

RECEIVED

NOV 22 2017

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 82044

MINIMUM REQUIREMENTS CHECKLIST

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) SEVY DAIRY INCCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b 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).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☒ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b 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. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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WATER RESOURCES
REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Sevy Dairy Inc Phone 208-896-4691
Mailing address 7808 Sommercamp Rd, Givens Hot Springs, ID 83641 Email sevydairy@yahoo.com

- ☐ 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 Representative

Name of Representative Bethany Sevy Phone 208-921-2373
Mailing address 7808 Sommercamp Rd, Givens Hot Springs, ID 83641 Email bethanysevy@gmail.com

- ☒ 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.

Kenneth L. Sevy
Signature of Applicant or Authorized Representative

Kenneth L. Sevy Pres.
Print Name and Title if applicable

11-22-17
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other creating a PPU
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.2**.
Applying to combine rights # 2-10544, 2-2305, 2-10541, and 2-10540 within a PPU that would encompass all existing fields and future planned fields.

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.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	2-10544	0.100	irrigation	3/15 to 11/15	Snake River and Columbia Riv
☒ ☐	2-10541	0.470	irrigation	2/01 to 12/01	" "
☒ ☐	2-10540	3.440	irrigation	4/01 to 10/31	" "
☒ ☐	2-2305	5.19	irrigation	3/15 to 11/15	" "
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 9.2 cfs and/or 2476.7 acre-feet.

2. Total amount of water proposed to be transferred or changed 2.67 cubic feet per second and/or 719.0 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 #

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	
2N	4W	26										7	33						40
2N	4W	27				27									40		25	34	126
2N	4W	34		34	40		34	32	32	36									208
2N	4W	35			40	16	31	35	40	39	29	24							254
Total Acres (for irrigation use)																			628

PPW

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:

Water is pumped through a pipeline to multiple pivots. No measuring device currently. Could install if required.

- b. Who owns the property at the point(s) of diversion? Rodney D St Clair

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

easement from Hwy 78 to POD

- 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: will request and submit after filing of application.

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:

- 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:

Applying for new permit to cover additional irrigation and stockwater

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

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/22/2017

Water Right 2-2305

Owner Type **Name and Address**
Current Owner SEVY DAIRY INC
7808 SOMMERCAMP RD
GIVENS HOT SPRINGS, ID 83641
(208) 896-4691

Priority Date: 5/14/1964

Basis: Decreed

Status: Active

Source **Tributary**
SNAKE RIVER COLUMBIA RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	5.190 CFS	1,395.0 AF
	Total Diversion		5.190 CFS	

Source and Point(s) of Diversion

SNAKE RIVER L4(SWSE) Sec. 26, Twp 02N, Rge 04W, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE County

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	04W	27															14.0	34.0	48.0
02N	04W	34		39.0	40.0		30.0	39.0	27.0	36.0									211.0

POU Total Acres: 259.0

Conditions of Approval:

1. X36 Rights 2-7002 and 2-10011 are also diverted through the point of diversion described above.
2. 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.
3. S47 The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Comments:

1. srobischon 1/21/2005 pou
licensed to 303 ac, claim for only 259, GIS for 268. 11 acres added from 2-10011 as accomplished POU (originally claimed as enlargement bu claim) for 279 total acres.

2. srobischon 1/21/2005 quantity

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/22/2017

License for 5.19 cfs, 1515 afy, using rate multiplier from license $(5.19 / 303 = 0.0171 * 268 \text{ (GIS w/ claim)}) = 459.05 + .02 * 11 \text{ (from 10011)} = 4.81 \text{ cfs}$, 1978 field exam measured 5.19 cfs.
Claim for 5.18 cfs. Adjust AFY to new acreage $(279 * 5 = 1395 \text{ AFY})$

Dates and Other Information

Decreed Date: 6/15/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

12/6/2017

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SEVY DAIRY INC 7808 SOMMERCAMP RD GIVENS HOT SPRINGS, ID 83641 (208) 896-4691

Status: Active

Tributary
COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	3.440 CFS	861.0 AF
	Total Diversion		3.440 CFS	861.0 AF

SNAKE RIVER L4(NWSWSE) Sec. 26, Twp 02N, Rge 04W, OWYHEE County

IRRIGATION within OWYHEE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	04W	26												0.2 L4					0.2
02N	04W	35					30.0	40.0	40.0	35.0	5.0	22.0							172.0

POU Total Acres: 172.2

1.	X61	The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
2.	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.
3.	C05	Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

1.	djudd	10/31/2017	Split Right
This water right is a result of split from 2-2144 due to change in ownership			

82044

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/6/2017

2.	djudd	10/31/2017	POD
Updated Shape			
3.	djudd	10/31/2017	POU
Updated Shape			

Dates and Other Information

Decreed Date: 9/28/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/22/2017

Water Right 2-10541

Owner Type **Name and Address**
Current Owner SEVY DAIRY INC
7808 SOMMERCAMP RD
GIVENS HOT SPRINGS, ID 83641
(208) 896-4691

Priority Date: 9/22/1967

Basis: Decreed

Status: Active

Source **Tributary**
SNAKE RIVER COLUMBIA RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	02/01	12/01	0.470 CFS	170.0 AF
	Total Diversion		0.470 CFS	170.0 AF

Source and Point(s) of Diversion

SNAKE RIVER L4(SWSE) Sec. 26, Twp 02N, Rge 04W, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE County

			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	04W	26											34.0						34.0

Right Acre Limit: 34.0

POU Total Acres: 34.0

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. X36 Rights 2-2305, 2-10011, and 2-7002 are also diverted through the point of diversion described above.
3. 001 A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
4. E60 USE OF THIS RIGHT WITH RIGHT NO. 2-7002 & 2-10011 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.78 CFS.

Comments:

1. djudd 10/31/2017 Split Right
This water right is a result in split from 2-7002 due to change in ownership

2. djudd 10/31/2017 POD
Updated Shape

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/22/2017

3. djudd 10/31/2017 POU
Updated Shape

Dates and Other Information

Decreed Date: 6/15/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.780		
2-7002 ,2-10011 ,2-10541		

SubCase:

N/A

Water Supply Bank:

N/A

11/22/2017

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SEVY DAIRY INC 7808 SOMMERCAMP RD GIVENS HOT SPRINGS, ID 83641 (208) 896-4691

Status: Active

Tributary
COLUMBIA RIVER

Volume
50.7 AF
50.7 AF

Sec. 26, Twp 02N, Rge 04W, Owyhee County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	04W	26										6.5 L3							6.5
02N	04W	27													15.0				15.0

POU Total Acres: 21.5

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.	S39	THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

2. diudd 10/31/2017 POD

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/22/2017

Updated Shape

3. djudd 10/31/2017 POU
Updated Shape

Dates and Other Information

Decreed Date: 8/10/2010
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: And
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

82044

No. C 51973	Due no later than Aug 31, 2017 Annual Report Form		2. Registered Agent and Address (NO PO BOX)
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE			SARAH SEVY 7808 SUMMER CAMP RD GIVENS HOT SPRINGS ID 83641 3. <u>New</u> Registered Agent Signature:*
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).			
Office Held	Name	Street or PO Address	City State Country Postal Code
SECRETARY	SARAH M SEVY	7808 SOMMERCAMP RD>	GIVENS HOT SPRINGS ID USA 83641
PRESIDENT	KENNETH L SEVY	7808 SOMMERCAMP RD>	GIVENS HOT SPRINGS ID USA 83641
5. Organized Under the Laws of: ID C 51973	6. Annual Report must be signed.* Signature: Sarah Sevy Name (type or print): Sarah Sevy Date: 09/29/2017 Title: Secretary		
Processed 09/29/2017	* Electronically provided signatures are accepted as original signatures.		



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 14, 2017

SEVY DAIRY INC
7808 SOMMERCAMP RD
GIVENS HOT SPRINGS, ID 83641

Application for Permit No. 2-10547
Application for Transfer No. 82044
Water Right No(s). 2-10540, 2-10541, 2-10544, 2-2305

Dear Applicant(s):

The Department of Water Resources has received your water right applications. Please refer to the numbers referenced above in all future correspondence regarding these applications.

A legal notice of the applications have been prepared and are scheduled for publication in the OWYHEE AVALANCHE on 12/20/2017 and 12/27/2017. Protests to these applications may be submitted for a period ending ten (10) days after the second publication.

If either 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 either 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 permit.

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

Sincerely,

Rachel Neely
Administrative Assistant

CC:
BETHANY SEVY
7808 SOMMERCAMP RD
GIVENS HOT SPRINGS, ID 83641

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, December 14, 2017 9:10 AM
To: 'Jennifer Stutheit'
Subject: Owyhee Legal Ads
Attachments: Owyhee Cover Letter.docx; Owyhee Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 12/20/2017 & 12/27/2017.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

December 14, 2017

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

RE: Application for Permit No. 2-10547
Application for Transfer No. 82044

Dear Legal Notice Department:

Please publish the enclosed legal notices on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices 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 1/8/2018. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following applications have been filed to appropriate the public waters of the State of Idaho:

2-10547

SEVY DAIRY INC

7808 SOMMERCAMP RD

GIVENS HOT SPRINGS, ID 83641

Point of Diversion L4(SWSE) S26 T02N R04W OWYHEE County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 03/01 to 11/15 2.83 CFS

Use: STOCKWATER 01/01 to 12/31 1.2 CFS

Total Diversion: 4.03 CFS

Date Filed: 11/22/2017

Places of Use: IRRIGATION, STOCKWATER

T02N R04W S26 NWSW SWSW

T02N R04W S27 SENE NESE SWSE SESE

T02N R04W S34 NWNE SWNE NW(ALL)

T02N R04W S35 SWNE SENE NW(ALL) NESW NWSW

Total Acres: 628

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 82044

SEVY DAIRY INC, 7808 SOMMERCAMP RD, GIVENS HOT SPRINGS, ID 83641; has filed Application No. **82044** for changes to the following water rights within OWYHEE County(s): Right No(s). 2-10540, 2-10541, 2-10544, 2-2305. The purpose of the transfer is to create a 486.7 acre limit place of use within a 628 acre permissible place of use. The remaining 141.3 acres are being applied for by application for permit 2-10547. Water will be used at the current place of use 4.5 miles south of Marsing, off the west banks of the Snake River.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at 208-334-2190; or for a full description of the right(s) or proposed 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 1/8/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/20/2017 and 12/27/2017



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 14, 2017

RABO AGRIFINANCE INC
12443 OLIVE VLVD STE 50
ST LOUIS MO 63141

Re: Application for Transfer No. 82044

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Owyhee Avalanche* for advertising. I have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25.00 protest fee must be received in this office by **January 8, 2018**. A copy of the protest must also be sent to the applicant.

If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures



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

C.L. 'BUTCH' OTTER
Governor

GARY SPACKMAN
Director

December 7, 2017

COPY

SEVY DAIRY INC
7808 SOMMERCAMP RD
GIVENS HOT SPRINGS ID 83641

RE: Additional Information Request for Transfer 82044

Dear Applicant,

On November 22, 2017, you filed an Application for Transfer of Water Right to create a Permissible Place of Use for irrigation in Owyhee County. Records of Sevy Dairy water right 2-2305 shows that Rabo Agrifinance, Inc filed a Notice of Security Interest in Mary of 2013 to expire 5/1/2028. This requires a notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water rights.

Please submit the requested information for the application to be processed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. The application will be rejected without a timely written reply within the next thirty (30) days. Refunds are not issued for rejected applications.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Respectfully,

A handwritten signature in blue ink that reads 'Patrick Kelly'.

Patrick Kelly
Water Resource Agent, Sr.

Enclosure(s): Notice of Security Interest