

FEE \$100.00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 12 2015

WATER RESOURCES
WESTERN REGIONAPPLICATION 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. 63-2955 (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 Kasper Land & Cattle, LLC Phone 208-573-5534
- 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 Decree Date: 2/6/2009
- Explain your reasons for non-use of the water right and your reasons for requesting an extension of time.
 Attach additional documentation if needed.
Irrigation of currently non-irrigated areas have been delayed as the result of changes associated with pending dairy expansion and the integration of multiple water rights and irrigation systems.

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

Signature of applicant or authorized agent

Print name (and title, if applicable)

Date

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 _____ said application, subject to the following conditions or reasons:

The right holder shall resume beneficial use of water *on or before* _____

Signed this _____ day of _____, 20____.

Title: _____

Stamped received ☒ Fee received by  Date 11/12/15 Receipt # W043670

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/12/2014

WATER RIGHT NO. 63-2955

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KASPER LAND & CATTLE LLC 3349 HILL RD MELBA, ID 83641 (208)573-5534
Original Owner	DEAN J JAMES
Security Interest	RABO AGRIFINANCE INC 12443 OLIVE BLVD STE 50 ST LOUIS, MO 63141

Priority Date: 08/27/1953
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	4.44 CFS	1597.5 AFA
STOCKWATER	01/01	12/31	0.56 CFS	134 AFA
COMMERCIAL	01/01	12/31	0.56 CFS	134 AFA
Total Diversion			5 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWNW|Sec. 15|Township 01S|Range 02W|CANYON County
GROUND WATER|SENE|Sec. 15|Township 01S|Range 02W|CANYON County

IRRIGATION Use:
Acre Limit: 355

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
01S	02W	15		NWSW	5									
		16		NWNE	12		SWNE	40		SENE	27			
				NENW	30		NWNW	30		SWNW	40		SENE	40

		NESW	30		NWSW	25		SWSW	26		SESW	27
		NESE	30		NWSE	40		SWSE	24			
	26	SWNW	10									
	27	NENE	15									

Place of Use Legal Description: STOCKWATER CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01S	02W	22		NENW			SESW							
				NWSE										
		27		NENE										

Place of Use Legal Description: COMMERCIAL CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01S	02W	15		NWSW										
		16		NWNE			SWNE			SENE				
				NENW			NWNW			SWNW			SESW	
				NESW			NWSW			SWSW				
				NESE			NWSE			SWSE				
		26		SWNW										
		27		NENE										

Total Acres: 451

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. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
5. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. 01J Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works, including if determined necessary by the department, a separate measuring device and lockable controlling works for measurement and control of water delivered to the dairy.
7. 01N The right holder shall annually report diversions of water under this right to the department.
8. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
9. K06 This right is limited to the irrigation of 355 acres within the place of use described above in a single irrigation season.
10. E60 Right Nos. 63-2712, 63-2955 and 63-3099 when combined for irrigation purposes shall not exceed a total combined diversion rate of 9.76 cfs, a total combined annual diversion volume of 2029.5 AF. at the field headgate, and the irrigation of 451 acres.
11. Right Nos. 63-2712, 63-2955 and 63-3099 shall not be used for irrigation purposes if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
12. Commercial use of the water is for a dairy located in the SWNW, S26 and the NENE, S27, T01s R02W.
13. The water used for commercial purposes under this right may be applied to, and irrigate land listed in, the place of use to satisfy water quality requirements. Water shall not irrigate growing plants unless the water is first beneficially used in the dairy as authorized by this water right.
14. The right holder shall annually report diversions of water under this right to the Department.
15. Ground water diverted under this right is the sole source of irrigation water for the five (5) acres in the NWSW S15 T01S R02W. Ground water delivered to the remainder of the place of use supplements surface water irrigation.
16. Diversion from the well located in the SENW S15, T01S R02W, is limited to 2.00 cfs (900 gpm) and 157 acre feet annually.
17. Right Nos. 63-2712, 63-2955 and 63-7814 when combined for dairy use shall not exceed a total diversion rate of 1.06 cfs, and/or a combined total annual volume for both stockwater and commercial use of 134 acre-feet. because the annual volume for both stockwater and commercial use was reduced from the quantities sought by the application for transfer (Transfer 5356), the permit holder must determine the division of the 134 acre-feet into stockwater and commercial components.

Dates:

Licensed Date:

Decreed Date: 02/06/2009

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

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:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 451

Combined Volume Limit:

Combined Rate Limit:

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

Neely, Rachel

From: Neely, Rachel
Sent: Wednesday, November 25, 2015 12:27 PM
To: 'legals@idahopress.com'
Subject: Canyon Legal Ads
Attachments: Canyon Cover Letter.docx; Canyon Legal Ad.docx

Good Afternoon Legal Clerk,

Please see the attached ads for publication on 12/3/15 & 12/10/15.

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

November 25, 2015

LEGAL NOTICE DEPARTMENT
PRESS TRIBUNE
PO BOX 9399
NAMPA, ID 83652

RE: Application for Permit No. 63-34138
 Application for Permit No. 63-34139
 Application for Permit No. 63-34142
 Application for Permit No. 63-34147
 Application for Permit No. 63-34161
 Application for Extension to Avoid Forfeiture of a Water Right No. 63-2712
 Application for Extension to Avoid Forfeiture of a Water Right No. 63-2955
 Application for Extension to Avoid Forfeiture of a Water Right No. 63-3099
 Application for Extension to Avoid Forfeiture of a Water Right No. 2-7109
 Application for Extension to Avoid Forfeiture of a Water Right No. 63-34150
 Application for Extension to Avoid Forfeiture of a Water Right No. 63-34151

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 12/21/2015. 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:

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 SESW 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

Published on 12/3/2015 and 12/10/2015



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

November 25, 2015

KASPER LAND & CATTLE LLC
3349 HILL RD
MELBA ID 83641

Applications for Extension of Time to Avoid Forfeiture of a Water Right No's. 63-2712, 63-2955 & 63-3099.

Dear Applicant(s):

The Department of Water Resources has received your water right applications. Please refer to the numbers referenced above in all future correspondence regarding these applications.

Legal notices of the applications have been prepared and are scheduled for publication in the PRESS TRIBUNE on 12/3/2015 and 12/10/2015. Protests to these applications may be submitted for a period ending ten (10) days after the second publication.

If either 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 either 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 permit.

Please contact this office if you have any questions regarding the applications.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rachel Neely', is written over a horizontal line.

Rachel Neely
Administrative Assistant