

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80641

This is to certify that: **BUNDY YOUTH RANCH**
108 CHRISTIAN CHURCH CAMP RD
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>
37-1233	WR/DECREED	4/1/1910	3.200 cfs	N/A	153.0	187.0	SOLDIER CREEK

Purpose of Transfer (Changes Proposed)

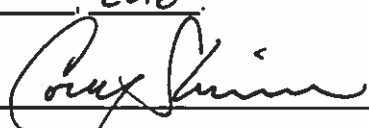
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-1233	NO	NO	NO	YES	NO	NO

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>
37-1233	37-1233	3.200 cfs	N/A	153.0	187.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.200 cfs	N/A	153.0	187.0		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 8th day of July, 2016.


Southern Region Manager

WATER RIGHT NO. 37-1233

As Modified by Transfer No. 80641

In accordance with the approval of Transfer No. 80641, Water Right No. 37-1233 is now described as follows:

Right Holder: BUNDY YOUTH RANCH
108 CHRISTIAN CHURCH CAMP RD
FAIRFIELD, ID 83327

Priority Date: 4/1/1910

Source: SOLDIER CREEK

Tributary: CAMAS CREEK

BENEFICIAL USE

IRRIGATION

From

04/15

to

To

10/31

Diversion Rate

3.200 cfs

3.200 cfs

LOCATION OF POINT(S) OF DIVERSION

SOLDIER CREEK

NESW

Sec 16 Twp 01N Rge 14E CAMAS County

SOLDIER CREEK

SESWSW

Sec 9 Twp 01N Rge 14E CAMAS County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	14E	16			39.0			10.0	2.0	35.0	22.0			4.0		36.0	39.0		187.0

Right Acre Limit: 153.0

POU Total Acres: 187.0

CONDITIONS OF APPROVAL

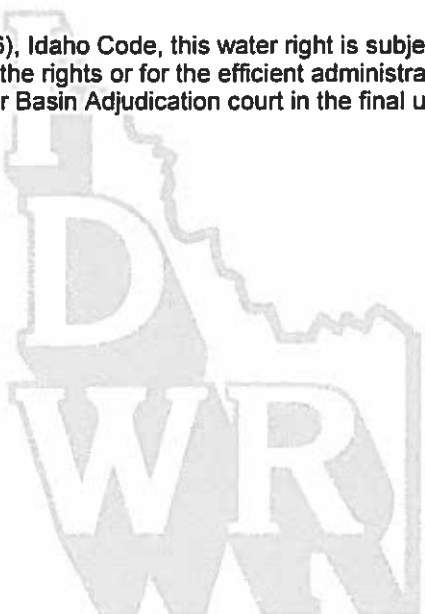
1. This right is limited to the irrigation of 153.0 acres within the authorized place of use in a single irrigation season.
2. Rights 37-855 and 37-1233 when combined shall not exceed the irrigation of 187.0 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. Use of water under this right will 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.
5. 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).

Transfer No. 80641

WATER RIGHT NO. 37-1233
As Modified by Transfer No. 80641

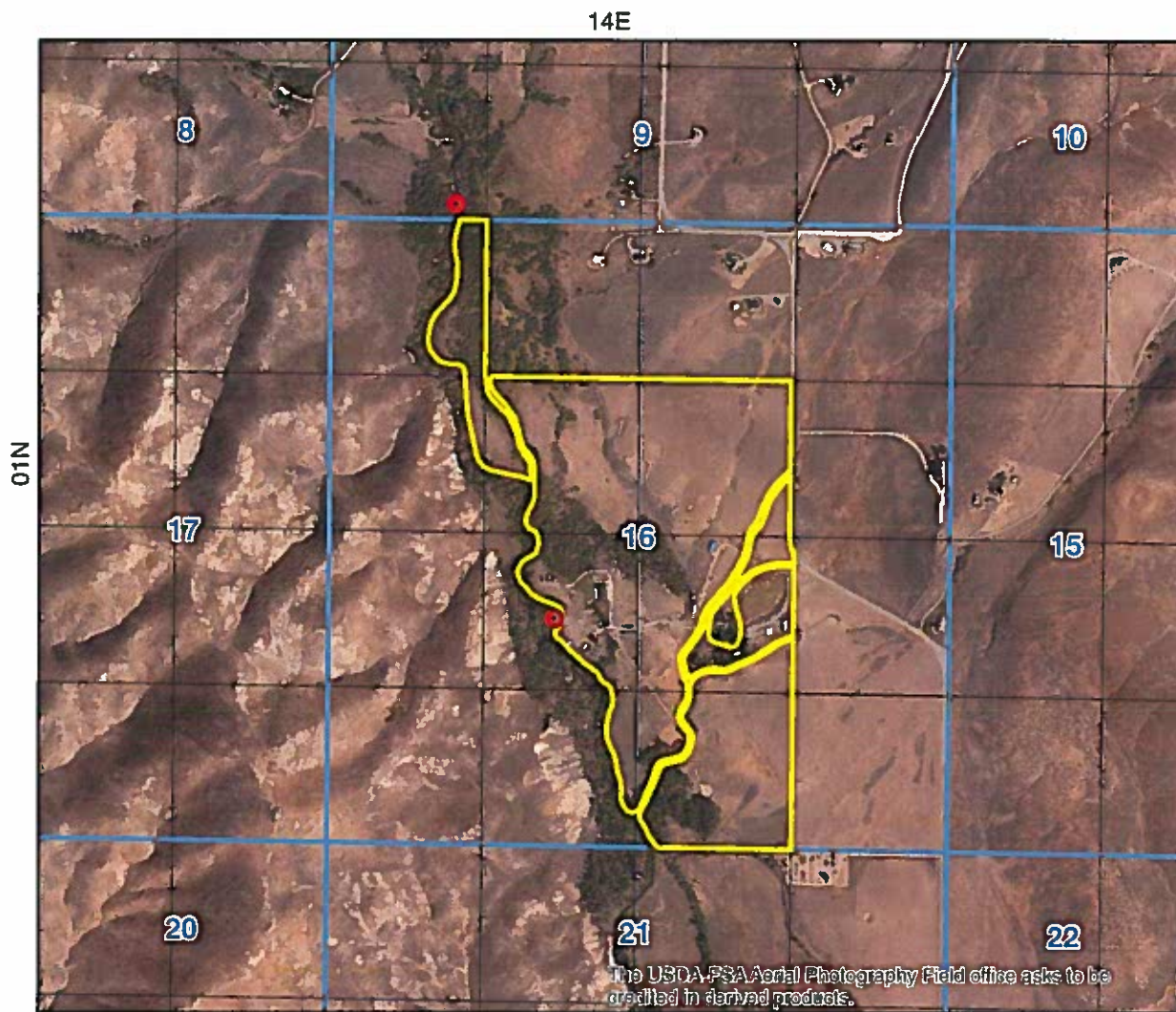
CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 No. 80641
37-1233

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.



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

0 0.175 0.35 0.7 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

July 8, 2016

BUNDY YOUTH RANCH
108 CHRISTIAN CHURCH CAMP RD
FAIRFIELD ID 83327

Re: Transfer No: 80641
Water Right No(s): 37-1233

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", written over a horizontal line.

Corey Skinner
Southern Regional Manager

Enclosure

cc:

RUSTY KRAMER WATER MASTER
WATER DISTRICT 37B
PO BOX 507
FAIRFIELD ID 83327

CERTIFICATE OF SERVICE

I hereby certify that on July 8, 2016 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

**Re: Transfer No.: 80641
Water Right No(s): 37-1233**

**BUNDY YOUTH RANCH
108 CHRISTIAN CHURCH CAMP RD
FAIRFIELD ID 83327**

**RUSTY KRAMER WATER MASTER
WATER DISTRICT 37B
PO BOX 507
FAIRFIELD ID 83327**

A handwritten signature in cursive script, reading "Denise Maline", is written over a solid horizontal line.

**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.

RECEIVED

JUN 20 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

AFFIDAVIT OF PUBLICATION

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 80641, 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 18th day of May, 2016, and the date of the last publication was on the 25th day of May, 2016.

Edward Reagan

On this 15 day of June, in the year of 2016 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.

✓ OK DM
6-20-2016

BOBBIE WALTON
NOTARY PUBLIC
STATE OF IDAHO

Bobbie Walton

Notary Public for Idaho

Residing in Fairfield

My commission expires: 4-22-17

----- Cost of Publication

Pica Count 1070

of runs 2

Cost for Advert: First run \$ 85.60

Additional runs \$ 74.90

Total Cost \$ 160.50

Legal ad rates:

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

Mail payment to:

THE COURIER NEWS
Post Office Box 339
Fairfield, Idaho 83327



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

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 80641

BUNDY YOUTH RANCH, 108 CHRISTIAN CHURCH CAMP RD, FAIRFIELD, ID 83327; has filed Application No. 80641 for changes to the following water rights within CAMAS County(s): Right No(s). 37-1233; 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 proposes adding an additional point of diversion for a 3.2 cfs Soldier Creek water right that is used to irrigate 153 acres within a 187 acre permissible place of use on property located west of Soldier Road approximately 4.9 to 5.9 miles north of Fairfield. The application proposes adding a second authorized point of diversion from Soldier Creek to be located approximately 5.25 miles north and 0.4 miles west of Fairfield. The new point of diversion will be located approximately 0.7 miles downstream of the currently authorized point of diversion.

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 June 6, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
published on May 18th & 25th, 2016

NOTICE OF SHERIFF'S SALE

Under and by virtue of a Writ of Execution on Judgment of Foreclosure issued on the 13th day of April, 2016, and an Order of Sale of Foreclosure filed on the 1st day of April, 2016, out of the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Camas in the case of:

WELLS FARGO BANK, N.A.,
Plaintiff,

v.

DEBORAH J. SHENK AKA DEBBIE J. SHENK; THE UNKNOWN HEIRS, ASSIGNS AND DEVISEES OF JOHN M. SHENK; WELLS FARGO FINANCIAL NATIONAL BANK; AND DOES 1 THROUGH 20, INCLUSIVE, including all parties with an interest in and/or residing in real property commonly known as, 920 5th Street West, Fairfield, ID 83327, and legally described as: LOTS 3 AND 4 IN BLOCK 5 OF SOLDIER MOUNTAIN ESTATES SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED AS INSTRUMENT NO. 70271, RECORDS OF CAMAS COUNTY, IDAHO,
Defendants.

Case No.
CV-2015-20

Sheriff Case No.
2016-00016

NOTICE OF SALE

Date of Sale:
June 23rd, 2016

Time of Sale:
10:00 am

Place of Sale:
Camas County
Courthouse

LOTS 3 AND 4 IN BLOCK 5 OF SOLDIER MOUNTAIN ESTATES SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED AS INSTRUMENT NO. 70271, RECORDS OF CAMAS COUNTY, IDAHO

The sale will be made without covenant or warranty regarding title, possession, or encumbrances to satisfy the obligation of Defendants the Unknown Heirs, Assigns and Devisees of John M. Shenk and Deborah J. Shenk aka Debbie J. Shenk pursuant to the Judgment entered in this matter on April 1, 2016 and recorded in the official records of Camas County. Whereas a Writ of Execution issued out of the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Camas, in the above name case on April 13, 2016.

The real property sold at the sale shall be subject to the redemption rights of redemptioners, as that term is defined in Idaho Code Section 11-401, may redeem the property from the purchaser within six months after the sale, upon paying the purchaser the amount of their purchase, with interest on that amount at the rate allowed by Idaho Code Section 28-22-401(1) from the date of the sale to the date of redemption, together with the amount of any assessment or taxes which the purchaser may have paid after the commencement of the action and which are not included in the judgment and interest allowed pursuant to Idaho Code Section 28-22-104(1).

In the event the purchaser is a creditor having a prior lien to that of the redemptioners, other than the judgment under which the purchase is made, the purchaser will also be entitled to payment of that lien amount with interest at the rate allowed in Idaho Code Section 18-22-104(1).

The Sheriff, by Certificate of Sale, will transfer all right, title and interest of the judgment debtors in and to the property at the time of execution of attachment was levied.

DATED this 11th day of May, 2016.

David L Sanders
SHERIFF OF CAMAS COUNTY, IDAHO
Connie C Johnson
Civil Deputy, Camas County Sheriff's Office

NOTICE IS HEREBY GIVEN, that on the 23rd day of June, 2016, at 10:00 am of said day, at the Camas County Courthouse, I will sell all the right, title and interest of the said Defendants in and to the said property described herein, at public auction, to the highest bidder for cash in currency of the United States of America, all payable at time of sale the following described property, situated in Camas County, Idaho:

920 5th Street West, Fairfield, ID 83327, and legally described as follows:

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

RECEIVED

MAY 18 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

Transfer Application No.: 80641

Water Right No(s): 37-1233

Transfer Applicant's Name: BUNDY YOUTH RANCH
108 CHRISTIAN CHURCH CAMP RD
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 16th day of May, 2016

Water District No. 37B

Rusty Kramer
Water master's Signature

Rusty Kramer
Printed Name