

RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 84578

DEC 07 2020

WATER RESOURCES
WESTERN REGION**MINIMUM REQUIREMENTS CHECKLIST**
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) KYLE AND HOLLY DUNNING**Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.****Yes N/A** * Means the item is always required and must be included with the application.

- ☐ * Completed Application for Transfer of Water Right form, Part 1.
- ☐ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☐ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☐ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☐ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☐ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☐ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☐ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☐ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☐ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Kyle + Holly Dunning Phone 541-231-3628
Mailing address PO Box 1163 Email dunvin@comcast.net

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative

Kyle Dunning
Print Name and Title if applicable

12/3/2020
Date

Signature of Applicant or Authorized Representative

Holly J. Dunning
Print Name and Title if applicable

12/3/2020
Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☒ Change nature of use
 ☐ Add diversion point(s)
☐ Change period of use
 ☐ Change place of use
☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

We desire to use some of the irrigation water rights for 3 family homes to be built... my two sons and ourselves

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	63-4485	0.27	irrigation	3/11 to 11/15	Springs to Snake River
☐ ☐		0.08	domestic	1/1 to 12/31	Springs to Snake River
☐ ☐		0.02	stock water	1/1 to 12/31	Springs to Snake River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights .37 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.08 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	04W	26										13.5							13.5
												D							
											S	S							
Total Acres (for irrigation use)																			13.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

we will be accomodating when requested

- b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete [Attachment WSB](#).

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

4.1 acres will now be used for domestic use

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

63-4485 we also have irrigation distric shares from Wilder Irrigation Distric

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☒ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

check for \$ 450⁰⁰

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by LE Date 12/07/2020 Preliminary check by _____ Date _____

Fee paid \$450.00 Date 12/07/2020 Receipted by LE Receipt # W048935

Add'l fee paid _____ Date _____ Receipted by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

State of Idaho
Department of Water Resources

Water Right
63-4485

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

04W



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.05 0.1 0.2 Miles



Water Right 63-4485

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

04W



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.05 0.1 0.2 Miles

* - Acres most likely to be impacted by reduced farming are shaded in yellow



Water Right 63-4485

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KYLE L DUNNING PO BOX 1163 DONNELLY, ID 83615-1100 (541) 231-3628
Current Owner	HOLLY J DUNNING PO BOX 1163 DONNELLY, ID 83615-1100 (541) 231-3628

Priority Date: 12/31/1939**Basis:** Decreed**Status:** Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	0.350 CFS	
STOCKWATER	01/01	12/31	0.020 CFS	
Total Diversion			0.370 CFS	

Source and Point(s) of Diversion

SPRINGS	SENE SW	Sec. 26, Twp 03N, Rge 04W, CANYON County
SPRINGS	NENE SW	Sec. 26, Twp 03N, Rge 04W, CANYON County

Place Of Use

STOCKWATER within CANYON County																			
NE				NW				SW				SE							
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	04W	26									X	X							

IRRIGATION within CANYON County																			
NE				NW				SW				SE							
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	04W	26											17.6						17.6

POU Total Acres: 17.6

Conditions of Approval:

1.	C05	Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3.	X02	Stockwater use is for 50 range cattle.
4.		This right when combined with all other rights shall not exceed 0.02 cfs per acre.
5.	W59	Use of this right is combined with water from Wilder Irrigation District.
6.		The actual diversion rate for irrigation use is 0.352 cfs.

Comments:

1.	MMINICUC	1/8/1996	COPIED FROM REMARKS
THIS CLAIM SHOWS NEW HOME LOCATION TEMP ADDRESS (UNTIL 07/1996) IS RT 1 BOX			

84578

24B, JAMESON MO 64647 09/07/1995 MM. DOMESTIC THE DOM. USE RECOMMENDED IS FOR THE (YELLOW) HOUSE BUILT IN 1978. THE DOM. PORTION OF THE RIGHT WAS TRANSFERRED TO THIS HOUSE WHEN IT WAS BUILT. THE (WHITE) ORIGINAL HOME IS OCCUPIED, BUT DOES NOT APPEAR TO HAVE A VALID WATER RIGHT FOR USE OF WATER FROM ANY SURFACE WATER SOURCE. IDWR CORR. TO CLAIMANT (IN FILE), NO RESPONSE AS OF 01/08/1996. ACRES ACRES DETERMINED USING ASCS 1987 MAP AND IDWR PLANIMETER. SOURCE THE SOURCES FOR THIS RIGHT ARE TWO SPRINGS, BOTH OF WHICH LIE ON THE WEST SIDE OF THE DEER FLAT LOW LINE CANAL. THESE SPRINGS, IF UNIMPEDED, WOULD FLOW TO THE SNAKE R. IT DOES NOT APPEAR THAT THE CHANNEL INTO WHICH THE SPRINGS FLOW SERVES AS A DRAIN FOR THE FIELDS JUST WEST OF THE CANAL. THERE MAY BE SOME INDIRECT RUN-OFF INTO THE CHANNEL, BUT THE SPRINGS CONTRIBUTE THE DIRECT WATER FLOW IN THE CHANNEL.

2. djudd 9/12/2018 POU
Updated Shape

3. Ownership Change 9/12/2018 Split Right
Split into 63-4485 and 63-34611 due to change in ownership.

Dates and Other Information

Decreed Date: 2/6/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits

N/A

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	6/29/2006	kwalker			Closed
Contacts	6/29/2006	kwalker			Closed
Priority Date	6/29/2006	kwalker			Closed
POD	6/29/2006	kwalker			Closed
POU	6/29/2006	kwalker			Closed
Use	6/29/2006	kwalker			Closed
Season	6/29/2006	kwalker			Closed
Season	6/29/2006	kwalker			Closed
Quantity	6/29/2006	kwalker			Closed
Summary	6/29/2006	kwalker	6/29/2006	kwalker	Closed

Verification Log

Element	Date	User	Log Text
Contacts	6/29/2006	kwalker	(No) 1. Do you want to schedule an appointment? Comment for 1: Field exam by Maria Minicucci 8/31/1995
General	6/29/2006	kwalker	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (No) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavit by current owner

POD	6/29/2006	kwalker	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	6/29/2006	kwalker	Updated shape
POU	6/29/2006	kwalker	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 8 - New house built in 1978 and hooked up to spring, accomplished transfer to new house Description for Question 13 - Field exam 8/31/1995
POU	6/29/2006	kwalker	Updated shape for Active POU
POU	6/29/2006	kwalker	Updated PLS for Active POU
POU	6/29/2006	kwalker	Edited shape boundary
Use	6/29/2006	kwalker	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (Yes) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - field exam
POU	6/29/2006	kwalker	Edited Season Of Use
Season	6/29/2006	kwalker	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	6/29/2006	kwalker	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Open Channel Discharge on springs
Summary	6/29/2006	kwalker	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

SubCase:
N/A

Water Supply Bank:
N/A

Attachment #8a

The acreage has long been farmed with various crops: corn, peppermint and tritcale to mention a few.

Domestic use will not require near the water of peppermint or many other crops.



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

Brad Little
Governor

Gary Spackman
Director

January 7, 2021

WILDER IRRIGATION DISTRICT
HD 33 BOX 1026
BOISE, ID 83706

RE: Application for Transfer No. 84578

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Lauerman
Administrative Assistant 1

Enclosure(s)



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

Brad Little
Governor

Gary Spackman
Director

December 31, 2020

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

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

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the PRESS TRIBUNE on 1/7/2021 and 1/14/2021. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. 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, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Lauerman
Administrative Assistant

Lauerman, Denise

From: Lauerman, Denise
Sent: Thursday, December 31, 2020 11:33 AM
To: 'legals@idahopress.com'
Subject: CANYON Legal Notice
Attachments: Cover Letter Canyon County.docx; Legal Notice Canyon County.docx

Good Morning Legal Clerk,

PLEASE DISREGARD THE PREVIOUS EMAIL AND US THE ATTACHED LEGAL NOTICE AND COVER LETTER.

Please see the attached ad for publication on 01/17/2021 and 01/14/2021.

Please confirm this is okay to publish as shown and send confirmation and all other correspondence to this email.

Thanks much!
Denise

Denise Lauerman | Administrative Assistant
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | denise.lauerman@idwr.idaho.gov



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

Brad Little
Governor

Gary Spackman
Director

December 31, 2020

LEGAL NOTICE DEPARTMENT
PRESS TRIBUNE
PO BOX 9399
NAMPA, ID 83652

RE: Transfer No. 84578
Water Right No(s). 63-4485
Application for Permit No. 63-34958, 63-34975, 63-34993, 63-34992

Dear Legal Notice Department:

Please publish the enclosed legal notice 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 1/25/2021. Your cooperation is appreciated.

Sincerely,

Denise Lauerma
Administrative Assistant

Enclosure(s)

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

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.

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

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

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.

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/WVRAApplicationResults/>. 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

Published on 1/7/2021 and 1/14/2021