

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 15 2020

JUL 31 2020
INCOMPLETE
WATER RESOURCES
WESTERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1WATER RESOURCES
WESTERN REGIONName of Applicant(s) City of WeiserPhone 208-414-1965Mailing address 55 W Idaho St., Weiser, ID 83672Email cmchugh@mchughbromley.co

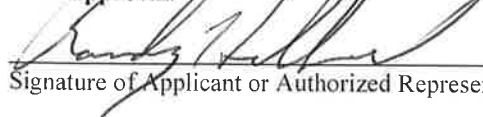
- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the 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 RepresentativeName of Representative Candice McHugh, Esq., McHugh Bromley, PLLCPhone 208-287-0991Mailing address 380 S 4th St., Ste. 103, Boise, ID 83702Email cmchugh@mchughbromley.co

- ☒ 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

Randy Hibberd, Mayor
 Print Name and Title if applicable

7-21-20
 Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

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.O.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**.
 This transfer proposes to transfer the point of diversion upstream on the Weiser River to the location of where the Weiser River enters the Galloway Ditch and the Mill Ditch and split the water right accordingly. The diversion into the Galloway Ditch will serve Memorial Park and the Mill Ditch will serve the Soccer Complex as depicted on the maps.

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.

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part <input type="checkbox"/> <input checked="" type="checkbox"/>	67-4412	0.20	Irrigation	3-1 to 11-15	Weiser River, Snake River
<input type="checkbox"/> <input checked="" type="checkbox"/>	67-4412	0.20	Irrigation	3-1 to 11-15	Weiser River, Snake River
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	

Total authorized under rights 0.40 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.40 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 #
Y			NE	NE	35	11N	04W	Washington	Weiser River	Galloway Dam
Y			NW	SW	01	10N	5W	Washington	Weiser River	Mill Ditch

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	
10 N	05W	33						8	2										10
10N	05W	29											10						10
Total Acres (for irrigation use)																			20

THIS PAGE SUPERCEDED BY AMENDED PAGE 3 RECEIVED 9-15-20 -PK

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:

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.

- b. Who owns the property at the point(s) of diversion? Weiser ID for Galloway Ditch, Weiser Farms, LLC for Mill Ditch.**

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system; The City of Weiser has been using the point of diversion and the canals for the past few years with permission of Weiser Irrigation District. ** Weiser ID operates both canals pursuant to its easement.

- 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:

The land that is described in the water rights is no longer irrigated. The City has been using these water rights to irrigate Memorial Park and the Soccer Complex for the past few years and this transfer is to bring the actual water diversion and use into compliance with the water right description.

- 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:

None.

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

Yes No

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | undergone a period of five or more consecutive years of non-use, |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently leased to the Water Supply Bank, |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

There is a current extension to avoid forfeiture on file, however, the water use and diversion has been used as proposed the in the transfer for the past few years, but a change in the water right description had not been filed. This transfer is to bring the diversion and use into compliance with the water right descriptions.

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 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:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

Transfer contains _____ pages and _____ attachments.

Received by LE Date 07/31/2020 Preliminary check by _____ Date _____

Fee paid \$500.00 Date 07/31/2020 Received by LE Receipt # W1048581

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

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

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 67-4412

Current Owner: CITY OF WEISER
Priority Date: 6/1/1954
Origin: Water Right
Status: Active
Basis: Decreed

Source

WEISER RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Total Diversion

Diversion Rate

0.4 CFS

0.4 CFS

Annual Volume

Location of Point(s) of Diversion

WEISER RIVER

SE1/4SW1/4

Sec. 32, Twp 11N, Rge 05W B.M.

WASHINGTON County

Place of Use

IRRIGATION Within WASHINGTON County

T11N R05W S32	NWSW	0.60	T11N R05W S32	SWSW	13.40
T11N R05W S32	SESW	6.00			

Total Acres: 20

Conditions of Approval:

1. 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.
2. F17 The point of diversion for this water right is unsurveyed accretion land. The quarter-quarter description has been protracted from the adjacent public land survey.
3. F18 The place of use for this water right is unsurveyed accretion land. The quarter-quarter description has been protracted from the adjacent public land survey.

Decreed Date: 5/11/2010

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re. SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 67-04412

NAME AND ADDRESS:

CITY OF WEISER
55 W IDAHO ST
WEISER, ID 83672

SOURCE:

WEISER RIVER TRIBUTARY: SNAKE RIVER

QUANTITY:

0.40 CFS

PRIORITY DATE:

06/01/1954

POINT OF DIVERSION:

T11N R05W S32 SESW Within Washington County

The point of diversion for this water right is unsurveyed accretion land. The quarter-quarter description has been protracted from the adjacent public land survey.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-01 TO 11-15	0.40 CFS

PLACE OF USE:

PLACE OF USE	QUANTITY
Irrigation	Within Washington County
T11N R05W S32	NWSW 0.6
	SESW 6.0
20.0 Acres Total	SWSW 13.4

The place of use for this water right is unsurveyed accretion land. The quarter-quarter description has been protracted from the adjacent public land survey.

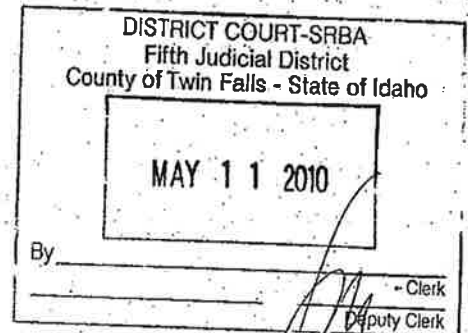
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication





THIS MAP CREATED BY THE OFFICE OF THE
WASHINGTON COUNTY ASSESSOR

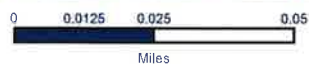


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SEP 15 2020

WESTERN REGION

WATER RESOURCES
WESTERN REGION



1 inch = 0 miles

BASED ON GOVERNMENT SURVEYS & OFFICIAL RECORDS
ON FILE AT THE OFFICE OF THE COUNTY RECORDER OF
WASHINGTON COUNTY, IDAHO.
FOR ASSESSMENT PURPOSES ONLY
DOES NOT GUARANTEE BOUNDARIES

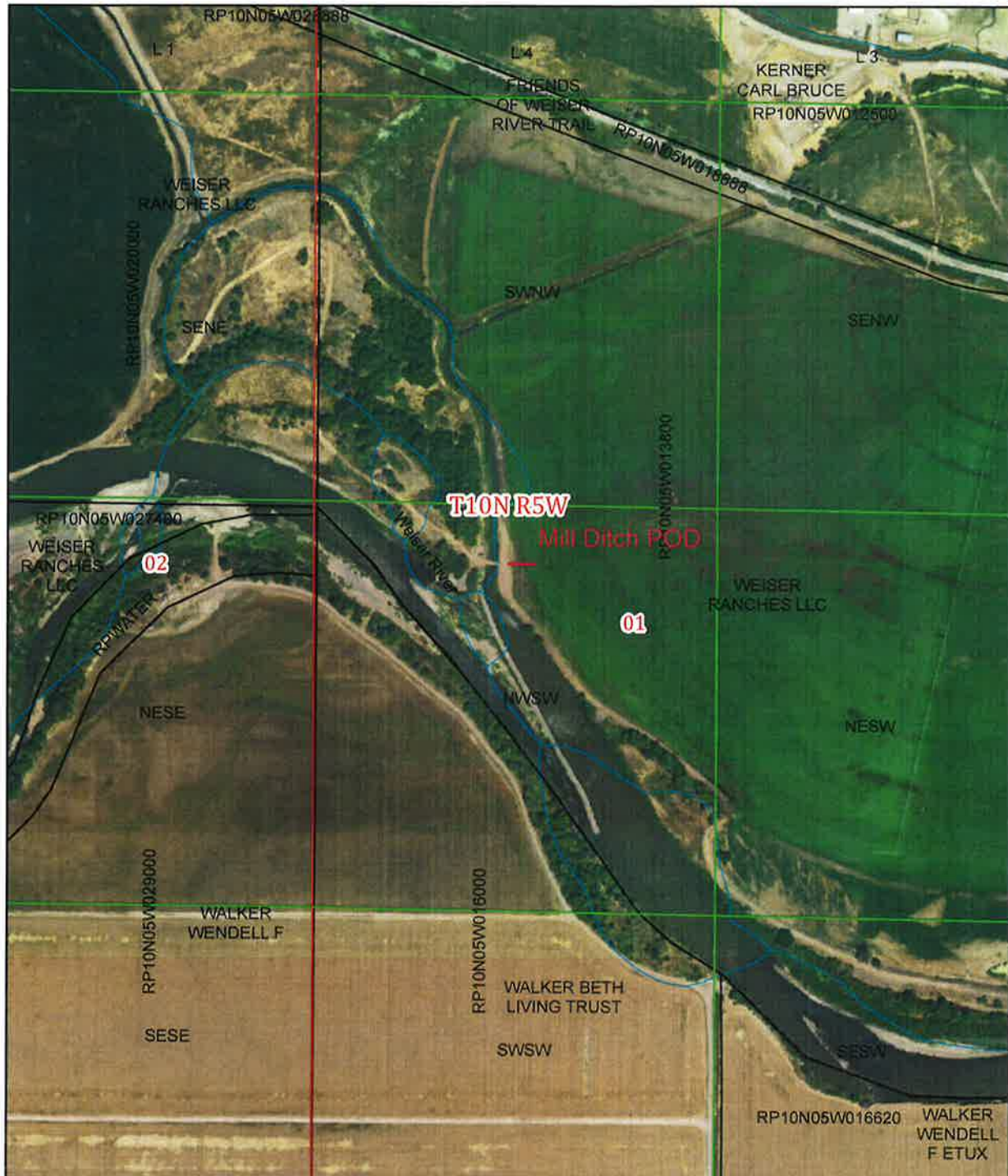
Legend

- Township
- Parcel Lines
- Parcel Number
- Owner
- Streets



THIS MAP CREATED BY THE OFFICE OF THE
WASHINGTON COUNTY ASSESSOR

7.a.



1 inch = 0.1 miles

BASED ON GOVERNMENT SURVEYS & OFFICIAL RECORDS
ON FILE AT THE OFFICE OF THE COUNTY RECORDER OF
WASHINGTON COUNTY, IDAHO.
FOR ASSESSMENT PURPOSES ONLY
DOES NOT GUARANTEE BOUNDARIES

Legend

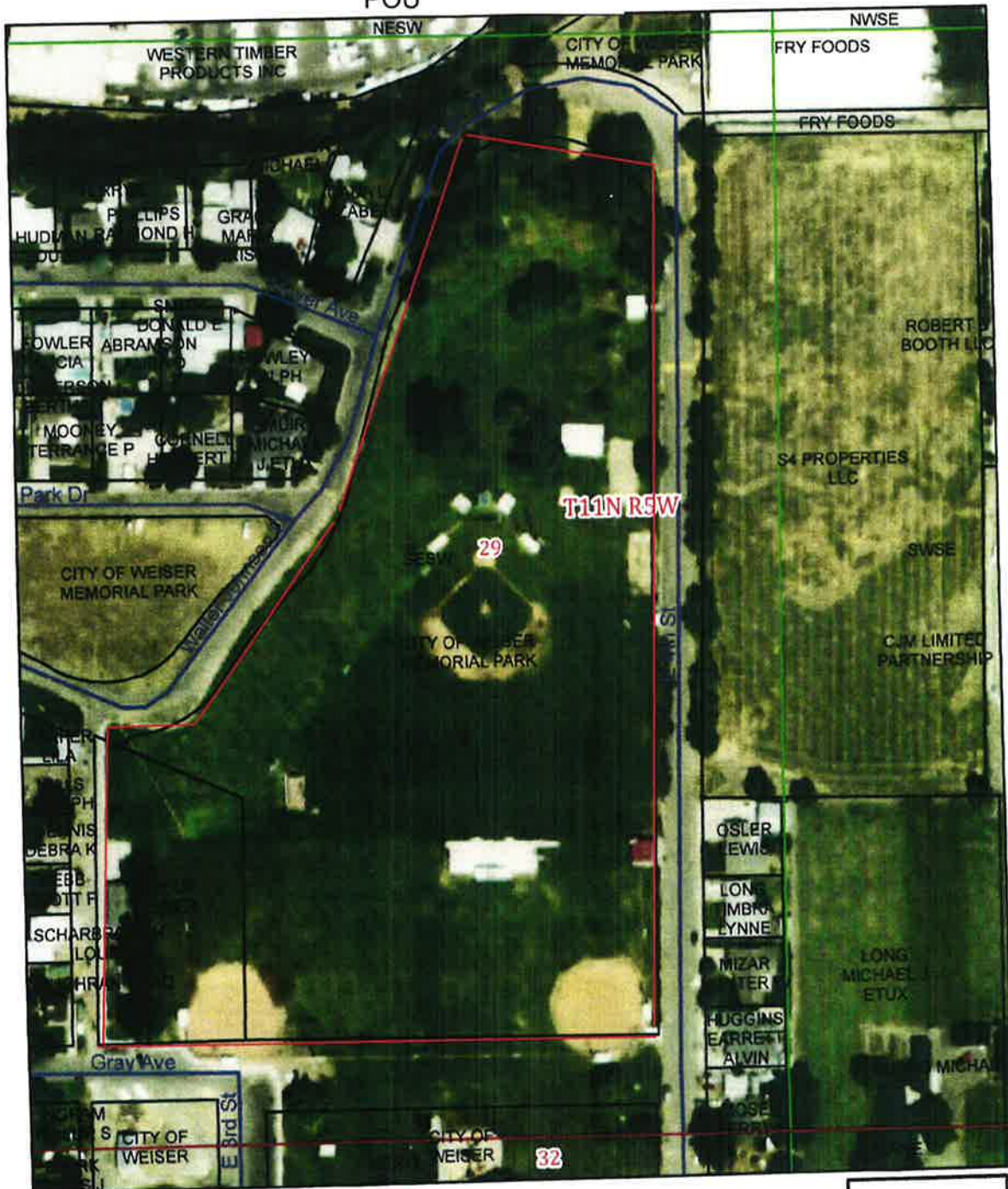
-  Township
-  Parcel Lines
-  Parcel Number
-  Owner
-  Streets



THIS MAP CREATED BY THE OFFICE OF THE
WASHINGTON COUNTY ASSESSOR



ATTACHMENT 7.A -
MEMORIAL FIELD
POU



0 0.0125 0.025 0.05
Miles

1 inch = 0 miles

BASED ON GOVERNMENT SURVEYS & OFFICIAL RECORDS
ON FILE AT THE OFFICE OF THE COUNTY RECORDER OF
WASHINGTON COUNTY, IDAHO.
FOR ASSESSMENT PURPOSES ONLY
DOES NOT GUARANTEE BOUNDARIES

Legend

- Township
- Parcel Lines
- Owner
- Streets
- Weiser River
- laterals

McHUGH BROMLEY
ATTORNEYS AT LAW, PLLC

cmchugh@mchughbromley.com
208-287-0991

RECEIVED

JUL 31 2020

WATER RESOURCES
WESTERN REGION

380 S. 4th St., Ste. 103
Boise, ID 83702

July 29, 2020

Idaho Department of Water Resources
Allen Bradbury
Western Region
2735 Airport Way
Boise, ID 83705-5082

RE: Application for Transfer City of Weiser

Dear Allen:

Enclosed please find a transfer for the City of Weiser that splits its water right as we discussed a couple weeks ago.

I appreciate your attention to this matter; please call or email me with any questions.

Very Truly Yours,



Candice M. McHugh

Enclosures

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Friday, October 02, 2020 10:53 AM
To: 'Brandi Horton-Bonner'
Subject: Application for Transfer 84341
Attachments: Watermaster Recommendation Form.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you 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>. Please review the application, then complete the enclosed recommendation form and return it to this office by **10/26/2020**.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation by **10/26/2020**, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

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

Kensie Thorneycroft
Administrative Assistant
IDWR Western Region
208-334-2190



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

October 2, 2020

WEISER IRRIGATION DISTRICT
C/O JAY EDWARDS
128 E MAIN ST
WEISER, ID 83672

RE: Transfer No. 84341

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,

A handwritten signature in blue ink, appearing to read 'Kensie Thorneycroft', is written over a faint, larger signature that is partially obscured.

Kensie Thorneycroft
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

October 2, 2020

WEISER RANCHES LLC
1606 AMARAL CT
FAIRFIELD CA 94534

RE: Transfer No. 84341

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,

Kensie Thorneycroft
Administrative Assistant 1

Enclosure(s)



Brad Little
Governor

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

Gary Spackman
Director

October 2, 2020

EAST WEISER IRRIGATION DISTRICT
PO BOX 591
WEISER, ID 83672

RE: Transfer No. 84341

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,

A handwritten signature in blue ink, appearing to read 'Kensie Thorneycroft', is written over the typed name and title.

Kensie Thorneycroft
Administrative Assistant 1

Enclosure(s)



Brad Little
Governor

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

Gary Spackman
Director

October 2, 2020

CITY OF WEISER
55 W IDAHO ST
WEISER, ID 83672

**RE: Transfer No. 84341
Water Right No(s). 67-4412**

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 WEISER SIGNAL on 10/7/2020 and 10/14/2020. 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,

Kensie Thorneycroft
Administrative Assistant

CC:
MCHUGH BROMLEY PLLC

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Friday, October 02, 2020 10:59 AM
To: 'Sarah Imada'
Subject: Washington Legal Notice
Attachments: CoverLetter.docx; LegalNotice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Legal Clerk,

I am sending you the new legal notices, please send confirmation to my email.

Please see the attached ad for publication on 10/7/2020 and 10/14/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft
Administrative Assistant
IDWR Western Region
208-334-2190



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

October 2, 2020

LEGAL NOTICE DEPARTMENT
WEISER SIGNAL
PO BOX 709
WEISER, ID 83672

RE: Transfer No. 84341
Water Right No(s). 67-4412

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 10/26/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure(s)

**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 following 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 diversion 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, Washington 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 protest to the applicant.

GARY SPACKMAN, Director

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

Bradbury, Allen

From: C McHugh <cmchugh@mchughbromley.com>
Sent: Tuesday, September 15, 2020 10:18 AM
To: Bradbury, Allen
Subject: Re: City of Weiser Mortimer Island Transfer - DRAFT
Attachments: 2020_09_15_09_17_44.pdf

Will this work?

On Fri, Sep 11, 2020 at 3:39 PM Bradbury, Allen <Allen.Bradbury@idwr.idaho.gov> wrote:

Hi Candice,

This is in regards to the transfer for water right 67-4412 for the City of Weiser.

The transfer was about to go into advertising when we noticed that the township for the place of use needs corrected (page 3) for the locations of the Soccer Complex and Memorial Park both are located in TWP 11N.

An application may be amended by endorsement by the applicant or the agent on the original application for permit form. All I need is that you as the representative, cross out the old entry then initial and date the changes and return it by email.

An electronic signature will work, if you are working from home, as long as the Department can see the old information crossed out with the new info written in, initialed and dated.

TWP	RGE	SEC		TWP	RGE	SEC
10N	05W	33		11N	05W	33
10N	05W	29	➡	11N	05W	29

Soccer
Complex
Memorial
Park

If I get this back by Tuesday, September 15, I should be able to get it in the current advertising round.

Regards,

Allen

Water Resource Agent, Sr.

IDWR-Western Region

(208) 334-2190

Allen.Bradbury@idwr.idaho.gov

From: C McHugh [mailto:cmchugh@mchughbromley.com]
Sent: Monday, August 31, 2020 10:55 AM
To: Bradbury, Allen <Allen.Bradbury@idwr.idaho.gov>
Subject: RE: City of Weiser Mortimer Island Transfer - DRAFT

I totally spaced this.

Will this work for you?

From: Bradbury, Allen [mailto:Allen.Bradbury@idwr.idaho.gov]
Sent: Friday, August 14, 2020 11:45 AM
To: C McHugh <cmchugh@mchughbromley.com>
Subject: RE: City of Weiser Mortimer Island Transfer - DRAFT

Hi Candice,

I did a quick review of the Mortimer Island transfer and it looks like there are a couple of things that didn't make it in the application bundle. We need a part 2a for water right 67-4412. This can quickly be generated on the Departments website at this link:

<https://idwr.idaho.gov/water-rights/transfers/transfer-part-2A-report/>

Bradbury, Allen

From: C McHugh <cmchugh@mchughbromley.com>
Sent: Monday, August 31, 2020 10:55 AM
To: Bradbury, Allen
Subject: RE: City of Weiser Mortimer Island Transfer - DRAFT
Attachments: GALLOWAY DAM Map.pdf; Galloway Dam..PNG; 67-4412 Decree.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

I totally spaced this.

Will this work for you?

From: Bradbury, Allen [mailto:Allen.Bradbury@idwr.idaho.gov]
Sent: Friday, August 14, 2020 11:45 AM
To: C McHugh <cmchugh@mchughbromley.com>
Subject: RE: City of Weiser Mortimer Island Transfer - DRAFT

Hi Candice,

I did a quick review of the Mortimer Island transfer and it looks like there are a couple of things that didn't make it in the application bundle. We need a part 2a for water right 67-4412. This can quickly be generated on the Departments website at this link:

<https://idwr.idaho.gov/water-rights/transfers/transfer-part-2A-report/>

It also looks like we need a copy of the Galloway ditch POD map.

Also, it looks like the Department will split the water right proportionally between the Soccer Complex and Memorial field so that it is easier to administer between the two new points of diversion at Mill Ditch and Galloway.

Give me a call if you have any questions.

Allen

Water Resource Agent, Sr.
IDWR-Western Region
(208) 334-2190
Allen.Bradbury@idwr.idaho.gov

From: C McHugh [mailto:cmchugh@mchughbromley.com]
Sent: Thursday, June 25, 2020 3:54 PM
To: Bradbury, Allen <Allen.Bradbury@idwr.idaho.gov>
Subject: RE: City of Weiser Mortimer Island Transfer - DRAFT

Here is the draft application that we can discuss on the 7th.

Thank you.