

JUL 12 2016

WATER RESOURCES
WESTERN REGION

42-222 POD - 09/14

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☒ Ownership change ☐ Ownership split

1. APPLICANT(S) MICHAEL &/or EULLA WALLACE Phone 208-315-1212
 2. MAILING ADDRESS 3288 WALLACE LN City NEW MEADOWS
 State ID Zip 83654 Email 4_mykids@frontiernet.net

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☒ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 78-10067

- ☐ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 0.16 cubic feet per second and/or N/A acre-feet per annum.
 (diversion rate) (storage volume)

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
	3	NW	NW	SW	9	19N	02E	ADAMS	SPRING	KALINOWSKI
	3	NW	NW	SW	9	19N	02E	ADAMS	SPRING	HENLEY

6. 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:

The spring flows in to a catch base, We cover the case basin with a 24 inch round concrete cover because people kept getting in to it, then flows into a 2 inch pipe to my house for drinking and irrigation,

- b. Who owns the property at the point(s) of diversion? Edward Kalinowski (28) Jim & Sandra Henley (27)

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

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).
(Disregard if these items are on file and ownership has not changed.)

7. MAP - ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. The *Map Tool*, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

8. SIGNATURE - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Michael C. Wallace
Signature of applicant or authorized agent

Michael C Wallace
Print name and title if applicable

06/30/16
Date

Eulla Wallace
Signature of applicant or authorized agent

Eulla F Wallace
Print name and title if applicable

06/30/16
Date

9. FEE - ☐ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by _____ Date _____

Fee paid 225.- Date 7/12/2016

Received by (K) Receipt # W000710

Preliminary review by DM

Date 7-14-16

Active in the Water Supply Bank? Yes ☐ No ☒

W-9 received? Yes ☐ No ☐

Name on W-9 _____

W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

7/5/2016

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LEONARD M WALLACE PO BOX 126 NEW MEADOWS, ID 83654 (208)347-2446

Current Owner **SHERYL K WALLACE**
PO BOX 126
NEW MEADOWS, ID 83654
(208)347-2446

Status: Active

Tributary
THREEMILE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.080 CFS	
DOMESTIC	01/01	12/31	0.080 CFS	
	Total Diversion		0.160 CFS	

SPRINGS	L3(SENWSW)	Sec. 9, Twp 19N, Rge 02E, ADAMS County
SPRINGS	L3(SENWSW)	Sec. 9, Twp 19N, Rge 02E, ADAMS 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
19N	02E	8													X				

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
19N	02E	8													4.0				4.0

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.	X01	Domestic use is for 2 homes.
3.	N10	The quantity of water decreed for this water right for domestic use is not a

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/5/2016

determination of historical beneficial use.

4. **N12** The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

Dates and Other Information

Decreed Date: 11/6/2007
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Mitigation Plan: False

Combined Use Limits

N/A

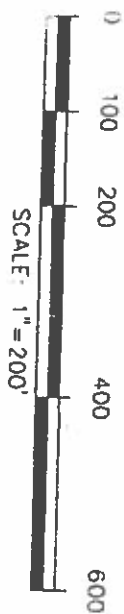
SubCase:

N/A

Water Supply Bank:

N/A

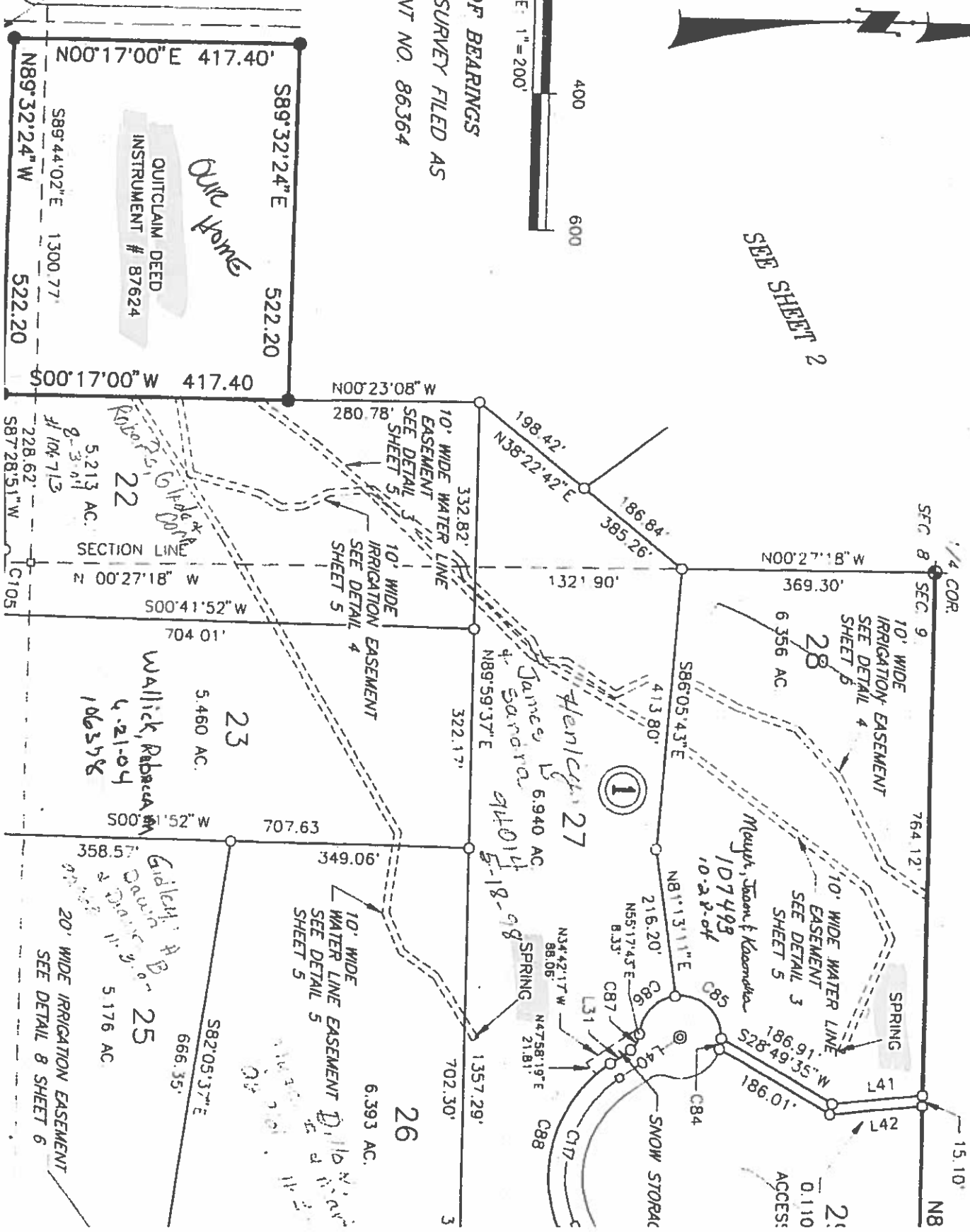
8103



**BASIS OF BEARINGS
RECORD OF SURVEY FILED AS
INSTRUMENT NO. 86364**

Our Home

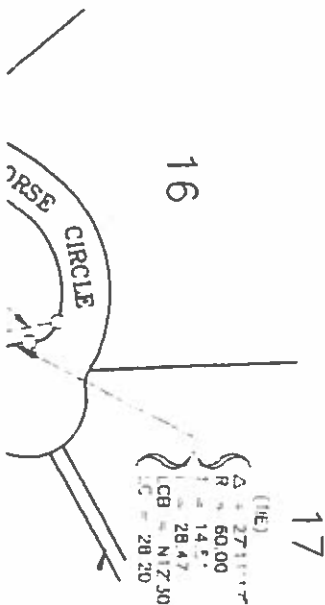
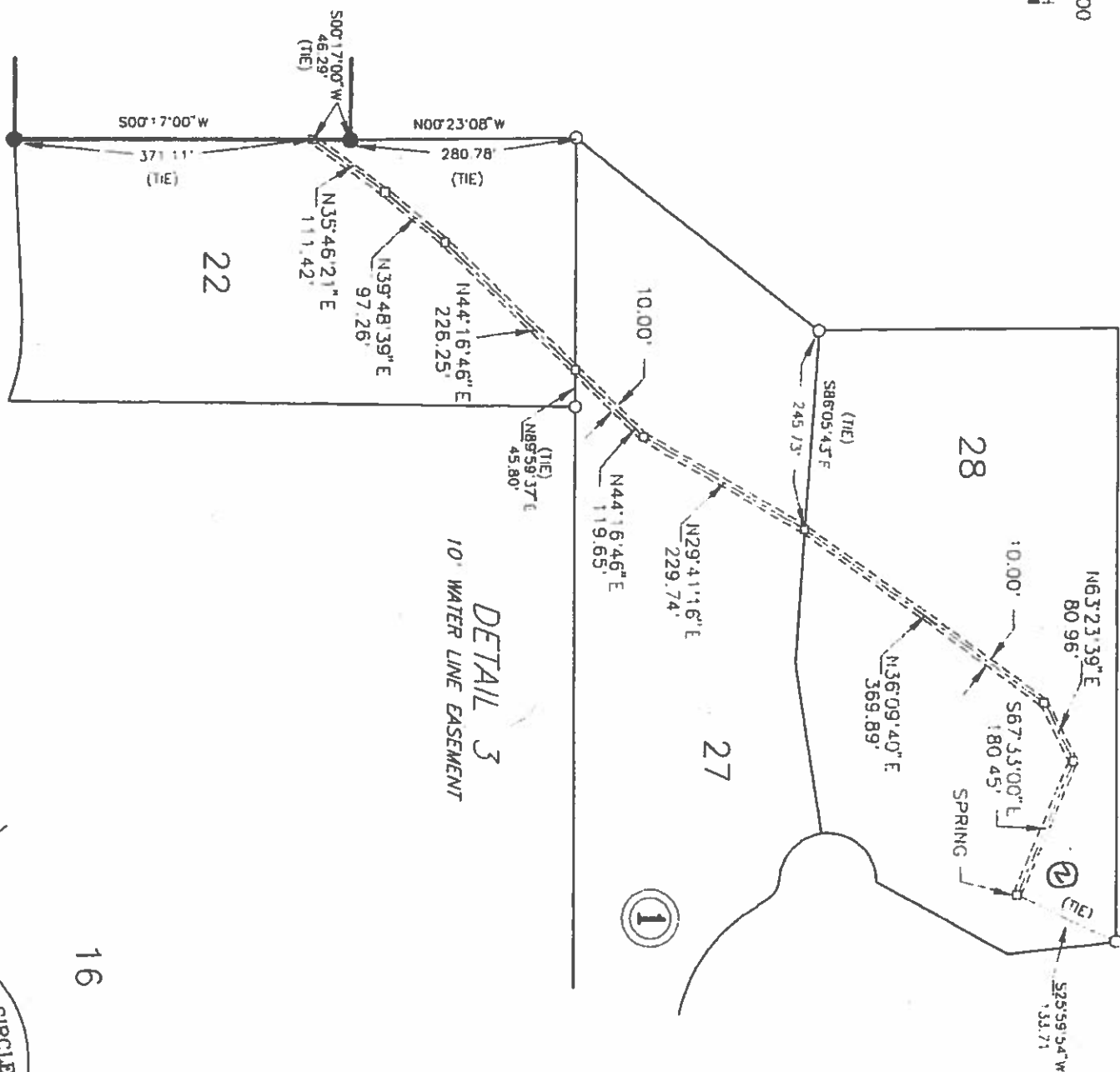
QUITCLAIM DEED
INSTRUMENT # 87624

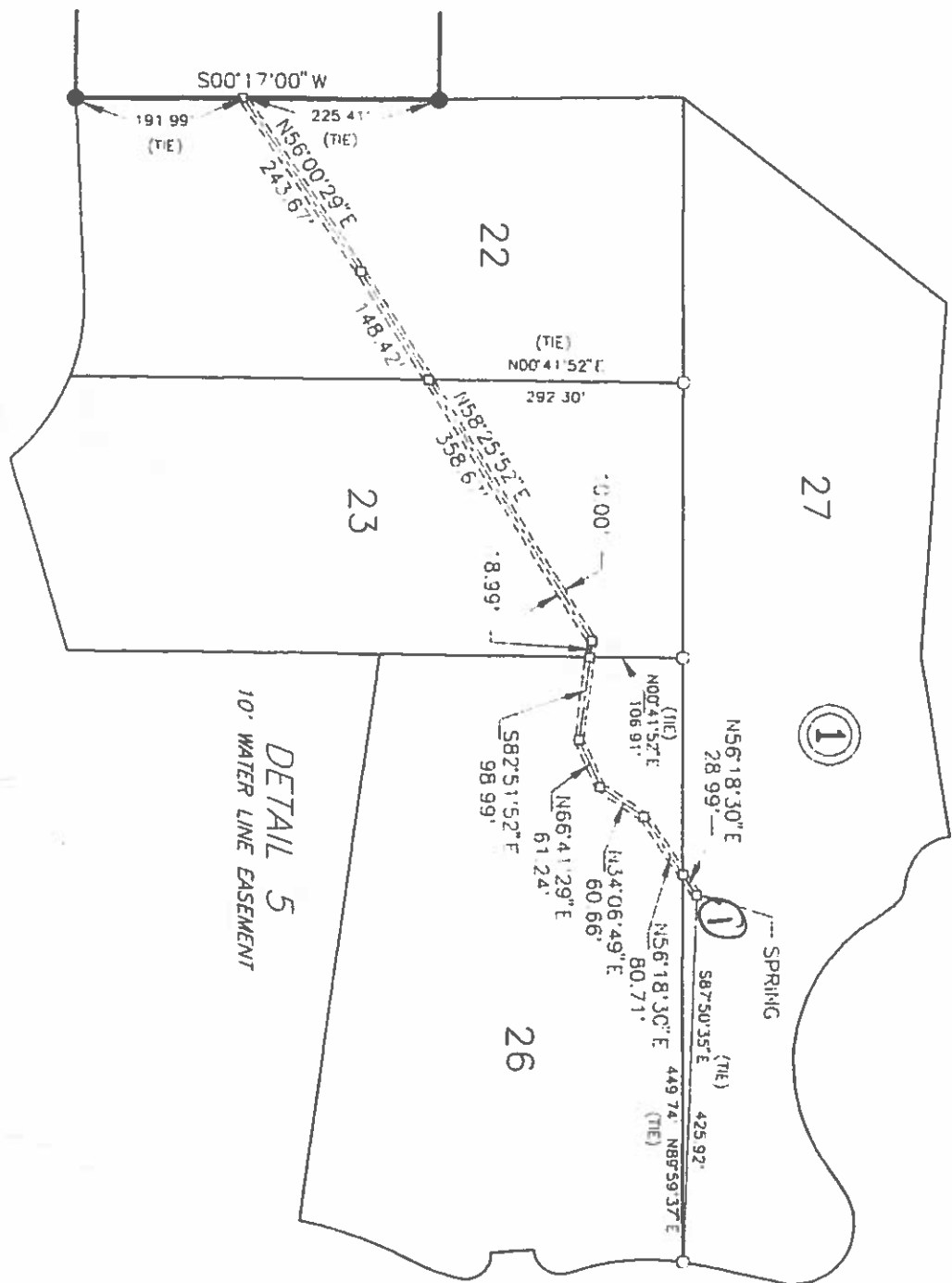


200 400 600

SCALE 1"=200'

BASIS OF BEARINGS
ORD OF SURVEY FILED AS
IN PLUMENT NO. 86364





DETAIL 5
10' WATER LINE EASEMENT

Wallace Transfer

Legend

- 78-10067 POU
- 78-10067 PODs
- Transfer POD locations
- Township/Range
- Sections
- QQ

0 0.0225 0.045 0.09 Miles

The USDA-FSA Aerial Photography Field Office asks to be credited in derived

 78-10067 POU
 78-10067 PODs
 Transfer POD locations
 Township/Range
 Sections
 QQ

 N

0 0.0225 0.045 0.09 Miles

The USDA-FSA Aerial Photography Field office asks to be credited in derived products

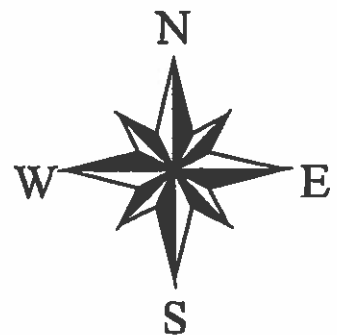
78-10067



700 0 700 1400 Feet

T19N R02E S08

Map prepared by: Carter Fritschle
Date prepared: 06/16/06
2004 NAIP Photography
Idaho Department of Water Resources



81039

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

6/30/2016

WATER RIGHT NO. 78-10067

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LEONARD M WALLACE
Current Owner	SHERYL K WALLACE
	PO BOX 126
	NEW MEADOWS, ID 83654
	(208)347-2446

Priority Date: 09/01/1970

Basis: Decreed

Status: Active

Original on file

<u>Source</u>	<u>Tributary</u>
SPRINGS	THREEMILE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.08 CFS	
DOMESTIC	01/01	12/31	0.08 CFS	
Total Diversion			0.16 CFS	

Location of Point(s) of Diversion:

SPRINGS|SENWSW Lt 3|Sec. 09|Township 19N|Range 02E|ADAMS County
SPRINGS|SENWSW Lt 3|Sec. 09|Township 19N|Range 02E|ADAMS County

DOMESTIC Use:

Number of homes: 2

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADAMS County

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Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
19N	02E	8		NESE	4									

Place of Use Legal Description: DOMESTIC ADAMS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
19N	02E	8		NESE										

Total Acres: 4

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. X01 Domestic use is for 2 homes.
3. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
4. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

Dates:

Licensed Date:

Decreed Date: 11/06/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

INSTRUMENT NO. **99257**
PAGE 1 OF 6

NOTATION REQUESTED BY:

Sterling Savings Bank
900 Second St
McCall, ID 83638

Instrument # 99257

COUNCIL, ADAMS, IDAHO
2001-01-09 01:56:10 No. of Pages: 6
Recorded for : **TIMBERLINE TITLE & ESCROW**
MICHAEL FISK Fee 18.00
Ex-Officio Recorder Deputy *Deputy*
Index to: DEED OF TRUST

WHEN RECORDED MAIL TO:

Sterling Savings Bank
Consumer Loan Servicing
PO Box 2224
Spokane, WA 99201

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

DEED OF TRUST

THIS DEED OF TRUST is dated January 2, 2001, among **MICHAEL C WALLACE** and **EULLA C WALLACE**, HUSBAND AND WIFE ("Grantor"); Sterling Savings Bank, whose address is McCall, 900 Second St, McCall, ID 83638 (referred to below sometimes as "Lender" and sometimes as "Beneficiary"); and **TIMBERLINE TITLE AND ESCROW**, whose address is PO BOX 6, COUNCIL, ID 83612 (referred to below as "Trustee").

CONVEYANCE AND GRANT. For valuable consideration, Grantor does hereby irrevocably grant, bargain, sell and convey in trust, with power of sale, to Trustee for the benefit of Lender as Beneficiary, all of Grantor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties, and profits relating to the real property, including without limitation all minerals, oil, gas, geothermal and similar matters, (the "Real Property") located in **ADAMS County, State of Idaho:**

TRACT 1: TOWNSHIP 19 NORTH, RANGE 2 EAST, BOISE MERIDIAN, ADAMS COUNTY, IDAHO. SECTION 8: A PARCEL OF LAND SITUATED IN THE NE1/4SE1/4 AND THE SE1/4SE1/4 MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT AN ALUMINUM CAP MARKING THE SECTION CORNER COMMON TO SECTIONS 8, 9, 16 AND 17, TOWNSHIP 19 NORTH, RANGE 2 EAST, BOISE MERIDIAN, ADAMS COUNTY, IDAHO; THENCE NORTH 00° 27' 23" WEST 1272.31 FEET ALONG A LINE COMMON TO SAID SECTIONS 8 AND 9; THENCE NORTH 89° 32' 24" WEST 247.33 FEET TO AN EXISTING FENCE LINE THE REAL POINT OF BEGINNING; THENCE CONTINUING NORTH 89° 32' 24" WEST 522.20 FEET ALONG SAID EXISTING FENCE LINE; THENCE NORTH 00° 17' 00" EAST 417.40 FEET ALONG SAID EXISTING FENCE LINE; THENCE SOUTH 89° 32' 24" EAST 522.20 FEET ALONG SAID EXISTING FENCE LINE; THENCE SOUTH 00° 17' 00" WEST 417.40 FEET ALONG SAID EXISTING FENCE LINE TO THE REAL POINT OF BEGINNING. EXCEPTING THEREFROM THE FOLLOWING: COMMENCING AT THE CORNER COMMON TO SECTION 8, 9, 16 AND 17 SAID TOWNSHIP AND RANGE; THENCE NORTH ALONG THE EAST LINE OF SECTION 8, A DISTANCE OF 1,320.00 FEET TO A POINT; THENCE WEST 369 FEET TO THE REAL POINT AND PLACE OF BEGINNING; THENCE WEST 208 FEET TO A POINT; THENCE NORTH 208 FEET TO A POINT; THENCE EAST 208 FEET TO A POINT; THENCE SOUTH 208 FEET TO THE REAL POINT OF BEGINNING. ALSO EXCEPTING THEREFROM THE COUNTY ROAD RIGHT OF WAY AS NOW ESTABLISHED.

The Real Property or its address is commonly known as **3288 WALLACE LN, NEW MEADOWS, ID 83654**. The Real Property tax identification number is **RP19N02E084800A**.

Grantor presently assigns to Lender (also known as Beneficiary in this Deed of Trust) all of Grantor's right, title, and interest in and to all present and future leases of the Property and all Rents from the Property. In addition, Grantor grants to Lender a Uniform Commercial Code security interest in the Personal Property and Rents.

THIS DEED OF TRUST, INCLUDING THE ASSIGNMENT OF RENTS AND THE SECURITY INTEREST IN THE RENTS AND PERSONAL PROPERTY, IS GIVEN TO SECURE (A) PAYMENT OF THE INDEBTEDNESS AND (B) PERFORMANCE OF ANY AND ALL OBLIGATIONS UNDER THE NOTE, THE RELATED DOCUMENTS, AND THIS DEED OF TRUST. THIS DEED OF TRUST IS GIVEN AND ACCEPTED ON THE FOLLOWING TERMS:

PAYMENT AND PERFORMANCE. Except as otherwise provided in this Deed of Trust, Grantor shall pay to Lender all amounts secured by this Deed of Trust as they become due, and shall strictly and in a timely manner perform all of Grantor's obligations under the Note, this Deed of Trust, and the Related Documents.

POSSESSION AND MAINTENANCE OF THE PROPERTY. Grantor agrees that Grantor's possession and use of the Property shall be governed by the following provisions:

Possession and Use. Until the occurrence of an Event of Default, Grantor may (1) remain in possession and control of the Property; (2) use, operate or manage the Property; and (3) collect the Rents from the Property. The following provisions relate to the use of the Property or to other limitations on the Property. **THE REAL PROPERTY EITHER IS NOT MORE THAN FORTY (40) ACRES IN AREA OR IS LOCATED WITHIN AN INCORPORATED CITY OR VILLAGE.**

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INSTR

IT NO. 99257

PAGE

OF

DEED OF TRUST
(Continued)

700612036

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and all substitutions for, any of such property; and together with all proceeds (including without limitation all insurance proceeds and refunds of premiums) from any sale or other disposition of the Property.

Property. The word "Property" means collectively the Real Property and the Personal Property.

Real Property. The words "Real Property" mean the real property, interests and rights, as further described in this Deed of Trust.

Related Documents. The words "Related Documents" mean all promissory notes, credit agreements, loan agreements, environmental agreements, guaranties, security agreements, mortgages, deeds of trust, security deeds, collateral mortgages, and all other instruments, agreements and documents, whether now or hereafter existing, executed in connection with the Indebtedness.

Rents. The word "Rents" means all present and future rents, revenues, income, issues, royalties, profits, and other benefits derived from the Property.

Trustee. The word "Trustee" means TIMBERLINE TITLE AND ESCROW, whose address is PO BOX 6, COUNCIL, ID 83612 and any substitute or successor trustees.

EACH GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS DEED OF TRUST, AND EACH GRANTOR AGREES TO ITS TERMS.

GRANTOR:

x Michael C. Wallace
MICHAEL C WALLACE, Individually

x Eulla C Wallace
EULLA C WALLACE, Individually

INDIVIDUAL ACKNOWLEDGMENT

STATE OF

ID

COUNTY OF

Valley

On this

2nd

day of

Jan

in the year 20

01

Eric Watson

a notary public in and for the State of Idaho, personally appeared MICHAEL C WALLACE and EULLA C WALLACE, known or identified to me (or proved to me on the oath of _____), to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

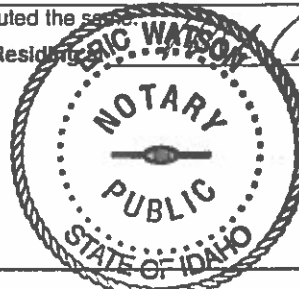
Notary Public for Idaho

My commission expires

2/27/04

Residing at

Eric Watson



REQUEST FOR FULL RECONVEYANCE

(To be used only when obligations have been paid in full)

To: Trustee Service, Trustee

The undersigned is the legal owner and holder of all Indebtedness secured by this Deed of Trust. All sums secured by this Deed of Trust have been fully paid and satisfied. You are hereby directed, upon payment to you of any sums owing to you under the terms of this Deed of Trust or pursuant to any applicable statute, to cancel the Note secured by this Deed of Trust (which is delivered to you together with this Deed of Trust), and to reconvey, without warranty, to the parties designated by the terms of this Deed of Trust, the estate now held by you under this Deed of Trust. Please mail the reconveyance and Related Documents to:

Date:

March 11, 2004

Beneficiary:

STERLING SAVINGS BANK

By:

Kriston Sumner

Its:

Team Specialist

June 30, 2016

RECEIVED

JUL 07 2016

WATER RESOURCES
WESTERN REGION

To whom this may concern:

I(Eulla & Michael Wallace)have filled out the information to the best of our knowledge, Please review and let us know if we need to make correction.

Michael + Sissy Wallace -
Michael & Eulla(Sissy) Wallace

3288 Wallace Lane

New Meadows, Idaho 83654

208-315-1211 or 208-315-1212

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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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 28, 2016

EULLA WALLACE
MICHAEL WALLACE
3288 WALLACE LN
NEW MEADOWS, ID 83654

RE: Transfer No. 81039
Water Right No. 78-10067

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 RECORD on 8/3/2016 and 8/10/2016. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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,

A handwritten signature in black ink, appearing to read 'Rachel Neely', with a long horizontal flourish extending to the right.

Rachel Neely
Administrative Assistant

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, July 28, 2016 8:03 AM
To: 'Gamaliel Masters'
Subject: Adams Legal Ads
Attachments: Adams Cover Letter.docx; Adams Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 8/3/2016 & 8/10/2016.

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

July 28, 2016

LEGAL NOTICE DEPARTMENT
THE RECORD
PO BOX R
COUNCIL, ID 83612

RE: Transfer No. 80338,
Water Right No(s): 78-12440, 78-12441, 78-12442, 78-12443

Transfer No. 81039,
Water Right No(s): 78-10067

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 8/22/2016. 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:

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

PAUL R SCHAETZEL, 4040 STETSON AVE, ROSAMOND, CA 93560; has filed **Application No. 80338** for changes to the following water rights within ADAMS County(s): Right No(s). 78-12440, 78-12441, 78-12442, 78-12443; 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 add two new points of diversion on the applicant's property. Irrigation of 9.9 acres and 0.31 cfs of Seawell Creek water that is injected into Threemile Creek will be diverted from Threemile Creek. The historic point of diversion from Seawell Creek is not proposed to be changed. The irrigated acres and point of diversion are located off of Threemile Creek, approximately 0.5 miles downstream of existing diversion and 3 miles northeast of New Meadows.

EULLA WALLACE and MICHAEL WALLACE, 3288 WALLACE LN, NEW MEADOWS, ID 83654; has filed **Application No. 81039** for changes to the following water rights within ADAMS County(s): Right No(s). 78-10067; 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 correct the legal description of the points of diversion for water right 78-10067. The two unnamed springs historically used for the irrigation of 4.0 acres and domestic use for two homes are approximately 0.06 miles and 0.18 miles northwest of the current descriptions and are approximately 3 miles northeast of New Meadows. The transfer will also result in a change of ownership from Leonard Wallace to Michael and Eulla Wallace.

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/WaterManagement/WaterRights. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 8/22/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/3/2016 and 8/10/2016



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

July 28, 2016

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

EDWARD KALINOWSKI
PO BOX 127
NEW MEADOWS ID 83654

JAMES L HENLEY
PO BOX 396
NEW MEADOWS ID 83654

LYNN MCDONALD
PO BOX 654
NEW MEADOWS ID 83654

Re: Application for Transfer No. 81039

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 Record* 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 August 22, 2016. 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