

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 84341**

This is to certify that: CITY OF WEISER  
55 W IDAHO ST  
WEISER, ID 83672-1943

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>
67-4412	WR/DECREED	6/1/1954	0.400 cfs	N/A	N/A	20.0	WEISER RIVER

**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>
67-4412	YES	YES	YES	NO	NO	NO

**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>
67-4412	67-15365	0.200 cfs	N/A	N/A	10.0	67-4412	0.200 cfs	N/A	N/A	10.0
<b>COMBINED TOTALS</b>		<b>0.200 cfs</b>	<b>N/A</b>	<b>N/A</b>	<b>10.0</b>		<b>0.200 cfs</b>	<b>N/A</b>	<b>N/A</b>	<b>10.0</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 30 day of November, 2020.

for, *Patricia Wiley*  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 67-4412**  
**As Modified by Transfer No. 84341**

In accordance with the approval of Transfer No. 84341, Water Right No. 67-4412 is now described as follows:

**Right Holder:** CITY OF WEISER  
 55 W IDAHO ST  
 WEISER, ID 83672-1943

**Priority Date:** 6/1/1954

**Source:** WEISER RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
 IRRIGATION

**From** 03/01 **to** 11/15

**Diversion Rate**  
 0.200 cfs  
 0.200 cfs

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

WEISER RIVER NENE Sec 35 Twp 11N Rge 04W WASHINGTON County

**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	
11N	05W	29												10.0					10.0

POU Total Acres: 10.0

**CONDITIONS OF APPROVAL**

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 67.
3. 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.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 84341

**WATER RIGHT NO. 67-4412**  
**As Modified by Transfer No. 84341**

**CONDITIONS OF APPROVAL**

6. 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.



# **WATER RIGHT NO. 67-15365**

## **As Modified by Transfer No. 84341**

In accordance with the approval of Transfer No. 84341, Water Right No. 67-15365 is now described as follows:

**Right Holder:** CITY OF WEISER  
55 W IDAHO ST  
WEISER, ID 83672-1943

**Priority Date:** 6/1/1954

**Source:** WEISER RIVER

**Tributary:** SNAKE RIVER

### **BENEFICIAL USE**

IRRIGATION

### **From**

03/01

### **To**

to 11/15

### **Diversion Rate**

0.200 cfs

0.200 cfs

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

WEISER RIVER

NWSW

Sec 1 Twp 10N Rge 05W WASHINGTON County

### **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	
11N	05W	33						8.0	2.0										10.0

POU Total Acres: 10.0

### **CONDITIONS OF APPROVAL**

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 67.
3. 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.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 84341

**WATER RIGHT NO. 67-15365**

**As Modified by Transfer No. 84341**

**CONDITIONS OF APPROVAL**

6. 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.

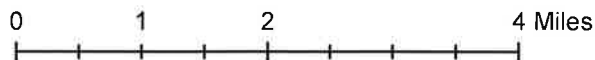
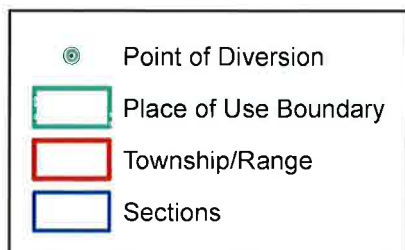
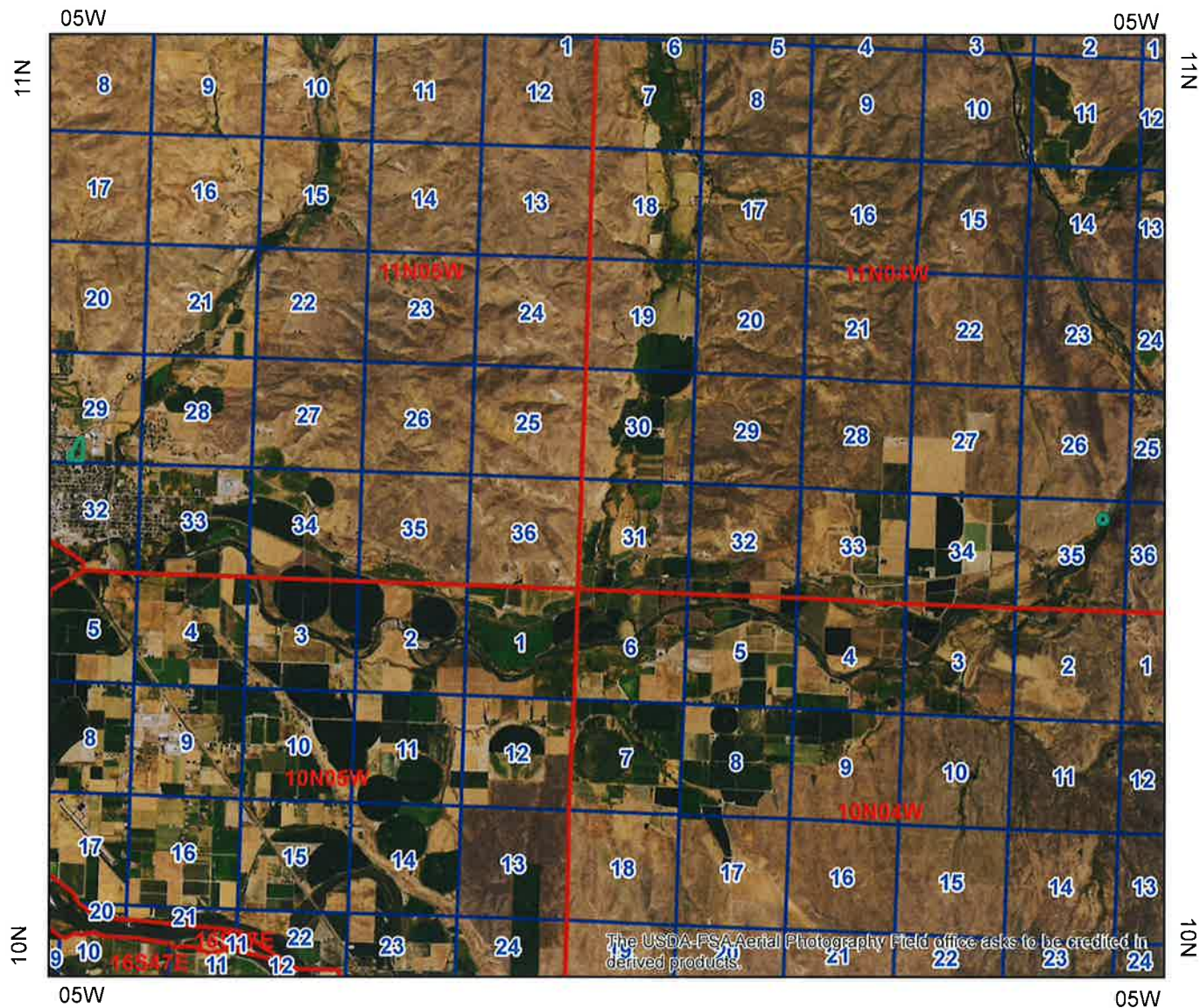


State of Idaho  
Department of Water Resources

## Attachment to Transfer No. 84341

Water Right(s): 67-4412

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.



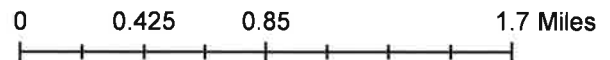
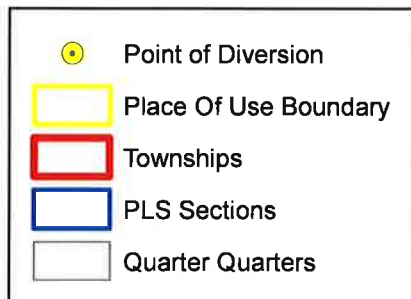
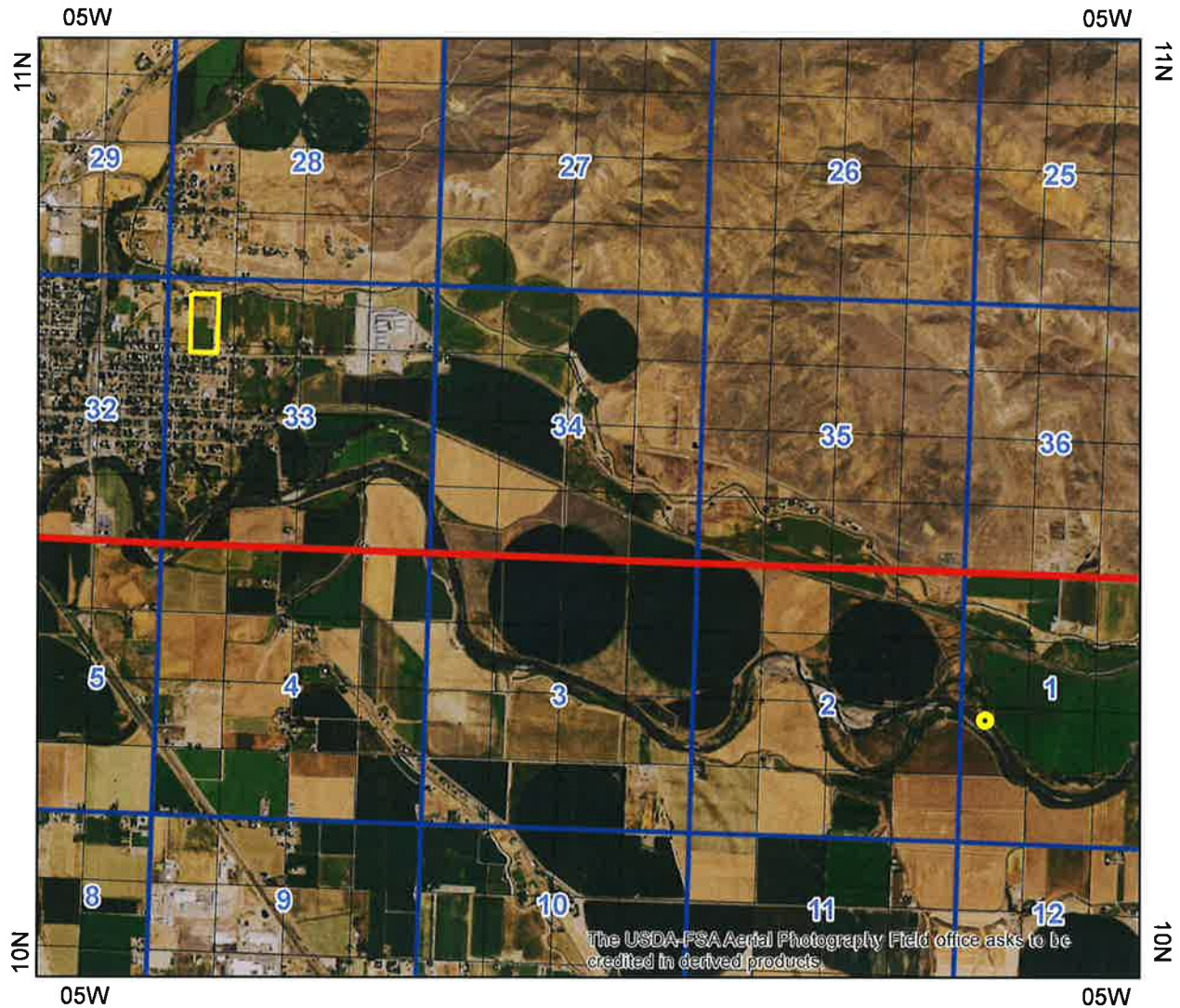


State of Idaho  
Department of Water Resources

# Attachment to Transfer No. 84341

Water Right(s): 67-15365

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.





**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Western Region • 2735 Airport Way • Boise, Idaho 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

November 30, 2020

CITY OF WEISER  
55 W IDAHO ST  
WEISER ID 83672-1943

**Re: Transfer No: 84341**  
**Water Right No: 67-4412**

**Transfer Approval Notice**

Dear Water Right Holder and other Interested Persons:

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,



Anna Kaiser

For

Nick Miller

Regional Manager

Enclosure

CC:

MCHUGH BROMLEY PLLC  
ATTN CANDICE MCHUGH  
380 S 4TH ST STE 103  
BOISE ID 83702-7687


## CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2020 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.: 84341**  
**Water Right No(s): 67-4412**

**CITY OF WEISER**  
**55 W IDAHO ST**  
**WEISER ID 83672-1943**

**MCHUGH BROMLEY PLLC**  
**ATTN CANDICE MCHUGH**  
**380 S 4TH ST STE 103**  
**BOISE ID 83702-7687**

 *(Anna Kaiser)*  
\_\_\_\_\_  
**Nick Miller**  
**Regional Manager**  
*for*

## **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. 84341  
FROM: Allen Bradbury  
DATE: November 10, 2020  
RE: Evaluation of Application

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### **Purpose of Transfer**

The purpose of this transfer is to relocate the points of diversion and places of use for water right 67-4412 in order to bring the water right into compliance with the actual practice. This transfer proposes to split the 20 acre irrigation right into two new points of diversion from the Weiser River and two new 10 acre places of use within the City of Weiser. The first point of diversion will be from the Galloway Ditch approximately 11 miles upriver from the current point of diversion for the City of Weiser. Water will be used on 10 acres at Memorial Park located at E 4th and Hanthorn in Weiser. The second point of diversion will be from Mill Ditch approximately 4½ miles upriver from the current point of diversion for the City of Weiser. Water will be used on 10 acres at the Soccer complex located opposite the intersection of E Park St. and E. 11th St in Weiser. Both properties are owned by the City of Weiser in Washington County, Idaho. Wildcat Island, the original parcel described by water right 67-4412 is not irrigated.

**Location:** The the Soccer Complex site is located opposite the intersection of E Park St. and E. 11<sup>th</sup> St in Weiser. Memorial Park is located at E 4<sup>th</sup> and Hanthorn in Weiser. Both properties are owned by the City of Weiser.

**Contact person** for the applicant is Candice McHugh, McHugh Bromley, PLLC, 380 S 4<sup>th</sup> St., Ste 103, Boise, ID 83702.

### **Deviations from Transfer Policy Standards**

This transfer moves the points of diversion upstream from the original water right POD to two separate diversion points. Since the use of this water will be split between two places of use and two separate diversions, this water right will be split for administrative purposes. The parent right 67-4412 will be retained with the Galloway diversion and Memorial Park while the child right 67-15365 will be for the Mill diversion and Soccer Complex.

### **Summary of Information Submitted**

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

Randy Hibberd is the mayor of the City of Weiser, Idaho and has authority to sign this transfer application.

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

The court issued the partial decree for water rights no. 67-4412 on 05/11/2010. Department aerial imagery (2019) and Google Earth imagery confirm that irrigation occurred on Memorial Park and the Soccer Complex but not on Wildcat Island within the preceding, consecutive, five-year period. An exentsion to avoid forfeiture was approved and granted through 2020.



**Injury to Other Water Rights:**

There is a current extension to avoid forfeiture on file, however, the water use and diversion has been used as proposed in the transfer for the past few years, but a change in the water right description had not been filed. The system is regulated by Basin 67 water master. The 1954 priority date will not have significant impact to senior rights at the new points of diversion.

**Enlargement of Use:**

The transfer does not propose any change to the diversion rate or volume, nor any unsubordinated change to the season of use. No enlargement is anticipated.

**Local Public Interest:**

None of the available information suggests conflict with the local public interest.

For these reasons this application proposes a change consistent with the local public interest.

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

The Mill Ditch carries water directly from a Weiser River diversion and then distributes water to the soccer complex which has a 15hp pump into a 6 in. pipe. The Galloway Canal carries water from the Galloway Dam diversion and then distributes water to Memorial Park using a 20 hp pump into a 6 inch pipe. The available information indicates the efficiency of the diversion system and diversion rate for irrigation. The application proposes beneficial use consistent with conservation of water resources in Idaho.

**Water Right Overlap**

The Galloway Dam diversion located at T11N R04W Section 35 NENE is the POD for the Weiser Irrigation District and several private water rights. The Mill Ditch located at T10N R05W Section 1 NWSW is the diversion for the East Weiser Irrigation District. Memorial Park falls within the Weiser Irrigation District service area. The soccer complex falls within the East Weiser Irrigation District service area.

**Discussion**

If approved the following changes should be made to the conditions of water right nos. 67-4412 and 67-15365

Updated condition C18 to T19.

Added standard transfer conditions T07 and T08, R02, and R05.

Removed F17 and F18 as they are no longer valid as the PLSS descriptions are clear.

Added R65

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

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



11ND05W33NNWNW			City of Weiser POU overlap analysis			67-15365 Mill diversion-Soccer Complex																Total	
Process	Sequence	Basin	Owner	Source	Use	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Acres	
Water Application	67-10968	67-7	EAST WEISER IRRIGATION DISTRICT (Transfer Appl	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water Right	67-7		EAST WEISER IRRIGATION DISTRICT; WEISER CITY I	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Water Right	67-10		EAST WEISER IRRIGATION DISTRICT; WEISER CITY I	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Water Right	67-11		WEISER IRRIGATION DISTRICT	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Water Right	67-12		WEISER IRRIGATION DISTRICT	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Water Right	67-13B		WEISER IRRIGATION DISTRICT	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Water Right	67-14		WEISER IRRIGATION DISTRICT	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Water Right	67-14621		WEISER IRRIGATION DISTRICT	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Water Right	67-15		WEISER IRRIGATION DISTRICT	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Water Right	67-16		WEISER IRRIGATION DISTRICT	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Water Right	67-17		WEISER IRRIGATION DISTRICT	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Water Right	67-18		WEISER IRRIGATION DISTRICT	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Water Right	67-19		WEISER IRRIGATION DISTRICT	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Water Right	67-20		WEISER IRRIGATION DISTRICT	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Water Right	67-21		WEISER IRRIGATION DISTRICT	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Water Right	67-21688		WEISER IRRIGATION DISTRICT	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Water Right	67-2169G	WEISER IRRIGATION DISTRICT	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water Right	67-22	WEISER IRRIGATION DISTRICT	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water Right	67-8	WEISER IRRIGATION DISTRICT	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water Right	67-9	WEISER IRRIGATION DISTRICT	WEISER RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water Right	3-2006	67-7005	WEISER FLAT PIPE LINE CO LTD; WEISER IRRIGATIC	SNAKE RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water Right	3-7005		WEISER IRRIGATION DISTRICT	SNAKE RIVER	IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water Right	67-10975	67-10975	CITY OF WEISER; MC HUGH, CANDICE M	GROUND WATER	DOMESTIC	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water Right	67-10975		CITY OF WEISER; MC HUGH, CANDICE M	GROUND WATER	FIRE PROTECTION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water Right	67-14703	67-14704	CRANE CREEK RESERVOIR ADMINISTRATION BOAF	CRANE CREEK	IRRIGATION FROM	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water Right	67-14704		CRANE CREEK RESERVOIR ADMINISTRATION BOAF	CRANE CREEK	IRRIGATION FROM	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water Right	67-14705		CRANE CREEK RESERVOIR ADMINISTRATION BOAF	CRANE CREEK	IRRIGATION FROM	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water Right	67-2320	67-14129	CITY OF WEISER; MC HUGH, CANDICE M	GROUND WATER	MUNICIPAL	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water Right	67-4291		CITY OF WEISER; MC HUGH, CANDICE M	GROUND WATER	MUNICIPAL	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water Right	3-10010		CITY OF WEISER; MC HUGH, CANDICE M	SNAKE RIVER	MUNICIPAL	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water Right	3-7009		CITY OF WEISER; MC HUGH, CANDICE M	SNAKE RIVER	MUNICIPAL	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water Right	67-14129		CITY OF WEISER; MC HUGH, CANDICE M	WEISER RIVER	MUNICIPAL	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

**Transfer 84341 City of Weiser****11N05W**    **WR NO: 67-4412 (SPLIT)**

Parent	Name/Descr.	Children	% Split	acres	cfs	cfs/ac
67-4412 Irrigation	City of Weiser		100%	20	0.40	0.02
	Memorial Park (SESW 29)	67-4412	50.0%	10	0.20	0.02
	Soccer Complex (NWNW 33)	67-15365	50.0%	10	0.20	0.02
	Remaining		0.0%	0	0.00	
Total Check			100.0%	10.00	0.40	

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO )  
County of Washington ) ss.

Sarah Boles, being duly sworn,  
deposes and says;

That she is the clerk of  
THE WEISER SIGNAL AMERICAN, a weekly newspaper  
published at Weiser, in the County of Washington and State of  
Idaho; that said paper has been and is in general circulation in  
the county aforesaid, and in the vicinity of Weiser; that the ad-  
vertisement, a copy of which is attached hereto, was published in

said newspaper once a week for two consecutive weeks in  
the regular and entire issue of said paper during the period and  
time of publication, and was published in the newspaper proper  
and not in a supplement; that said paper has been established  
and regularly published for more than seventy-eight consecutive  
weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

October 7, 2020

and ending

with the issue of

October 14, 2020

Sarah Boles

Fees, \$ 110.30

Subscribed and sworn to before me this

14

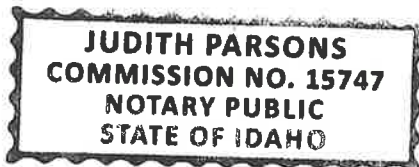
date of

Oct. 2020

Judith Parsons  
Notary Public, residing at Weiser, Idaho.

My commission expires

2-12-26



NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 84341

CITY OF WEISER, 55 W IDAHO ST, WEISER, ID 83672  
has filed Application No. 84341 for changes to the follow-  
ing water rights within WASHINGTON County(s): Right  
No(s). 67-4412; 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:  
The purpose of this transfer is to relocate the points of diver-  
sion and places of use for water right 67-4412 in order to  
bring the water right into compliance with the actual practice.  
The right will be split into two 10 acre places of use within  
the City of Weiser. New points of diversion are located at the  
Galloway Ditch and Mill Ditch from the Weiser River, Wash-  
ington County, Idaho.

For additional information concerning the property location,  
contact Western Region office at (208)334-2190. Protests  
may be submitted based on the criteria of Idaho Code Sec. 42-  
222. Any protest against the proposed change must be filed  
with the Department 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  
10/26/2020. The protestant must also send a copy of the pro-  
test to the applicant.

GARY SPACKMAN, Director

Published on 10/7/2020 and 10/14/2020

41-2S

RECEIVED

NOV 06 2020

WATER RESOURCES  
WESTERN REGION



State of Idaho

Department Of Water Resources

**WATERMASTER RECOMMENDATION FORM**

**Water District #** 67

**Application #** Transfer 84341

**Applicant Name** City of Weiser

Watermaster Recommendation:

- a) X I do not oppose approval of this application.
- b) \_\_\_\_\_ I do not oppose approval of this application if it is conditioned as follows:

- c) \_\_\_\_\_ I oppose approval of this application for the following reasons:

- d) X Additional comments:

Perhaps it's of no importance, but I noticed in section B1 (page 2) of the transfer application, the applicant claims that only a part of each of the two water rights listed is to be transferred. However, in section B2 they then list the total amount of the combined rights to be transferred. Is the applicant transferring all of the water (0.40cfs) or only a portion thereof? If only a portion, how much? Did the applicant mark the incorrect box in section B1, or list the incorrect amount in section B2?

Dated this 19 day of October, 2020

\_\_\_\_\_  
Watermaster Signature

Brandi S. Horton-Bonner

\_\_\_\_\_  
Printed Name