

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

**IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 82946 IN THE)
NAME OF CHRIS UNRUH)
_____)**

**PRELIMINARY ORDER
REJECTING APPLICATION
FOR TRANSFER**

This matter having come before the Department of Water Resources (Department) as a result of an application to transfer water rights, the Department finds, concludes, and orders as follows:

FINDINGS OF FACT

1. On January 4, 2019, Chris Unruh (Applicant) applied to the Department for authorization to change the 42.0 acre place of use for 0.83 cubic feet per second of water diverted from the Snake River for irrigation purposes in Owyhee County in accordance with decreed Water Right 2-10201. The application for transfer was designated No. 82946 by the Department.
2. On June 10, 2019, the Department mailed the Applicant a letter requesting documentation demonstrating the authority to make changes to water right 2-10201. Current Owyhee County tax lot data suggests 14 acres within the place of use is owned by Theodore and Sandra Cantrell. In the letter, the Department informed the Applicant that if they did not respond to the request within 30 days, the Department would reject the application for transfer.
3. On September 16, 2019, the Department mailed the Applicant a letter confirming concerns of authority to make changes to water right 2-10201. The letter outlined options to provide additional information, pursue changes to the right for a portion of the water right or withdraw application for transfer No. 82946. The letter granted the Applicant 30 days to respond.
4. On December 18, 2019, the Department mailed the Applicant a second letter reiterating the concerns of authority to make changes to water right 2-10201 and the options for the Applicant to pursue with the application for transfer. In the letter, the Department informed the Applicant if they did not respond to the request within 30 days, the Department would reject the application for transfer.
5. As of this date, the Department has not received a response from the Applicant to the request for additional information and/or modification of Application for Transfer No. 82946.
6. Idaho Code § 42-222(1) states that a person "entitled to the use of water" may apply to the Department to change certain elements of the authorized water use.


CONCLUSIONS OF LAW

1. Idaho Code Idaho Code § 42-222(1) requires that an applicant must be "entitled to the use of water" as part of their authority to make the changes proposed in an application for transfer. If the applicant does not have the authority to make the changes to the water rights proposed in the application for transfer, or if the Department is not able to verify that they have such authority, the proposed change cannot be approved, and any further analysis is moot.
2. The Applicant has not responded or provided information to establish the authority to make the changes proposed in Application for Transfer No. 82946 and the Department cannot confirm the Applicant has the authority based on available information.
3. The Department should reject Application for Transfer No. 82946.

ORDER

IT IS HEREBY ORDERED that Application for Transfer No. 82946 in the name of Chris Unruh is **REJECTED** without prejudice.

Dated this 21st day of February, 2020.



Nick Miller
Manager, IDWR Western Region

CERTIFICATE OF SERVICE

I hereby certify that on this 21 day of February 2020, true and correct copies of the documents described below were served by placing a copy of the same with the United States Postal Service, certified mail with return receipt, postage prepaid and properly addressed to the following:

Documents Served: PRELIMINARY ORDER REJECTING APPLICATION FOR
TRANSFER

CHRIS UNRUH
25289 HIPWELL LN
GRAND VIEW ID 83624



Kensie Thorneycroft
Administrative Assistant



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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 21, 2020

CHRIS UNRUH
25289 HIPWELL LN
GRAND VIEW ID 83624

Re: Application for Transfer No: 82946

Dear Applicant:

Enclosed is a Preliminary Order Rejecting Application for Transfer for Application for Transfer No. 82946 in the name of Chris Unruh.

If you have questions regarding the enclosed documents, would like additional information, or need to further discuss the process, please feel free to contact the Western Regional Office at 208-334-2190.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kensie Thorneycroft', is written over a light blue circular stamp.

Kensie Thorneycroft
Administrative Assistant
Western Regional Office

Enclosures

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.



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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

December 18, 2019

CHRIS UNRUH
25289 HIPWELL LN
GRAND VIEW ID 83624-5119

COPY

Re: Transfer Application 82946

Dear Applicant:

On June 10, 2019, Water Resource Agent Cody Parker sent a letter to inform you that a portion of Water Right 2-10201 appeared to be appurtenant to land owned by someone other than yourself. After looking into the history of the file, Mr. Parker reported in a letter dated September 26, 2019 that you did not have authority to make changes to the fourteen (14) acres in the NWNW, SWNW, SENW, and NESW of Section 31, Township 05 South, Range 04 East.

In the September 26th letter, you were given thirty (30) days to respond and there is record of a response. This is the final attempt to reach out to you so you may provide the following information:

- You may provide documentation showing that you own the land in question and are therefore authorized to make changes to water rights appurtenant to that ground.
- You may pursue the water right transfer and make the requested changes to just the 28 acres of irrigation that you own.
- You may withdraw the application for transfer and no changes will be made to the water right. (This form is enclosed for your convenience if you choose this option.)

Please submit the requested information for application processing to continue. You may seek additional time to provide the information. Your written response must be received within the next thirty (30) days.

Without a timely reply, IDWR may issue a preliminary order to reject the application. A rejected application may be re-filed when adequate information can be provided.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please send me an email at shilynn.novak@idwr.idaho.gov or contact me at this office at (208) 334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

Shilynn Novak
Water Resource Agent



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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

September 26, 2019

CHRIS UNRUH
25289 HIPWELL LN
GRAND VIEW ID 83624-5119

RE: Application for transfer of water right 2-10201

Dear Mr. Unruh,

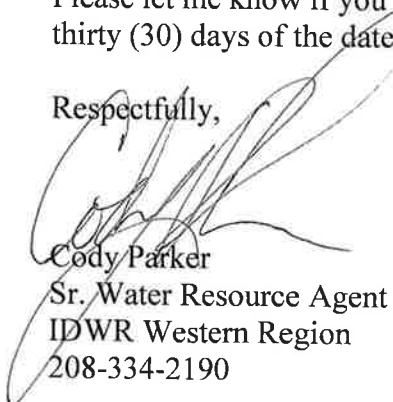
On June 10, 2019 I sent you a letter to let you know that a part of water right 2-10201 appeared to be appurtenant to land owned by someone other than yourself, and you may not have the authority to make changes to that portion of the right. We spoke on the phone shortly after and you asked me to look into the history of the file. After a review of the history of the water right, it appears that the water right has always been appurtenant to the ground on which it is now authorized. This means that, absent any documentation to the contrary, I must conclude that you do not have the authority to make changes to the fourteen (14) irrigated acres in the NWNW, SWNW, SENW, and NESW of Sec 31, Township 05 South, Range 04 East.

Please let me know how you would like to proceed based on the information above. Some options may include:

- You may provide documentation showing that you own the land in question and are therefore authorized to make changes to water rights appurtenant to that ground.
- You may pursue the water right transfer and make the requested changes to just the 28 acres of irrigation that you own.
- You may withdraw the application for transfer and no changes will be made to the water right.

Please let me know if you have any further questions. I look forward to your reply to this letter within thirty (30) days of the date of this letter.

Respectfully,


Cody Parker
Sr. Water Resource Agent
IDWR Western Region
208-334-2190



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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

June 10, 2019

COPY

CHRIS UNRUH
25289 HIPWELL LN
GRAND VIEW ID 83624-5119

Re: Application for transfer of water right 2-10201

Dear Mr. Unruh,

On January 4, 2019 the Idaho Dept. of Water Resources received your application (application for transfer) to change the place of use for water right 2-10201. The Department advertised your application on April 3 and April 10, 2019 and did not receive any protests. The next step in the transfer approval process is to evaluate your proposed changes to the water right in accordance with 42-222 Idaho Code.

Part of the Department's evaluation is to determine if the applicant is the current owner of the right to be changed, i.e. if the applicant has the authority to file the application. Water rights are considered appurtenant to the land on which they were historically used unless otherwise noted on a conveyance document in the sale of the land.

For the purposes of your application, it appears that 14 acres of irrigation authorized by right 2-10201 are on land owned by Theodore and Sandra Cantrell. If you withheld the water right in the deed when you sold this land, you may still be the current owner of this portion of the water right. If that is the case, please provide the appropriate conveyance document demonstrating that you withheld the water right from sale of the land. However, if you did not withhold the water right during the sale of the land you may not be the legal owner of the right and therefore do not have the authority to make changes to those 14 acres of irrigation rights. If you did not withhold the water rights when you sold the land please contact me to discuss amendments that are required to your application.

I look forward to your reply within thirty (30) days of the date of this letter. Your application will be voided if you do not make a timely reply. Please let me know if you have any questions or require further assistance.

Thank you,

Cody Parker
Water Resource Agent
IDWR Western Region
208-334-2190

The Owyhee Avalanche

P.O. Box 97 • HOMEDALE, ID 83628 • 208/337-4681

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 president 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 printed copy, taken from 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):

04/3, 10 2019

SIGNED: _____



STATE OF IDAHO }
COUNTY OF OWYHEE }

JENNIFER A DOWNUM
COMM. #20181677
NOTARY PUBLIC
STATE OF IDAHO

On this 3rd day of May in the year of 2019 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.



Notary Public of Idaho
Residing at Wucher
My commission expires: 07/04/2024

Public notices

SYNOPSIS OF OWYHEE COUNTY COMMISSIONER MINUTES

March 4, 11, 18 & 25, 2019

March 4

Paid all outstanding bills from the following funds: Current Expense \$36,600; Road and Bridge \$726; District Court \$1,383; Probation \$1,121; Health District \$4,661; Indigent and Charity \$51,092; Revaluation \$315; Solid Waste \$5907; 911 \$6,770; County Vessel \$11; Taxing District Elections \$143; Auditors Trust \$38,664; County Vessel Trust \$50

Approved the Last Frontier Road right of way for IDI-030827. Approved Resolution 2019-7, to sell surplus Owyhee County Road and Bridge #1 vehicle with JBS Auction Company online, beginning March 4, 2019.

Approved equipment approval #61336041 for additional courthouse security in the amount of \$6,043.97.

Approved equipment approval #61336031 for additional Sheriff Department security in the amount of \$6,771.23.

Placed a lien on Indigent and Charity cases 19-13 and 19-14.

Approved Indigent and Charity case 19-05.

Denied Indigent and Charity case 19-03.

Denied Indigent and Charity case 19-04.

Approved the withdrawal of appeal for Indigent and Charity case 18-45.

Approved the change authorization for the 2017 SHSP grant.

March 11

Approved the Fair Housing Month Proclamation.

Approved Succor Creek Construction Pay Application #2 in the amount of \$73,637.53.

Approved the Idaho Department of Parks and Recreation Boat Safety Grant in the amount of \$21,604, with a match of \$10,802.

Approved the Conflict Public Defender Contracts with Travis Rice and Mistie Bauscher.

Approved the iWork Systems Software Agreement in the amount of \$2,450.00 plus an annual maintenance fee \$1,950.00.

Placed a lien on Indigent and Charity case 19-15.

Approved the Idaho Sage Grouse Management Plan Cooperative Agreement for the Soda Fire Targeted Grazing 2019.

Approved the Declaration of the Owyhee County Board of Commissioners regarding the economic impact of the BLM grazing decisions.

March 18

Paid all outstanding bills from the following funds: Current Expense \$56,368; Road and Bridge \$16,964; District Court \$1,224; Fair, County \$200; Probation \$965; Historical Society and Museum \$250; Indigent and Charity \$22,506; Jr. College Tuition \$650; Pest \$3,500; Revaluation \$820; Solid Waste \$8,478; Weeds \$250; 911 \$2,321; County Vessel \$337; Waterways \$100; Off Highway Vehicles \$140; Taxing District Elections \$1,855; Auditors Trust \$10,717; P.I.T. \$75,344

Approved Resolution 2019-8: Adopting a Change to the County Personnel Manual.

Approved the Office of Highway Safety E-Ticketing Grant for FY19 in the amount of \$54,302.39 with a match of 25%.

Approved the Data Share Agreement (for GIS data) with United States Department

of Interior and Bureau of Reclamation.

Approved Addendum F to the Service Level Agreement for Electronic Transaction and Access for Payport Electronic Payments to Owyhee County Planning and Zoning.

Approved the 4th Amendment to Addendum A to the Service Level Agreement for Electronic Transaction and Access to the Owyhee County Treasurer.

Approved the 1st Amendment to Addendum E to the Service Level Agreement for Electronic Transaction and Access to the Owyhee County Clerk.

Approved the 1st Amendment to Addendum D to the Service Level Agreement for Electronic Transaction and Access to the Owyhee County Sheriff.

Approved the 3rd Amendment to Addendum B to the Service Level Agreement for Electronic Transaction and Access to the Owyhee County Assessor.

Approved Indigent and Charity case 19-13.

Approved the Murphy Flat Road Right of Way Grant from BLM.

Approved a letter to Bonner County Commissioners regarding the transfer of the Pinzgauer vehicle the Owyhee County Sheriff Department has possession of.

March 25

Approved the pay raise / grade change for Inez Larussa as lead dispatcher to a grade 8 @ \$16.74 per hour.

Approved the pay raise / grade change for Atanacio Montes as corporal position for the city of Marsing enforcement to a grade 10 @ \$19.53 per hour.

Approved the pay raise / grade change for Stacie Woods as 911 Coordinator to a grade 11 @ \$20.08 per hour.

Approved the pay raise / grade change for Cameron McCormack to a grade 7 @ \$15.94 per hour.

Approved the Notice to Proceed for the Murphy Flat Road Project with Idaho Materials Construction.

Approved Indigent and Charity case 19-14.

The complete minutes can be viewed online at www.owyheecounty.net or in the Clerk's office.

04/10/2019

PUBLIC NOTICE

Cellco Partnership and its controlled affiliates doing business as Verizon Wireless (Verizon Wireless) proposes to collocate wireless communications antennas at a centerline height of 83 feet on a 141-foot water tank at the approximate vicinity of 31 W. Wyoming Ave., Homedale, Owyhee, ID 83628. Public comments regarding potential effects from this site on historic properties may be submitted within 30 days from the date of this publication to: Trileaf Corp. Alex, a.grigsby@trileaf.com, 10845 Olive Blvd, Suite 260, St. Louis, MO 63141, 314-997-6111.

04/10/2019

NOTICE OF TRUSTEE'S SALE

To be sold for cash at a Trustee's Sale on August 7, 2019, 09:00 AM at the Owyhee County Courthouse, 20381 Highway 78, Murphy, ID 83650, the following described real property situated in Owyhee County, State of Idaho ("Real Property"): Parcel I Beginning at the Northeast corner of Lot 1 Block 1 of the Pattons Subdivision to Marsing, Idaho, running thence Southwest along the North line of Lot 1 Pattons Subdivision, 90

feet; thence Northwest 90 feet; thence Northeast 90 feet; thence Southeast along road right-of-way 90 feet to point of beginning, all located in Section 3, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, Parcel II

Lot 1 of Block 1 of Pattons Subdivision according to the Official Plat now on file in the office of the Recorder of Owyhee County, Idaho. Excepting therefrom: Beginning at the Southwest corner of Lot 1 Block 1 Pattons Subdivision to Marsing Township, thence Southeast 25 feet; thence Northeast 60 feet; thence Northwest 25 feet; thence Southwest 60 feet to the point of beginning Commonly known as: 113 Canal Street, Marsing, ID 83639 James F. Natale and Charlotte U. Villarreal, as Trustees conveyed Real Property via a Trust Deed dated December 27, 2005, in favor of Mortgage Electronic Registration Systems, Inc. as nominee for Countrywide Home Loans, Inc., its successors and assigns as Beneficiary, in which Countrywide Home Loans was named as Trustee. The Trust Deed was recorded in Owyhee County, Idaho, on January 11, 2006, as Instrument No. 254781, of Official Records. The Deed of Trust was assigned for value as follows: Assignee: Ditech Financial LLC, a Delaware Limited Liability Company Assignment Dated: July 27, 2018 Assignment Recorded: July 27, 2018 Assignment Recording Information: Instrument No. 296755 Shelly M. Espinosa is the Successor Trustee pursuant to a Substitution of Trustee recorded in the office of the Clerk and Recorder of Owyhee, State of Idaho on March 20, 2019 at Instrument No. 299178, of Official Records. The Beneficiary has declared a default in the terms of said Deed of Trust due to Trustor's failure to make monthly payments beginning May 1, 2018, and each month subsequent, which monthly installments would have been applied on the principal and interest due on said obligation and other charges against the property or loan. By reason of said default, the Beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable. The total amount due on this obligation is the principal sum of \$34,112.65, interest in the sum of \$2,900.73, escrow advances of \$780.06, other amounts due and payable in the amount of \$2,351.65, for a total amount owing of \$40,145.09, plus accruing interest, late charges, and other fees and costs that may be incurred or advanced. The Beneficiary anticipates and may disburse such amounts as may be required to preserve and protect the property and for real property taxes that may become due or delinquent, unless such amounts of taxes are paid by the Trustors. If such amounts are paid by the Beneficiary, the amounts or taxes will be added to the obligations secured by the Deed of Trust. Other expenses to be charged against the proceeds of this sale include the Trustee's fees and attorney's fees, costs and expenses of the sale, and late charges, if any. Beneficiary has elected, and has directed the Trustee to sell the above described property to satisfy the obligation. The sale is a public sale and any person, including the Beneficiary, may bid at the sale. The bid price must be paid

immediately upon the close of bidding by certified funds (valid money orders, certified checks or cashier's checks). The conveyance will be made by Trustee's Deed, without any representation or warranty, including warranty of title, express or implied, as the sale is made strictly on an as-is, where-is basis, without limitation, the sale is being made subject to all existing conditions, if any, of lead paint, mold or other environmental or health hazards. The Trustors, successor in interest to the Trustors, or any other person having an interest in the property, or any person named in IRC § 45-1506, has the right, at any time prior to the Trustee's Sale, to pay to the Beneficiary, or the successor in interest to the Beneficiary, the entire amount then due under the Deed of Trust and the obligation secured thereby (including costs and expenses actually incurred and attorney's fees) other than such portion of the principal as would not then be due had no default occurred and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Deed of Trust with Successor Trustee's and attorney's fees. In the event that all defaults are cured the foreclosure sale will be dismissed and the foreclosure sale will be canceled. The scheduled Trustee's Sale may be postponed by public proclamation up to 30 days for any reason. If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Successor Trustee and the successful bidder shall have no further recourse. The above Trustors are named to comply with IRC § 45-1506(4)(a). No representation is made that they are, or are not, presently responsible for this obligation. This is an attempt to collect a debt

and any information obtained will be used for that purpose. Dated this 27th day of March, 2019, Shelly M. Espinosa

Substitute Trustee 376 East 400 South, Suite 300, Salt Lake City, UT 84111 Telephone: 801-355-2886 Office Hours: Mon.-Fri., 8AM-5PM (MST) File No. 54503

04/10/17 24.05/01/2019

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 82946

CHRIS UNRUH, 25289 HIPWELL LN, GRANDVIEW, ID 83624-5119; has filed Application No. 82946 for changes to the following water rights within OWYHEE County(s): Right No(s) 2-10201, to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the principal as would not then be due had no default occurred and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Deed of Trust with Successor Trustee's and attorney's fees. In the event that all defaults are cured the foreclosure sale will be dismissed and the foreclosure sale will be canceled. The scheduled Trustee's Sale may be postponed by public proclamation up to 30 days for any reason. If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Successor Trustee and the successful bidder shall have no further recourse. The above Trustors are named to comply with IRC § 45-1506(4)(a). No representation is made that they are, or are not, presently responsible for this obligation. This is an attempt to collect a debt

GARY SPACKMAN, Director
04/03/10/2019

We're proud of our Heritage!

1st
1st
1st

Owyhee County is the first county to be established in the State of Idaho.

The Owyhee Avalanche was the first newspaper in the Idaho Territory to have access to telegraph service.

The Owyhee Avalanche was the first daily newspaper in the Idaho Territory.

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, IDAHO 83628

Got News?

Call us! (208) 337-4681. Community happenings, events or issues.

Department Of Water Resources

Water District # 02

Applicant Name **Unruh, Chris**

a) XX 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) XX Additional comments: Note POD map attached appears incorrect since there is no change proposed. Water to continue to be diverted at Bybee canal diversion.

Dated this 5th day of April, 2019

RB Whitney_____

Watermaster Signature

Printed Name