

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 81938

This is to certify that: BONNIE FOX
PO BOX 352
FAIRFIELD, ID 83327

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>
37-21795	WR/DECREED	6/1/1886	0.200 cfs	N/A	N/A	9.5	SOLDIER CREEK

Purpose of Transfer (Changes Proposed)

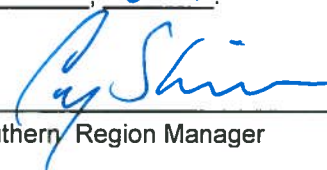
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-21795	NO	YES	NO	NO	NO	NO

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>
37-21795	37-21795	0.200 cfs	N/A	N/A	9.5	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.200 cfs	N/A	N/A	9.5		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 28th day of November, 2017.



Southern Region Manager

WATER RIGHT NO. 37-21795

As Modified by Transfer No. 81938

In accordance with the approval of Transfer No. 81938, Water Right No. 37-21795 is now described as follows:

Right Holder: BONNIE FOX
PO BOX 352
FAIRFIELD, ID 83327

Priority Date: 6/1/1886

Source: SOLDIER CREEK

Tributary: CAMAS CREEK

BENEFICIAL USE

IRRIGATION

From

04/15

to 10/31

To

Diversion Rate

0.200 cfs

0.200 cfs

LOCATION OF POINT(S) OF DIVERSION

SOLDIER CREEK

SESW

Sec 03 Twp 01S Rge 14E CAMAS 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	
01S	14E	3											9.0	0.5					9.5

POU Total Acres: 9.5

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37B.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. Property is also known as Lot 7, Mtn. View Acres.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 81938

WATER RIGHT NO. 37-21795
As Modified by Transfer No. 81938

CONDITIONS OF APPROVAL

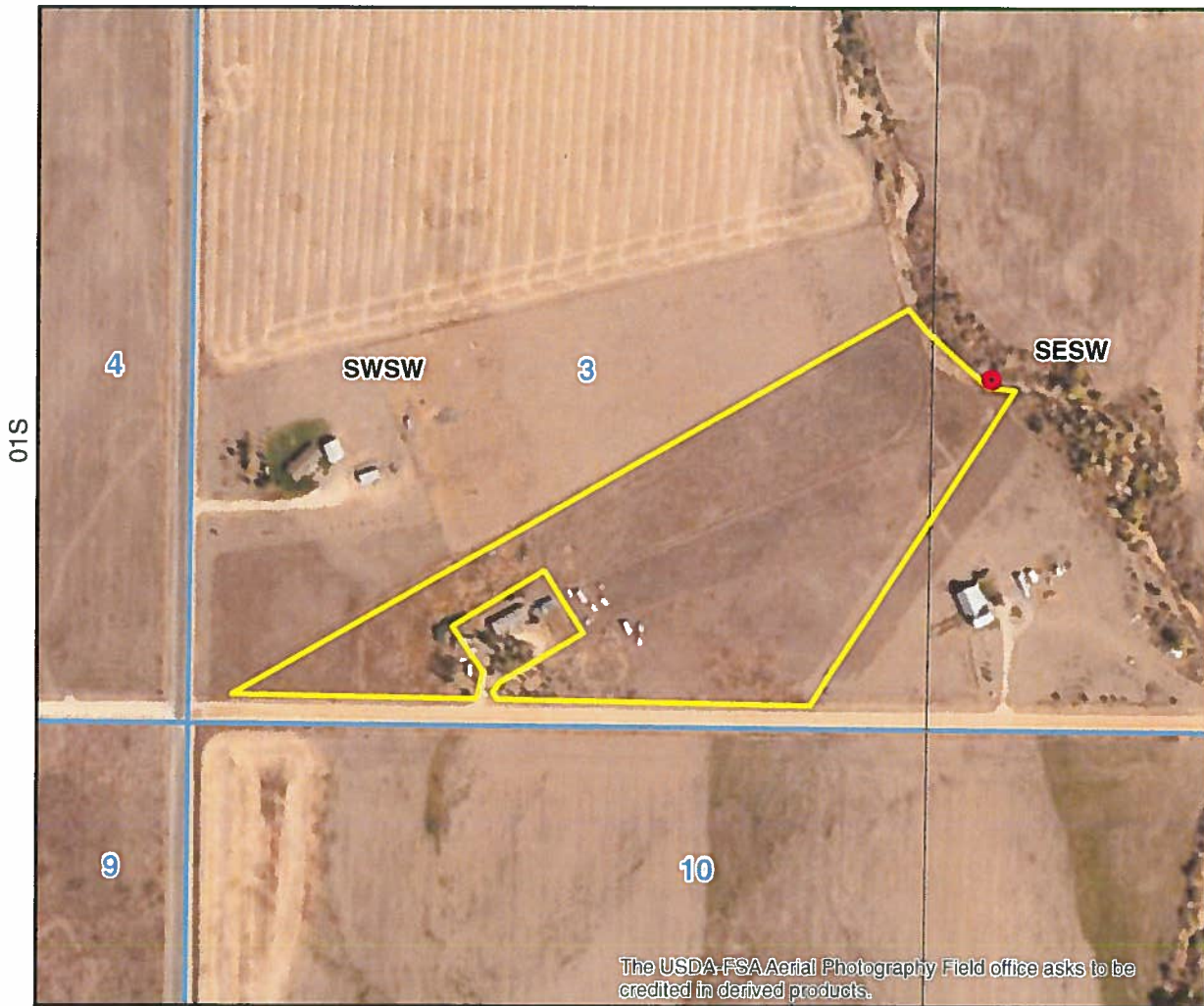
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



State of Idaho
Department of Water Resources
Attachment to Transfer # 81938
37-21795

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

14E



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.04 0.08 0.16 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 30, 2017

BONNIE FOX
PO BOX 352
FAIRFIELD ID 83327

Re: Transfer No: 81938
Water Right No(s): 37-21795

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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

The Transfer of Water Right(s) 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) 736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey Skinner". The signature is fluid and cursive, with the first name "Corey" written in a larger, more prominent script than the last name "Skinner".

Corey Skinner
Southern Regional Manager

Enclosure

cc:

WATER DISTRICT 37B
RUSTY KRAMER
242B S HWY 46
FAIRFIELD ID 83327

CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2017 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.: 81938
Water Right No(s): 37-21795**

**BONNIE FOX
PO BOX 352
FAIRFIELD ID 83327**

**WATER DISTRICT 37B
RUSTY KRAMER
242B S HWY 46
FAIRFIELD ID 83327**



**Denise Maline
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

Date: November 21, 2017
To: Transfer 81938, Bonnie Fox file
From: Jim Bitzenburg
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to change the point of diversion (POD) of irrigation water right 37-21795 (0.2 cfs, 9.5 acres) which is currently diverted from Soldier Creek at a point located approximately 2.1 miles north and 0.1 mile east of the intersection of State Highway 20 and Soldier Road in Fairfield. The new POD will be located approximately 1.1 miles north and 0.3 mile east of Fairfield.

The POD is located within Water District 37B so comments were solicited from the Watermaster of WD-37B and since the change of POD is on a stream, the transfer was advertised.

The current Soldier Creek POD is diverted into a ditch and flows approximately 1.0 mile to the Fox property. The change will allow the applicant to pump directly out of Soldier Creek as it flows past her property. Letters agreeing to the transfer from the other users in the shared ditch were included in the application.

- **Authority to File:**
The Department's database indicates that water right 37-21795 is owned by the applicant, Bonnie Fox. The applicant signed the application.
- **Water Right Validity:**
Right 37-21795 was partially decreed in the SRBA in 2009. Recent use of the water on the property is uncertain upon inspection of aerial imagery, but the applicant has included documentation with the application which may support a defense of forfeiture under Idaho Code 42-223.
- **Injury to Other Water Rights:**
None anticipated or foreseen. The other water right holders in the shared ditch signed letters of agreement to the transfer, which were submitted with the transfer.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. The application was advertised to allow public review.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated
- **Effect of the Agricultural Base of the Area:**
None Anticipated

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

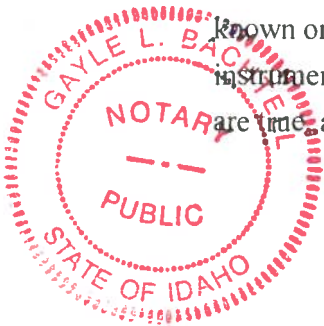
NOV 20 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO)
) ss.
County of Camas)

Edward Reagan, being first duly sworn, deposes and says that he is the designated agent for the publisher of The Courier NEWS, a newspaper published every week in Fairfield, County of Camas, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145, that the annexed advertisement, identified as Transfer 81938, a copy of which is hereto attached, was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 15th day of October, 2017, and the date of the last publication was on the 25th day of October, 2017.

On this 15th day of Nov., in the year of 2017 before me,
a Notary Public, personally appeared Edward Reagan,
known or identified to me to be the person whose name subscribed to the within
instrument, and being by me first duly sworn, declared that the statements therein
are true, and acknowledged to me that he/she executed the same.



My commission expires: 10-19-2023

$$\begin{array}{r} \text{Pica Count} \\ \hline \# \text{ of runs} \end{array} \quad \begin{array}{r} 950 \\ \hline 2 \end{array}$$

Cost for Advert:	First run	\$	<u>76.00</u>
	Additional runs	\$	<u>66.50</u>
	Total Cost	\$	<u>142.50</u>

Legal ad rates:
1st or single run - \$ 0.08 per pica
Additional runs - \$ 0.07 per pica
Table & Figures - \$ 0.09 per pica

THE COURIER NEWS
Post Office Box 339
Fairfield, Idaho 83327

✓ OK Am 11-20-2017

✓ OK AM 11-20-2017

~ LEGAL NOTICES ~ LEGAL NOTICES ~ LEGAL NOTICES ~ LEGAL NOTICES ~

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81938

BONNIE FOX, PO BOX 352, FAIRFIELD, ID 83327; has filed Application No. 81938 for changes to the following water rights within CAMAS County(s): Right No(s). 37-21795; 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: Application for transfer proposes to change the point of diversion (POD) of irrigation water right 37-21795 (0.2 cfs, 9.5 acres) which is currently diverted from Soldier Creek at a point located approximately 2.1 miles north and 0.1 mile east of the intersection of State Highway 20 and Soldier Road in Fairfield. The new POD will be located approximately 1.1 miles north and 0.3 mile east of Fairfield.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before November 6, 2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

published on October 18th & 25th, 2017

**LEGAL NOTICE
OF
PUBLIC MEETING**

Pursuant to
Idaho Code 31-1413,
notice is hereby given
that the

**WEST MAGIC FIRE
COMMISSIONERS**

will hold a public meeting
at
West Magic Station #2
(West Magic Road)
on Tuesday the
24th of October, 2017,
at 6:00 p.m.

Gem Veterinary Clinic

GVC

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(208) 934-5626



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Camas County School District #121

Fairfield, Idaho

**COMBINED STATEMENT OF REVENUES & EXPENDITURES
WITH CHANGES IN FUND BALANCE - ALL FUNDS**

Account	2016-2017 Budget	Budget Salary & Benefits	2016-2017 Actual	Actual Salary & Benefits
REVENUE RECEIPTS				
Local Sources	634129		649778	
County Sources				
State Sources	1537912		1632709	
Federal Sources	154605		148480	
Other Sources				
TOTAL REVENUES	2326646		2430967	
Transfers IN	67554		25332	
TOTAL REVENUE & TRANSFERS	2394200		2456299	
EXPENDITURES				
Instructional Services	1165517	1037254	1165301	1033857
Support Services	845733	570042	792885	510335
Non-Instructional Services	78536	45980	68839	46354
Facility Acquisition Services			221001	
Debt Services	295914		313243	
TOTAL EXPENDITURES	2394200	1613276	2362448	1590546
Transfers OUT				
TOTAL EXPENDITURES & TRANSFERS	2394200		2362448	
Excess (Deficiency) of Revenues over Expenditures & Transfers	0		93851	
Fund Balance at July 1, 2016	758788		758788	
Adjustments				
Adj. Fund Balance July 1, 2016	758788		758788	
FUND BALANCE At June 30, 2017				
*Total of Line 20 + 25	758788		852119	

The undersigned certify that this is a true and correct report of the financial condition of the Camas County School District.

Claude Ballard, Chairperson of the Board
Wendy Strickler, Clerk/Treasurer of the Board

401 Camas Avenue West

764-2611

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YOUTH GROUP

Every Sunday 6:00-7:30pm

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www.idahofcc.com Fairfield Community Church www.facebook.com/idahofcc

State of Idaho
Department of Water Resources
Transfer of Water Right(s)
RECOMMENDATION FORM

RECEIVED
OCT 27 2017
DEPT OF WATER RESOURCES
SOUTHERN REGION

Transfer Application No.: 81938

Water Right No(s): 37-21795

Transfer Applicant's Name: BONNIE FOX
PO BOX 352
FAIRFIELD, ID 83327

Water master's Recommendation:

- a) X 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) _____ Additional comments:

Dated this 24th day of October, 2017

Water District No. 37B

Rusty Kramer
Water master's Signature

Rusty Kramer
Printed Name