



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

August 23, 2017

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

SUNRAIN VARIETIES LLC
5466 W 49TH S
IDAHO FALLS, ID 83402

RE: Transfer No. 81789
Water Right No(s). 22-14141, 22-14144, 22-14145, 22-14146, 22-14147,
22-14148, 22-387A, 22-7029, 22-7479

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the TETON VALLEY NEWS, TIMES NEWS, IDAHO STATESMAN, LEWISTON TRIBUNE, POST REGISTER, TIMES NEWS on August 31 and September 7, 2017. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**on September 18, 2017 at 5:00 pm**).

If the 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 the 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 approval document.

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

Sincerely,

Sharla Cox
Administrative Assistant

CC: LUKE H MARCHANT
HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS, ID 83405



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

August 23, 2017

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

Lyle Swank
Water District 01
900 N Skyline Dr Ste A
Idaho Falls ID 83402

RE: Application for Transfer 81789

Dear Watermaster:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered during regional review. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

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

Sincerely,

Sharla Cox
Administrative Assistant

Enclosure(s)

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, August 23, 2017 11:06 AM
To: 'legals@idahostatesman.com'
Subject: Legal Notice for your paper
Attachments: Idaho Statesman 1.RTF

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A.
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

August 23, 2017

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Legal Ad

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before September 18, 2017. Your cooperation is appreciated.

Sincerely,

Sharla Cox
Administrative Assistant
Department of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-525-7161
208-525-7177 – fax

.....

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81789

SUNRAIN VARIETIES LLC, 5466 W 49TH S, IDAHO FALLS, ID 83402; has filed Application No. 81789 for changes to the following water rights within TETON County(s): Right No(s). 22-14141, 22-14144, 22-14145, 22-14146, 22-14147, 22-14148, 22-387A, 22-7029, 22-7479; 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: change point of diversion, add point of diversion, and change place of use. The points of diversion will be in SESENE Sec 12 T04N R44E and SWNWNE Sec 18 T04N R45E for 8.52 cfs from ground water; and Lot 2 (NWNE) Sec 14 T04N R44E for 6.94 cfs from Mahogany Creek. Water from the two sources is limited to a combined 10.69 cfs. The place of use is within Sec 12 T04N R44E, and Sec 7 and 18 T04N R45E for 721.5 acres within a 750 acre permissible place of use.

For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. 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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before September 18, 2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on August 31 and September 7, 2017

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, August 23, 2017 11:07 AM
To: 'legals@lmtribune.com'
Subject: Legal Notice for your paper
Attachments: Lewiston Morning Tribune E-Mail.doc

August 23, 2017

Legal Notice Department
LEWISTON MORNING TRIBUNE
505 C ST PO BOX 957
LEWISTON ID 83501

RE: Legal Ad

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before September 18, 2017. Your cooperation is appreciated.

Sincerely,

Sharla Cox
Administrative Assistant
Department of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-525-7161
208-525-7177 – fax

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81789

SUNRAIN VARIETIES LLC, 5466 W 49TH S, IDAHO FALLS, ID 83402; has filed Application No. 81789 for changes to the following water rights within TETON County(s): Right No(s). 22-14141, 22-14144, 22-14145, 22-14146, 22-14147, 22-14148, 22-387A, 22-7029, 22-7479; 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: change point of diversion, add point of diversion, and change place of use. The points of diversion will be in SESENE Sec 12 T04N R44E and SWNWNE Sec 18 T04N R45E for 8.52 cfs from ground water; and Lot 2 (NWNE) Sec 14 T04N R44E for 6.94 cfs from Mahogany Creek. Water from the two sources is limited to a combined 10.69 cfs. The place of use is within Sec 12 T04N R44E, and Sec 7 and 18 T04N R45E for 721.5 acres within a 750 acre permissible place of use.

For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. 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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before September 18, 2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on August 31 and September 7, 2017

Sharla

August 23, 2017

Legal Notice Department
LEWISTON MORNING TRIBUNE
505 C ST PO BOX 957
LEWISTON ID 83501

RE: Legal Ad

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before September 18, 2017. Your cooperation is appreciated.

Sincerely,

Sharla Cox
Administrative Assistant
Department of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-525-7161
208-525-7177 – fax

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81789**

SUNRAIN VARIETIES LLC, 5466 W 49TH S, IDAHO FALLS, ID 83402; has filed Application No. 81789 for changes to the following water rights within TETON County(s): Right No(s). 22-14141, 22-14144, 22-14145, 22-14146, 22-14147, 22-14148, 22-387A, 22-7029, 22-7479; 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: change point of diversion, add point of diversion, and change place of use. The points of diversion will be in SESENE Sec 12 T04N R44E and SWNWNE Sec 18 T04N R45E for 8.52 cfs from ground water; and Lot 2 (NWNE) Sec 14 T04N R44E for 6.94 cfs from Mahogany Creek. Water from the two sources is limited to a combined 10.69 cfs. The place of use is within Sec 12 T04N R44E, and Sec 7 and 18 T04N R45E for 721.5 acres within a 750 acre permissible place of use.

For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. 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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before September 18, 2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on August 31 and September 7, 2017

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, August 23, 2017 11:05 AM
To: 'legalnotices@postregister.com'
Subject: Legal Notice for your paper
Attachments: Post Register E-Mail.doc

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A.
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

August 23, 2017

Legal Notice Department

Post Register
PO Box 1800
Idaho Falls ID 83403

RE: Legal Adds for your paper

Dear Staci Dockery:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and **bill to this office** before September 18, 2017. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant
Dept of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-525-7161
208-525-7177 – fax

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81789**

SUNRAIN VARIETIES LLC, 5466 W 49TH S, IDAHO FALLS, ID 83402; has filed Application No. 81789 for changes to the following water rights within TETON County(s): Right No(s). 22-14141, 22-14144, 22-14145, 22-14146, 22-14147, 22-14148, 22-387A, 22-7029, 22-7479; 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: change point of diversion, add point of diversion, and change place of use. The points of diversion will be in SESENE Sec 12 T04N R44E and SWNWNE Sec 18 T04N R45E for 8.52 cfs from ground water; and Lot 2 (NWNE) Sec 14 T04N R44E for 6.94 cfs from Mahogany Creek. Water from the two sources is limited to a combined 10.69 cfs. The place of use is within Sec 12 T04N R44E, and Sec 7 and 18 T04N R45E for 721.5 acres within a 750 acre permissible place of use. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. 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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before September 18, 2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on August 31 and September 7, 2017

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, August 23, 2017 11:05 AM
To: 'legals@magicvalley.com'
Subject: Legal Notice for your paper
Attachments: Times News E-Mail.doc

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A.
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

August 23, 2017

Legal Notice Department
TIMES NEWS
PO BOX 548
TWIN FALLS ID 83303-0548

RE: Legal Ad

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before September 18, 2017. Your cooperation is appreciated.

Sincerely,

Sharla Cox
Administrative Assistant
Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-525-7161

.....
NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81789

SUNRAIN VARIETIES LLC, 5466 W 49TH S, IDAHO FALLS, ID 83402; has filed Application No. 81789 for changes to the following water rights within TETON County(s): Right No(s). 22-14141, 22-14144, 22-14145, 22-14146, 22-14147, 22-14148, 22-387A, 22-7029, 22-7479; 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: change point of diversion, add point of diversion, and change place of use. The points of diversion will be in SESENE Sec 12 T04N R44E and SWNWNE Sec 18 T04N R45E for 8.52 cfs from ground water; and Lot 2 (NWNE) Sec 14 T04N R44E for 6.94 cfs from Mahogany Creek. Water from the two sources is limited to a combined 10.69 cfs. The place of use is within Sec 12 T04N R44E, and Sec 7 and 18 T04N R45E for 721.5 acres within a 750 acre permissible place of use.

For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. 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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before September 18, 2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on August 31 and September 7, 2017

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, August 23, 2017 11:05 AM
To: 'office@tetonvalleynews.net'
Subject: Legal Notice for your paper
Attachments: Teton Valley Cover Letter.doc

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

This may contain more than 1 page.

August 23, 2017

Legal Notice Department
TETON VALLEY NEWS
80 E LITTLE AVE
DRIGGS ID 83422

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. **Please send the affidavit and bill to this office before September 18, 2017.** Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant
Dept of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-525-7161
208-525-7177 – fax

PLEASE PUT IN NORMAL COLUMN AND NO BORDERS. THANK YOU.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81789

SUNRAIN VARIETIES LLC, 5466 W 49TH S, IDAHO FALLS, ID 83402; has filed Application No. 81789 for changes to the following water rights within TETON County(s): Right No(s). 22-14141, 22-14144, 22-14145, 22-14146, 22-14147, 22-14148, 22-387A, 22-7029, 22-7479; 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: change point of diversion, add point of diversion, and change place of use. The points of diversion will be in SESENE Sec 12 T04N R44E and SWNWNE Sec 18 T04N R45E for 8.52 cfs from ground water; and Lot 2 (NWNE) Sec 14 T04N R44E for 6.94 cfs from Mahogany Creek. Water from the two sources is limited to a combined 10.69 cfs. The place of use is within Sec 12 T04N R44E, and Sec 7 and 18 T04N R45E for 721.5 acres within a 750 acre permissible place of use.

For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. 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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before September 18, 2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on August 31 and September 7, 2017