

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-34257

Priority: July 14, 2016

Maximum Diversion Volume: 2,963.0 AF

This is to certify, that LEIGHTON LLC
7627 HWY 44
STAR ID 83669

has applied for a permit to appropriate water from:

Source: GROUND WATER

Tributary: BOISE RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
AESTHETIC STORAGE	01/01 to 12/31	2,963.0 AF
RECREATION STORAGE	01/01 to 12/31	2,963.0 AF
WILDLIFE STORAGE	01/01 to 12/31	2,963.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L3 (SE¼NW¼)	Sec. 14, Twp 04N,	Rge 02W, B.M., CANYON County
GROUND WATER	L6 (NE¼SW¼)	Sec. 14, Twp 04N,	Rge 02W, B.M., CANYON County
GROUND WATER	SE¼SW¼	Sec. 11, Twp 04N,	Rge 02W, B.M., CANYON County
GROUND WATER	NE¼NW¼	Sec. 14, Twp 04N,	Rge 02W, B.M., CANYON County
GROUND WATER	L6 (SE¼SW¼)	Sec. 14, Twp 04N,	Rge 02W, B.M., CANYON County

PLACE OF USE: AESTHETIC STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 02W 11									X			X					
04N 02W 14					X			X	X	X	X			X	X		
04N 02W 14							L3	L6	L5	L5	L6			L2	L7		
									X								

PLACE OF USE: RECREATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 02W 11									X			X					
04N 02W 14					X			X	X	X	X			X	X		
04N 02W 14							L3	L6	L5	L5	L6			L2	L7		
									X								

PLACE OF USE: WILDLIFE STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 02W 11									X			X					
04N 02W 14					X			X	X	X	X			X	X		
04N 02W 14							L3	L6	L5	L5	L6			L2	L7		
									X								

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-34257

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2022**.
2. Subject to all prior water rights.
3. The five (5) ponds established by the storage of water under this right shall not exceed a total capacity of 2835.0 acre-feet or a total surface area of 81.0 acres.
4. Right 63-34257 authorizes a total annual storage volume of 2963.0 acre-feet; 2835.0 acre-feet to be used for the initial filling or carryover storage of the ponds and 128.0 acre-feet for the replacement of losses caused by evaporation.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.
8. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
8. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.

Signed this 30th day of January, 2017.



Nick Miller

Manager, IDWR Western Region

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

63-34257

This map depicts the AESTHETIC STORAGE, RECREATION STORAGE, and WILDLIFE STORAGE 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.

02W



0 0.225 0.45 0.9 Miles

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





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 30, 2017

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

LEIGHTON LLC
7627 HWY 44
STAR ID 83669

RE: Permit No.63-34257

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit 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 a party 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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

Also, 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,

 Rachel Neely for:

Nick Miller

Western Regional Manager

Enclosure(s)

cc: SPF WATER ENGINEERING LLC

CERTIFICATE OF SERVICE

I hereby certify that on January 30, 2017 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 63-34257

**LEIGHTON LLC
7627 HWY 44
STAR ID 83669**

**SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE ID 83706**



**Rachel Neely
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.

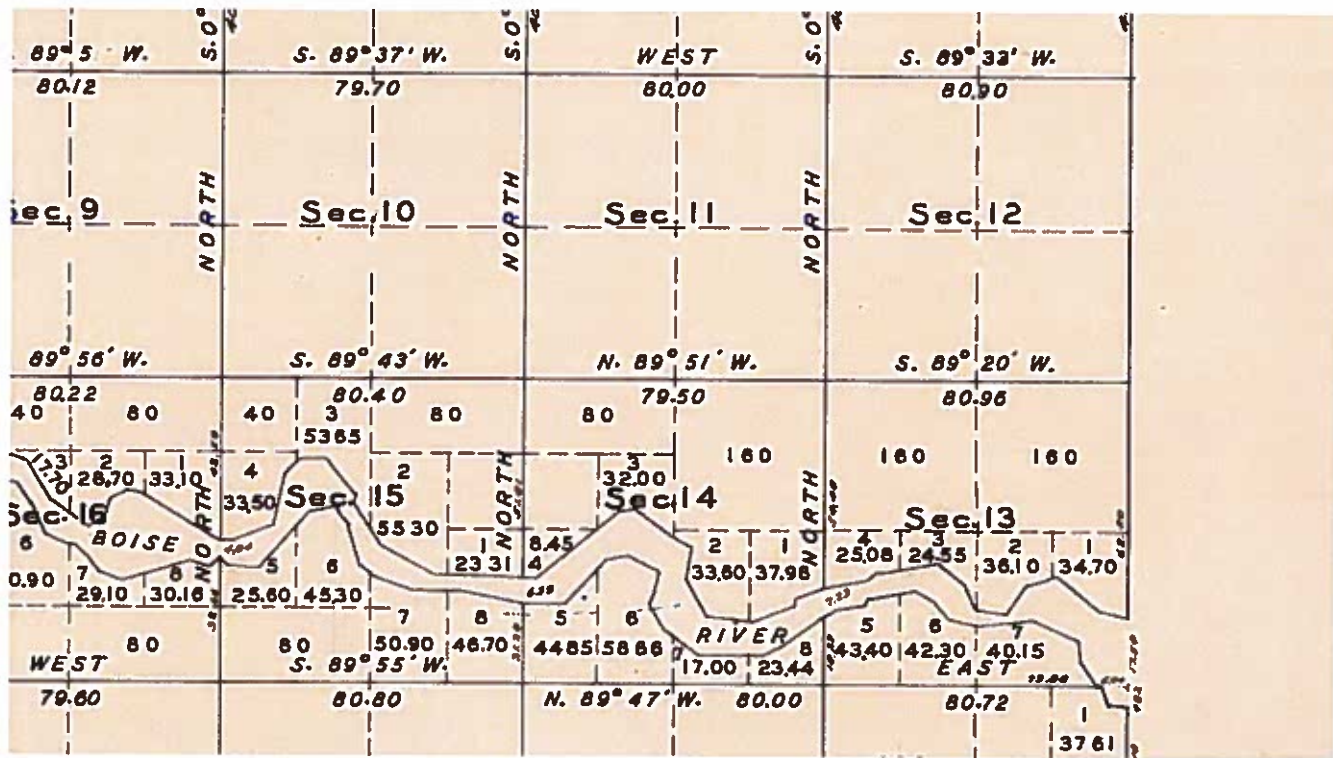
The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: January 19, 2017
To: Water Right File 63-34257
From: Angie Grimm
Re: Permit POU Recommendation

The application form states the NWSW of Section 14 as part of Gov't Lot 6. However, based on review of the BLM plat, only portions of Gov't Lots 5 and 4 are within the NWSW. No portion of Gov't Lot 6 appears to include this QQ. It's difficult to interpret the Gov't Lots in this area since the river has drastically changed course, but based on application form, ponds are located south of or inside the historic river channel. Therefore, Gov't Lot 5 (NWSW) is recommended as part of the permit POU. Also, recommend including NWSW Sec 14 without a Gov't Lot designation since it's unclear what designation would be appropriate for the portion of the existing pond inside the historic river channel.

The permit POU recommended is slightly different than the POU published. The publication was based on the application form POU. The applicant was not required to amend the application to clarify Gov't Lot designation per AP Memo No. 9, as this is considered a clarification rather than a mistake. The application does not need to be re-advertised, considering the changes in the recommended POU do not alter the approximate location of the proposed use, which is all that is required for publication per 42-203A, Idaho Code.



T4N R2W

Proof of Publication
The Post Register

RECEIVED

DEC 06 2016

WATER RESOURCES
WESTERN REGION

State of Idaho
County of Bonneville

I, ~~Dawn Giannini~~ or Staci Dockery, first being duly sworn, depose and say: That I am the ~~Classified Manager~~, or Legal Notice Representative of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published Tuesday through Sunday at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880, and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidations up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register under ad number: 4436 for 2 consecutive (days) weeks, between 11/17/2016 and 11/24/2016, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Staci Dockery

Subscribed and sworn to before me, this 24th day of November 2016



Karla Brown
Notary Public
My commission expires: 07/28/2022

attached jurat

STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

RECEIVED

NOV 30 2016

PAYABLE

Subscribed and sworn to before me, this 24th day of November 2016, before me, the undersigned, a Notary public for said state, personally appeared ~~Dawn Giannini~~ or Staci Dockery, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Karla Brown
Notary Public for The Post Company
Residing: Idaho Falls, Idaho
Commission expires: 07/28/2022

RECEIVED

DEC 09 2016

WATER DIVISION

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

63-34257

LEIGHTON LLC

7627 HWY 44

STAR, ID 83669

Points of Diversion NENW L3(SENW) L6(NESW)

L6(SESW) S14 T04N R02W CANYON County

Source GROUND WATER Tributary BOISE RIVER

Point of Diversion SESW S11 T04N R02W

CANYON County Source GROUND WATER Tributary

BOISE RIVER

Use: AESTHETIC STORAGE 01/01 to 12/31 2963

AF

Use: RECREATION STORAGE 01/01 to 12/31

2963 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 2963

AF

Total Diversion: 2963 AF

Date Filed: 7/14/2016

Places of Use: AESTHETIC STORAGE, RECREATION

STORAGE, WILDLIFE STORAGE

T04N R02W S11 NESW SESW

T04N R02W S14NENW L3(SENW) L6(NESW) L6

(NWSW) L5(SWSW) L6(SESW) L2(NWSE) L7

(SWSE)

Water bearing zone to be appropriated is from 0 to 45 feet.

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), please see

www.idwr.idaho.gov/WaterManagement/Water-Rights.

Protests may be submitted based on the criteria of Idaho Code § 42-203A. 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 12/05/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published: 11/17/2016 and 11/24/2016 (4436)

VOKRD
12/16/16

12/16/16
12/16/16

KARLA BROWN
Notary Public
State of Idaho

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

RUBY AUFDERHEIDE, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

IDAHO DEPT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, ID 83705

ORDER NUMBER 36239

Ruby Aufderheide
(Legals Clerk)

STATE OF IDAHO)
.SS
COUNTY OF TWIN FALLS)

On this 23rd day of November in the year of 2016 before me, a Notary Public, personally appeared before me Ruby Aufderheide known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Melody Xoumanivong
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 4/21/2017

PUBLISHED ON: 11/17/2016, 11/24/2016

TOTAL AD COST: 110.85

FILED ON: 11/23/2016

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

63-34257
LEIGHTON LLC
7627 HWY 44
STAR, ID 83669

Points of Diversion NENW L3(SENW) L6(NESW) L6(SES) S14
T04N R02W CANYON County Source GROUND WATER
Tributary BOISE RIVER

Point of Diversion SESW S11 T04N R02W CANYON County
Source GROUND WATER Tributary BOISE RIVER

Use: AESTHETIC STORAGE 01/01 to 12/31 2963 AF
Use: RECREATION STORAGE 01/01 to 12/31 2963 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 2963 AF
Total Diversion: 2963 AF

Date Filed: 7/14/2016

Places of Use: AESTHETIC STORAGE, RECREATION
STORAGE, WILDLIFE STORAGE

T04N R02W S11 NESW SESW

T04N R02W S14NENW L3(SENW) L6(NESW) L6(NWSW)
L5(SWSW) L6(SES) L2(NWSE) L7(SWSE)

Water bearing zone to be appropriated is from 0 to 45 feet.

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), please see www.idwr.idaho.gov/WaterManagement/WaterRights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. 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 12/05/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

PUBLISH: November 17 and 24, 2016

RECEIVED

DEC 05 2016

WATER RESOURCES
WESTERN REGION



TRIBUNE PUBLISHING COMPANY, INC

The Lewiston Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date: 11/24/2016 INVOICE NO. 129794
Account No. 964760
Description 129794 The foll
Times 2 Lines 38
Tab. lines
\$ 111.15

**LEGAL ADVERTISING
INVOICE**

Sold To: DEPT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE ID 83705

RECEIVED**DEC 02 2016****WATER RESOURCES
WESTERN REGION**PO# 63-34257

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

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

63-34257
LEIGHTON LLC
7627 HWY 44
STAR, ID 83669
Points of Diversion NENW L3(SENW) L6(NESW) L6(SESW)
S14 T04N R02W CANYON County Source GROUND WATER
Tributary BOISE RIVER
Point of Diversion SESW S11 T04N R02W CANYON County
Source GROUND WATER Tributary BOISE RIVER
Use: AESTHETIC STORAGE 01/01 to 12/31 2963 AF
Use: RECREATION STORAGE 01/01 to 12/31 2963 AF
Use: WILDLIFE STORAGE 01/01 to 12/31 2963 AF
Total Diversion: 2963 AF

Date Filed: 7/14/2016

Places of Use: AESTHETIC STORAGE, RECREATION
STORAGE, WILDLIFE STORAGE
T04N R02W S11 NESW SESW
T04N R02W S14NENW L3(SENW) L6(NESW) L6(NWSW)
L5(SWSW) L6(SESW) L2(NWSE) L7(SWSE)
Water bearing zone to be appropriated is from 0 to 45 feet.

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), please see www.idwr.idaho.gov/WaterManagement/WaterRights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. 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 12/05/2016. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Published on 11/17/2016 and 11/24/2016

Karen J. Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, publishers of the Lewiston Tribune, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 105 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 129794 The foll attached hereto and which is made a part of this affidavit was published in the said Lewiston Tribune,

2 time(s). Publication being on 11/17, or once a Week for 2 consecutive Week, the first publication thereof being on the 11/17/2016, and the last publication thereof being on the 11/24/2016, and said 129794 The foll was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J. Lewis

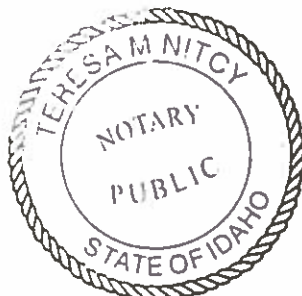
State of Idaho

S.S.

County of Nez Perce

On this 29 day of Nov in the year of 2016, before me, a Notary Public, personally appeared Karen J. Lewis, 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 executed the same.

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 1/23/22



29512 1545014

1 IDAHO DEPT OF WATER RESOURCES

WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

RECEIVED

DEC 01 2016

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)

County of Canyon)

Sharon Jessen
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

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 City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County 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:
11/17/2016 11/24/2016

Sharon Jessen

STATE OF IDAHO

County of Canyon)

On this 26th day of November in the year of 2016 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.

Brenda L. Stroud

Notary Public for Idaho

Residing at Canyon County

My Commission expires 05/04/2021



LEGAL NOTICE

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

JOKRN 12/6/16
63-34285
SCOTT A DE SEELHORST
SUSAN M DE SEEL
HORST
10400 W OVERLAND RD
#407
BOISE, ID 83709
Point of Diversion NENE
S15 T03N R04W CANYON
County Source GROUND
WATER
Use: COMMERCIAL 01/01
to 12/31 0.04 CFS
Use: DOMESTIC 01/01 to
12/31 0.04 CFS
Use: IRRIGATION 03/01 to
11/15 0.22 CFS
Total Diversion: 0.3 CFS
Date Filed: 10/3/2016
Places of Use: IRRIGA-
TION, COMMERCIAL, DO-
MESTIC
T03N R04W S15 NENE
Total Acres: 11
Water bearing zone to be
appropriated is from 100 to
500 feet.

63-34257
LEIGHTON LLC
7827 HWY 44
STAR, ID 83689
Points of Diversion NENW
L3(SENW) L6(NESW) L6
(SESW) S14 T04N R02W
CANYON County Source
GROUND WATER Tribu-
tary BOISE RIVER
Point of Diversion SESW
S11 T04N R02W CANYON
County Source GROUND
WATER Tributary BOISE
RIVER
Use: AESTHETIC STOR-
AGE 01/01 to 12/31 2963
AF
Use: RECREATION STOR-
AGE 01/01 to 12/31 2963
AF
Use: WILDLIFE STORAGE
01/01 to 12/31 2963 AF
Total Diversion: 2963 AF
Date Filed: 7/14/2016
Places of Use: AESTHETI
STORAGE, RECREATION
STORAGE, WILDLIFE
STORAGE
T04N R02W S11 NESW
SESW
T04N R02W S14NENW L
(SENW) L6(NESW) L6
(NWSW) L5(SWSW) L6
(SESW) L2(NWSE) L7
(SWSE)
Water bearing zone to be
appropriated is from 0 to 4
feet.

Permits will be subject to
prior water rights. For ad-
ditional information concern-
ing the property location, con-
tact the Western Region office
(208) 334-2190; or for a full
description of the right,
please see www.idwr.idaho.gov/WaterManagement/WaterRights. Protests may
be submitted based on the cri-
teria of Idaho Code § 42-203.
Any protest against the ap-
proval of the application
must be filed with the Dir-
ector, Dept. of Water Re-
sources, Western Region,
2735 Airport Way, Boise,
ID 83705 together with a pro-
test fee of \$25.00 for each ap-
plication on or before
12/05/2016. The protest
must also send a copy of
the protest to the applicant.

GARY SPACKMAN,
Director

November 17, 24, 2016
1545C

JOKRN 12/6/16

RECEIVED

DEC 13 2016

WATER RESOURCES
DIVISION



LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
283978	0002781364	LEGAL NOTICE The following applications have	Stanley	\$286.18	2	91

Attention: RACHEL NEELY

IDAHO DEPT OF WATER RESOURCES / WEST
2735 AIRPORT WAY
BOISE, ID 837055082

RECEIVED

NOV 30 2016

WATER RESOURCES
WESTERN REGION

LEGAL NOTICE

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

63-34105
M & C STANLEY LLC ✓ OK RN 12/6/16
2224 N RAM AVE
EAGLE, ID 83616
Points of Diversion NENW NWNW SENW S35 T05N R01E ADA County
Source GROUND WATER Tributary BOISE RIVER
(2) Points of Diversion SWNW S35 T05N R01E ADA County Source
GROUND WATER Tributary BOISE RIVER
Use: IRRIGATION 03/01 to 11/15 0.38 CFS
Total Diversion: 0.38 CFS
Date Filed: 7/6/2015
Place of Use: IRRIGATION
T05N R01E S35 NW(ALL) NESW NWSW
Total Acres: 141
Water bearing zone to be appropriated is from 25 to 200 feet.
Mitigation is proposed for consumptive use.
Applicant proposes irrigation of 19 acres within the place of use described.

63-34177
J R SIMPLOT COMPANY ✓ OK RN 12/6/16
PO BOX 27
BOISE, ID 83707
Point of Diversion SENW S8 T03N R02E ADA County Source GROUND
WATER Tributary BOISE RIVER
Use: COMMERCIAL 01/01 to 12/31 0.08 CFS
Use: IRRIGATION 03/01 to 11/15 0.27 CFS
Total Diversion: 0.35 CFS
Date Filed: 12/14/2015
Places of Use: COMMERCIAL, IRRIGATION
T03N R02E S8 SENW
Total Acres: 3
Water bearing zone to be appropriated is from 0 to 250 feet.
Mitigation is proposed for consumptive use.

63-34259
MOON LAKE RANCH OWNERS ASSN INC ✓ OK RN 12/6/16
PO BOX 810
STAR, ID 83669
Point of Diversion L5(NWSW) S14 T04N R01W ADA County Source
GROUND WATER
Use: AESTHETIC 01/01 to 12/31 0.12 CFS
Total Diversion: 0.12 CFS
Date Filed: 8/5/2016
Place of Use: AESTHETIC
T04N R01W S14 L5(NWSW)
Water bearing zone to be appropriated is from 200 to 245 feet.

63-34257
LEIGHTON LLC ✓ OK RN 12/6/16
7627 HWY 44
STAR, ID 83669
Points of Diversion NENW L3(SENW) L6(NESW) L6(SESW) S14 T04N
R02W CANYON County Source GROUND WATER Tributary BOISE RIVER
Point of Diversion SESW S11 T04N R02W CANYON County Source
GROUND WATER Tributary BOISE RIVER
Use: AESTHETIC STORAGE 01/01 to 12/31 2963 AF
Use: RECREATION STORAGE 01/01 to 12/31 2963 AF
Use: WILDLIFE STORAGE 01/01 to 12/31 2963 AF
Total Diversion: 2963 AF
Date Filed: 7/14/2016
Places of Use: AESTHETIC STORAGE, RECREATION STORAGE, WILDLIFE STORAGE
T04N R02W S11 NESW SESW
T04N R02W S14 NENW L3(SENW) L6(NESW) L6(NWSW) L5(SWSW)
L6(SESW) L2(NWSE) L7(SWSE)
Water bearing zone to be appropriated is from 0 to 45 feet.

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), please see www.idwr.idaho.gov/WaterManagement/WaterRights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. 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 12/05/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Pub. Nov. 17, 24, 2016

0002781364-01

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

Beginning issue of: 11/17/2016

Ending issue of: 11/24/2016

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)

.SS

COUNTY OF ADA)

On this 25th day of November in the year of 2016 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Anna Gomm
Notary Public FOR Idaho
Residing at: Boise, Idaho

My Commission expires: 08/17/2022

