

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 84578**

This is to certify that: HOLLY J DUNNING  
KYLE L DUNNING  
PO BOX 1163  
DONNELLY, ID 83615-1100

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

**Summary of Water Rights Before the Proposed Changes**

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 63-4485            | WR/DECREED          | 12/31/1939           | 0.370 cfs             | N/A                     | N/A               | 17.6               | SPRINGS       |

**Purpose of Transfer (Changes Proposed)**

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 63-4485               | NO           | NO         | NO         | NO             | YES                  | YES                  |

**Summary Of Water Rights After the Approved Change**

| <u>Existing Right</u>  | <u>New No. (Changed Portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 63-4485                | 63-4485                          | 0.370 cfs            | N/A                    | N/A               | 13.5               | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>0.370 cfs</b>     | <b>N/A</b>             | <b>N/A</b>        | <b>13.5</b>        |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 23<sup>rd</sup> day of February, 2021.

for. *Patricia Wiley*  
Chief, Water Allocation Bureau

Transfer No. 84578

**WATER RIGHT NO. 63-4485****As Modified by Transfer No. 84578**

In accordance with the approval of Transfer No. 84578, Water Right No. 63-4485 is now described as follows:

**Right Holder:** KYLE L DUNNING AND  
HOLLY J DUNNING  
PO BOX 1163  
DONNELLY, ID 83615-1100

**Priority Date:** 1/1/1940

**Source:** SPRINGS

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**

|            | <b>From</b> | <b>To</b> | <b>Diversion Rate</b> |
|------------|-------------|-----------|-----------------------|
| IRRIGATION | 03/01       | to 11/15  | 0.270 cfs             |
| STOCKWATER | 01/01       | to 12/31  | 0.020 cfs             |
| DOMESTIC   | 01/01       | to 12/31  | 0.080 cfs             |
|            |             |           | 0.370 cfs             |

**LOCATION OF POINT(S) OF DIVERSION**

SPRINGS NENESW Sec 26 Twp 03N Rge 04W CANYON County  
SPRINGS SENESW Sec 26 Twp 03N Rge 04W CANYON County

**PLACE OF USE: DOMESTIC**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 04W | 26  |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |    | 0      |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |      |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|------|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW   | SW | SE | NE | NW | SW | SE |        |
| 03N | 04W | 26  |    |    |    |    |    |    |    |    |    | 13.5 |    |    |    |    |    |    | 13.5   |

POU Total Acres: 13.5

**PLACE OF USE: STOCKWATER**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 04W | 26  |    |    |    |    |    |    |    |    | X  | X  |    |    |    |    |    |    |        |

Transfer No. 84578

**WATER RIGHT NO. 63-4485**  
**As Modified by Transfer No. 84578**

**CONDITIONS OF APPROVAL**

1. Use of this right is combined with water from Wilder Irrigation District.
2. 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 place of use.
3. Pursuant to a call in times of scarcity between 11/16 and 2/28, the domestic use under this right is subordinate to the domestic use under Water Right No. 63-34611.
4. Domestic use is for 3 homes and does not include lawn, garden, landscape, or other types of irrigation.
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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho  
Department of Water Resources  
**Attachment to Transfer 84578**  
63-4485

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

04W



-  Transfer POU (domestic)
-  Transfer POD
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.05 0.1 0.2 Miles



State of Idaho  
Department of Water Resources  
**Attachment to Transfer 84578**  
63-4485

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

04W



- Transfer POU (irrigation)
- Transfer POD
- Townships
- PLS Sections
- Quarter Quarters

0 0.05 0.1 0.2 Miles



State of Idaho  
Department of Water Resources  
**Attachment to Transfer 84578**  
63-4485

This map depicts the STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

04W



- Transfer POU (stockwater)
- Transfer POD
- Townships
- PLS Sections
- Quarter Quarters

0 0.05 0.1 0.2 Miles





**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

February 23, 2021

HOLLY J DUNNING  
KYLE L DUNNING  
PO BOX 1163  
DONNELLY ID 83615-1100

RE: Transfer No: 84578  
Water Right No(s): 63-4485

**Transfer Approval Notice**

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) 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 the APPLICANT 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.

ANY PERSON aggrieved by any decision, determination, order or action 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 Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

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) 334-2190.

Sincerely,



DENISE LATTERMANN

for Nick Miller  
Western Regional Manager

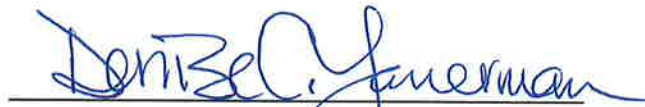
Enclosure

## CERTIFICATE OF SERVICE

I hereby certify that on February 23, 2021 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 84578  
Water Right No(s): 63-4485

HOLLY J DUNNING  
KYLE L DUNNING  
PO BOX 1163  
DONNELLY ID 83615-1100



Denise Lauerman  
Administrative Assistant 1

## **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. **Note: the petition must be received by the department within this fourteen (14) day period.** 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 service date 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.

## MEMORANDUM

TO: Transfer No. 84578  
FROM: Anna Kaiser  
DATE: February 22, 2021  
RE: Evaluation of Application

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The application proposes a partial nature of use change in water right 63-4485 to include domestic usage as follows:

| <u>Beneficial Use Pre-Transfer</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|------------------------------------|-------------|-----------|-----------------------|
| IRRIGATION                         | 03/01       | 11/15     | 0.35 CFS              |
| STOCKWATER                         | 01/01       | 12/31     | 0.02 CFS              |

**Total Diversion:** 0.37 CFS

| <u>Beneficial Use Post-Transfer</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-------------------------------------|-------------|-----------|-----------------------|
| IRRIGATION                          | 03/01       | 11/15     | 0.27 CFS              |
| STOCKWATER                          | 01/01       | 12/31     | 0.02 CFS              |
| DOMESTIC                            | 01/01       | 12/31     | 0.08 CFS              |

**Total Diversion:** 0.37 CFS

The transfer proposes drying up 4.1 acres of irrigation to accommodate the 0.08 cfs diversion rate transferred from irrigation to domestic usage.

The site is located in Caldwell, Idaho, immediately west of State Hwy 55, and approximately 0.5 miles south of the intersection of Hwy 55 and Lowell Rd.

Contact for this transfer is applicants Kyle and Holly Dunning, 541-231-3628, dunvin@comcast.net

### **Summary of Information Submitted**

#### **Authority to File:**

An ownership change processed in August of 2020 verifies Kyle and Holly Dunning are the current owners of water right 63-4485. The warranty deed included with the 2020 ownership change shows Kyle and Holly Dunning also own the property associated with water right 63-4485.

#### **Water Right Validity:**

The partial decree for water right was issued on 2/23/2009. The right(s) is presumed to be valid since beneficial use has occurred within the last five years. Beneficial use confirmed by department aerial imagery, landsat images, google earth images, or other evidence. Evidence of beneficial use does not need to be added to the file it is an IDWR product available to other staff.

#### **Injury to Other Water Rights:**

Transfer 84578 is not anticipated to injure local water rights. A concern for injury is found since water right 63-34611 is an existing domestic use year round which shares the same spring PODs

with 63-4485. This is a concern since the new domestic use would divert water during the non irrigation season that historically has not occurred. The transfer application does not indicate any acknowledgement or consent with the overlapping domestic right. I emailed the applicant on 2/17/2021 expressing the Department's concerns of potential injury and offered a transfer condition stating that the domestic use under water right 63-4485 is subordinate to 63-34611 in times of scarcity during the non irrigation season. The Dunning's were initially reluctant to this approach stating that the Hudson's do not have access to the southern spring, where the applicant intends to divert water from for domestic use.

While the water right does not grant easement to the land, or point of diversion, both POD's still exist on both rights. The applicant can either get acknowledgement from the Hudson's to clarify the diversions authorized by both rights, or the Dunning's can agree that the proposed domestic use is subordinate to the existing. These two options were explained to the applicant via telephone call and on 2/22/2021, the applicant accepted subordination.

**Enlargement of Use:**

84578 proposes transferring 0.08 cfs of the 0.35 cfs allocated through water right 63-4485 from irrigation uses to domestic uses. This change will not enlarge water right 63-4485. The right was decreed to irrigate 17.6 acres. Changes in this transfer will limit irrigation to 13.5 acres to accommodate the nature of use change.

Since the transfer proposes changing a portion of water right 63-4485 from a partially consumptive use (irrigation) to a fully consumptive use (domestic), the historical consumptive irrigation use of the water right must be evaluated. Water right 63-4485 was historically used to irrigate various crops- primarily corn, peppermint, and triticale. Kimberly Research Center data suggests the consumptive use for corn crop irrigation at the right's POU is 2.1 AFA per acre or 8.6 AFA total for right 63-4485. Using the standard 0.6 AF/home mentioned in Admin Memo #22, a three-home domestic use requires 1.8 AFA. So, the historical consumptive use will not be exceeded by the changes proposed through transfer 84578.

**Local Public Interest:**

No evidence suggests changes proposed are inconsistent with the local public interest.

**Beneficial Use/Conservation of Water Resources:**

The application proposes beneficial use consistent with conservation of water resources in Idaho.

**The application is consistent with criteria of I. C. § 42-222 and should be processed.**

## Evaporation Loss Calculations

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the annual evaporation losses from a pond.

|             |           |
|-------------|-----------|
| FILE NUMBER | XX-XXXXX  |
| REVIEWER    | Joe Agent |
| DATE        | 1/1/2000  |

|                      |
|----------------------|
| User Input           |
| Calculated value     |
| Formula Explanations |

The acronyms used on the Kimberly Research Center website are defined below:

|                                        |
|----------------------------------------|
| P = Precipitation                      |
| ET= Evapotranspiration                 |
| P <sub>d</sub> = Precipitation deficit |
| P <sub>d</sub> =ET-P                   |

### USING THIS SPREADSHEET

Use the link below to access the Kimberly Research Center website. This website provides the Precipitation Deficit for a station most representative of the pond under examination. The Precipitation Deficit is the total amount of free water surface evaporation minus the precipitation for a given area, which gives the total amount of evaporative losses incurred by the pond. There are several weather sites that are used throughout the state. IDWR staff can find the nearest site using Arc Map. The shape file containing the sites can be found at X:/Spatial/Climate/ETIdahostations.shp.

### Instructions:

1. Use the link below to navigate to ET Idaho 2012.
2. Select the station which is most representative to your pond location.
3. Click Submit Query.
4. Under "Land Covers with Evapotranspiration Estimates," select "Open Water - Shallow Systems (ponds, streams)" or "Open Water - small stock ponds" depending on the pond size.
5. Click the link to "Precipitation Deficit."
6. Reference and copy (ctrl + C) the first subheading "Mean" values.
7. Click the "Paste Values from ET Idaho" button. The table will automatically enter a zero (0) for any negative precipitation deficit values.

Found at: <http://data.kimberly.uidaho.edu/ETIdaho/>

### Field Corn Deficit

Station: Deer Flat Dam

| Month     | mm/day <sup>1</sup> | Days per month | mm/Month |
|-----------|---------------------|----------------|----------|
| Jan       | -0.35               | 31             | 0.00     |
| Feb       | 0.09                | 28             | 2.52     |
| March     | -0.04               | 31             | 0.00     |
| April     | 0.12                | 30             | 3.60     |
| May       | 0.95                | 31             | 29.45    |
| June      | 4.5                 | 30             | 135.00   |
| July      | 7.21                | 31             | 223.51   |
| August    | 5.66                | 31             | 175.46   |
| September | 2.5                 | 30             | 75.00    |
| October   | 0.32                | 31             | 9.92     |
| November  | -0.27               | 30             | 0.00     |
| December  | -0.43               | 31             | 0.00     |

**PLEASE NOTE:** The seasonal average for precipitation deficit should not be used for calculations because precipitation often exceeds evaporation during wetter months of the year. If the pond is kept full, excess precipitation during wetter months does not serve to refill the pond during drier months.

For example, see Sandpoint KSPT (NWS -- 108137), the annual precipitation deficit is -106 mm. However, April through September have positive precipitation deficit values. To properly estimate the annual volume of water necessary to refill a pond due to evaporation losses, the table will automatically enter a zero (0) for each month that the precipitation value is reported as a negative value.

As described above, precipitation offsets evaporation in winter months, so the net effect is that wintertime precipitation deficit is usually zero.

Total mm/year = 654.46

$$((654.46 \text{ mm/yr}) \div (\text{convert to feet})) \times (\text{Surface area of pond, in acres}) = \text{Evaporation Loss in Acre Feet}$$

$$(654.46 \div 304.8) \times 1.00 = 2.1 \text{ AFA}$$

## Kaiser, Anna

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**From:** Kaiser, Anna  
**Sent:** Wednesday, February 17, 2021 5:01 PM  
**To:** 'dunvin@comcast.net'  
**Subject:** Transfer 84578

Good afternoon,

I am currently working on finalizing an approval for your transfer application. There is some concern of enlargement and injury to local water rights since the transfer proposes shifting seasonally used irrigation water to year-round domestic usage. The Department's Transfer Processing Memo No. 24 states "a change to an increased period of use for a surface water right is presumed to be an enlargement and would cause injury where there are junior priority rights that rely on surface water during the time period outside of use for the right proposed to be changed."

The Department can issue your transfer approval upon the condition that from November 15 to March 1, your water right is junior to all local water rights in times of scarcity to prevent potential injury resulting from the change in season of use.

If you agree to this condition, we can move forward in approving your transfer application.

If you have any questions, please don't hesitate to call me at 208-334-2190.

Thank you!  
Anna

**Anna Kaiser** | Water Resource Agent  
IDWR-Western Region  
2735 W Airport Way, Boise ID 83705  
(208).334.2190 | [anna.kaiser@idwr.idaho.gov](mailto:anna.kaiser@idwr.idaho.gov)

RECEIVED

JAN 22 2021

WATER RESOURCES  
WESTERN REGION

AFFIDAVIT OF PUBLICATION  
STATE OF IDAHO

County of Canyon and Ada

23100 63960

1 IDWR - WESTERN REGION

2735 AIRPORT WAY

BOISE, ID 83705

SHARON JESSEN

of the State of Idaho, being of first duly sworn, deposes  
and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principle Clerk of the Idaho Press-Tribune, a daily newspaper published in the Counties of Canyon and Ada, State of Idaho; that the said newspaper is in general circulation in the said counties of Canyon and Ada, and in the vicinity of Nampa, Caldwell, and Boise, and has been uninterruptedly published in said Counties during a period of seventy -eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 times(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement

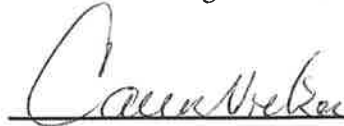
That said notice was published the following: 01/07/2021,  
01/14/2021

  
SHARON JESSEN

STATE OF IDAHO

County of Canyon and Ada

On this 18th day of January, in the year of 2021 before me a Notary Public, personally appeared. SHARON JESSEN, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

  
Colleen R. Nielsen

Notary Public of Idaho

My commission expires 6/28/23



**LEGAL NOTICE**

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

**63-34958**

UNDURRAGA FARMS LLC  
9971 N BOGUS BASIN RD BOISE, ID 83702-1566  
Point of Diversion SWNW S12 T05N R06W CANYON County  
Source ROSS DRAIN Tributary SNAKE RIVER  
Point of Diversion SWNW S12 T05N R06W CANYON County  
Source ROSS DRAIN Tributary SNAKE RIVER  
Use: WILDLIFE STORAGE 09/15 to 03/14 915.4 AF  
Use: RECREATION STORAGE 09/15 to 03/14 915.4 AF  
Use: AESTHETIC STORAGE 09/15 to 03/14 915.4 AF  
Use: DIVERSION TO STORAGE 09/15 to 03/14 3 CFS  
Total Diversion: 3 CFS 915.4 AF  
Date Filed: 09-17-2020  
Place Of Use: AESTHETIC STORAGE, DIVERSION TO STORAGE, RECREATION STORAGE, WILDLIFE STORAGE  
T05N R06W S12 SWNW

DL  
OK  
01.25.2021

**63-34975**

JOHN M KIMURA  
1381 TORTOSA CT YUBA CITY, CA 95993-1179  
Point of Diversion SWNE S10 T04N R02W CANYON County  
Source GROUND WATER  
Use: DOMESTIC 01/01 to 12/31 0.04 CFS  
Use: IRRIGATION 03/01 to 11/15 0.15 CFS  
Total Diversion: 0.19 CFS  
Date Filed: 11-10-2020  
Place Of Use: DOMESTIC, IRRIGATION  
T04N R02W S10 SWNE Total Acres: 4.6  
Water bearing zone to be appropriated is from 80 to 120 feet.

DL  
OK  
01.25.2021

**63-34993**

ALAN NOE, TEILA NOE  
11905 GOLDFINCH ST CALDWELL, ID 83605-8127  
Point of Diversion SENE S1 T04N R05W CANYON County  
Source DIXIE SLOUGH Tributary BOISE RIVER  
Use: IRRIGATION 03/01 to 11/15 0.52 CFS  
Total Diversion: 0.52 CFS  
Date Filed: 12-23-2020  
Place Of Use: IRRIGATION T05N R05W S36 NWSW, SWSW  
Total Acres: 26

DL  
OK  
01.25.2021

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

**63-34992**

JEFF MOONEY  
1899 W PIAZZA DR MERIDIAN, ID 83646-6830  
Point of Diversion SWSE S16 T05N R05W CANYON County  
Source BOISE RIVER Tributary SNAKE RIVER  
Use: DIVERSION TO STORAGE 10/01 to 02/01 1 CFS  
Use: WILDLIFE 10/01 to 02/01 1 CFS  
Use: WILDLIFE STORAGE 10/01 to 02/01 30 AF  
Total Diversion: 1 CFS, 30 AF  
Date Filed: 10-16-2020  
Place Of Use: DIVERSION TO STORAGE, WILDLIFE, WILDLIFE STORAGE  
T05N R05W S7 SWSE

DL  
OK  
01.25.2021

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 84578**

HOLLY J DUNNING and KYLE L DUNNING, PO BOX 1163, DONNELLY, ID 83615-1100 has filed Application No. 84578 for changes to the following water rights within CANYON County(s): Right No(s). 63-4485; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: Water right 63-4485 allocates 0.35 cfs of water for 17.6 acres of irrigation and 0.02 cfs for stock water purposes. The applicant proposes drying 4.1 historically irrigated acres to transfer 0.08 cfs from irrigation to domestic use for three (3) households. Transfer proposes no alterations to the stock water portion of right 63-4485. The transfer site is located in Caldwell, ID approximately 0.3 miles north of the intersection of Symms Rd and State Hwy 55.

DL  
OK  
01.25.2021

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 1/25/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

January 7, 14, 2021

63960

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
2735 Airport Way  
Boise, Idaho 83705-5082

Return Service Requested

WILDER IRRIGATION  
DISTRICT  
HD 33 BOX 1026  
BOISE, ID 83706

RECEIVED

JAN 15 2021

WATER RESOURCES  
WESTERN REGION

PRESORTED  
FIRST CLASS



U.S. POSTAGE >> PITNEY BOWES



ZIP 83702 \$ 000.38<sup>9</sup>  
02 4W  
0000359172 JAN 07 2021

NIXIE

841 DE 1300 0001/13/21

RETURN TO SENDER  
INSUFFICIENT ADDRESS  
UNABLE TO FORWARD

IA  
83705>5082

BC: 83705508235

\*0535-02408-07-01

