



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

June 26, 2020

MICHAEL B IHLI  
LINDA M IHLI  
625 S SCHOOL AVE  
KUNA, ID 83634-2313

**RE: Application for Permit No. 57-12011**

Dear Applicants and Interested Parties:

A legal notice of the application has been prepared and is scheduled for re-publication in the OWYHEE AVALANCHE on 7/1/2020 and 7/8/2020. Protests to this application may be submitted for a period ending ten (10) days after the second publication. **Note that existing protests remain active and these protestants do not need to re-file their protest.**

Enclosed is a copy of the protests already filed against the issuance of the above-referenced application. As part of the application process, the following are options available for resolution of contested (protested) applications:

**-Direct contact** with the protestant to determine what is being disputed in the application and parties attempting to resolve the protest. Sincere conversation between the parties prior to initiation of formal proceedings can often resolve protest.

**-Formal Proceedings** consist of a pre-hearing conference & hearing through the water appropriation statute/rule process. A pre-hearing conference identifies the protest issues and reviews the resolution possibilities with the parties. If the issues cannot be resolved, a formal hearing will be scheduled.

**-Mediation** through a certified professional mediator. The advantages can include: reduced costs and time that are associated with formal proceedings, the ability to address non-water concerns, more influence over a final settlement, and fast track processing by the Department for parties reaching a mediated agreement. If you are interested in this option, please contact our office for details.

Please consider with the protestant the best option for resolution of the contested application. If the amended application resolves the protest, please send the Department a withdrawal of protest.

If the application is protested during the second round of advertising, you will be sent a copy of each new 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.

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

Sincerely,

Kensie Thorneycroft  
Administrative Assistant

Enclosure(s): (1) Protest  
CC: IDAHO POWER CO  
BARKER ROSHOLT & SIMPSON LLP

## Thorneycroft, Kensie

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**From:** Thorneycroft, Kensie  
**Sent:** Friday, June 26, 2020 10:40 AM  
**To:** 'Avalanche Office'  
**Subject:** Owyhee 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 07/01/2020 and 07/08/2020.

Please confirm these are okay to publish as shown.

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



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June 26, 2020

LEGAL NOTICE DEPARTMENT  
OWYHEE AVALANCHE  
PO BOX 97  
HOMEDALE, ID 83628

RE: Application for Permit No. 57-12011, 57-12015

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 7/20/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft  
Administrative Assistant

Enclosure(s)

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

**57-12011**

MICHAEL B IHLI

LINDA M IHLI

625 S SCHOOL AVE

KUNA, ID 83634-2313

Point of Diversion NWNESE S13 T04S R01E OWYHEE County Source CASTLE CREEK Tributary SNAKE RIVER

Use: WILDLIFE STORAGE 11/16 to 02/28 260 AF

Use: DIVERSION TO STORAGE 11/16 to 02/28 2 CFS

Total Diversion: 2 CFS, 260 AF

Date Filed: 12-18-2019

Place Of Use: WILDLIFE STORAGE

T04S R01E S1 NWSE,SWSE

T04S R01E S12 NESE,NWNE,NWSE,SWNE,SWSE,SESE

T04S R01E S13 NENE, NWNE

This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

**57-12015**

JEFFERY STODDARD

WALLENE STODDARD

5592 PASCO RD

MARSING, ID 83639-8162

Point of Diversion SESW S17 T02N R04W OWYHEE County Source GROUND WATER

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Use: DOMESTIC 01/01 to 12/31 0.06 CFS

Use: IRRIGATION 03/01 to 11/15 0.11 CFS

Total Diversion: 0.19 CFS

Date Filed: 06-23-2020

Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER

T02N R04W S17 SESW

Total Acres: 3.5

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/WRAApplicationResults/>. 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 7/20/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/1/2020 and 7/8/2020