

F/M is hereby authorized to make this transfer to Assignee on its official records and books.

Assignor warrants that Assignor is the legal and lawful owner of said storage space and has full authority to assign the same to Assignee.

Assignor and Assignee represent that they each understand that prior to any duty to transfer said rights as requested herein, all assessments, penalties and delinquent fees must be paid to F/M in full.

Assignee acknowledges that Assignee has examined the bylaws, rules and regulations and policies of F/M and further acknowledges that Assignee is familiar with the terms of such documents and understands that this assignment is subject to such terms. Furthermore, Assignee agrees to abide by and be subject to such terms.

DATED: This 16 day of November, 2001.

ASSIGNOR

By: [Signature]

ASSIGNEE

By: [Signature]

TOTAL P.02

MICROFILMED

SEP 03 2003

PURCHASE AGREEMENT

PARTIES:

THIS AGREEMENT, made and entered into this 8 day of November, 2001, by and between Terri Harrigfeld and the Terri Harrigfeld Living Trust both of 45338 Driftwood Drive, Palm Desert, CA 92260, hereinafter referred to as Vendors, and Fremont Joint School District No. 215, 147 N. 2 W., St. Anthony, ID 83445, hereinafter referred to as Purchaser.

WITNESSETH:

That the said Vendors, in consideration of the covenants and agreements on the part of the said Purchaser, hereinafter contained, agrees to sell and convey unto said Purchaser, and the Purchaser agrees to buy, all the certain real property particularly described as follows, to-wit:

PROPERTY DESCRIPTION:

The property is located in the Southeast Quarter of Section 25, Township 9 North, Range 42 East, Boise Meridian, Fremont County, Idaho and is of an approximate size of 44.940 acres. It is the intent of the parties that the property will be surveyed immediately following execution of this agreement to establish a precise legal description of said property. The cost of said survey will be shared equally by Vender and Purchaser. Vendor agrees to sell, and Purchaser agrees to buy the total 44.940 acres less an amount that will be sold to the Church of Jesus Christ of Latter Day Saints for the construction of a seminary building. The exact amount of property purchased shall be established by the aforementioned survey.

MEMORANDUM

To: L. Glen Saxton
Through: Paul Castelin
From: Shane Bendixsen
Subject: **Ground Water / Surface Water Connection Review for Fremont County School District 215**
Date: April 24, 2003

I understand that Fremont County School District 215 owns 10 acres of land that has been irrigated in the past with surface water rights owned by the district and that the district would like to change the source of water to ground water. The site is located in Section 25, T09N, R42E, B.M. (see Attachment #1). The following is a brief hydrologic review of the surface water - ground water connection in the area.

Attached are ground water contours and a ground water profile for the area. The flow direction is approximately northwest towards the Henrys Fork. The profile is a generalization, but does suggest that depth to ground water is 10 to 20 feet below land surface in section 25 and is tributary to the Henrys Fork. A review of well driller's reports for section 25 shows the depth to water ranges from a few feet to as much as 25 feet. This correlates with the profile.

The most in-depth report for the area was by Crosthwaite, et al, (1967). They described the area near Ashton as having a regional aquifer in the underlying silicic volcanic rocks (rhyolite) and a 'perched' system in the overlying basalt. They described flow in the perched system as, "Although some of the perched water may percolate down into the silicic volcanic rocks to the main water table, much of the discharge is to the Henrys Fork". This correlates well with attached contour map and profile.

While it is not known what exact amount in the perched system is tributary to the regional aquifer or to the Henrys Fork, it can be assumed that the majority goes to the Henrys Fork. And while the area is outside the boundary of the IDWR regional ground water model, it is adjacent to it with extremely similar hydrogeology. With the use of response zones, the model suggests new ground water development will deplete flow in the Henrys Fork by approximately ninety percent of the amount diverted.

Attachment #2 presents ground water hydrographs for the area. Water levels appear to be quite stable.

In closing, surface and ground water in subject area are intertwined. Development of one will definitely affect the other.

MICROFILMED

SEP 03 2003

REFERENCES

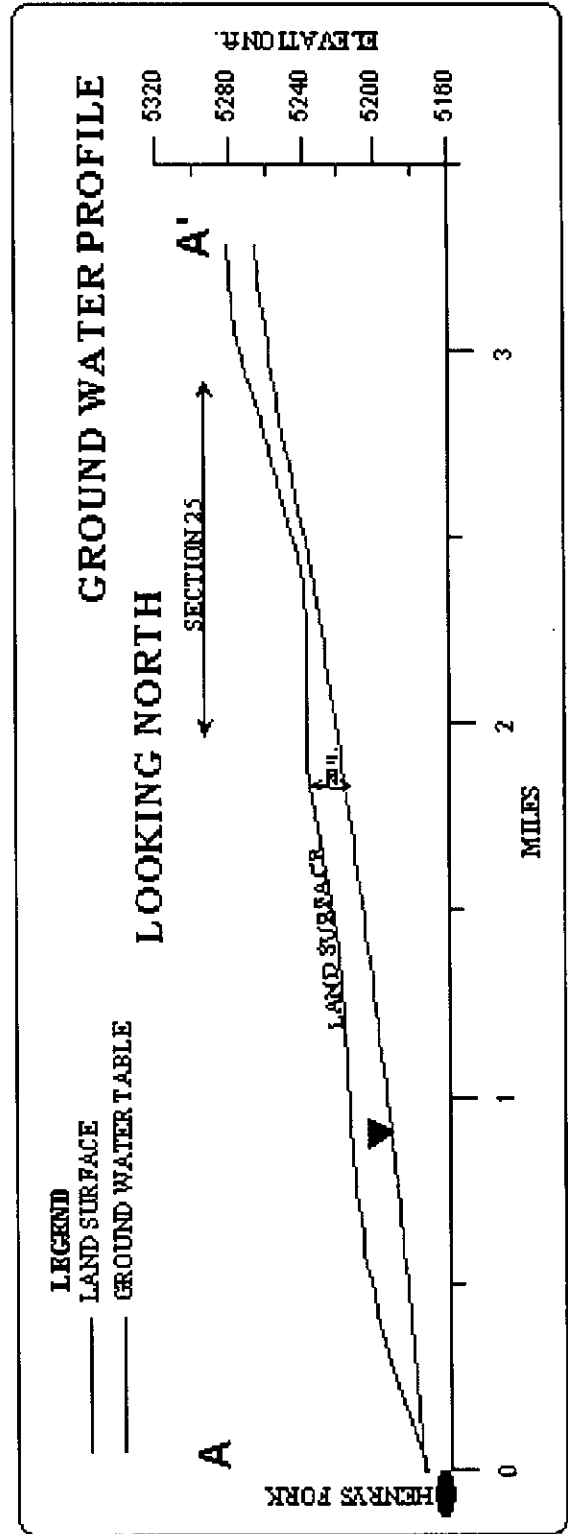
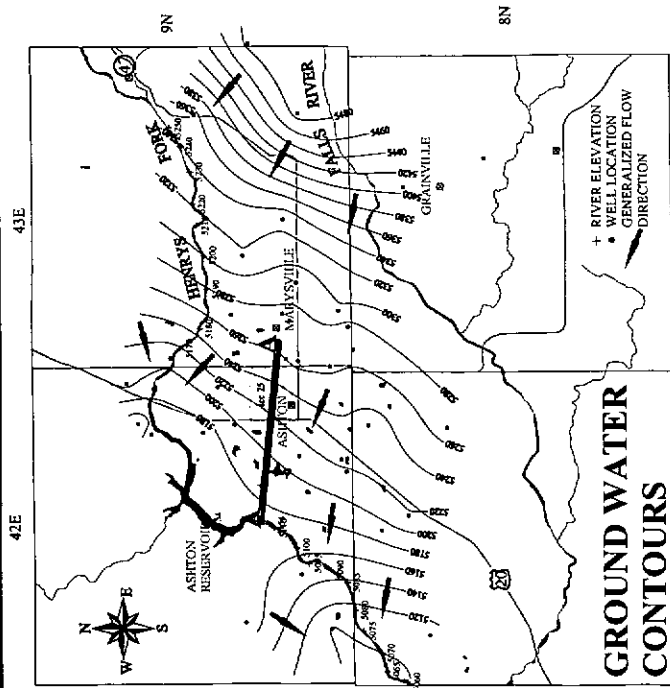
Crosthwaite, E.G., Mundorff, M.J., and Walker, E.H., 1967, Ground Water Aspects of the Lower Henrys Fork Region, Idaho, USGS Water Resources Division, Prepared in Cooperation the U.S. Bureau of Reclamation and the Idaho Department of Reclamation, Boise, Idaho.

MICROFILMED

SEP 03 2003

HYDROLOGIC DATA

GROUND WATER CONTOURS & A GROUND WATER PROFILE FOR THE FREMONT COUNTY- ASHTON AREA

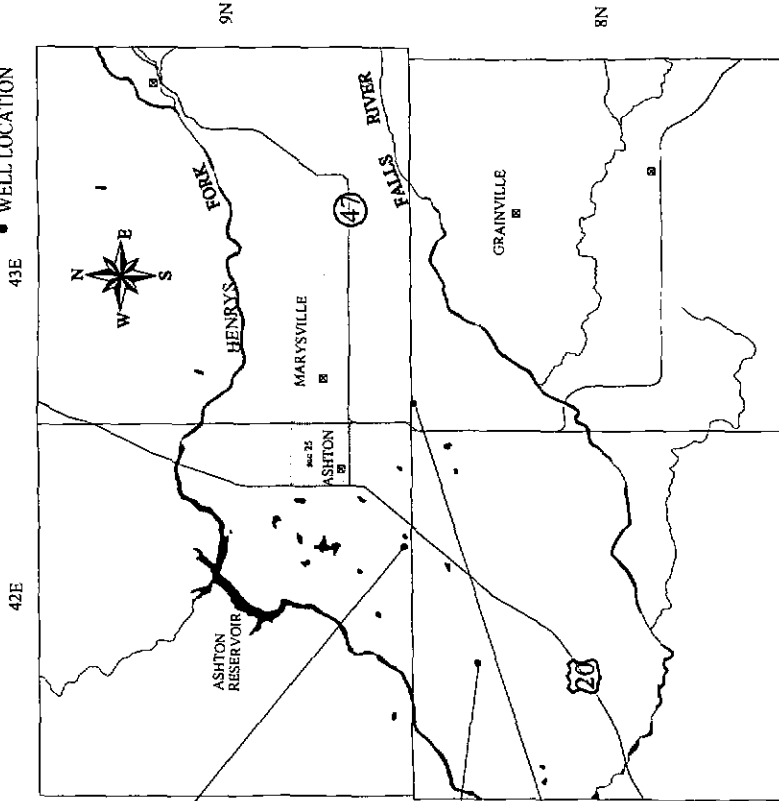
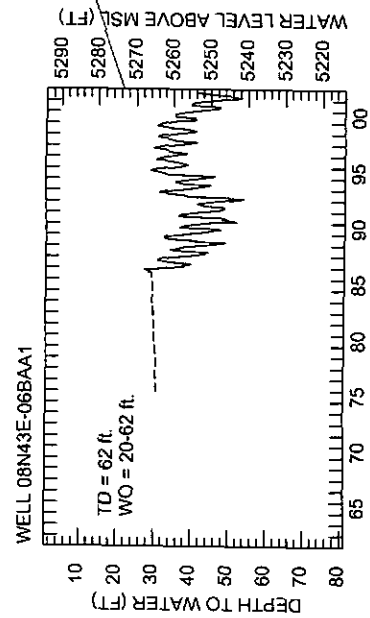
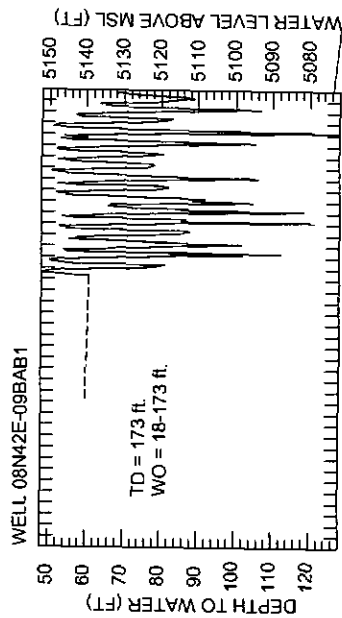
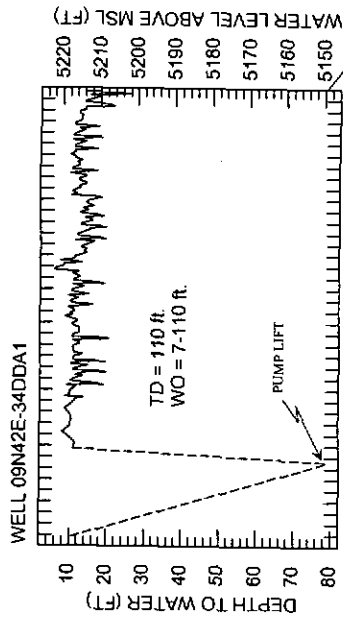


MICROFILMED
SEP 03 2003

GROUND WATER HYDROGRAPHS

LEGEND

TD: TOTAL DEPTH OF WELL
WO: WELL OPENINGS: INTERVAL AT WHICH THE WELL IS PERFORATED OR OPEN TO THE AQUIFER.
BASE: YEAR
ALL MEASUREMENTS IN FEET
CURRENT TO FALL 2002
● WELL LOCATION



MICROFILMED

SEP 03 2003

Saxton, Glen

From: Saxton, Glen
Sent: Monday, March 10, 2003 1:27 PM
To: Dreher, Karl
Cc: Carlson, Ron
Subject: MITIGATION FOR GROUND WATER PUMPING - FREMONT COUNTY SCHOOL DIST 215

I contacted Ron Carlson today relative to how mitigation for a ground water diversion by Fremont County School District could work.

Facts related to this particular matter are as follows:

- The Fremont County School District ("school district") wants to drill a well to irrigate 10 acres of property for a new school being constructed in T9N, R42E, B.M.
- The school district property was formerly irrigated using 60 AF of Fremont-Madison storage and 47.5 shares of water in the Marysville Canal but can not now be irrigated with surface water, since the conveyance system no longer exists.
- The school district retains title to the 60 AF of Fremont-Madison storage and 47.5 shares of water in the Marysville Canal and is willing to offer it or part thereof for mitigation of its proposed ground water pumping.
- The school district has been working on the development of a proposal that could be approved for more than a year, although the school district has not yet filed an application for permit with IDWR
- The consumptive use for irrigation at the proposed place of use is about 2.5 AF per acre

Ron advised me that the way he envisions mitigation for the school district to work is that when the school district submits the application for permit to IDWR, it include the a statement from Fremont-Madison stating that upon a showing of injury to other water rights by the Snake River Plain Aquifer model ("model"), Fremont-Madison will make so many shares (probably $2.5 \times 10 = 25$ AF) of stored water available to the Water District 1 to be credited to the parties who are injured. The rental pool would not necessarily be involved with the mitigation proposal.

Ron said that on a "real time" basis he could not determine the specifics of injury and would have to rely on the model. Ron advises that an arrangement such as this essentially "trading" surface water for ground water would not increase the overall consumptive use of water and really isn't too much different conceptually than the ongoing exchanges of ground water and surface water that IDWR has approved in the past.

An alternative to this type of mitigation in the moratorium area would be for the Director to approve on a case-by-case basis projects to "protect and further the public interest" as provided in the Moratorium Order.

If IDWR waits for the school district to take the next step, I believe the step will be a letter to the Director seeking approval of its mitigated plan or seeking a public interest approval. If IDWR is willing to accept a mitigation proposal as described above, I will so advise the school district and ask that they file the application together with offered mitigation so processing can be started.

Ron and I will appreciate your direction on this matter. lgs

MICROFILMED

SEP 03 2003



FREMONT COUNTY SCHOOL DISTRICT 215

147 N. SECOND WEST, ST. ANTHONY, IDAHO 83445

PHONE (208) 624-7542 FAX (208) 624-3385

GARRY PARKER
Superintendent
FRED HOSSNER
Director of Business &
Operations
ETHEL KOBLINZAR
Clerk/Treasurer
JAMIE HYMAS
Payroll
DAVID MAROTZ
Curriculum Manager
TRACY SMITH
Technology Coordinator
GARRY PARKER
District Athletic Director
HALI MACKERT
Secretary/Receptionist

November 5, 2002

Mr. Ron Carlson
Idaho Department of Water Resources
900 N. Skyline Dr.
Idaho Falls, ID. 83402

Dear. Mr. Carlson:

We have been requested by Mr. Norm Young from the Water Resource Department in Boise to assemble the enclosed information requesting permission to obtain a permit to drill a well on the new Ashton Junior/Senior High building site, just east of Ashton.

Mr. Young has requested that any questions your office may have in regard to the processing of this permit be addressed to his office (208 - 327 - 7910).

Thank you for your time, effort and support in what has turned into an almost insurmountable problem, that of simply obtaining water for IDAHO STUDENTS in Ashton, Idaho.

Sincerely,

Garry M Parker
Superintendent of Schools

MICROFILMED

SEP 03 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Fax

To: Gary Parker

From: Deborah J. Gibson
(208) 327-7953

Fax: 208) 624-3385

Date: July 24, 2003

Phone:

Pages: 2

Re: Fremont Co. School Dist. #215

CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

•Comments: Attached is the signed Permit for Water Right No. 21-12855. This is going out in this morning's mail to you with further explanation and attachments. This permit allows you to develop the well and diversion system for the school. If you have questions, contact me at the above phone number.

MICROFILMED

SEP 03-2003



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

July 24, 2003

FREMONT COUNTY SCHOOL DISTRICT #215
147 N 2ND W
ST ANTHONY ID 83445

RE: Permit No. 21-12855

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.

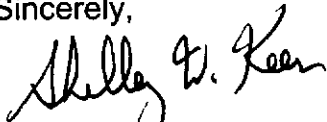
MICROFILMED

SEP 03 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,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name being the most prominent.

Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

MICROFILMED

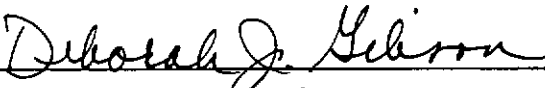
SEP 03 2003

CERTIFICATE OF SERVICE

I hereby certify that on July 24, 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. 21-12855

**FREMONT COUNTY SCHOOL DISTRICT #215
147 N 2ND W
ST ANTHONY ID 83445**



**Deborah J. Gibson
Administrative Assistant**

MICROFILMED

SEP 03 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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 Water Resource 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.

MICROFILMED
SEP 03 2003

MEMORANDUM

To: Debbie
From: Glen 
RE: **CONDITION NO. 6**
Date: July 23, 2003

I would prefer that condition no. 6 be changed to something like the following:

The right holder shall maintain ownership and control of 25 AF of storage water in the Madison-Fremont Irrigation District in order to make the water available to the Water District 01 Rental Pool for mitigation of injury to other water rights that may be determined.

MICROFILMED

SEP 03 2003

MEMORANDUM

Date: July 23, 2003
To: Water Right File 21-12855
From: dgibson
Re: Permit Review

This application was protested and the protest was withdrawn. The protestant withdrew on the basis that this water use does not affect his present surface water source. However, if during the next 10 years his flow through the North Springs is decreased and upon investigation, it is determined that the decrease is due to the pumping of this well, he would expect that this ground water use be turned off.

This right holder has 47.5 canal shares with the Marysville Irrigation Company, aka North Fremont Canal Systems, Inc., and 60 AF with Fremont-Madison Irrigation District as storage water. The school district offers 25 AF of the Fremont-Madison storage to mitigate the use of this ground water. The department believes that the 25 AF of storage should be made available for the senior water right holders in W.D. 01 Rental Pool, to prevent injury to other water rights as they may be determined.

MICROFILMED

SEP 03 2003

RECEIVED

JUL 17 2003

Department of Water Resources

Dist for Staffing
Submitted for advertising 5-7-03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT ANALYSIS PERMIT

FREMONT COUNTY

INITIAL REVIEW BY HWT DATE 5-2-03 APPLICATION NO. 21-12855

REQUIRED INFORMATION:

- ☒ Name (if applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivision, local name, flow and/or volume)
- ☒ 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
- ☒ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt
- ☒ Yes GIS Completed

ADDITIONAL INFORMATION:

- ☐ Overlapping place of use (Describe source & relationship to present application on the back)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Within trust water boundary (If yes, attach trust water supplementary analysis sheet)
- ☐ Yes ☒ No Public Water System
- ☐ Yes ☒ No Planning section review
- ☐ Yes ☒ No Moratorium Hold file
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

"Mitigation has been offered"

Date Requested _____

PROCESSING:

- ☒ Yes ☒ No In form for advertising
- ☒ Yes ☒ No Statewide advertising
- ☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO:

- ☐ Id Dept of Environmental Quality
- ☐ Id Dept of Fish & Game
- ☐ Id Dept of Lands
- ☐ Adjudication Bureau Unit
- ☐ U.S. BLM
- ☐ U.S. Forest Service
- ☐ Water District
- ☐ Other _____

*are view
updated -
kw*

☒	Yes	☐	No	Affidavit of publication received
☒	Yes	☐	No	Application published correctly. If not, record action taken
☒	Yes	☐	No	Publication dates & paper, recorded on application
☒	Yes	☐	No	Protests received
				Final date for protest <u>6/9/2003</u>
☐	Yes	☐	No	Protests, dates, resolution of protest, recorded on application
☐	Yes	☐	No	Recommendations attached
☐	Yes	☐	No	Measuring device required
☐	Yes	☐	No	Access port required
☐	Yes	☐	No	Will water be delivered by watermaster? If yes, what District <u> </u>
☐	Yes	☐	No	Special conditions of approval or cover letter below.

By: _____ Date: _____

STATE OFFICE REVIEW: _____

By: _____ Date: _____

ADDITIONAL INFORMATION: _____

Comments received from:

_____ City _____ Id Fish & Game _____ Irrigation District
 _____ County _____ Id Health & Welfare _____ Canal Company
 _____ Reservations _____ Div. Of Environment _____ Other _____

Project impacts/implications report

COMMENTS

[illegible]

10 July 2003

To the file

A condition should be added to this permit requiring the well to be cased and grouted such that all cascading water above the water table will be sealed out.

If one reads the letter withstanding
the protest such a condition should
address the protestants concerns and
save the department problems in
the future.

Dr. Dennis W. Dunn



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

July 10, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Fremont County School District 215
147 N 2nd West
St Anthony ID 83445

RE: Withdrawal of protest on Application for Permit No. 21-12855

Dear Sir:

This Department has received a withdrawal of protest from Richard D Baker.

Our office will continue to process your application.

If you have any questions, please call our office.

Sincerely,

A handwritten signature in cursive script, reading 'Ronald D Carlson'.

Ronald D Carlson
Eastern Regional Manager

HWJ:sc

MICROFILMED

SEP 03 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

July 10, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Richard D Baker
1379 Baker Rd
Ashton ID 83420

RE: Withdrawal of protest on Application for Permit No 21-12855 for Fremont County School District 215

Dear Protestants:

This Department has received the withdrawal of protest against the application for Fremont County School District 215.

We will continue to process this application.

If you have any questions, please call our office.

Sincerely,

**Ronald D Carlson
Eastern Region Manager**

RDC:sc

MICROFILMED

SEP 03 2003

Department of Water Resources
900 N. Skyline Drive
Suite A
Idaho Falls, Idaho 83402-1718

June 5, 2003

Dear Mr. Harold Jones,

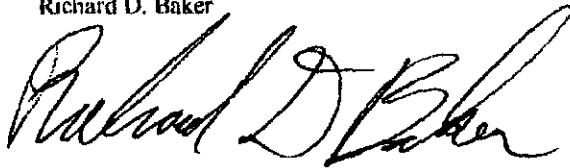
Subject: Application for permit no. 21-12855

I Richard D. Baker withdraw my protest for this application on the condition that the applicant, School District 215, does not affect my present water source.

That water source is located on the ranch and is specifically known as my north springs, located west of my present potato storage. If at anytime during the next 10 years my flow through the above mentioned springs decrease and upon investigation, it is determined that the decrease to said springs is due to the pumping of this well, I would expect the well to be turned off.

Sincerely,

Richard D. Baker



RECEIVED

JUL 10 2003

Department of Water Resources
Eastern Region

MICROFILMED

SEP 03 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 10, 2003

FREMONT COUNTY SCHOOL DISTRICT #215
147 N 2ND W
ST ANTHONY ID 83445

Application to Permit No. 21-12855

Dear Applicant(s):

Enclosed is a copy of a protest filed against approval of the above referenced application. The Department suggests that you contact the protestant(s) directly to determine the nature of the protest and, if possible, to resolve the matter without action by the Department. In our experience, informal discussion between the parties prior to initiation of formal proceedings often leads to resolution of the protest.

If the protest cannot be resolved informally, the matter will be scheduled for conference and/or hearing. The following are criteria the Department must consider in either approving or denying the application (Section 42-203A, Idaho Code).

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?

You will be notified at a later date of the time and place of the conference and/or hearing. Please contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W Jones
Water Right Supervisor

CC: State Office

HWJ:sc

MICROFILMED

SEP 03 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 10, 2003

RICHARD D BAKER
1379 BAKER RD
ASHTON, ID 83420

Application to Permit No. 21-12855

Dear Protestant(s):

The Department of Water Resources acknowledges receipt of your protest against the approval of the above referenced application. A copy of your protest has been sent to the applicant. The Department suggests that you contact the applicant directly for details regarding the application and, if possible, to resolve the matter without action by the Department. In our experience, informal discussion between the parties prior to initiation of formal proceedings often leads to resolution of the protest.

If the protest cannot be resolved informally, the matter will be scheduled for conference and/or hearing. The following are criteria the Department must consider in either approving or denying the application (Section 42-203A, Idaho Code).

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?

You will be notified at a later date of the time and place of the conference and/or hearing. Please contact this office if you have any questions regarding this procedure.

Sincerely,


Harold W Jones
Water Right Supervisor

CC: State Office

HWJ:sc

MICROFILMED

SEP 03 2003

RECEIVED

JUN 09 2003

Department of Water Resources
Eastern Region

TO: Idaho Department of Water Resources

June 9, 2003

FROM: Richard D. Baker
1379 Baker RD
Ashton, ID 83420
(208) 652-3333

RE: Protest of Application for permit 21-12855 in the name of Fremont County School Dist 215

I, Richard D. Baker, protest the application for permit 21-12855 filed by the Fremont County School District 215. The proposed well is within $\frac{3}{4}$ mile of the springs from which I divert my decreed water right 21-00154. I believe that this well will affect the spring flow and thus my decreed water right. The School District also has easy access to its Fremont-Madison Irrigation District water and does not need to drill a well. In addition it is not in the public interest for the district to spend money for a well during a budget crisis.


Richard D. Baker

MICROFILMED
SEP 03 2003

RECIPT # F028847. 6/9/03
KCW

STANDARD JOURNAL

Rexburg, Idaho
St. Anthony, Idaho
Ashton, Idaho

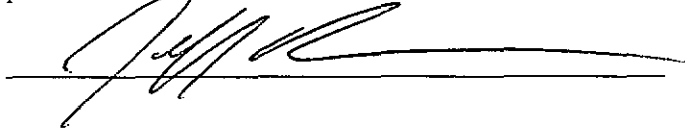
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

Madison and Fremont Counties

I, Jeff Rydalch, being first duly sworn, depose and say, that I am the business manager of the STANDARD JOURNAL, a 3 times a week newspaper published 3 times a week in Madison and Fremont Counties, Idaho; and I do solemnly swear that the Water rights -- Fremont County School Dist., a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue, once each week thereof for two successive issues, the first publication having been made on May 21, 2003 and the last publication having been made on May 28, 2003.

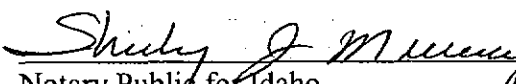
Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.



STATE OF IDAHO)

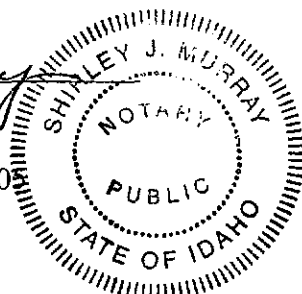
COUNTY OF MADISON)

On this 29th day of May in the year of 2003 before me, a Notary Public, personally appeared Jeff Rydalch, 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 statement therein are true, and acknowledged to me that he executed the same.


Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: April 29, 2008

MICROFILMED

SEP 03 2003



RECEIVED
JUN 05 2003
Department of Water Resources
Eastern Region

LEGAL NOTICE

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

21-12855
FREMONT COUNTY SCHOOL
DISTRICT 215
147 N 2ND WEST
ST. ANTHONY, ID 83445

Point(s) of Diversion: SESE S25
T09N R42E, Fremont County.

Source: Ground Water.

Use: Irrigation 04/01 to 10/31 0.2
CFS

Total Diversion: 0.2 CFS

Date Filed: 05/07/2003

Place of Use: Irrigation

T09N R42E S25 SESE

Number of Acres: 10

The applicant is offering mitigation plan.

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, Eastern Region, 900 N. Skyline Dr., Ste. A, Idaho Falls, ID 83402, together with a protest fee of \$25 for each application on or before June 9, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER,
Director

Publ. May 21 and 28, 2003.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 14, 2003

FREMONT COUNTY SCHOOL DISTRICT 215
147 N 2ND WEST
ST ANTHONY ID 83445

RE: Application for Permit No 21-12855

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Herald Chronicle on May 21 and 28, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

Please feel free to contact this office if you have any questions.

Sincerely,

Harold W Jones
Water Right Supervisor

HWJ:sc

MICROFILMED
SEP 03 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 14, 2003

Legal Notice Department
HERALD CHRONICLE
PO BOX 10
REXBURG ID 83440

RE: Application for Permit No. 21-12855

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 June 9, 2003. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*Mailed
5/14/03
SC*

MICROFILMED
SEP 03 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 14, 2003

FREMONT COUNTY SCHOOL DISTRICT 215
147 N 2ND WEST
ST ANTHONY ID 83445

RE: Application for Permit No 21-12855

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Herald Chronicle on May 21 and 28, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

Please feel free to contact this office if you have any questions.

Sincerely,

Harold W Jones
Water Right Supervisor

HWJ:sc

21-12855

147 N 2ND WEST

Point(s) of Diversion: SESE S25 T09N R42E, FREMONT County

Source GROUND WATER

Total Diversion: 0.2 CFS

Date Filed: 05/07/2003

Place Of Use: IRRIGATION

T09N R42E S25 SESE

Number of Acres 10

The applicant is offering mitigation plan.

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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before June 9, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on May 21 and 28, 2003

MICROFILMED

SEP 03 2003