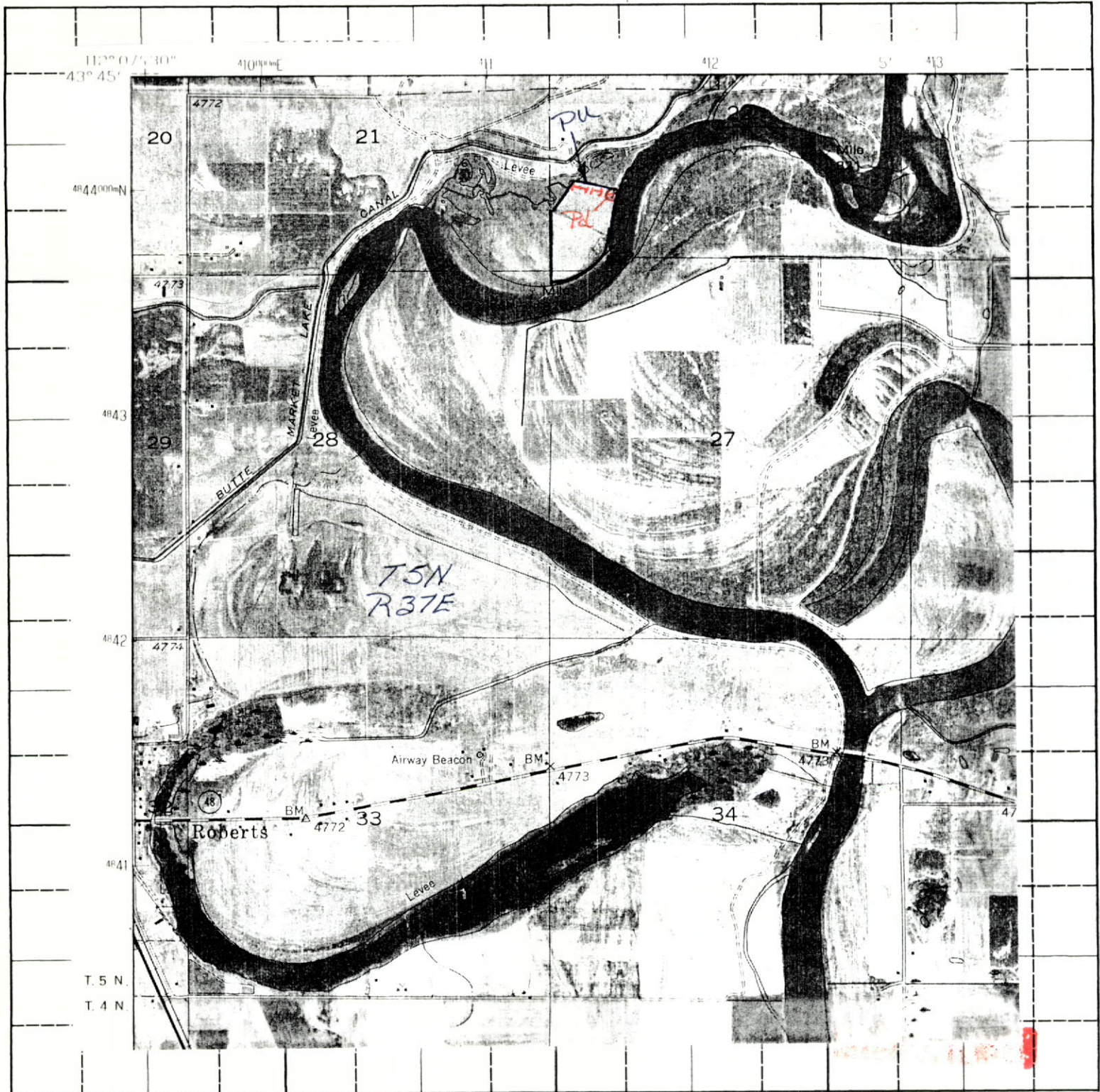


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

MAY 29 1990

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

[Signature]
(Applicant)

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO)
) ss
County of Jefferson)

I, Robert Carlson
of the Jefferson Star, published
weekly at Rigby, Jefferson County,
Idaho, do solemnly swear that the

Not of Application
a copy of which notice appears at-
tached hereto, was published in the
regular and entire issue of said
newspaper, and not in any supple-

ment issue thereof for two (2)
consecutive issues, the first publica-

having been made on Apr 4
and the last publication having been

made on Apr 11, 1990.

Further, that said newspaper is one
of general circulation in said coun-
ty; that it is a legal newspaper, con-
forming to legal specifications
under the Idaho Statutes; that it has
as 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.

Robert Carlson

On this 16 day of Apr

in the year of 1990, before
me, a Notary Public, personally ap-

peared Robert Carlson,
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 he ex-
ecuted the same.

Shelley
Notary Public for Idaho

Residing at Shelley

My commission expires: 12-24-92

RECEIVED

APR 16 1990

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR
WATER RIGHT

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

01-07100

TOMCHAK, MIKE

725 E. 14TH

IDAHO FALLS, ID 83404

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 4 (NESWSW) Sec 22

T O5N R 37E

Use: IRRIGATION (.440 CFS)

Total Diversion: (.440 CFS)

Date Filed: 8/23/1989

In: T05N R37E S22

SWSW

S27

NWNW

22.0 ACRES TOTAL

The permit(s) will be subject to all
prior water rights. Protests must be filed
with the Director, Dept. of Water
Resources, Eastern Region, 150 Shoup
Avenue, Suite 15, Idaho Falls, Idaho
83402 on or before APRIL 23, 1990.

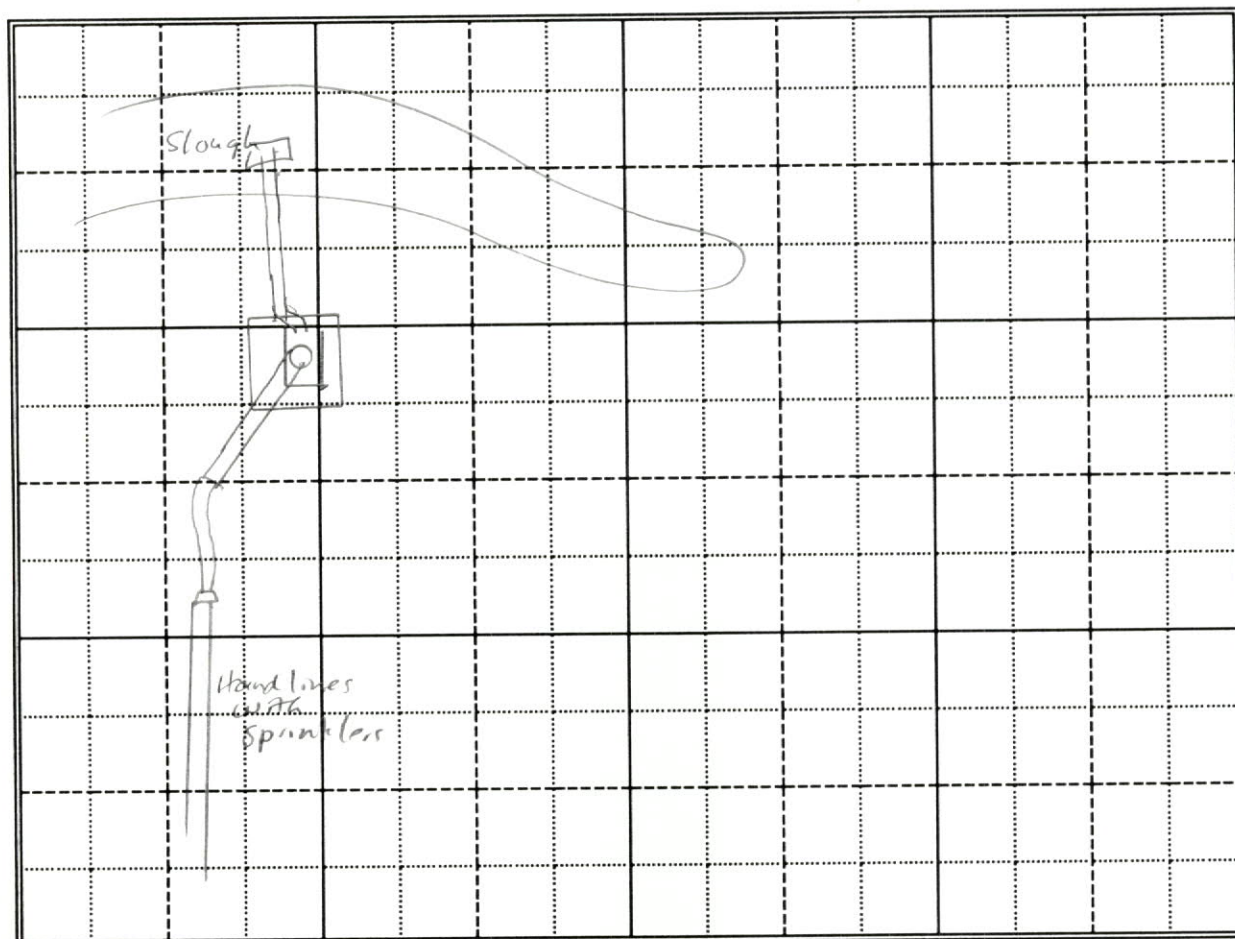
R. KEITH HIGGINSON, Director

Published in the Jefferson Star,
Rigby, Idaho, April 4 and 11, 1990.

MICROFILMED

MAY 29 1990

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

_____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

_____ Aerial Photo Attached (required for irrigation of 10+ acres)

_____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	ISUZU	220		Worthington	Y558008

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow Meter	Sonic	Fuji	FLC 51101	7K008713 24033	FLD-12	

2. Measurements: 187 gpm 51 Nozzle 5/32" estimated 25-35 psi.

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MAR 29 2001

T 5 N
R 37 E

16 15
21 22

MLSWM
AREA

Lot 1

Lot 2

Lot 3

Lot 4

Lot 12

Lot 11
(NWNW)
Sec 27

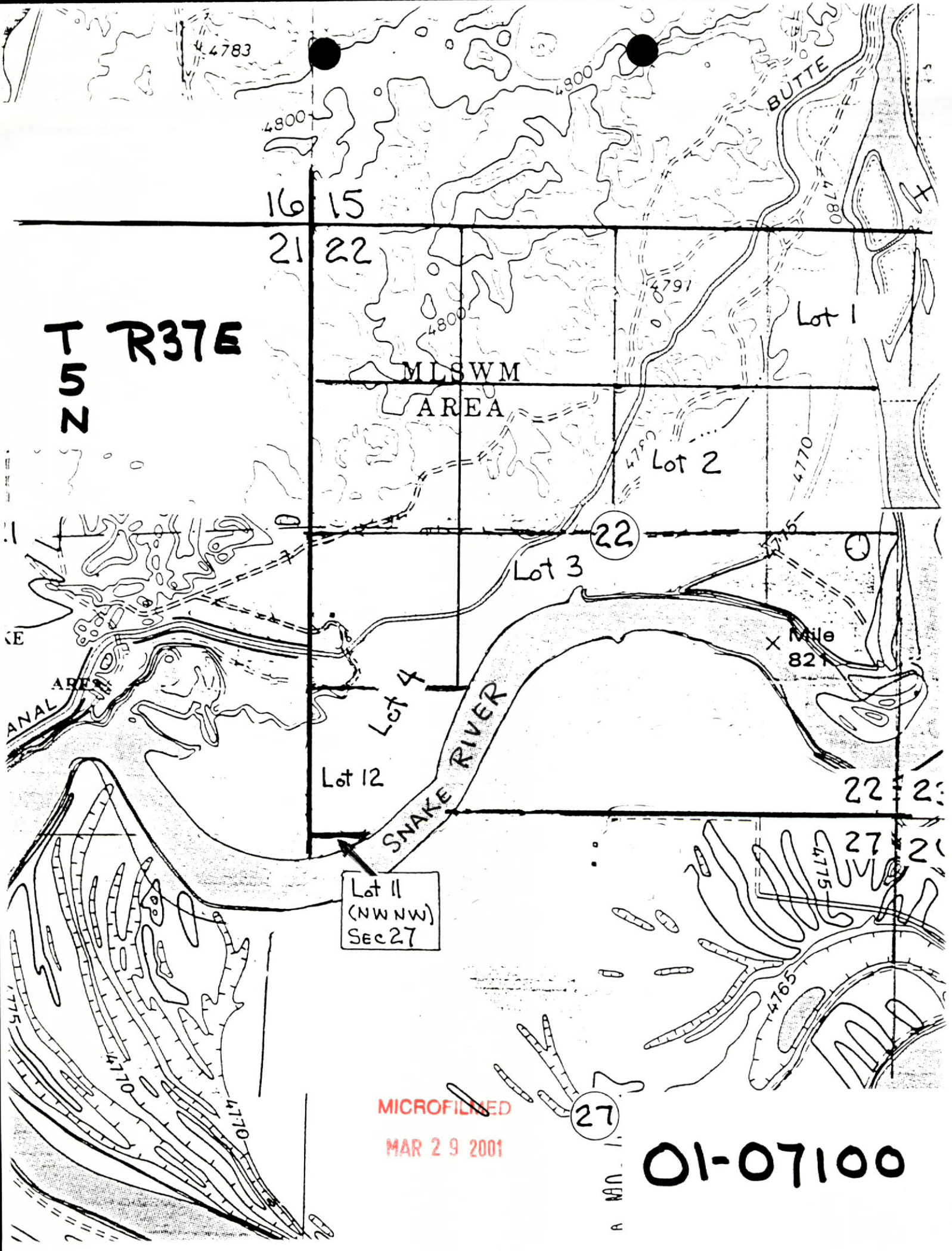
Snake River

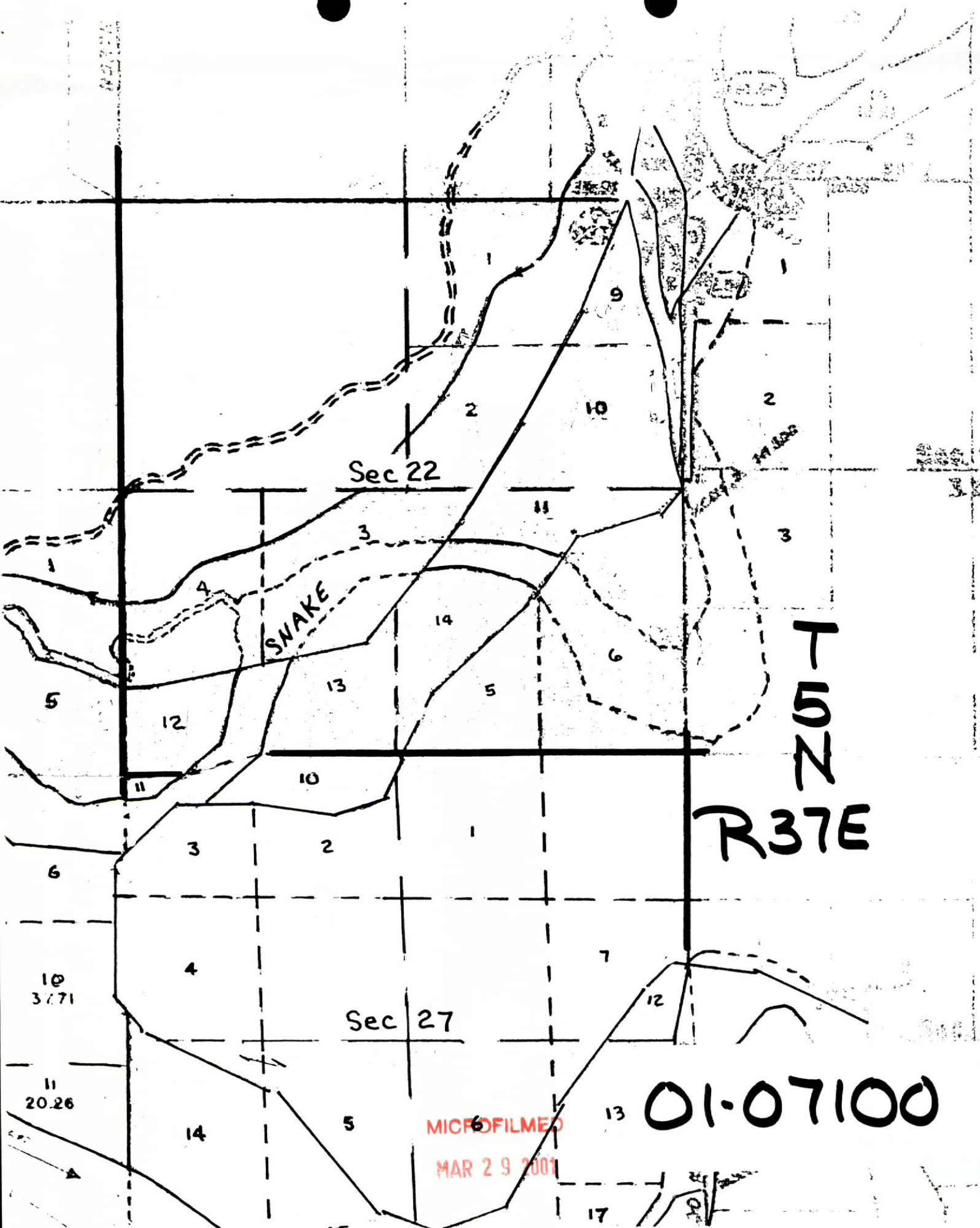
X Mile
821

MICROFILMED
MAR 29 2001

27

01-07100



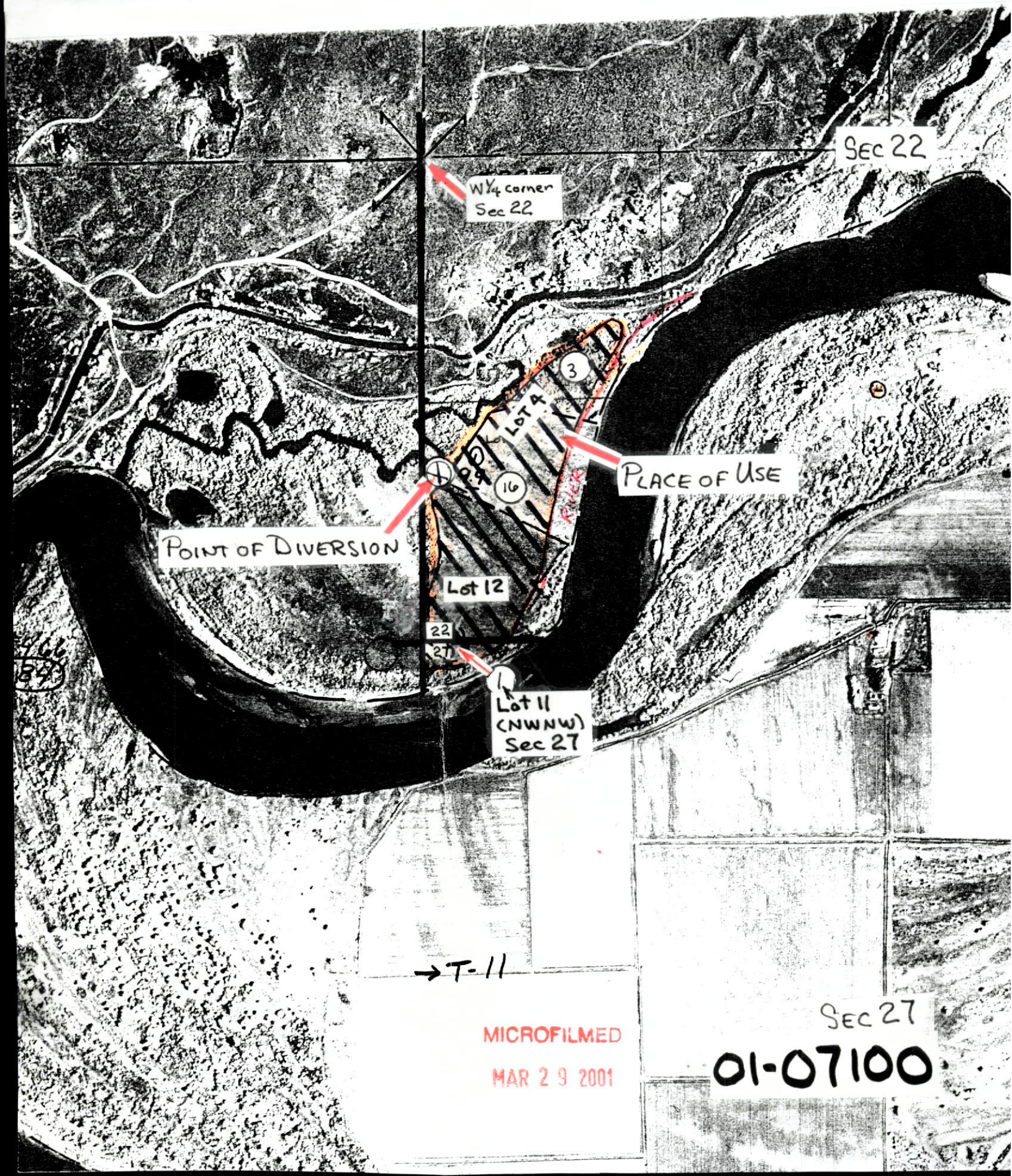


10
37.71

11
20.26

MICROFILMED
MAR 29 2001

01-07100



SEC 22

W 1/4 corner
Sec 22

PLACE OF USE

POINT OF DIVERSION

Lot 12

Lot 11
(NWNW)
Sec 27

→ T-11

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MAR 29 2001

SEC 27

01-07100

MEASUREMENT SITE



DIVERSION PUMP & MOTOR

MICROFILMED

MAR 29 2001

01-07100

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 1-07100

Priority: August 23, 1989

Maximum Diversion Rate: 0.40 CFS
Maximum Diversion Volume: 80.0 AF

It is hereby certified that MIKE TOMCHAK
3032 E 200 N
ROBERTS ID 83444 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 23, 1989; and has
submitted Proof of Beneficial Use on May 18, 1992. An examination indicates that the works have a
diversion capacity of 0.41 cfs of water from:

SOURCE

Source: SNAKE RIVER Tributary COLUMBIA RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	0.40 CFS	80.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L4 SW1/4SW1/4 Sec. 22, Twp 05N, Rge 37E, B.M. JEFFERSON 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	
05N 37E 22										3.0	16.0						19.0
05N 37E 27							1.0			L 4	L 4						1.0
							L 11										

Total Acres: 20

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. 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.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

MICROFILMED

MAR 29 2001

Department of Water Resources
Water Right License

WATER RIGHT NO. 1-07100

5. When water is not available to fill this right, the right holder shall cease diversion or shall rent water from Palisades Reservoir.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

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

Signed and sealed this 31st day of JANUARY, 2001.

Acting for  KARL J. DREHER, Director

MICROFILMED

MAR 29 2001

RECEIVED

JAN 24 2001

Department of Water Resources

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 1-07100

Date of Priority: August 23, 1989

Maximum Diversion Rate: 0.40 CFS
Maximum Diversion Volume: 80.0 AF

Comes MIKE TOMCHAK
3032 E 200 N
ROBERTS ID 83444

and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 1-07100, and requests that the permit be changed as follows:

Source SNAKE RIVER

tributary to COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.40 CFS	80.0 AF

LOCATION OF POINT(S) OF DIVERSION:

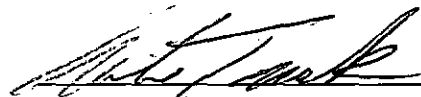
SNAKE RIVER L4 SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, Twp 05N, Rge 37E, B.M. JEFFERSON County

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	
05N 37E 22										3.0	16.0						19.0
05N 37E 27							1.0			L4	L4						1.0
							L11										

Total Acres: 20

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed at Idaho Falls IDWR office, this 18th day of January, 2001


(Signature)

MICROFILMED

MAR 29 2001

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 1-07100

FOR DEPARTMENT USE ONLY

Preliminary check by HWT Fee = 50^{xx} Received by HWT # E026438 Date 1-18-2001

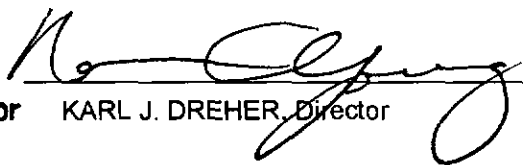
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 1-07100 with the following:

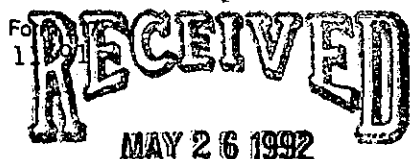
CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. 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.
4. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. When water is not available to fill this right, the right holder shall cease diversion or shall rent water from Palisades Reservoir.

Witness my hand this 31st day of January, 2001.


Acting for KARL J. DREHER, Director

MICROFILMED
MAR 29 2001



OFFICE USE ONLY
Amt. of Fee \$ 100
Date 5-18-92
Receipt No. E017336
Receipt by RB

STATE OF IDAHO
Department of Water Resources DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 01-07100 Telephone No. 524-2984
2. Name(s) of Permit Holder(s): Michael A and Dana M. Touchet
3. Mailing Address: 725 E 14th St. Idaho Falls, Idaho 83404
4. Source of Water: Sawto River

If GROUNDWATER, Well Driller's Name: none Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation X (No. of acres) 22 Other _____

6. Total rate and/or volume for which proof is submitted .44 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? X Yes No Installed? X Yes No
RB (Lockable Kill Switch not) OR
Flow Measurement Port: Required? _____ Yes X No Installed? _____ Yes X No

8. Fee Enclosed: \$ 100.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Mike Touchet 524-2984
Name Telephone No.
725 E 14th Idaho Falls, Idaho
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

5-18-92 Mike Touchet
Date Signature (and title, if on behalf of a company or organization)

JUN 10 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 01-07100

Proposed Priority: August 23, 1989 Maximum Diversion Rate: 0.44 CFS
This is to certify, that **MIKE TOMCHAK**
725 E. 14TH
IDAHO FALLS, ID 83404
has applied for a permit to appropriate water from:

SNAKE RIVER tributary of **COLUMBIA RIVER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.44 CFS

LOCATION OF POINT(S) OF DIVERSION: LOT 4(NESWSW), Sec. 22, Township 05N, Range 37E
JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	37E	22	SWSW	20		20
		27	NWNW	2		
Total number of acres irrigated:						22
						2

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **June 1, 1992**.
2. Subject to all prior water rights.
3. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. Use of water under this permit is subject to control by the watermaster of State Water District No. 01.
7. No water may be diverted under this permit until adequate supplemental water is obtained for the irrigation season when the natural flow is not available.

MICROFILMED

MAY 29 1990

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 01-07100

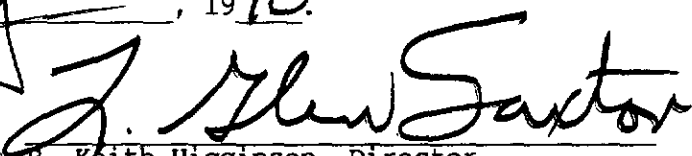
CONDITIONS/REMARKS:

8. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.
9. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

25th day of

May, 1990.

for 
R. Keith Higginson, Director

MICROFILMED

MAY 29 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 01-7100

To appropriate the public waters of the State of Idaho

1. Name of applicant Mike Tomchak Phone 524-2984
Post office address 725 East 14 Idaho falls, Idaho 83404
2. Source of water supply Sawtoe River which is a tributary of Columbia River
3. Location of point of diversion is SE^{NE} $\frac{1}{4}$ of NW-SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot 4
Sec. 22 Township 5N Range 37E B.M. Jefferson County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 44 for Irrigation purposes from 1 April to 1 Nov (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) 44 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump from river to main line

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

RECORDED

MAY 29 1990

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

RECORDED
INDEXED

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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	37E	22											20						20
		27						2											2

Total number of acres to be irrigated 22

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

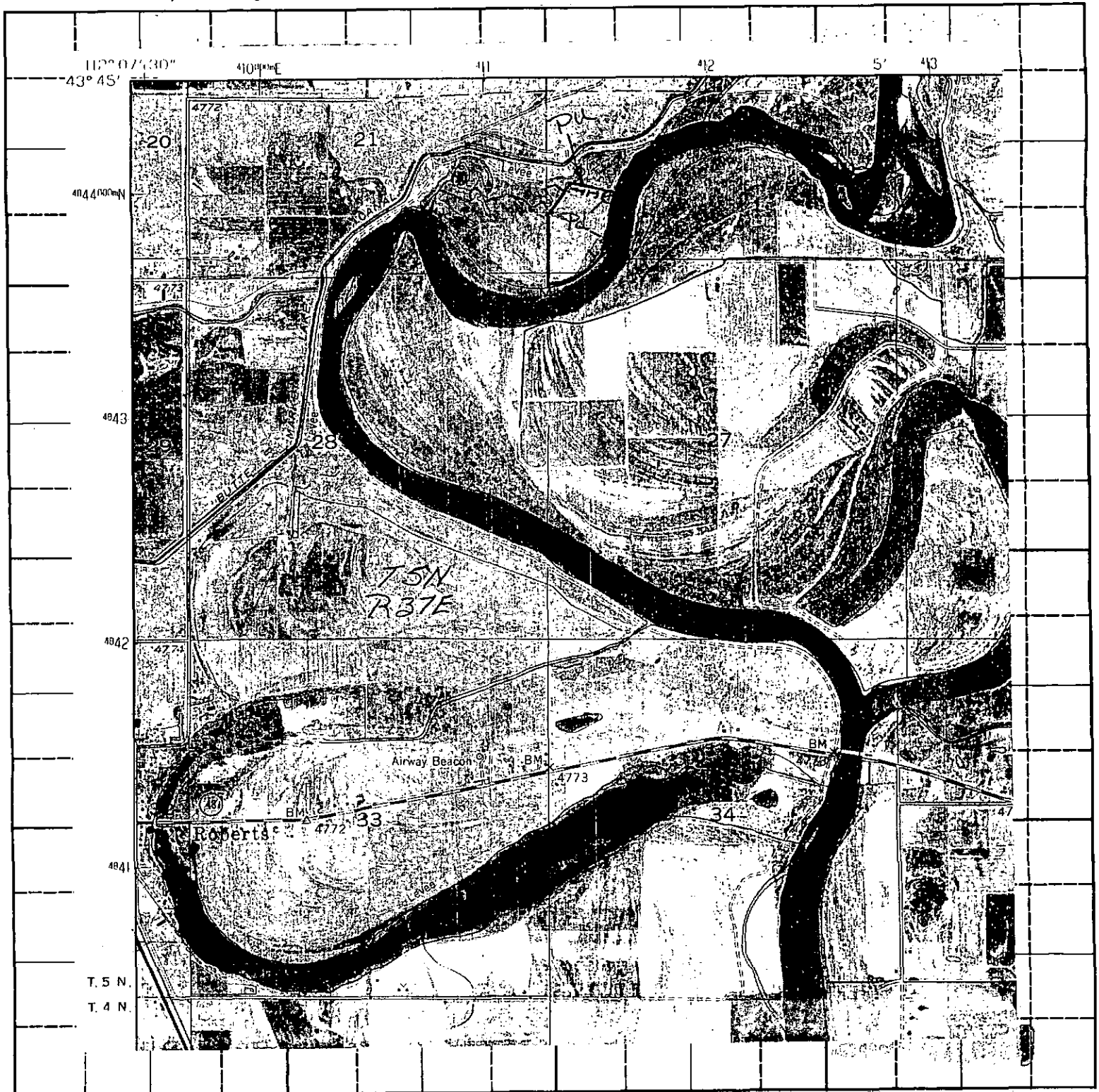
11. a. Who owns the property at the point of diversion? applicant
- b. Who owns the land to be irrigated or place of use? applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

RECORDED

MAY 20 1990

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



MAY 29 1990

Scale: 2 inches equal 1 mile.

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

[Signature]
(Applicant)

Prepared by DMS

Received by DMS Date 23 Aug 89 Time 11:30 Preliminary check by _____
Fee \$ 45⁰⁰ Receipted by E009945 # DMS Date 23 Aug 89
Publication prepared by RB Date 3-5-12-90 Published in Jefferson Star
Publication approved CW Date 4-25-90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED

MAY 29 1990

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO)
) ss
County of Jefferson)

I, Robert Carlson
of the Jefferson Star, published
weekly at Rigby, Jefferson County,
Idaho, do solemnly swear that the

Not. of Application

a copy of which notice appears at-
tached hereto, was published in the
regular and entire issue of said
newspaper, and not in any supple-

ment issue thereof for two (2)
consecutive issues, the first publica-

having been made on Apr 4
and the last publication having been

made on Apr 11, 1990.

Further, that said newspaper is one
of general circulation in said coun-
ty; that it is a legal newspaper, con-
forming to legal specifications
under the Idaho Statutes; that it has
as 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.

Robert Carlson

On this 16 day of Apr

in the year of 1990, before
me, a Notary Public, personally ap-

peared Robert Carlson,
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 he ex-
ecuted the same.

Shelley
Notary Public for Idaho

Residing at Shelley

My commission expires: 12-24-92

RECEIVED

APR 16 1990

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR
WATER RIGHT

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

01-07100

TOMCHAK, MIKE

725 E. 14TH

IDAHO FALLS, ID 83404

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 4 (NESWSW) Sec 22

T 05N R 37E

Use: IRRIGATION

(.440 CFS)

Total Diversion: (.440 CFS)

Date Filed: 8/23/1989

In: T05N R37E S22

SWSW

S27

NWNW

22.0 ACRES TOTAL

The permit(s) will be subject to all
prior water rights. Protests must be filed
with the Director, Dept. of Water
Resources, Eastern Region, 150 Shoup
Avenue, Suite 15, Idaho Falls, Idaho
83402 on or before APRIL 23, 1990.

R. KEITH HIGGINSON, Director

Published in the Jefferson Star,
Rigby, Idaho, April 4 and 11, 1990.

MICROFILMED

MAY 29 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 1, 2001

MIKE TOMCHAK
3032 E 200 N
ROBERTS ID 83444

RE: License No. 1-7100 - Issuance of License

Dear Water Right Holder(s):

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

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Also enclosed is a copy of your approved Application for Amendment.

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klf
Enclosure(s)

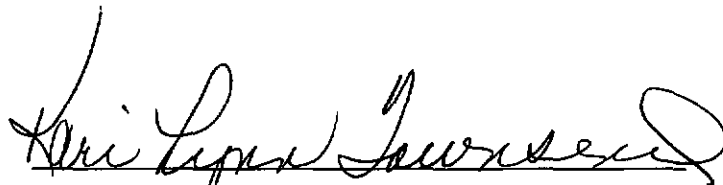
MICROFILMED
MAR 29 2001

CERTIFICATE OF MAILING

I hereby certify that on February 1, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 1-7100

**MIKE TOMCHAK
3032 E 200 N
ROBERTS ID 83444**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
MAR 29 2001**

**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).

MICROFILMED
MAR 29 2001

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

January 25, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MIKE TOMCHAK
3032 E 200 N
ROBERTS ID 83444

RE: Water Right Permit 1-07100

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed.

As of this date, I have not received this amendment. If I do not receive the amendment within 14 days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you has been misplaced, a new one is enclosed. Please note that the filing fee for this amendment is \$50.00.

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

Sincerely,

A handwritten signature in cursive script that reads 'Kay Walker'.

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILMED

MAR 29 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

January 4, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MIKE TOMCHAK
3032 E 200 N
ROBERTS ID 83444

RE: Water Right Permit No. 1-07100

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

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

 Point(s) of Diversion

 ✓ Place(s) of Use

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

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

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

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MAR 29 2001

LICENSE REVIEW CHECKLIST

Permit No. 01-7100 Date: 12-12-00 Reviewer: Kay Walker

Change/OK

Name/Address

change per examiner

Source

OK

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

Point of Diversion:

OK

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

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use

change

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

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s):
File reviewed

Rents water from Palisades Res.
Profile reports printed

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

Rate of Diversion:

Permitted rate 0.44 cfs
Fee Limit 1.00 cfs
Measured 0.41 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 0.40

Water Uses

OK Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation 0.40 cfs 80 af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
_____ cfs _____ af
Total 0.40 cfs 80 af

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

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

>1 acre (W31)

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

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

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.40 cfs x 1.9835 x 214 days = 169.8 af (vs) 20 acres x 4.0 (FHR) = 80.0 af
3.0(con)

Remarks:

R04(01) R64, 048, 049, R02

Additional Conditions

01 Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust (052/R55 - remove 051)
Non-trust (048/049)

GW Dist?

Bonneville-Jefferson GWD

Water Msmt. Dist?

East

Crit. GWMA?

GWMA?

Government Lots?

yes-

Advance Priority?

yes
no

If yes, explain why below.

SRBA Claim?

not reg'd

Adjust memo

Amend Letters

P41

P87, S06

Second Amendment Notice

P49

S06

Idaho Department of Water Resources

Place of Use 1/4 1/4 Comparison Report

T05N R37E S22			NE				NW				SW				SE				
Type	WR- Number	Source	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Total
Right	1-302	SNAKE RIVER																	0
Permit	1-7100	SNAKE RIVER								20									20
Right	25-231	EMIGRANT CREEK																	0
Right	25-232	EMIGRANT CREEK																	0
Right	25-233	EMIGRANT CREEK																	0

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MAR 29 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

FEB 18 2000

A. GENERAL INFORMATION

Department of Water Resources

Permit No. 01-07100

1. Owner: Mike Tomchak Phone No. 208-228-2217

Current Address: 3032E 200N Roberts 83444

2. Accompanied by: Mr Tomchak EXAM DATE: 8-10-1999

Address: - Phone No. -

Relationship to Permit Holder: -

3. Source: Snake River tributary to -

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Rental water Paltrades Waterusers

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	4		SW	SW	22	5N	37E	Jefferson	ON SITE FSA Aerial

2. Place(s) of Use:

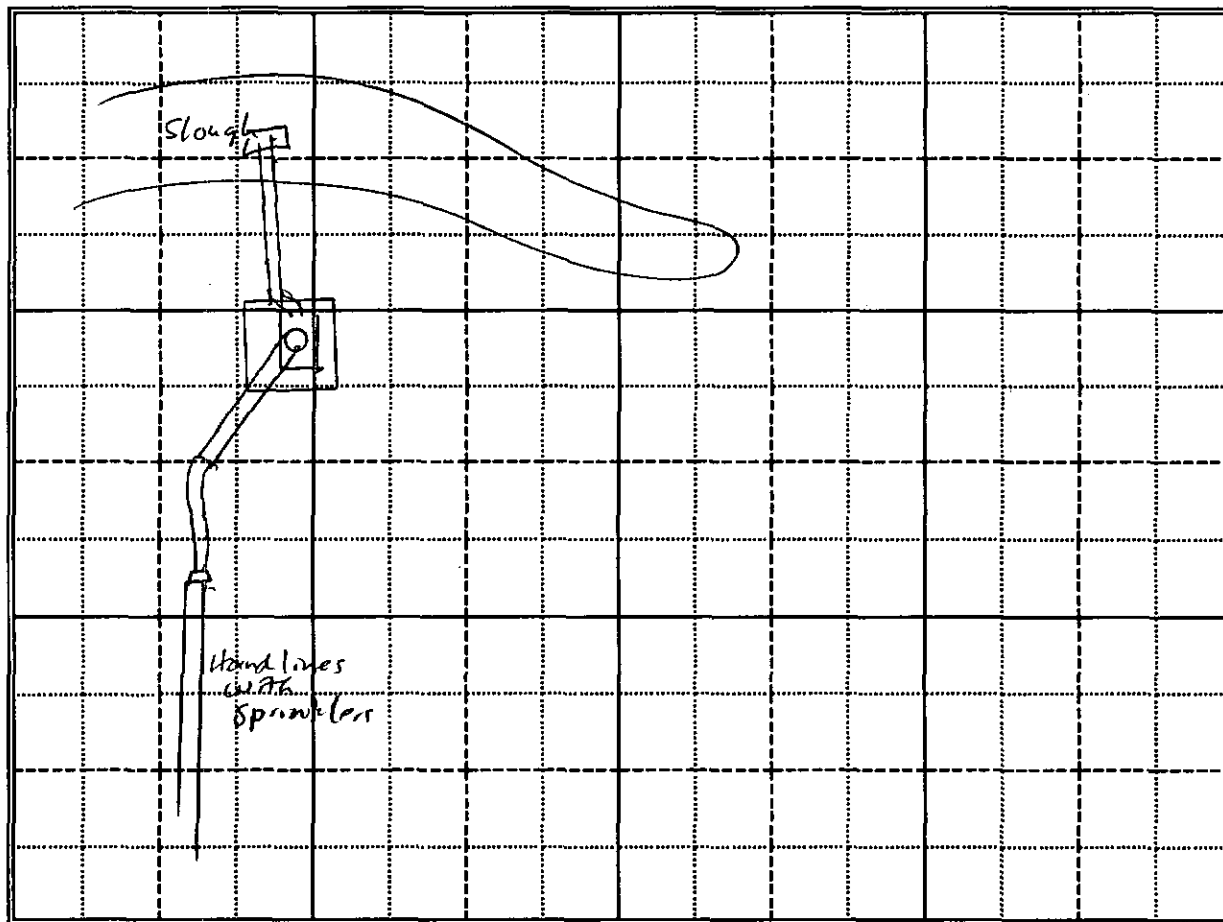
Indicate Method of Determination FSA Aerial

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	37E	22										L-4	L-4 L-12						
												3	16						19
		27						1											1
								L-11											20

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MAR 29 2001

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	ISUZU	220		Worthington	Y558008

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow Meter	SONIC	Fuji	FLC S1101	7K00877B 24033	FLD-12	

2. Measurements: 187 gpm 51 nozzles 5/32" estimated 25-35 psi.

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E. NARRATIVE/REMARKS/COMMENTS

Motor is key started could be locked & considered lockable device.

Screened suction tube to pump (driven by Isuzi 2.2L gasoline motor) to flexible discharge hose to hand lines with sprinklers

Have conditions of permit approval been met? ☒ yes ☐ no

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MAR 29 2001

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method: $Q = 0.41 \text{ cfs}$

$$Q_{0.02 \text{ cfs/acre}} = 20 \times 0.02 \text{ cfs/acre} = 0.40 \text{ cfs}$$

 $Q \text{ LIMITED TO } 0.02 \text{ cfs/acre}$ **G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (20 \text{ ac}) 4" = 80.0 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.40 (214) 1.9835 = 169.8$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 80.0 \text{ afa}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	11/1	0.40 cfs	80.0 afa
Totals:			0.40 cfs	80.0 afa

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name KEITH C. WILSON Date 8-10-1999

Reviewer _____ Date _____

SEAL

MICROFILMED

MAR 29 2001

LOG NAME:01-7100 Tomchak

START :08-10 10:45

END :08-10 10:50

INTERVAL:00:01:00

08-10 10:45:00

+7.591E+0 ft/s

+1.550E+2 gal/m

+3.453E-1 ft3/s

+TOTAL 0001601 gal

-TOTAL 0000000 gal

NORMAL

08-10 10:46:00

+8.157E+0 ft/s

+1.665E+2 gal/m

+3.711E-1 ft3/s

+TOTAL 0001759 gal

-TOTAL 0000000 gal

NORMAL

08-10 10:47:00

+8.592E+0 ft/s

+1.754E+2 gal/m

+3.908E-1 ft3/s

+TOTAL 0001930 gal

-TOTAL 0000000 gal

NORMAL

08-10 10:48:00

+8.871E+0 ft/s

+1.811E+2 gal/m

+4.035E-1 ft3/s

+TOTAL 0002108 gal

-TOTAL 0000000 gal

NORMAL

08-10 10:49:00

+8.999E+0 ft/s

+1.837E+2 gal/m

+4.093E-1 ft3/s

+TOTAL 0002291 gal

-TOTAL 0000000 gal

NORMAL

08-10 10:50:00

+9.042E+0 ft/s

+1.846E+2 gal/m

+4.113E-1 ft3/s

+TOTAL 0002475 gal

-TOTAL 0000000 gal

NORMAL

Average Flow Rate*

Q = 174.8 gpm = 0.39 cfs

* Motor rpm's increased prior to data recording. Average of last two readings.
 $(183.7+184.6)\div 2 = 184.15 \text{ gpm} = 0.41 \text{ cfs}$

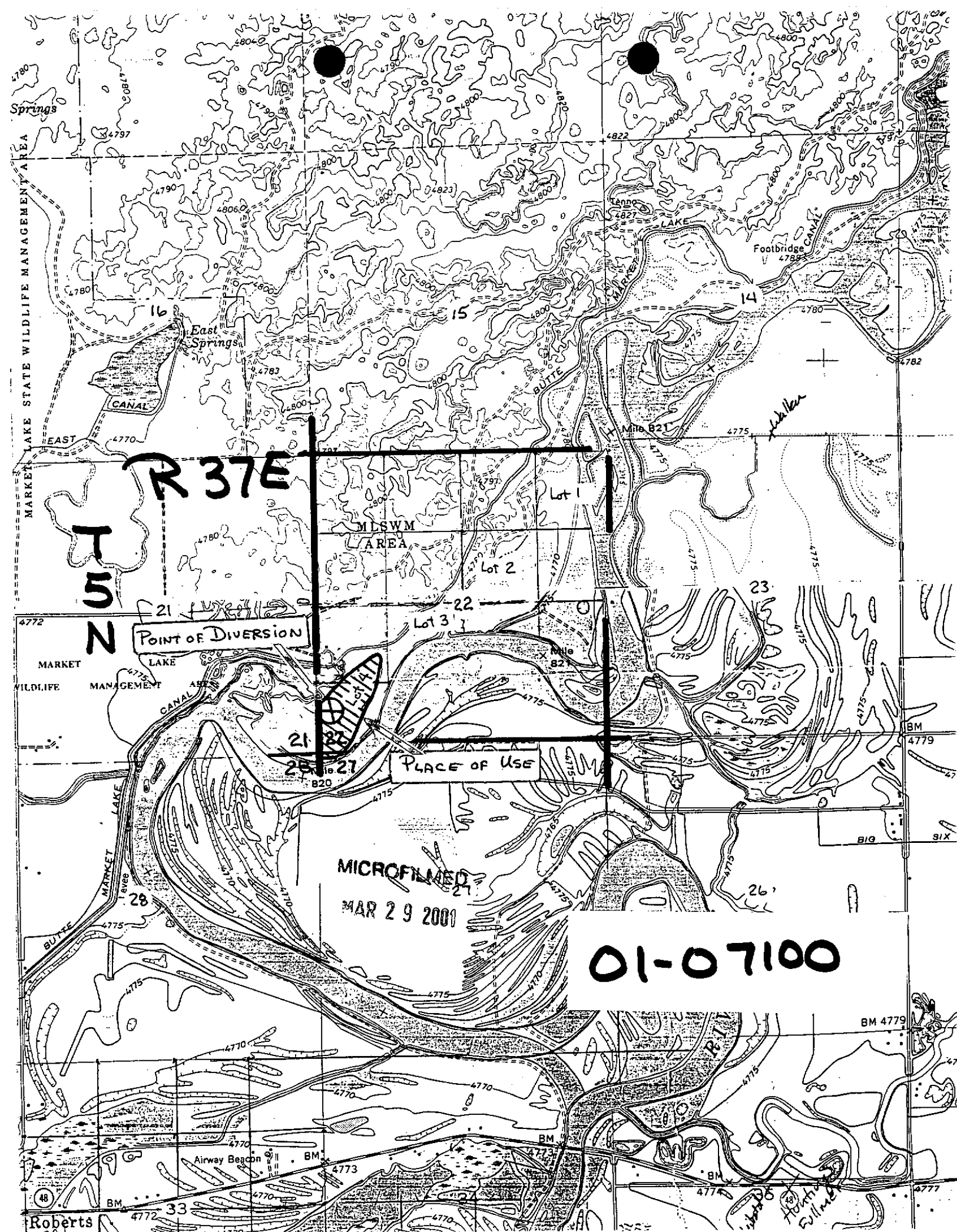
Flow Rate

Q = 184.15 gpm = 0.41 cfs

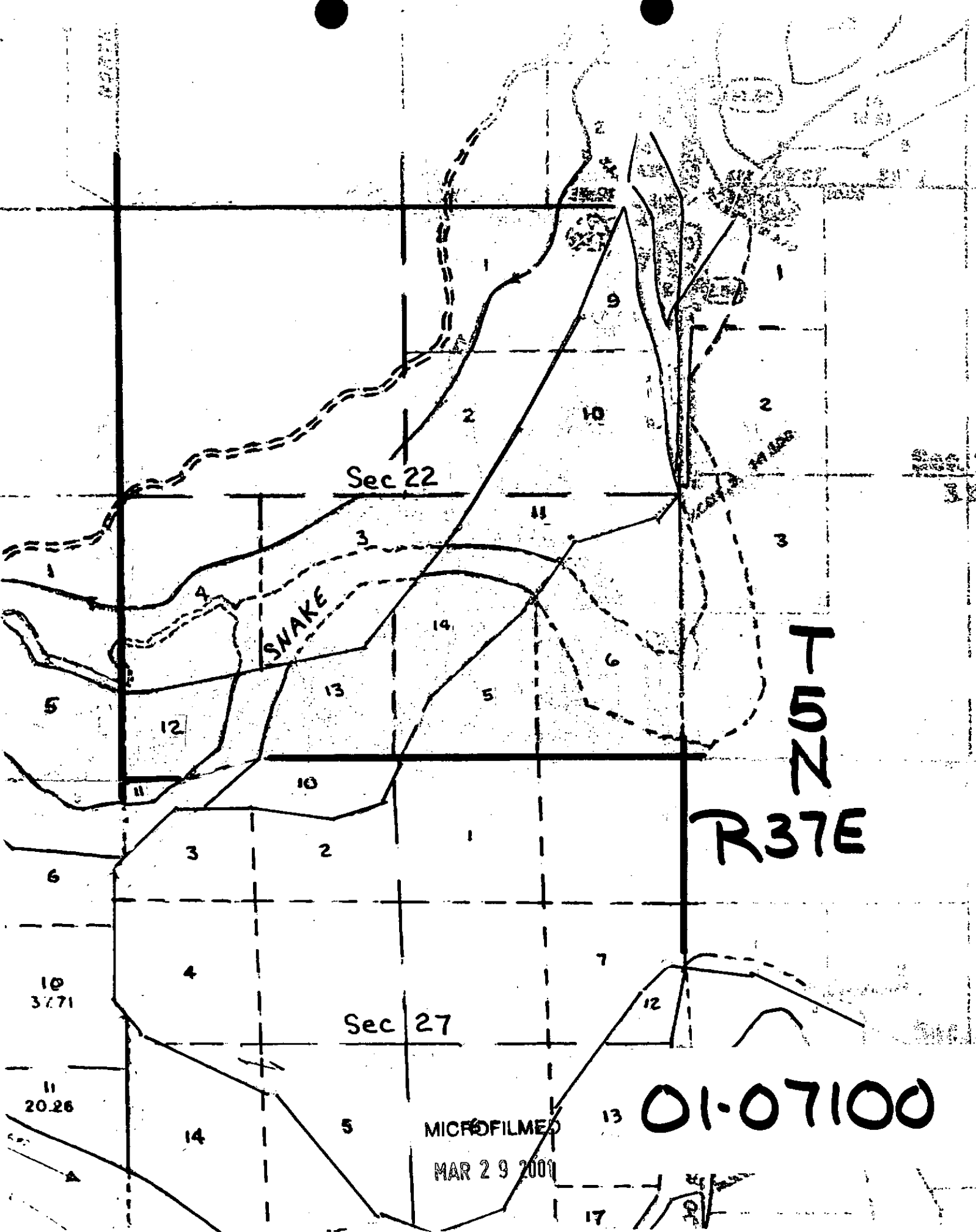
01-07100

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MAR 29 2001







Sec 22

SNAKE

T5N

R37E

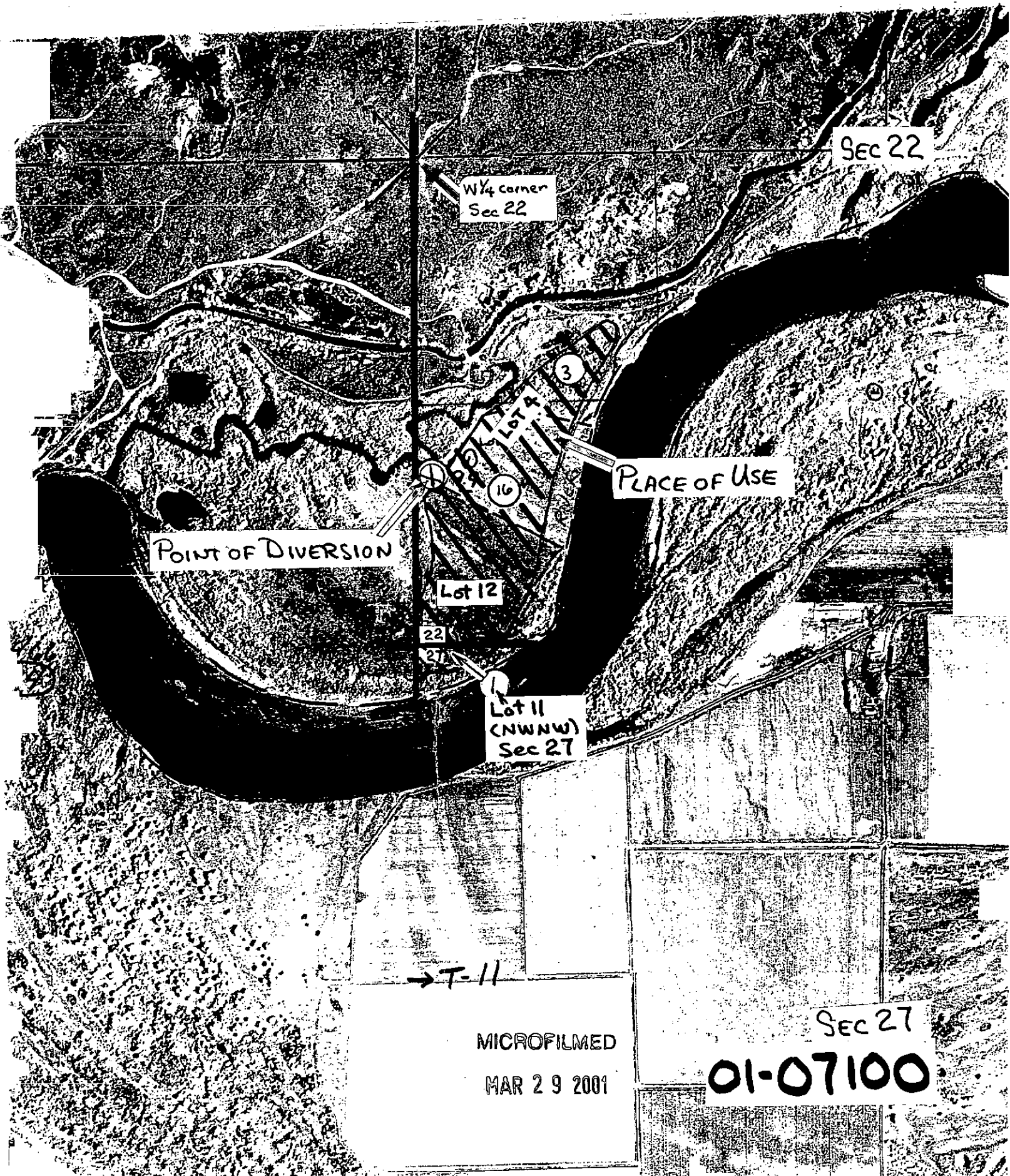
Sec 27

MICROFILMED
MAR 29 2001

01-07100

10
37.71

11
20.26



Sec 22

W 1/4 corner
Sec 22

Point of DIVERSION

PLACE OF USE

Lot 12

Lot 11
(NWNW)
Sec 27

→ T-11

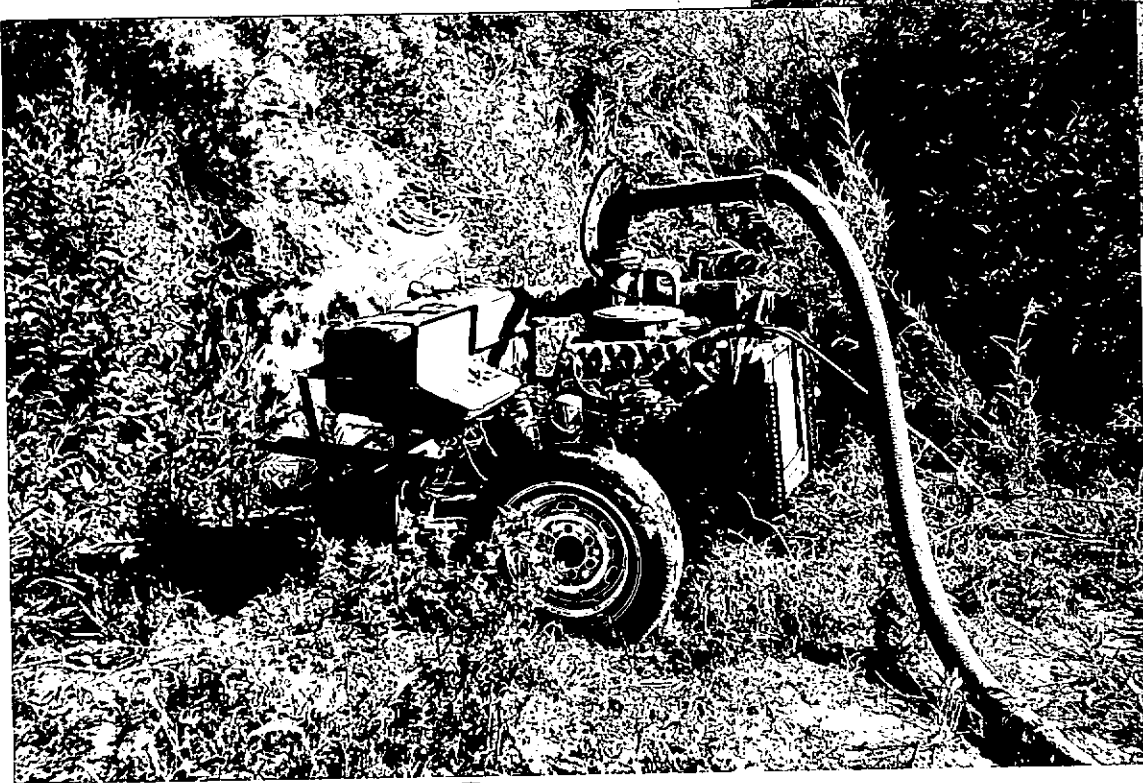
MICROFILMED

MAR 29 2001

Sec 27

01-07100

MEASUREMENT SITE



DIVERSION PUMP & MOTOR

MICROFILMED

MAR 29 2001

01-07100

May 29, 1992

MIKE TOMCHAK
725 E. 14TH
IDAHO FALLS ID 83404

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 01-07100

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED
JUN 10 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 01-07100

Reviewed by Klg

Date 5/28/92

GENERAL CONSIDERATIONS

Yes Name same as permit?
Yes Address same as permit?
Yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

irrigate - 22
Correct Uses? Yes

SOURCE OF WATER

☒ Surface water source
☐ Ground water source

NA Drilling permit required?
☐ Copy in the file? Drilling Permit No. _____
☐ Amount paid for permit _____ Correct?
☐ Well log in the file?

LICENSE EXAMINATION FEE

Yes Required?
100 Amount Submitted
Yes Correct?

MEASURING DEVICE

Yes Required?
Yes Installed?
NA Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due _____ - _____
No. of days late _____ = _____
Priority Date _____ + _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

proof acceptable

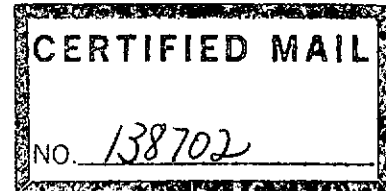
DATA ENTRY

New Address _____

Proof Made 5/26/92
5/29/92 Klg

March 31, 1992

MIKE TOMCHAK
725 E. 14TH
IDAHO FALLS ID 83404



PROOF DUE NOTICE

RE: PERMIT NO. 01-07100

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED
JUN 10 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 01-07100

Name(s) of Permit Holder(s): Mike Touchet

Post Office Address: 725 E 14th Idaho Falls

ID 83404

Tel. No. 524-2984

☒ I hereby certify that construction of diversion works for the above referenced permit began on 13 May 1991 (date) and I understand that I must

continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

14 May 1991
Date

Mike Touchet
Signature of Permit Holder

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
May 29, 1990

MIKE TOMCHAK
725 E. 14TH
IDAHO FALLS, ID 83404

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P01-07100

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed 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 license.

MICROFILMED

MAY 29 1990

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

MAY 29 1990

rm No. 202a
87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOM-TRUST
HCO

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY JDW DATE 8/28/89 APPLICATION NUMBER 01 7100
Mike Tomchak

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 subdivisions, 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 signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- ☐ Yes ☒ No Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested MAY 04 1990

Department of Water Resources

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

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☒ Water District 01
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

☒ 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 4-23-90
☐ 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 Dist. 01
☒ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information
Date of priority recommended 8-23-1989
By _____ Date _____

STATE OFFICE REVIEW

P01, P17 01H 48 49 05(01) 26 11A

See below for additional information
By KW Date 5-17-90

ADDITIONAL INFORMATION

Conditions: <01H> <05701 Snake River <11A>
App. in TRUST area - NON-TRUST app.
OK to allow 2 yrs. to develop

WATERMASTER COMMENTS

I have reviewed Application for Permit No. 01-7100 and
have the following comments/objections to the approval of this
application for permit:

Obtaining sufficient supplemental
storage each year should be
a condition of this right
if the permit is approved.

4/24/90

Date

R. Carlson
RONALD D. CARLSON, WATERMASTER
Water District No. 01

RECEIVED

MAY 29 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

MARCH 28, 1990

THE JEFFERSON STAR
P.O. BOX 37
RIGBY, ID 83442

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 23, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

MAY 29 1990

01-07100

TOMCHAK, MIKE
725 E. 14TH
IDAHO FALLS, ID 83404

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 4 (NESWSW) Sec 22 T 05N R 37E

Use: IRRIGATION (.440 CFS)
Total Diversion: (.440 CFS)

Date Filed: 8/23/1989

In: T05N R37E S22 SWSW
S27 NWNW

22.0 ACRES TOTAL

MICROFILMED

MAY 29 1990

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before APRIL 23, 1990.

R. KEITH HIGGINSON, Director

Published 4/04/1990 & 4/11/1990

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MAY 29 1990

27-Mar-1990

Mike Tomchak
725 E. 14
Idaho Falls, ID 83404

RE: Application for Permit No. 01-7100

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Jefferson Star on April 5 & 12, 1990. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this 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 about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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