

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79490**

This is to certify that: **DAVID MARK HOBSON**
24 S 700 W
BURLEY, ID 83318

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>
45-14433	WR/DECREED	6/9/1960	0.800 cfs	212.8 af	N/A	84.5	GROUND WATER
45-14434	WR/DECREED	3/13/1976	0.200 cfs	39.2 af	N/A	84.5	GROUND WATER
45-14435	WR/DECREED	3/15/1976	0.210 cfs	87.6 af	N/A	84.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

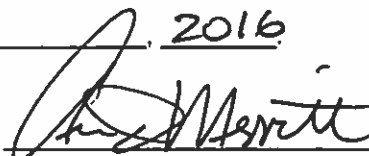
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-14433	NO	NO	YES	YES	NO	NO
45-14434	NO	NO	YES	YES	NO	NO
45-14435	NO	YES	YES	YES	NO	NO

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>
45-14433	45-14433	0.800 cfs	212.8 af	53.2	156.4	N/A	N/A	N/A	N/A	N/A
45-14434	45-14434	0.200 cfs	39.2 af	9.8	156.4	N/A	N/A	N/A	N/A	N/A
45-14435	45-14435	0.210 cfs	87.6 af	21.9	156.4	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.800 cfs	338.0 af	84.5	156.4		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 March, 2016



Southern Region Manager

SUPPORT DATA

Transfer No. 79490

IN FILE # 45-14433

WATER RIGHT NO. 45-14433**As Modified by Transfer No. 79490**

In accordance with the approval of Transfer No. 79490, Water Right No. 45-14433 is now described as follows:

Right Holder: DAVID MARK HOBSON
24 S 700 W
BURLEY, ID 83318

Priority Date: 6/9/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.800 cfs	212.8 af
			0.800 cfs	212.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESESW	Sec 29 Twp 10S Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec 31 Twp 10S Rge 22E	CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	22E	31	37.8	40.6	37.0	41.0													156.4

Right Acre Limit: 53.2

POU Total Acres: 156.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 53.2 acres within the authorized place of use in a single irrigation season.
2. Rights 45-14433, 45-14434, and 45-14435 when combined shall not exceed a total diversion rate of 0.8 cfs, a total annual maximum diversion volume of 338 af at the field headgate, and the irrigation of 84.5 acres.
3. Right 45-14433, 45-14434, and 45-14435 are limited to the irrigation of a specific 84.5 acres within the 156.4 acre place of use authorized by these rights in a single irrigation season. The specific 84.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 84.5 acres to be irrigated within the 156.4 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 79490

WATER RIGHT NO. 45-14433

As Modified by Transfer No. 79490

CONDITIONS OF APPROVAL

5. 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.140.
6. Prior to the diversion and use of water under Transfer approval 79490, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. Right no. 45-14435 is an enlargement of this right pursuant to section 42-1426, Idaho code.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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.

WATER RIGHT NO. 45-14434**As Modified by Transfer No. 79490**

In accordance with the approval of Transfer No. 79490, Water Right No. 45-14434 is now described as follows:

Right Holder: DAVID MARK HOBSON
24 S 700 W
BURLEY, ID 83318

Priority Date: 3/13/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	0.200 cfs	39.2 af
			0.200 cfs	39.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESESW	Sec 29 Twp 10S Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec 31 Twp 10S Rge 22E	CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	22E	31	37.8	40.6	37.0	41.0													156.4
Right Acre Limit:			9.8																
POU Total Acres:			156.4																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 9.8 acres within the authorized place of use in a single irrigation season.
2. Rights 45-14433, 45-14434, and 45-14435 when combined shall not exceed a total diversion rate of 0.8 cfs, a total annual maximum diversion volume of 338 af at the field headgate, and the irrigation of 84.5 acres.
3. Right 45-14433, 45-14434, and 45-14435 are limited to the irrigation of a specific 84.5 acres within the 156.4 acre place of use authorized by these rights in a single irrigation season. The specific 84.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 84.5 acres to be irrigated within the 156.4 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 79490

WATER RIGHT NO. 45-14434

As Modified by Transfer No. 79490

CONDITIONS OF APPROVAL

5. 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.140.
6. Prior to the diversion and use of water under Transfer approval 79490, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. Right no. 45-14435 is an enlargement of this right pursuant to section 42-1426, Idaho code.
10. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than July 20, 2006
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.

WATER RIGHT NO. 45-14435**As Modified by Transfer No. 79490**

In accordance with the approval of Transfer No. 79490, Water Right No. 45-14435 is now described as follows:

Right Holder: DAVID MARK HOBSON
24 S 700 W
BURLEY, ID 83318

Priority Date: 3/15/1976

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
0.210 cfs
0.210 cfs

Diversion Volume
87.6 af
87.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESESW Sec 29 Twp 10S Rge 22E CASSIA County
GROUND WATER SESENW Sec 31 Twp 10S Rge 22E CASSIA 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	
10S	22E	31	37.8	40.6	37.0	41.0													156.4

Right Acre Limit: 21.9

POU Total Acres: 156.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 21.9 acres within the authorized place of use in a single irrigation season.
2. Rights 45-14433, 45-14434, and 45-14435 when combined shall not exceed a total diversion rate of 0.8 cfs, a total annual maximum diversion volume of 338 af at the field headgate, and the irrigation of 84.5 acres.
3. Right 45-14433, 45-14434, and 45-14435 are limited to the irrigation of a specific 84.5 acres within the 156.4 acre place of use authorized by these rights in a single irrigation season. The specific 84.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 84.5 acres to be irrigated within the 156.4 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 79490

WATER RIGHT NO. 45-14435

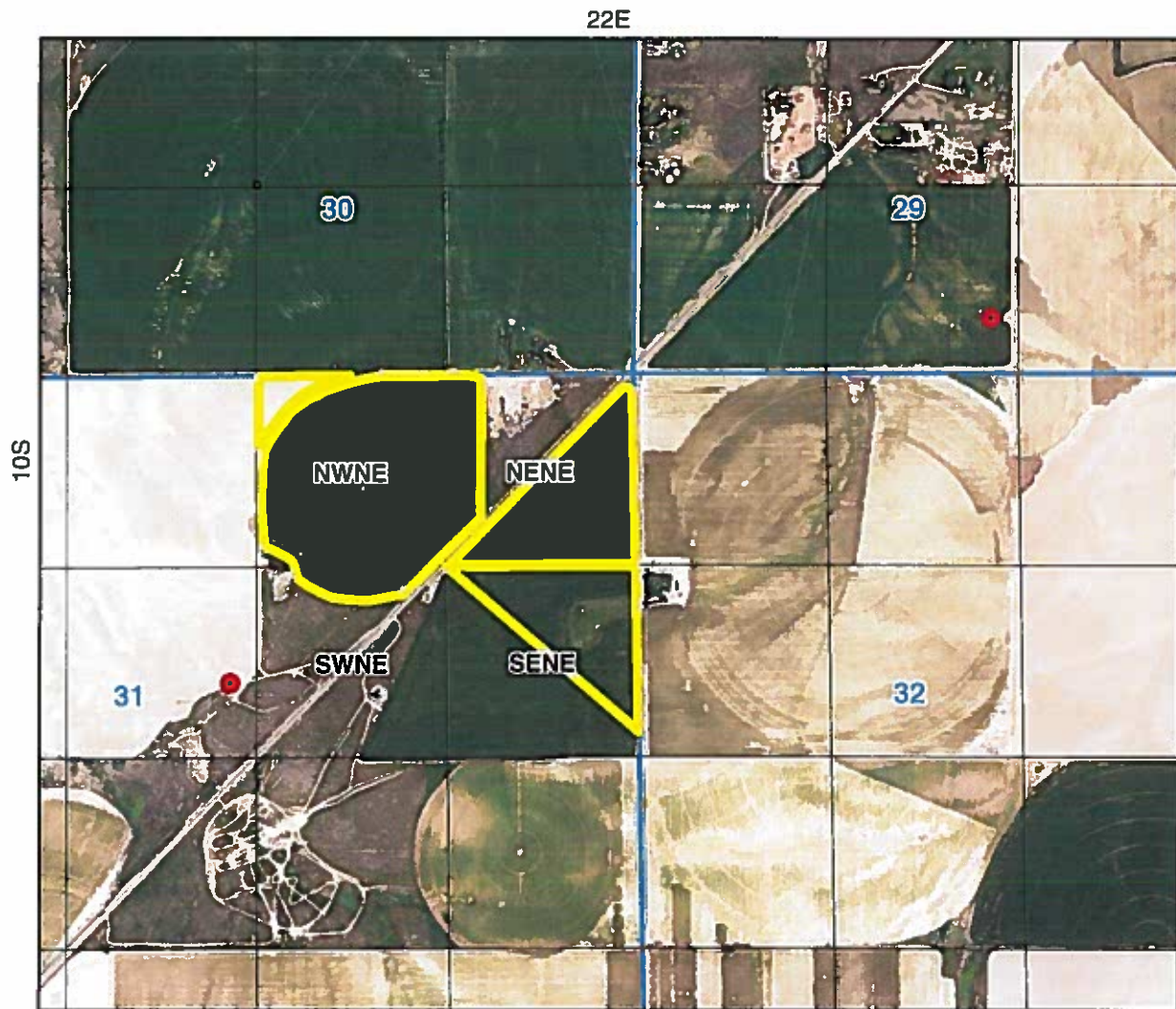
As Modified by Transfer No. 79490

CONDITIONS OF APPROVAL

5. 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. 140.
6. Prior to the diversion and use of water under Transfer approval 79490, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. This right is based upon an enlargement of Right Nos. 45-14433, and 45-14434 pursuant to Section 42-1426, Idaho Code.
10. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 79490
Rights: 45-14433, 45-14434 and 45-14435

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 0.15 0.3 0.6 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

March 8, 2016

DAVID MARK HOBSON
24 S 700 W
BURLEY ID 83318

Re: Transfer No: 79490
Water Right No(s): 45-14433, 45-14434, 45-14435

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 "Allen Merritt". The signature is stylized with a large, sweeping initial "A" and a cursive "Merritt".

Allen Merritt
Southern Regional Manager

Enclosure

cc:

BROCKWAY ENGINEERING PLLC
C/O ERICK POWELL
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

BRIAN HIGGS WATER MASTER
WATER DISTRICT 140
355 W 500 S
BURLEY ID 83318

CERTIFICATE OF SERVICE

I hereby certify that on March 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.: 79490

Water Right No(s): 45-14433, 45-14434, 45-14435

**DAVID MARK HOBSON
24 S 700 W
BURLEY ID 83318**

**BROCKWAY ENGINEERING PLLC
C/O ERICK POWELL
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301**

**BRIAN HIGGS WATER MASTER
WATER DISTRICT 140
355 W 500 S
BURLEY ID 83318**

via e-mail

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

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

ID DEPARTMENT OF WATER RESOURCES
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

ORDER NUMBER 16519

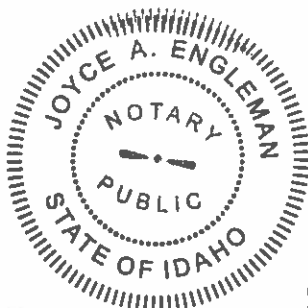
Ruby Aufderheide
(Legals Clerk)

STATE OF IDAHO)
 .SS
COUNTY OF TWIN FALLS)

On this 28th day of Jan 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.

Joyce A. Engleman
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho 6/28/19
My Commission expires: 6/28/19

PUBLISHED ON: 01/21/2016, 01/28/2016



TOTAL AD COST: 224.34
FILED ON: 1/28/2016

RECEIVED

FEB 04 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79490

DAVID MARK HOBSON, 24 S 700 W, BURLEY, ID 83318; has filed Application No. 79490 for changes to the following water rights within CASSIA County(s): Right No(s). 45-14433, 45-14434, 45-14435. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes creating a 156.4 acre permissible place of use and adding a second point of diversion to three ground water rights. The transfer allows for the irrigation of 84.5 acres within the permissible place of use located approximately 6.0 to 6.5 mi. west and 1.3 to 1.8 mi. south of the intersection of Main and Overland in Burley. The transfer is adding an existing well on a neighboring farm located approximately 5.5 mi west and 1.25 mi south of the intersection of Main and Overland in Burley. The three water rights will allow for the diversion of up to 0.8 cfs from the two existing points of diversion.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80562

EVARD LLC, 872 E PEBBLE DR, BURLEY, ID 83318; has filed Application No. 80562 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13741. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes converting a 49 acre portion of an irrigation groundwater right to commercial and stockwater uses associated with a new dairy facility. The new dairy is being constructed on a farm located approximately 2.9 to 5.1 miles north and 21.1 to 23.0 east of the City of Declo. Six existing wells (one primary and five back up) will divert up to 0.58 cfs and 107.4 AF for the new dairy operation.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80598

ALLAN WARD, 2844 ROCKY RD, BURLEY, ID 83318; has filed Application No. 80598 for changes to the following water rights within CASSIA County(s): Right No(s). 45-14338, 45-14340, 45-14401, 45-14403. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes converting a 0.51 cfs portion of two groundwater irrigation rights to stockwater and commercial uses associated with a proposed beef abattoir (slaughterhouse). The two rights currently authorize the irrigation of 64.6 acres on a farm located approximately 7.65 to 7.9 miles south and 5.5 to 6.0 miles west of the center of Burley. The proposed abattoir will be located on the farm and the transferred portions of the two groundwater rights will be diverted from a new well to be drilled at the farm site to provide water for the facility.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80620

FRED HAWKER, 361 W 400 S, BURLEY, ID 83318; has filed Application No. 80620 for changes to the following water rights within CASSIA County(s): Right No(s). 45-256B, 45-284A, 45-286A. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes adding a new point of diversion to three surface water rights that allow for the diversion of up to 5.77 cfs of water from Howell Creek. The new proposed point of diversion is located approximately 0.3 miles upstream from a currently authorized point of diversion on Howell Creek and will provide additional elevation for an existing irrigation gravity flow system. The new proposed point of diversion will be located approximately 3.5 miles south and 1.5 miles east of Albion.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. 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 February 8, 2016. The protestant must also send a copy of the protest to the applicant. GARY SPACKMAN, Director
PUBLISH: January 21 and 28, 2016

✓ OK DM 2/4/2016

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 16519

Publication

Times News

Contact

ID DEPARTMENT OF WATER RESOURCES

Address 1

650 ADDISON AVE W, STE 500

Address 2

City St Zip

TWIN FALLS ID 83301

Phone

2087363033

Fax

Section

Legals

SubSection

Category

50 Legal

Ad Key

16519-1

Keywords

Hobson, Evard, Ward, Hawker

Notes

Ad Proof

PO Number

Rate

Legal Notice

Order Price

224.34

Amount Paid

0.00

Amount Due

224.34

Start/End Dates

01/21/2016 - 01/28/2016

Insertions

2

Size

148

Salesperson(s)

Ruby Aufderheide

Taken By

Ruby Aufderheide

**Proof of legal notice received
from Times News January 14, 2016
(4 total pages)**

DM

NOTICE OF PROPOSED CHANGE OF WATER RIGHT**TRANSFER NO. 79490**

DAVID MARK HOBSON, 24 S 700 W, BURLEY, ID 83318; has filed Application No. 79490 for changes to the following water rights within CASSIA County(s): Right No(s). 45-14433, 45-14434, 45-14435. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes creating a 156.4 acre permissible place of use and adding a second point of diversion to three ground water rights. The transfer allows for the irrigation of 84.5 acres within the permissible place of use located approximately 6.0 to 6.5 mi. west and 1.3 to 1.8 mi. south of the intersection of Main and Overland in Burley. The transfer is adding an existing well on a neighboring farm located approximately 5.5 mi west and 1.25 mi south of the intersection of Main and Overland in Burley. The three water rights will allow for the diversion of up to 0.8 cfs from the two existing points of diversion.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT**TRANSFER NO. 80562**

EVARD LLC, 872 E PEBBLE DR, BURLEY, ID 83318; has filed Application No. 80562 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13741. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes converting a 49 acre portion of an irrigation groundwater right to commercial and stockwater uses associated with a new dairy facility. The new dairy is being constructed on a farm located approximately 2.9 to 5.1 miles north and 21.1 to 23.0 east of the City of Declo. Six existing wells (one primary and five back up) will divert up to 0.58 cfs and 107.4 AF for the new dairy operation.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT**TRANSFER NO. 80598**

ALLAN WARD, 2844 ROCKY RD, BURLEY, ID 83318; has filed Application No. 80598 for changes to the following water rights within CASSIA County(s): Right No(s). 45-14338, 45-14340, 45-14401, 45-14403. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes converting a 0.51 cfs portion of two groundwater irrigation rights to stockwater and commercial uses associated with a proposed beef abattoir (slaughterhouse). The two rights currently authorize the irrigation of 64.6 acres on a farm located approximately 7.65 to 7.9 miles south and 5.5 to 6.0 miles west of the center of Burley. The proposed abattoir will be located on the farm and the transferred portions of the two groundwater rights will be diverted from a new well to be drilled at the farm site to provide water for the facility.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT**TRANSFER NO. 80620**

FRED HAWKER, 361 W 400 S, BURLEY, ID 83318; has filed Application No. 80620 for changes to the following water rights within CASSIA County(s): Right No(s). 45-256B, 45-284A, 45-286A. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes adding a new point of diversion to three surface water rights that allow for the diversion of up to 5.77 cfs of water from Howell Creek. The new proposed point of diversion is located approximately 0.3 miles upstream from a currently authorized point of diversion on Howell Creek and will provide additional elevation for an existing irrigation gravity flow system. The new proposed point of diversion will be located approximately 3.5 miles south and 1.5 miles east of Albion.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. 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 February 8, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

PUBLISH: January 21 and 28, 2016

✓ OK DM 1/14/2016
E-mail sent to
newspaper.

Customer Ad Proof

#Error

Publication

Online

Contact ID DEPARTMENT OF WATER RESOURCES

Address 1 650 ADDISON AVE W, STE 500

Address 2

City St Zip TWIN FALLS ID 83301

Phone 2087363033

Fax

Section Legals

SubSection

Category 50 Legal

Ad Key 16519-1

Keywords Hobson, Evard, Ward, Hawker

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