

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82918**

This is to certify that: MDLN LLC
PO BOX 212
SPRINGVILLE, UT 84663-0212

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-34748	WR/DECREED	3/22/1967	0.520 cfs	175.0 af	N/A	39.0	GROUND WATER
63-34749	WR/DECREED	4/13/1967	0.760 cfs	N/A	N/A	40.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

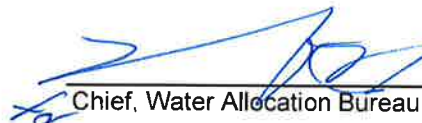
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-34748	NO	NO	NO	YES	NO	NO
63-34749	NO	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-34748	63-34748	0.520 cfs	175.0 af	N/A	39.0	N/A	N/A	N/A	N/A	N/A
63-34749	63-34749	0.760 cfs	N/A	N/A	40.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.800 cfs	N/A	N/A	40.0		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 24th day of September, 2019.



Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 63-34748

Transfer No. 82918

WATER RIGHT NO. 63-34749
As Modified by Transfer No. 82918

In accordance with the approval of Transfer No. 82918, Water Right No. 63-34749 is now described as follows:

Right Holder: MDLN LLC
 PO BOX 212
 SPRINGVILLE, UT 84663-0212

Priority Date: 4/13/1967

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

to

To

11/15

Diversion Rate

0.760 cfs

0.760 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
 GROUND WATER

SESW
 SWSW

Sec 14 Twp 02N Rge 03W CANYON County
 Sec 14 Twp 02N Rge 03W CANYON 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	
02N	03W	14											40.0						40.0

POU Total Acres: 40.0

CONDITIONS OF APPROVAL

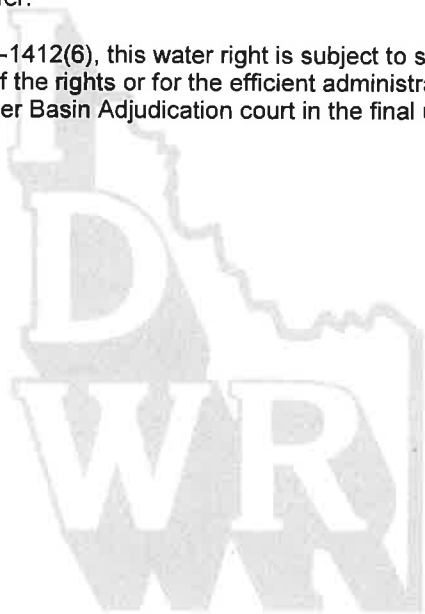
1. Rights 63-34748 and 63-34749 when combined shall not exceed a total diversion rate of 0.80 cfs, and the irrigation of 40 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
3. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than 1/14/2009.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. This right does not grant any right-of-way or easement across the land of another.

Transfer No. 82918

WATER RIGHT NO. 63-34749
As Modified by Transfer No. 82918

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 63-34748
As Modified by Transfer No. 82918

In accordance with the approval of Transfer No. 82918, Water Right No. 63-34748 is now described as follows:

Right Holder: MDLN LLC
 PO BOX 212
 SPRINGVILLE, UT 84663-0212

Priority Date: 3/22/1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.520 cfs	175.0 af
			0.520 cfs	175.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 14 Twp 02N Rge 03W CANYON County
GROUND WATER	SWSW	Sec 14 Twp 02N Rge 03W CANYON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	14											39.0						39.0

POU Total Acres: 39.0

CONDITIONS OF APPROVAL

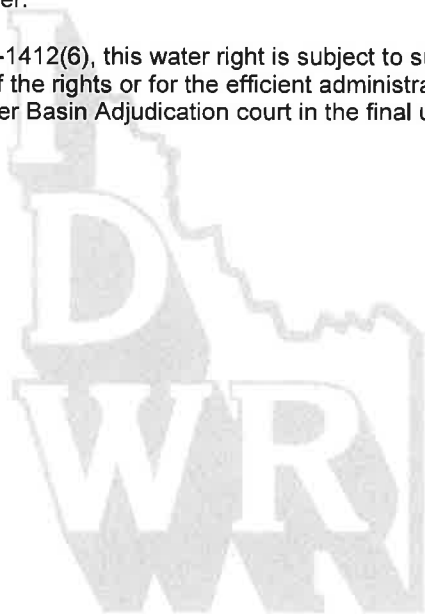
1. Rights 63-34748 and 63-34749 when combined shall not exceed a total diversion rate of 0.80 cfs, and the irrigation of 40 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
3. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than 1/14/2009.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. This right does not grant any right-of-way or easement across the land of another.

Transfer No. 82918

WATER RIGHT NO. 63-34748
As Modified by Transfer No. 82918

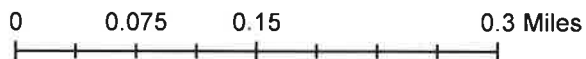
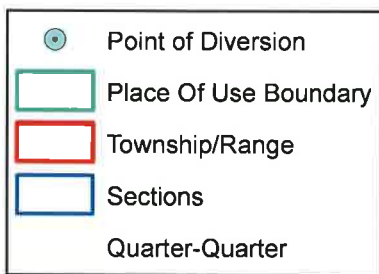
CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



State of Idaho
Department of Water Resources
Attachment to Transfer No. 82918
Water Right(s): 63-32919, 63-33383

This map depicts the IRRIGATION placet of use for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

September 24, 2019

MDLN LLC
PO BOX 212
SPRINGVILLE UT 84663-0212

Re: Transfer No.: 82918
Water Right Nos: 63-34748, 63-34749

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Rights. Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Rights is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 334-2190

Sincerely,



Anna Kaiser

For

Nick Miller
Regional Manager

Enclosure

CC:

ERO RESOURCES CORP
C/O DAVID SHAW
4001 E MAIN ST
EMMETT ID 83617

CERTIFICATE OF SERVICE

I hereby certify that on September 24, 2019 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 82918
Water Right No(s): 63-34748, 63-34749

MDLN LLC
PO BOX 212
SPRINGVILLE UT 84663-0212

ERO RESOURCES CORP
C/O DAVID SHAW
4001 E MAIN ST
EMMETT ID 83617



Anna Kaiser
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

TO: Transfer No. 82918

FROM: Allen Bradbury

DATE: 05/17/2019

RE: Evaluation of Application

Summary of Application Proposal

Narrative: Transfer no. 82918 proposes to separate the irrigation of a 39 acre parcel, Lot 10 Block 2 (Lot 10) from Chaparral Ranch Subdivision Homeowners Association (HOA). In order to accomplish this the transfer will split two water rights, 63-32919 and 63-33383, which are appurtenant to the 39 acres in Lot 10 Block 2 of Chaparral Ranch Subdivision and drill a new well to add a new point of diversion on the applicant's property. An amendment to the HOA's restrictive covenants was included with the transfer application. The amendment states that Lot 10 will no longer be part of the HOA. The amendment further states a split in water rights for the groundwater sources that currently provide water to the entire HOA. The well located on the northwest corner of Lot 8 Block 2 is designated the HOA's well, which shall not provide water to Lot 10. The well located on the southwest corner of Lot 9 Block 2, with its pump, water rights, and appurtenances shall provide water for Lot 10 but not provide water to any HOA residents. The purpose of this transfer is to add a new point of diversion from a new well located on the applicants property (Lot 10) and split the ownership of water rights 63-32919 and 63-33383 to reflect agreement between the applicant and the HOA. This will allow the applicant to divert their portion of the right from either location.

Location of Application Proposal: The proposed transfer is located approximately 6.5 miles southwest of Nampa, Idaho and south of Lake Lowell in Canyon County, Idaho. The property is situated to the north of Deer Flat Road between Sky Ranch Road and Pump Road in the Chaparral Ranch Subdivision.

Summary of Information Submitted

Authority to File:

An ownership change (including applicable fee) was requested with transfer #82918 by MDLN LLC. A separate Notice of Ownership Change form was not received nor required and the ownership change was processed through Western prior to processing the transfer. Included with the application were warranty deeds and quit claim deeds showing the chain of ownership through multiple sales of the property. Each of the six documents were carefully examined and noted from the first Warranty Deed in 2/2/1990 from the grantor of the Farmer Credit Bank to the Grantees of Montierth, Meyers, and Victor. The final Warranty Deed in 8/9/2005 shows the Grantee as MDLN LLC, the current owners of the property. Tax parcel information parcel number R3012112100 (Lot 10 Block 2) from aerial imagery obtained by the Department and dated 2/25/2019 show that for the New POD and POU are owned by MDLN LLC. However, the water rights remained in the names of either Montierth and Meyers or Victor and Meyers. The application was signed by Brent Felix. The Idaho Secretary of State website confirms that Mr. Felix is the owner of MDLN LLC, ID W41603.

Water Right Validity/Historical Beneficial Use:

The decreed date for water right no. 63-32919 was issued on 01/14/2009. Water right 63-33383 which overlaps the place of use for 63-32919 was decreed on 03/19/2009. Evidence from aerial imagery shows continuous irrigation at the applicant's property from at least 2011 through 2017. Since evidence exists that shows irrigation occurring on the applicant's property within the last five years, the water right is presumed to be valid at the time of this application.

Overlap Analysis: The place of use for both water right 63-32919 and 63-33383 are not overlapped by any other water rights. Other points of diversion do share quarter-quarter locations with the new and existing wells, however they are separate POD's.

Injury to Other Water Rights: The proposed points of diversion are from a new well and an existing irrigation well within the South Canyon area, a Basin 63 Area of Concern. They are also located within the Lake Lowell Ground Water concern Area, which has exhibited conflicts with development of, and/or use of cold water groundwater resources. This review was unable to determine which well logs matched which water rights.

Enlargement of Use: None are anticipated since this application only proposes alternative points of diversion.

Local Public Interest: No issues were identified. It is within the local public interest to allow private properties to develop their property and use their water rights to the fullest extent which in turn benefits the public at large. It is within the local public interest to allow the change in POD.

Beneficial Use/Conservation of Water Resources: The application proposes beneficial use consistent with conservation of water resources in Idaho by continuing to irrigate agricultural lands.

Summary of Application Approval / Denial

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

63-32919 Overlap Analysis

Process	Basin Sequence	Draft	Owner	Source	POD	Use	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SERNW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	Total Acres
Water Right	63-32919	N	FARM CREDIT BANK OF SPOKANE; MEYERS, KATHI L; MEYERS, ROBERT J;	GROUND WATER	POU	IRRIGATION									35.5	28.9	39					103.4
Water Right	63-33383	N	MEYERS, KATHI L; MEYERS, ROBERT J; MILLAR, BRYCE; MONTER, FARM CREDIT BANK OF SPOKANE; MDLN LLC; MEYERS, KATHI L;	GROUND WATER	POU	IRRIGATION										28.9	40					68.9
Water Right	63-34748	N	FARM CREDIT BANK OF SPOKANE; MEYERS, KATHI L; MEYERS, ROBERT J;	GROUND WATER	POU	IRRIGATION										39						39
Water Right	63-34749	Y	MDLN LLC; MEYERS, KATHI L; MEYERS, ROBERT J; MILLAR, BRYCE	GROUND WATER	POU	IRRIGATION										39						39
Water Right	63-32019	N	AMEN, FRANKIE; AMEN, JEANIE; MEYERS, KATHI L; MEYERS, ROBERT J;	GROUND WATER	POU	IRRIGATION												9.25				9.25
Water Right	63-32256	N	AMEN, FRANKIE; AMEN, JEANIE; MILLAR, BRYCE; SCHELHORN, JILL	GROUND WATER	POU	IRRIGATION																40
Water Right	63-32257	N	AMEN, FRANKIE; AMEN, JEANIE; FARM CREDIT BANK OF SPOKANE	GROUND WATER	POU	IRRIGATION																40
Water Right	63-32294	N	ALLMER, PENNY; ALLMER, STEPHEN; FARM CREDIT BANK OF SPOKANE	GROUND WATER	POU	IRRIGATION									4.5							4.5
Water Right	63-32634	N	FARM CREDIT BANK OF SPOKANE; MEYERS, KATHI L; MEYERS, ROBERT J;	GROUND WATER	POU	IRRIGATION												13.8				13.8
Water Right	63-32686	N	BARRON DEVELOPMENT LLC; FARM CREDIT BANK OF SPOKANE;	GROUND WATER	POU	IRRIGATION	40	40	40	40	40	40	40	37.5								317.5
Water Right	63-32689	N	BARRON DEVELOPMENT LLC; EVANS, CHRYSALT R; EVANS, EDWARD	GROUND WATER	POU	IRRIGATION	14															14
Water Right	63-32690	N	BARRON DEVELOPMENT LLC; FARM CREDIT BANK OF SPOKANE;	GROUND WATER	POU	IRRIGATION	40	40	40	40	40	40	40	37.5								317.5
Water Right	63-32691	N	BARRON DEVELOPMENT LLC; FARM CREDIT BANK OF SPOKANE;	GROUND WATER	POU	IRRIGATION																158
Water Right	63-32692	N	BARRON DEVELOPMENT LLC; FARM CREDIT BANK OF SPOKANE;	GROUND WATER	POU	IRRIGATION	40	40	40	40	40	40	40	37.5								317.5
Water Right	63-32693	N	BARRON DEVELOPMENT LLC; FARM CREDIT BANK OF SPOKANE;	GROUND WATER	POU	IRRIGATION	40	40	40	40	40	40	40	37.5								120
Water Right	63-32694	N	BARRON DEVELOPMENT LLC; FARM CREDIT BANK OF SPOKANE;	GROUND WATER	POU	IRRIGATION	40	40	40	40	40	40	40	37.5								317.5
Water Right	63-32920	N	CURTIS, CHRISTOPHER K; CURTIS, MARYANN; FARM CREDIT BANK OF SPOKANE	GROUND WATER	POU	IRRIGATION										3.7						3.7
Water Right	63-32922	N	CURTIS, CHRISTOPHER K; CURTIS, MARYANN; MEYERS, KATHI L;	GROUND WATER	POU	IRRIGATION										3.7						3.7
Water Right	63-33491	N	FRANK TIGGS LLC; HINES, TODD	GROUND WATER	POU	IRRIGATION	38	39	40	39	39	39	30	35								299
Water Right	63-33767	N	BEUS, DANIEL S; BEUS, EDEN E; FARM CREDIT BANK OF SPOKANE	GROUND WATER	POU	IRRIGATION												9.3				9.3
Water Right	63-33948	N	FARM CREDIT BANK OF SPOKANE; MEYERS, KATHI L; MEYERS, ROBERT J;	GROUND WATER	POU	IRRIGATION										3.7						3.7
Water Right	63-33949	N	MEYERS, KATHI L; MEYERS, ROBERT J; MILLAR, BRYCE; MONTER, FARM CREDIT BANK OF SPOKANE; MEYERS, KATHI L;	GROUND WATER	POU	IRRIGATION										3.7						3.7
Water Right	63-34555	N	FARM CREDIT BANK OF SPOKANE; MEYERS, KATHI L; MEYERS, ROBERT J;	GROUND WATER	POU	IRRIGATION												1.7				1.7
Water Right	63-34577	N	FARM CREDIT BANK OF SPOKANE; LOUX, KIRK; LOUX, SHANNON	GROUND WATER	POU	IRRIGATION										3.7						3.7
Water Right	63-34578	N	LOUX, KIRK; LOUX, SHANNON; MEYERS, KATHI L; MEYERS, ROBERT J;	GROUND WATER	POU	IRRIGATION										3.7						3.7
Water Right	63-37788	N	BLUE, RAY; FARM CREDIT BANK OF SPOKANE; MEYERS, KATHI L;	GROUND WATER	POU	IRRIGATION										3.7						3.7
Water Right	63-32694	N	BARRON DEVELOPMENT LLC; FARM CREDIT BANK OF SPOKANE;	GROUND WATER	POU	STOCKWATER	X	X	X	X	X	X	X	X					39	40		79
Water Right	63-12374	N	SKY RANCH ESTATES HOMEOWNERS ASSN INC; SKY RANCH INC	GROUND WATER	POU	DOMESTIC													X	X		
Water Right	63-12381	N	SKY RANCH ESTATES HOMEOWNERS ASSN INC; SKY RANCH INC	GROUND WATER	POU	DOMESTIC													X	X		
Water Right	63-12382	N	SKY RANCH ESTATES HOMEOWNERS ASSN INC; SKY RANCH INC	GROUND WATER	POU	DOMESTIC													X	X		
Water Right	63-12383	N	SKY RANCH ESTATES HOMEOWNERS ASSN INC; SKY RANCH INC	GROUND WATER	POU	DOMESTIC													X	X		
Water Right	63-7780	N	MILLAR, BRYCE	GROUND WATER	POU	DOMESTIC						X	X									

63-32919 Overlap Analysis

[illegible]

Diverted through same POD

29512 1922064

1 IDWR - WESTERN REGION

2735 AIRPORT WAY
BOISE ID 83705

LEGAL NOTICE

The following application has been filed to appropriate the public waters of the State of Idaho:

63-34744
SAMANTHA BIEHL
NICHOLAS TANORE
18175 PRIDE LN
CALDWELL, ID 83607-9187
Point of Diversion SESW
S35 T04N R04W CANYON
County Source LOWER
EMBANKMENT DRAIN
Tributary DIXIE SLOUGH
Use: IRRIGATION 03/01 to
11/15 0.15 CFS
Use: STOCKWATER 01/01
to 12/31 0.02 CFS
Total Diversion: 0.17 CFS
Date Filed: 6/19/2019
Place Of Use:
IRRIGATION, STOCKWA-
TER
T04N R04W S35 SESW
Total Acres: 7
NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT
TRANSFER NO. 82918

MDLN LLC, PO BOX 212,
SPRINGVILLE, UT 84663-
0212; has filed Application
No. 82918 for changes to the
following water rights within
CANYON County(s): Right
No(s). 63-32919, 63-33383;
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 transfer is to change a
portion of the above rights as
follows: The purpose of the
transfer is to split two water
rights with 1967 priority dates
from ground water totaling
0.52 cfs and 0.74 cfs for irri-
gation. The rights are appur-
tenant to 39 acres in Lot 10
Block 2 of Chaparral Ranch
Subdivision and add a new
point of diversion to a new
well on the applicant's prop-
erty. The well located on the
southwest corner of Lot 9
Block 2, with its pump, water
rights, and appurtenances will
continue to provide water for
Lot 10. The unchanged por-
tion of the right(s) will remain
on land within Chaparral
Ranch Subdivision. The pro-
posed transfer is located ap-
proximately 6.5 miles south-
west of Nampa, Idaho and
south of Lake Lowell in
Canyon County, Idaho. Water
will be used at the current
place of use north of Deer
Flat Road between Sky
Ranch Road and Pump Road
in the Chaparral Ranch Sub-
division.

Permits will be subject to all
prior water rights. For addi-
tional information concerning
the property location, contact
Western Region office at 208-
334-2190; or for a full de-
scription of the right(s) or pro-
posed transfer (s) please see
www.idwr.idaho.gov. Protests
may be submitted based on
the criteria of Idaho Code §§
42-203A and 42-222. Any
protest against the approval
of the application(s) must be
filed with the Director, Dept.
of Water Resources, Western
Region, 2735 Airport Way,
Boise, ID 83705 together with
a protest fee of \$25.00 for
each application on or before
8/5/2019. The protestant
must also send a copy of the
protest to the applicant

GARY SPACKMAN,
Director

July 18, 25, 2019

1922064

AFFIDAVIT OF PUBLICATION STATE OF IDAHO

County of Canyon and Ada

Sharon Jessen
of the State of Idaho, being of first
duly sworn, deposes and says:

RECEIVED

AUG 05 2019

WATER RESOURCES
WESTERN REGION

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principle Clerk of the Idaho Press-Tribune, a daily newspaper published in the Counties of Canyon and Ada, State of Idaho; that the said newspaper is in general circulation in the said Counties of Canyon and Ada, and in the vicinity of Nampa, Caldwell, and Boise, and has been uninterruptedly published in said Counties during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

That said notice was published the following:
07/18/2019 07/25/2019

Sharon Jessen

Sharon Jessen
STATE OF IDAHO
County of Canyon and Ada)

On this 25th day of July in the year of
2019 before me a Notary Public, personally appeared,
Sharon Jessen, known or identified
to me to be the person whose name is subscribed
to the within instrument, and being by me first
duly sworn, declared that the statements therein
are true, and acknowledge to me that he/she
executed the same.

Colleen R. Nielsen
Notary Public for Idaho
My Commission expires 06/28/2023

