

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**  
No. 57-12022

Priority: September 11, 2020

Maximum Diversion Rate: 0.04 CFS

This is to certify that

ROBERT MANCASO 17931 BRIAR CREEK RD MURPHY ID 83650-5005 AND  
SHERRY MANCASO 17931 BRIAR CREEK RD MURPHY ID 83650-5005

has applied for a permit to appropriate water from:

**Source :** GROUND WATER

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

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>
IRRIGATION	03/15 to 11/15	0.01 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS

**Location of Point(s) of Diversion**

GROUND WATER NE¼ SE¼, Sec. 5, Twp 03S, Rge 02W, B.M. OWYHEE County

**Place of Use: IRRIGATION**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	02W	5													0.5				0.5

Total Acres: 0.5

**Place of Use: DOMESTIC**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	02W	5													X				

**Conditions of Approval**

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2022**.
2. Subject to all prior water rights.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
5. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
6. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**  
No. 57-12022

This permit is issued pursuant to the provisions of Idaho Code § 42-204.

Signed this 30 day of October, 2020.

*Patrick Kelly*

PATRICK KELLY  
Water Rights Supervisor



State of Idaho  
Department of Water Resources

Attachment to Permit to Appropriate Water

57-12022

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.



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

0 0.035 0.07 0.14 Miles








State of Idaho  
Department of Water Resources

# Attachment to Permit to Appropriate Water

57-12022

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.



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

0 0.035 0.07 0.14 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

October 30, 2020

SHERRY MANCASO  
ROBERT MANCASO  
17931 BRIAR CREEK RD  
MURPHY ID 83650-5005

RE: Permit No. 57-12022

### Permit Approval Notice

Dear Permit Holder(s):

The Department of Water Resources ("Department") has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review all the conditions of approval listed on your permit. The conditions include requirements that you must accomplish, such as timely submittal of proof of beneficial use or installation of a measuring device, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Failure to comply with the conditions of approval may result in your permit lapsing or being canceled.

The permit is a PRELIMINARY ORDER issued pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

The final step in the water right process is issuance of a water right license. To receive a water right license, you must divert and use water to the full extent intended and submit a *Statement of Completion for Submitting Proof of Beneficial Use* by the date shown in condition no. 1 of your permit. The Department will send you a *Proof Due Notice* approximately 60 days prior to the date listed in condition no. 1 of your permit.

You may also require approvals from other Department programs, such as Ground Water Protection, Safety of Dams, or Stream Channel Protection, to accomplish your proposed development. Please call or visit any Department office or see the Department's website at [idwr.idaho.gov](http://idwr.idaho.gov) for more information about these programs.

**Please be advised that Idaho Code § 42-248, requires you or the owner of this water permit to maintain current ownership and address records on file with the Department. Forms to file an assignment of permit and/or a change in the address of the permit owner are available from any Department office or at the Department's website at [www.idwr.idaho.gov](http://www.idwr.idaho.gov).**

If you have any questions concerning the enclosed information, please contact me at (208) 334-2190.

Sincerely,



Lynne Evans

For Patrick Kelly  
Water Rights Supervisor

Enclosure(s)

## **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.



## CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2020, I served a true and correct copy of Permit to Appropriate Water No. 57-12022 by U.S. Mail, postage prepaid, to the following:

SHERRY MANCASO  
17931 BRIAR CREEK RD  
MURPHY ID 83650-5005

ROBERT MANCASO  
17931 BRIAR CREEK RD  
MURPHY ID 83650-5005



---

Lynne Evans  
Office Specialist II

# The Owyhee Avalanche

P.O. Box 97 • HOMEDALE, IDAHO 83628

208 / 337-4681  
EMAIL: OFFICE@OWYHEE.COM

RECEIVED

OCT 22 2020

WATER RESOURCES  
WESTERN REGION

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO )  
 ) ss  
COUNTY OF OWYHEE )

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a copy of said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper

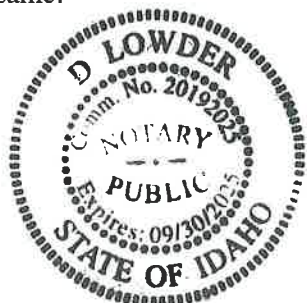
in two  
(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

10/7 & 10/14/20

SIGNED: *Joe E. Aman*

STATE OF IDAHO }  
COUNTY OF OWYHEE }

On this 16<sup>th</sup> day of October in the year 2020, before me, a Notary Public, personally appeared JOE E. AMAN, known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



*D. Lowder*  
Notary Public of Idaho  
Residing at *Boise, ID*  
My commission expires: *09.30.2025*



# Public notices

## HOMEDALE SCHOOL DISTRICT #370 NOTICE OF SALE

NOTICE is hereby given that the Board of Trustees of Homedale School District #370, Canyon and Owyhee Counties, pursuant to Section 33-601, Idaho Code, as amended, has determined that it is in the best interest of said school district to sell the property as identified below.

Description of property to be sold is as follows: 2008 Thomas/Saf-T-Liner 71 passenger bus (VIN #4UZABRDJ78CZ45863).

Said property will be sold by sealed bids only to the highest bidder with a minimum bid of \$4,850.00 for the 2008 Thomas/Saf-T-Liner 71 passenger bus (VIN #4UZABRDJ78CZ45863).

The Board of Trustees reserves the right to reject any or all bids. Sealed bids will be opened at 9:30 a.m. on November 3, 2020 at the Homedale School District Office, 116 East Owyhee Ave., Homedale, Idaho. Any bids received after the bid opening will not be considered.

The property to be sold may be inspected at Homedale School District, 116 East Owyhee Ave., Homedale, Idaho from 8:30 a.m. to 4:00 p.m. between the dates of October 15, 2020 and November 2, 2020 (excluding weekends and holidays).

s./Faith K. Olsen  
Finance Specialist/Board Clerk  
10/14, 21/2020

## NOTICE OF HEARING ON NAME CHANGE

CASE NO. CV-37-20-319  
IN THE DISTRICT COURT  
FOR THE THIRD JUDICIAL  
DISTRICT FOR THE STATE  
OF IDAHO, IN AND FOR  
THE COUNTY OF OWYHEE  
IN RE: LORI LANE FRINK  
Legal name. A petition to change the name of Lori Lane Frink, an adult, now residing in the city of Marsing, State of Idaho, has been filed in the District Court in Owyhee County, Idaho. The name will change to Lori Lane Deschand. The reason for the change in name is: I have no connection to my birth father anymore and want to change it to my mother's maiden name.

A hearing on the petition is scheduled for 11:30 o'clock a.m. on November 02, 2020 at the Owyhee County Courthouse, 20381 ID-78, Murphy, ID 83650. Objections may be filed by any person who can show the court a good reason against the name change.

Date: September 05, 2020  
s./Lena Johnson, Deputy Clerk  
Angela Barkell, Clerk of the District Court  
09/23, 30, 10/07, 14/2020

**SUMMONS**  
To: KIM WOLFLEY and JUDY CAROL LOVELAND aka ST. CLAIR,  
You have been sued by FORA FINANCIAL BUSINESS LOANS, LLC, the Plaintiff, in

the THIRD District Court in and for CANYON COUNTY, Idaho, Case No. CV14-20-01067.

The nature of the claim against you is collection of money owed by you.

Any time after 21 days following the last publication of this summons, the court may enter a judgment against you without further notice, unless prior to that time you have filed a written response in the proper form, including the Case No., and paid any required filing fee to the Clerk of the Court at 1115 Albany St., Caldwell, ID 83605, telephone (208) 454-7572, and served a copy of your response on the Plaintiff's attorney MICHAEL J. ARCHIBALD, #8476 at M2 Law Group PC, P.O. Box 330, Meridian, ID 83680, telephone (208) 336-3331.

A copy of the Summons and Complaint can be obtained by contacting either the Clerk of the Court or the attorney for Plaintiff.

If you wish legal assistance, you should immediately retain an attorney to advise you in this matter.

Dated: 09/18/2020  
s./CHRIS YAMAMOTO  
CANYON COUNTY District Court  
By: s./Devon Hally  
Deputy  
09/30, 10/07, 14, 21/2020

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

57-12022  
ROBERT MANCASO  
SHERRY MANCASO  
17931 BRIAR CREEK RD  
MURPHY, ID 83650-5005  
Point of Diversion NESE S5  
T03S R02W OWYHEE County  
Source GROUND WATER  
Use: DOMESTIC 01/01 to 12/31 0.04 CFS  
Use: IRRIGATION 05/01 to 10/01 0.01 CFS  
Total Diversion: 0.04 CFS  
Date Filed: 08-17-2020  
Place Of Use:  
DOMESTIC, IRRIGATION  
T03S R02W S5 NESE

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 10/26/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director  
10/07, 14/2020

## CITY OF MARSHING Quarterly Expenditure & Revenue Report 4th FISCAL QUARTER, FY 2019/2020

FUND	BUDGET AMOUNT	Expended to Date	% of Budget Expended	Revenue to Date
01 General	\$ 830,718.00	\$ 380,381.00	45.79%	\$ 161,773.00
02 Law Enforcement	\$ 35,000.00	\$ 35,000.00	100.00%	\$ -
02 Roads & Streets	\$ 344,593.00	\$ 304,811.00	88.46%	\$ 118,302.00
03 Parks	\$ 277,871.00	\$ 111,830.00	40.25%	\$ 28,563.00
05 Planning & Zoning	\$ 58,000.00	\$ 50,501.00	87.07%	\$ 26,183.00
Sub-Total	\$ 1,546,182.00	\$ 882,523.00	57.08%	\$ 534,825.00
25 Water	\$ 1,391,901.00	\$ 299,765.00	21.54%	\$ 482,803.00
29 Irrigation	\$ 68,108.00	\$ 32,701.00	48.01%	\$ 42,992.00
30 Sanitation	\$ 92,870.00	\$ 106,248.00	114.41%	\$ 113,364.00
35 Sewer	\$ 1,041,252.00	\$ 257,235.00	24.70%	\$ 312,422.00
Sub-Total	\$ 2,593,731.00	\$ 695,949.00	26.83%	\$ 951,581.00
TOTAL (all funds)	\$ 4,139,913.00	\$ 1,578,472.00	38.13%	\$ 1,486,406.00

The General Public is invited to inspect all supporting documents for the above Financial Statement at City Hall during regular business hours. Financial figures may include fund transfers, service charges, refunds, reimbursements and other accounting procedures.

Jolyn E. Green  
City Clerk-Treasurer

October 7, 2020

10/14/2020

## AMENDMENT NUMBER AND QUESTION HJR4

Shall Section 2, Article III, of the Constitution of the State of Idaho be amended to require that the Senate shall consist of thirty-five members; and shall Section 4, Article III, of the Constitution of the State of Idaho be amended to require that the Legislature shall be apportioned to thirty-five legislative districts?

**Legislative Council's Statement of Meaning, Purpose, and Results to Be Accomplished**  
The purpose of the proposed amendment is to permanently set the number of senators in the Idaho Legislature, as well as the number of legislative districts in Idaho, at 35. (There are twice as many representatives as senators, which this amendment would not change.) Since 1992, there have been 35 districts and senators, but the Idaho Constitution permits as few as 30 and as many as 35 districts and senators, with the number determined during redistricting (the process of redrawing legislative district boundaries after a United States census). If this amendment is adopted, the number of districts and senators would be fixed at 35 and could not be changed during redistricting.

**Statements FOR the Proposed Amendment**  
1. Setting the number of districts at 35 would prevent the number of districts from being reduced during redistricting in 2021. If the number of districts is reduced, Idaho would have fewer legislators, meaning that Idahoans would have less representation in the Legislature at a time when the state's population is growing and the Legislature is addressing complex issues related to population growth. With fewer legislators representing more constituents, Idahoans would have less access to their legislators, limiting their ability to discuss issues of concern with the people elected to represent their interests. Additionally, with more constituents per legislator, legislators might not be able to provide as many individuals with constituent services.  
2. Setting the number of districts at 35 and thus preventing any reduction in the number of districts would also keep urban and rural interests in balance. If the number of districts is reduced, rural residents could be added to mostly urban districts, and urban residents could be added to mostly rural districts. This could result in legislators being less responsive to some constituents' interests than others. Furthermore, reducing the number of districts might require districts of great geographical size, which could include many communities that have few interests in common. Large districts might also make travel difficult, and more remote areas of the district could be ignored by legislative candidates during campaigns and by elected legislators who focus on areas where more constituents live. By preserving 35 districts, this amendment makes it more likely that Idaho residents will have representation responsive to their local interests.  
3. Redistricting in Idaho is done by the bipartisan Citizens' Commission for Reapportionment and is often contentious. If the number of districts is set by law, the commission would not need to determine the number of districts, eliminating a potential point of conflict between the commissioners.

**Statements AGAINST the Proposed Amendment**  
1. Redistricting is a complicated process, because redistricting plans must comply with several legal requirements that can be in conflict with each other. For example, districts must be roughly equal in population, but must also avoid, to the extent possible, splitting up counties and communities - even though some counties and communities have significantly larger populations than others. Redistricting plans that fail to comply with all requirements can be challenged in court. By adding another fixed requirement, this amendment would make redistricting more difficult and might invite court challenges. The commission currently has the flexibility to determine the number of districts within a certain range because it is possible that a plan with 30 larger districts could better satisfy legal requirements than a plan with 35 smaller districts. The commission's flexibility should be preserved.  
2. Changes to the redistricting process should be proposed well in advance of a redistricting year, with enough time to consider all possible consequences of the change. This amendment would cause a significant change to be made right before redistricting occurs in 2021 without sufficient time to consider the consequences.  
3. Reducing the number of legislative districts would mean a corresponding reduction in the number of legislators. This would reduce the size of the government and could potentially save public funds spent on legislator salaries and benefits.

09/23, 10/14, 10/28/2020

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Phone (208) 337-4681

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[www.theowyheevalanche.com](http://www.theowyheevalanche.com)

