

RECEIVED

OCT 29 2015

WATER RESOURCES
WESTERN REGIONForm 42-222(4) Rev. 06/12
FEE \$100.00STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

Section 42-222(4), Idaho Code, provides that a water right holder may apply to protect a valid water right from forfeiture. Upon a showing of reasonable cause, the Director may grant one (1) extension of five (5) years in which to resume use.

- Water Right No. 63-34151 (one right per application)
☒ Attach a copy of the water right record, available at <http://www.idwr.idaho.gov>, Water Right Transfers, Step 1, or by contacting any Department office.
- Applicant John P. and Shanna R. Mullins Phone 208-465-4579
- Are you the current water right holder of record? Yes ☒ No ☐
☐ If no, provide documentation of your authority to sign on behalf of the right holder -- OR -- attach a Notice of Change in Water Right Ownership form along with the required documentation and fee.
- Mailing address ☒ Same as water right record -- OR -- complete the following information:
 Address _____ City _____
 State _____ Zip code _____ Email _____
- Give the last date water was beneficially used not sure decreed date 2-6-09
- Explain your reasons for non-use of the water right and your reasons for requesting an extension of time.
 Attach additional documentation if needed.
Property sold to another owner (Curtis to Hagood) and never developed by Hagood
We purchased property in September 2013 and would like to
develop irrigation to water 4.1 acres.

The information contained in this application is true to the best of my knowledge.

<u>John Mullins</u>	<u>John P. Mullins</u>	<u>10-29-15</u>
Signature of applicant or authorized agent	Print name (and title, if applicable)	Date
<u>Shanna R. Mullins</u>	<u>Shanna R. Mullins</u>	<u>10/29/15</u>
Signature of applicant or authorized agent	Print name (and title, if applicable)	Date

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby APPROVE said application, subject to the following conditions or reasons:

The right holder shall resume beneficial use of water on or before July 1, 2020

Signed this 8th day of January, 2016 [Signature]
 Title: Manager, IDWR Western Region

Stamped received ☒ Fee received by [Signature] Date 10/29/15 Receipt # WD043634

SCANNED

NOV 25 2015

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/28/2015

Water Right 63-34151

Owner Type **Name and Address**
Current Owner JOHN P MULLINS
3423 PORTLAND AVE
NAMPA, ID 83686
(208) 465-4579

Current Owner SHAUNA R MULLINS
3423 PORTLAND AVE
NAMPA, ID 83686
(208) 465-4579

Priority Date: 3/11/1963

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.070 CFS	16.8 AF
	<u>Total Diversion</u>		0.070 CFS	16.8 AF

Source and Point(s) of Diversion

GROUND WATER SWSW Sec. 2, Twp 02N, Rge 02W, CANYON County

Place Of Use

IRRIGATION within CANYON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	02W	2											4.1						4.1

POU Total Acres: 4.1

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. S39 The use of water for irrigation under this right may begin as early as March 1 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 October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Comments:

1. dmerriman 10/8/2015 Split
Right split from existing water right 63-3333.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/28/2015

2.	dmerriman	10/8/2015	POD
	Updated Shape		
3.	dmerriman	10/8/2015	POU
	Updated Shape		

Dates and Other Information

Decreed Date: 2/6/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: And/Or
Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A



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 8, 2016

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

JOHN P MULLINS
SHAUNA R MULLINS
3423 PORTLAND AVE
NAMPA ID 83686

RE: Water Right No. 63-34151

Extension to Avoid Forfeiture of Water Right Approval Letter

Dear Water Right Holders:

Enclosed is a copy of an approved Application for Extension of Time to Avoid Forfeiture for the above referenced water right. Please note that resumption of beneficial use for this right shall occur on or before **JULY 1, 2020**.

Please notify the Department as soon as you resume use of water under this right. If you have not notified the Department sixty (60) days prior to the resumption deadline, the Department will send you a Resumption of Use Notice by certified mail.

Section 42-248, Idaho Code, requires water right owners to maintain current ownership and address records on file with the Department. Please refer to www.idwr.idaho.gov or contact any office of the Department for the proper form to file a change of ownership of water right and/or a change in address of the owner.

Please contact this office at 208-334-2190 if you have any questions on this matter.

Sincerely,

 Rachel Neely for:

Nick Miller
Manager, IDWR Western Region

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on January 8th, 2016, I mailed a true and correct copy, postage prepaid, of the foregoing EXTENSION OF TIME TO AVOID FORFEITURE to the persons listed below:

RE: WATER RIGHT NO.

63-34151

JOHN P MULLINS
SHAUNA R MULLINS
3423 PORTLAND AVE
NAMPA ID 83686



Rachel Neely
Administrative Assistant I

29512 1386533

1 IDAHO DEPT. OF WATER RESOURCES

WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)

County of Canyon)

Rae Barbosa
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

RECEIVE

JAN 04 2016

WATER RESOURCE
WESTERN REGION

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 times(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:

12/03/2015 12/10/2015

STATE OF IDAHO)

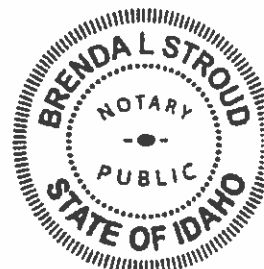
County of Canyon)

On this 28th day of December in the year of 2015 before me a Notary Public, personally appeared. Rae Barbosa, 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.

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:

63-34138

JUSTIN CHRISTENSEN
SUNNY CHRISTENSEN
8571 BENNETT RD

NAMPA, ID 83686

Point of Diversion NENW S34 T02N R02W CANYON County
Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: HEATING 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 9/2/2015

Places of Use: DOMESTIC, HEATING

T02N R02W S34 NENW

Water bearing zone to be appropriated is from 154 to 242 feet.

63-34139

DIXIE LAND LLC

22993 HOWE RD

CALDWELL, ID 83607

Point of Diversion L1(NENE) S1 T04N R05W CANYON
County Source NORTH DRAIN Tributary DIXIE SLOUGH

Use: IRRIGATION 03/01 to 11/15 1.06 CFS

Total Diversion: 1.06 CFS

Date Filed: 9/8/2015

Place of Use: IRRIGATION

T04N R05W S1 L1(NENE) L2(NWNE)

Total Acres: 53

63-34142

SCHOBER & SON LLC

430 AURORA DR

NAMPA, ID 83686

Point of Diversion SWSE S19 T03N R02W CANYON County

Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.94 CFS

Total Diversion: 0.94 CFS

Date Filed: 9/14/2015

Place of Use: IRRIGATION

T03N R02W S19 NWSE SWSE

Total Acres: 47

Water bearing zone to be appropriated is from 100 to 350 feet.

63-34147

MIKE SKOGSBERG

DIAMOND S FARMS LLC

23460 STAFFORD RD

CALDWELL, ID 83607

Point of Diversion SENE S25 T05N R04W CANYON County

Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 3 CFS

Total Diversion: 3 CFS

Date Filed: 9/17/2015

Place of Use: IRRIGATION

T05N R03W S30 L2(SWNW) NESW L3(NWSW)

T05N R04W S25 SWNE SENE SWSW SWSW NESE SESE

Total Acres: 301

Water bearing zone to be appropriated is from 40 to 240 feet.

Applicant proposes irrigating 200 acres.

63-34161

AMELIA RASMUSSEN

TIMOTHY RASMUSSEN

1281 LA REATA WAY

MIDDLETON, ID 83644

Point of Diversion SWSE S2 T05N R03W CANYON County

Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: IRRIGATION 03/01 to 11/15 0.2 CFS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.26 CFS

Date Filed: 11/4/2015

Places of Use: DOMESTIC, IRRIGATION, STOCKWATER

T05N R03W S2 SWSE

Total Acres: 10

Water bearing zone to be appropriated is from 200 to 450 feet.

EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT

Kasper Land & Cattle LLC of 3349 Hill Rd, Melba 83641 filed an application on November 12, 2015 proposing an Extension of Time to Avoid Forfeiture of 5 years for Water Right No. 63-2712 with a 1950 priority from ground water totaling 1.80 cfs. The right holder proposes nonuse of the right due to a temporary reduction in land irrigated with surface water during integration of multiple water rights and irrigation systems. The right serves property located immediately east of Walters Ferry Bridge and State Hwy 45, north of the Snake River.

EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT

Kasper Land & Cattle LLC of 3349 Hill Rd, Melba 83641 filed an application on November 12, 2015 proposing an Extension of Time to Avoid Forfeiture of 5 years for Water Right No. 63-2955 with a 1953 priority from ground water totaling 5.00 cfs. The right holder proposes nonuse of the right due to a temporary reduction in land irrigated with surface water during integration of multiple water rights and irrigation systems. The right serves property located immediately east of Walters Ferry Bridge and State Hwy 45, north of the Snake River.

EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT

Kasper Land & Cattle LLC of 3349 Hill Rd, Melba 83641 filed an application on November 12, 2015 proposing an Extension of Time to Avoid Forfeiture of 5 years for Water Right No. 63-3099 with a 1956 priority from ground water totaling 3.70 cfs. The right holder proposes nonuse of the right due to a temporary reduction in land irrigated with surface water during integration of multiple water rights and irrigation systems. The right serves property located immediately east of Walters Ferry Bridge and State Hwy 45, north of the Snake River.

EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT

Kasper Land & Cattle LLC of 3349 Hill Rd, Melba 83641 filed an application on November 12, 2015 proposing an Extension of Time to Avoid Forfeiture of 5 years for Water Right No. 2-7109 with a 1973 priority from the Snake River totaling 11.87 cfs. The right holder proposes nonuse of the right due to a temporary reduction in land irrigated with surface water during integration of multiple water rights and irrigation systems. The right serves property located immediately east of Walters Ferry Bridge and State Hwy 45, north of the Snake River.

EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT

Stephen H and Connie J Farden of 1708 Primrose Drive, Nampa, ID 83686 filed an application on 10-28-15 proposing an Extension of Time to Avoid Forfeiture of 5 years for Water Right No. 63-34150 with a 1963 priority from ground water totaling .08 cfs. The right holder is a new property owner who desires to put the 2009 decreed right to use, but needs time to repair the system. The right serves property located on the corner of Primrose Drive and South Powerline Road in Nampa.

EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT

John P and Shauna R Mullins of 3423 Portland Ave, Nampa, ID 83686 filed an application on 10-29-15 proposing an Extension of Time to Avoid Forfeiture of 5 years for Water Right No. 63-34151 with a 1963 priority from ground water totaling .07 cfs. The right holder is a new property owner who desires to put the 2009 decreed right to use, but needs time to repair the system. The right serves property located on the corner of Primrose Drive and South Powerline Road in Nampa.

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) or proposed extension(s) please see www.idwr.idaho.gov/WaterManagement/WaterRights. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-222. 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 12-21-2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

December 03, 10, 2015

1386533

RECEIVED

JAN 04 2016

WATER RESOURCES
WESTERN REGION