

FEB 11 2015DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of applicant(s) A&B Irrigation District Phone 208-436-3152
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address 411 11th St. City Rupert
State ID Zip 83350 Email abid@pmt.org

2. Source of water supply Snake River which is a tributary of Columbia River

3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
10S	22E	~~17~~			SE	SE	Mindoka	Snake River	LEE PLACER
		20			NE	NW			CLAIM

4. Water will be used for the following purposes:

Amount 30 cfs for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) 30 cfs cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. New pumping plant to be constructed, project currently undertaken with U.S. Bureau of Reclamation and NRCS

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11. For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No

e. If well is already drilled, when? _____; drilling firm _____;
well was drilled for (well owner) _____; Drilling Permit No. _____.

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; complete and attach the Municipal Water Right Application Checklist.

d. Domestic; show number of households _____

e. Other; describe fully. _____

* PER 2/24/2015 E-MAIL FROM DAN TEMPLE

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres to be irrigated: 1,478.5

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping?

Existing ground water rights held by A&B Irrigation District, 36-2048 et al. Surface water to be used on these acres as a "soft" conversion project.

10. a. Who owns the property at the point of diversion? Lynn Schodde, Sheila M. Catmull & Barbara J. Swedell 2012 Trust
- b. Who owns the land to be irrigated or place of use? Landowners within A&B Irrigation District
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Working with the owners on a purchase of the property, to be completed soon.

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

The District seeks to appropriate an additional natural flow right to deliver water when available to 1,478.5 acres currently irrigated with ground water. These lands will be considered "soft conversions" and will have the ability to use existing ground water rights when necessary.

* The point of diversion is to be located within the Lee Placer Claim within Section 20, Township 10 South, Range 22 East generally located within the projected NENW

12. Time required for completion of works and application of water to proposed beneficial use is 3 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8 1/2" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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


Signature of Applicant

Signature of Applicant

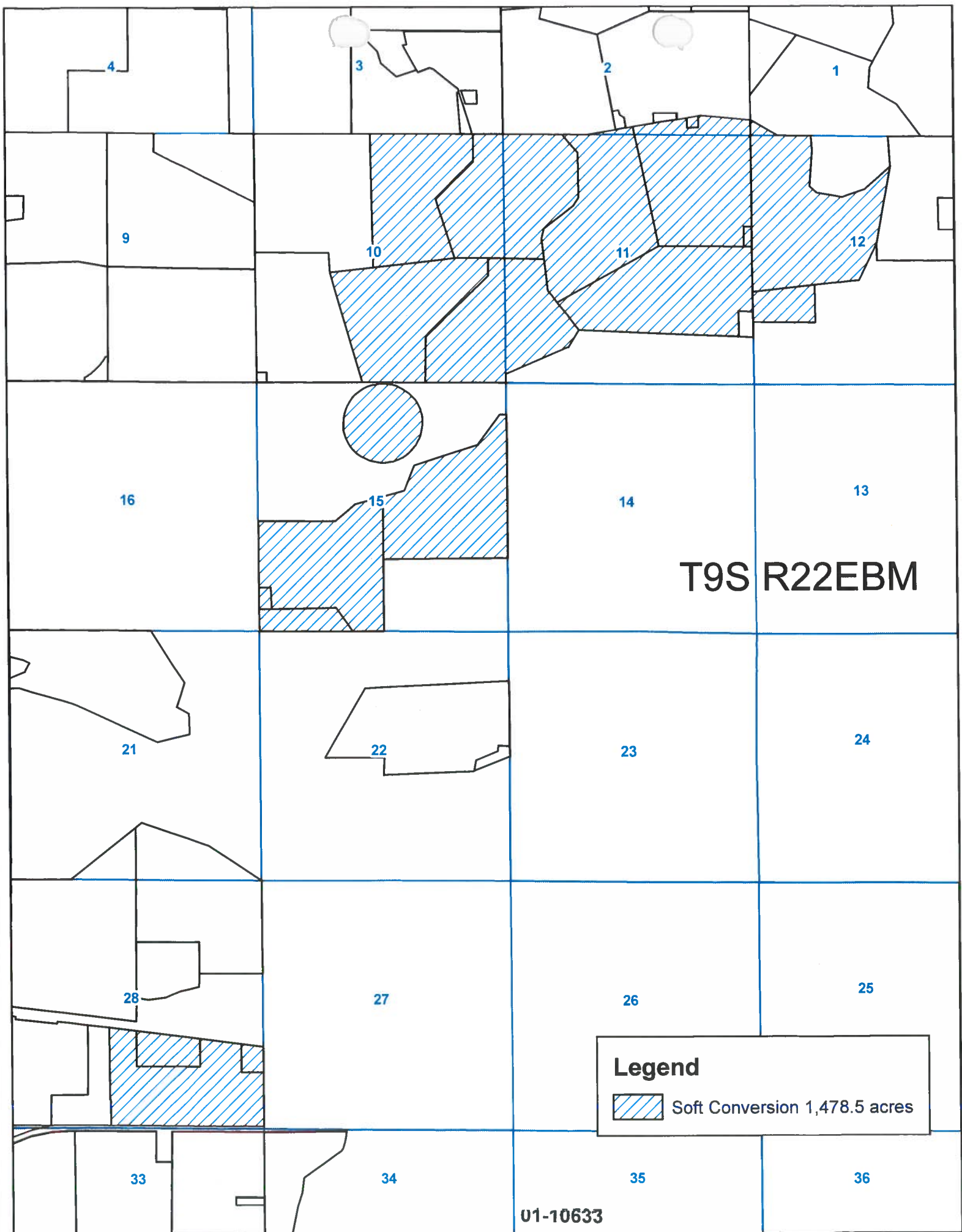
Dan Temple, Manager
Print Name (and title, if applicable)

Print Name (and title, if applicable)

For Department Use:

Received by DM Date 2-11-2015 Time 4:45pm Preliminary check by _____
Fee \$ 1,210- Received by DM Receipt No. 5034550 Date 2-11-2015

* PER 2/24/2015 E-MAIL FROM DAN TEMPLE

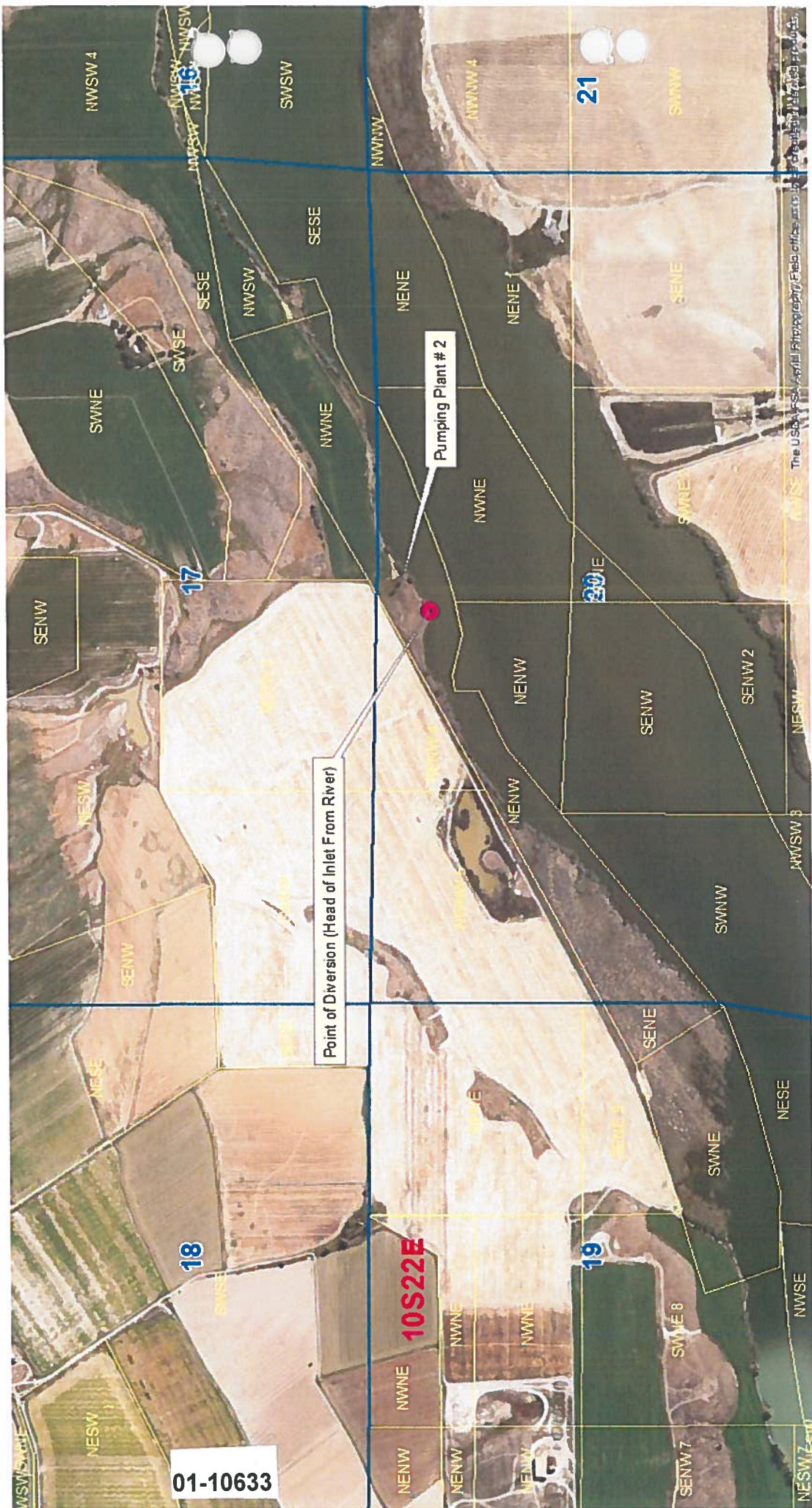


T9S R22EBM

Legend

 Soft Conversion 1,478.5 acres

01-10633

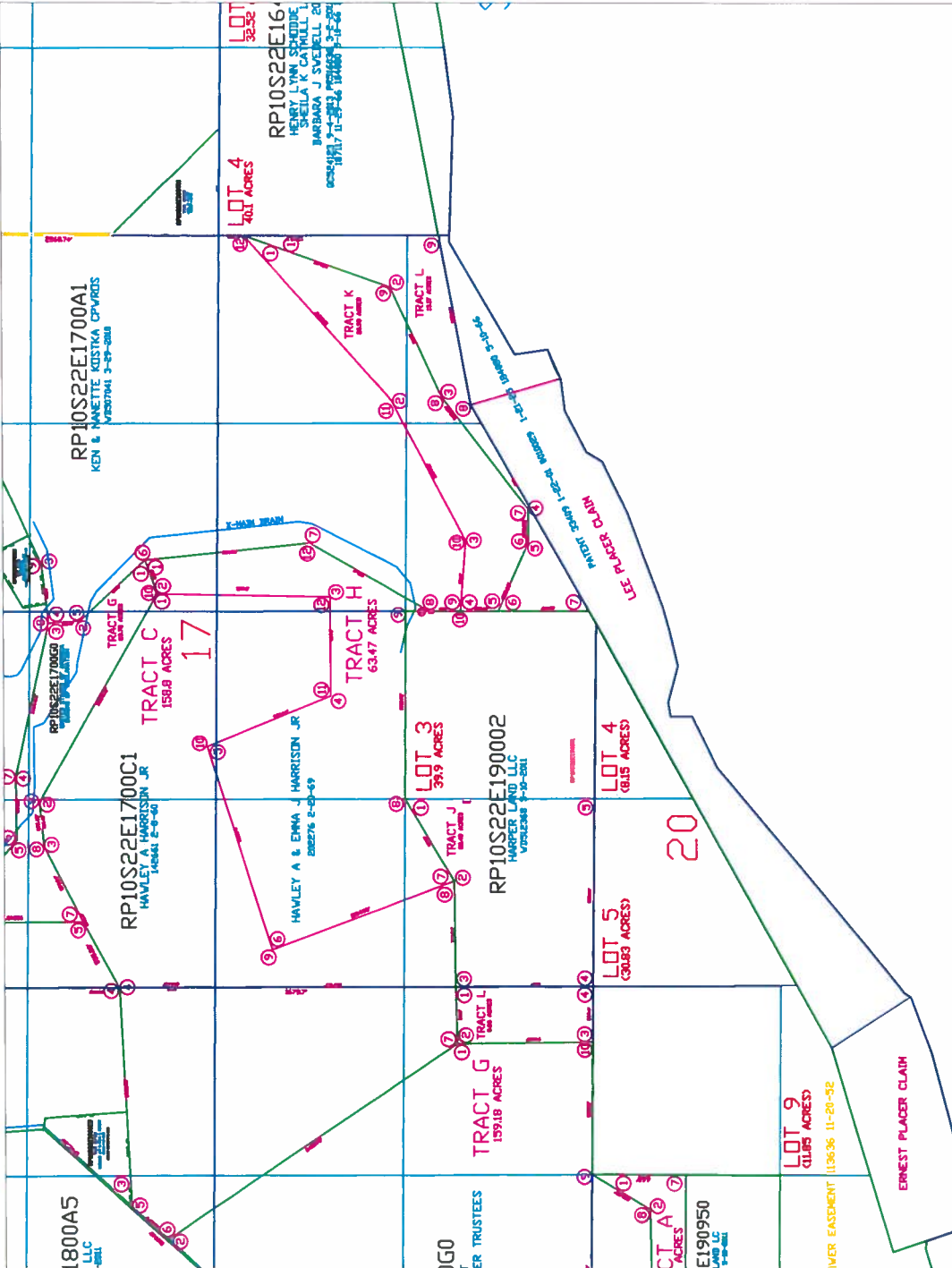




MINIDOKA COUNTY ASSESSOR
702 G STREET
PO BOX 368
RUPERT, ID 83350
208-436-7181 (Office)
208-436-1176 (Fax)

LOCATION:
Township 10 South Range 22 E
Section

DISCLAIMER
THIS INFORMATION IS
FOR ASSESSMENT
PURPOSES ONLY.
MINIDOKA COUNTY
ASSUMES NO LIABILITY
OR RESPONSIBILITY
FOR ERRORS OR
OMISSIONS.





February 11, 2015

To: Idaho Department of Water Resources

From: Robert L. Harris, Attorney for Henry Lynn Schodde, Sheila K. Catmull, & the
Barbara J. Swedell 2012 Trust

Subject: Application for Water Right Permit; A&B Irrigation District

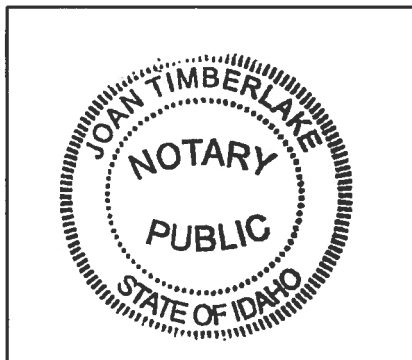
Henry Lynn Schodde, Sheila K. Catmull, & the Barbara J. Swedell 2012 Trust are tenants in common to certain property located along the Snake River in Minidoka County, Idaho. These owners are in the process of finalizing the sale of approximately 2 acres of property to the A&B Irrigation District for a new pump station on the Snake River. It is their understanding that A&B Irrigation District intends to submit an application for water right permit to appropriate a new natural flow water right associated with the pump station. Because the property has not been sold yet, it is their understanding that it is necessary to provide a notarized consent along with A&B's application for water right permit. As their attorney, I have been authorized to consent to designation of my clients' property as the location of the authorized point of diversion listed in the water right permit application.

Robert L. Harris
Printed Name: Robert L. Harris

STATE OF IDAHO)
) ss.
COUNTY OF BONNEVILLE)

On this 11th day of February, 2015, before me, a Notary Public for said County and State, personally appeared Robert L. Harris, known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Joan Timberlake
Notary Public
Residing at Idaho Falls, ID
My commission expires 7/23/2018



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

February 27, 2015

A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT, ID 83350-0675

RE: Application For Permit No. 1-10633

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

Further review of your Application for Permit which proposes diversion of 5.0 cfs or more reveals that additional information is required to be made part of the application file pursuant to Idaho Code provisions and the department's Rules and Regulations for Water Appropriation. The attached sheets give details regarding the information which is requested.

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO STATESMAN, LEWISTON TRIBUNE, POST REGISTER, TIMES NEWS on 3/5/2015 and 3/12/2015**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**March 23, 2015**).

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 permit.

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

Sincerely,


Denise Maline
Administrative Assistant

cc:

BARKER ROSHOLT & SIMPSON LLP
ATTN TRAVIS L THOMPSON
195 RIVER VISTA PL STE 204
TWIN FALLS, ID 83301-3029

GUIDELINE FOR SUBMITTING ADDITIONAL INFORMATION

This outline is intended to assist you with providing the additional information required under Rule 40 of the Department of Water Resources and Idaho Code, Section 42-203A(5)(a) which may help answer questions as to the type of information you should submit. The outline below follows the same order as the attached rules. Please take the time to review the outline. Much of the information requested under Rule 40 may already be available to you. Gathering the necessary information may be of benefit to you in planning the proposed development.

Rule 040.05.c and Idaho Code, Section 42-203A(5)(a) Information relative to effects on existing rights:

i. If diverting from a surface water source with 5 or fewer existing users, submit the water right numbers held by those users if available.

If not available, submit the names and addresses of those users and describe the location of their diversions and types of use associated with those diversions.

ii. If you are diverting from a groundwater source, submit a map locating your proposed well and all other wells within a 1/2 mile radius of your well. It would be helpful to describe the use from those wells (i.e.; domestic, irrigation etc.). You are not required to submit a map if there are no wells within the 1/2 mile radius, but you should indicate if there are no existing wells within that radius, if that indeed is the case.

iii. This rule seeks general information about the type of irrigation system you intend to install and how the project may affect other users. If you feel your proposed project will not affect other users, then explain why. You may describe any techniques or equipment you intend to employ which may reduce impacts on other water rights or promote water conservation.

Rule 040.05.d and Idaho Code, Section 42-203A(5)(b) Information relative to sufficiency of water supply:

i. Provide projections for your peak and average water demands. While your well or diversion may not yet be completed, you should be able to estimate project demand based on size of project (or number of acres irrigated), type or texture of local soils, type of crops grown, and type of irrigation system used. Demand projections should be given in terms of flow rate (cfs or gpm) and annual volume diverted (acre-feet).

Example: A 40 acre tract with 6 handlines and 20 heads/line discharging 3 gpm/head would produce a total flow rate of about 360 gpm or 0.8 cfs (1 in/acre). This flow rate multiplied by average number of hours per set, sets per irrigation and irrigations per year provides number of acre-feet per year or annual volume.

ii. You should be able to provide some basic information about the nature of the water supply. If the diversion is from a surface water source for example, you should provide stream flow data or estimate the amount of stream flow available for diversion and describe generally the seasonal availability of water. If you are diverting from a groundwater source, you should be able to generally describe the aquifer which you plan to divert from, i.e.; deep confined or shallow unconfined aquifer, depth to water level or depth to aquifer, known yields from wells within the same aquifer etc.

Rule 040.05.e and Idaho Code, Section 42-203A(5)(c) Information relative to good faith, delay, or speculative purposes of the applicant:

i. If you do not own the land to be irrigated and/or where the point of diversion is located, you must submit copies of lease agreements, easements or rights-of-way etc. If you are the owner of the place of use and point of diversion, documentation of ownership is not required.

ii. If applicable, submit copies of applications for permits or approvals which are needed from other government agencies or individuals in order to complete the water development project.

Rule 040.05.f and Idaho Code, Section 43-203A(5)(d) Information relative to financial resources:

i and ii. Submit a current financial statement or other statement describing how you will finance the project. You must also submit plans and specifications along with basic estimates of construction and equipment costs of the proposed project.

Rule 040.05.g and Idaho Code, Section 42-203A(5)(e) Information relative to conflict with the local public interest:

i. You, as the applicant, bear the initial burden of coming forward with evidence as to whether your proposed project may have any affect concerning local public interest. If you have any reason to believe that the proposed project under your application may be of concern to any local individuals, governments, tribal reservations, irrigation districts, the State Fish and Game Department, or Health and Welfare Department, then you are responsible for seeking comments from those individuals or groups. This requirement is mandatory for projects located within irrigation districts, canal companies or tribal reservations (failure to obtain comments from the irrigation district, canal company or reservation will delay approval of the application.). All comments must be submitted to the Department of Water Resources.

Maline, Denise

From: Maline, Denise
Sent: Thursday, February 26, 2015 11:50 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.doc

Attached please find (1) legal notice being submitted for publication on March 5th & 12th, 2015. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



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

February 26, 2015

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 43-13740 & 01-10633

RE: Transfer No. 79596

Water Right No(s): 47-4459, 47-4460, 47-7306, 47-7649

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice 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 March 23, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

43-13740

STATE OF IDAHO

DEPT OF PARKS & RECREATION

PO BOX 83720

BOISE, ID 83720-0065

Point of Diversion NENE S16 T15S R24E CASSIA County Source GROUND WATER Tributary

Point of Diversion SESESW S9 T15S R24E CASSIA County Source ALMO CREEK Tributary RAFT RIVER

Use: AESTHETIC 03/15 to 11/15 3 CFS

Use: AESTHETIC STORAGE 01/01 to 12/31 17.4 AF

Use: RECREATION 03/15 to 11/15 3 CFS

Use: RECREATION STORAGE 01/01 to 12/31 17.4 AF

Use: WILDLIFE 03/15 to 11/15 3 CFS

Use: WILDLIFE STORAGE 01/01 to 12/31 17.4 AF

Total Diversion: 3 CFS 17.4 AF

Date Filed: 2/24/2015

Place Of Use: RECREATION, AESTHETIC, WILDLIFE, RECREATION STORAGE, AESTHETIC STORAGE, WILDLIFE STORAGE

T15S R24E S16 NENE

Application filed to appropriate water for a proposed fishing and wildlife pond located on Castle Rocks State Park property approximately 1.8 miles north and 0.95 miles west of Almo. The pond will be excavated into the ground water table and irrigation water diverted via Almo Water Company shares will flow through the pond. The application seeks to appropriate 17.4 acre-feet of water for storage in the pond and to make up for annual evaporative losses. The application also lists 3.0 cfs of water from Almo Creek to reflect the additional aesthetic, recreation, and wildlife uses of the Almo Water Company shares flowing through the pond. A mitigation plan that involves drying up irrigated lands to offset consumptive uses associated with the pond has been included as part of the application.

1-10633

A & B IRRIGATION DISTRICT

PO BOX 675

RUPERT, ID 83350-0675

Point of Diversion NENW S20 T10S R22E MINIDOKA County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 03/15 to 11/15 30 CFS

Total Diversion: 30 CFS

Date Filed: 2/11/2015

Place Of Use: IRRIGATION

T09S R22E S1 SWSW

T09S R22E S2 SESW SESE

T09S R22E S10 NENE SWNE NENW SWSE SESE

T09S R22E S11 NENE NWNW SENW SWSW NWSE

T09S R22E S12 SENW NWSW

T09S R22E S15 NE(ALL) NENW L2(SENW) SW(ALL) NESE NWSE

T09S R22E S28 SESW NWSE SESE

Total Acres: 1478.5

Application proposes diverting up to 30 cfs from the Snake River, upstream from Milner Dam, at a point located approximately 6.2 miles west and 4.0 miles south of Paul. Water will be used for irrigation of 1478.5 acres of land located approximately 1.8 - 5.1 miles west and 0.0 to 4.2 miles north of the center of Paul. The 1478.5 acres is currently irrigated with groundwater and the 30 cfs will be used when available as a "soft conversion" in lieu of diverting groundwater. Groundwater rights will continue to be utilized on the 1478.5 acres when the 30 cfs is not available. Published in the Times News, Idaho Statesman, Post Register & Lewiston Tribune on March 5th & 12th, 2015.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79596**

CITY OF KIMBERLY, PO BOX Z, KIMBERLY, ID 83341; has filed Application No. 79596 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-4459, 47-4460, 47-7306, 47-7649; allowing for the total diversion of 5.56 cfs. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to add all seven of the city's existing municipal wells as authorized points of diversion to the City of Kimberly's groundwater rights 47-4459, 47-4460, 47-7306 and 47-7649. The wells are within the City of Kimberly's service area.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. 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 March 23, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on March 5th & 12th, 2015

Maline, Denise

From: Maline, Denise
Sent: Thursday, February 26, 2015 11:51 AM
To: Idaho Statesman
Subject: LEGAL NOTICE
Attachments: Idaho Statesman Cover Letter.docx; 01-10633 Ad.doc

Attached please find (1) legal notice being submitted for publication on March 5th & 12th, 2015. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 26, 2015

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Application For Permit No.(s): 1-10633

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice 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 March 23, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

1-10633

A & B IRRIGATION DISTRICT

PO BOX 675

RUPERT, ID 83350-0675

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Use: IRRIGATION 03/15 to 11/15 30 CFS

Total Diversion: 30 CFS

Date Filed: 2/11/2015

Place Of Use: IRRIGATION

T09S R22E S1 SWSW

T09S R22E S2 SESW SESE

T09S R22E S10 NENE SWNE NENW SWSE SESE

T09S R22E S11 NENE NWNW SENW SWSW NWSE

T09S R22E S12 SENW NWSW

T09S R22E S15 NE(ALL) NENW L2(SENW) SW(ALL) NESE NWSE

T09S R22E S28 SESW NWSE SESE

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Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033, or you may visit our website at www.idwr.idaho.gov and search under New Water Right Applications. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. 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 March 23, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published in the Times News, Idaho Statesman, Post Register & Lewiston Tribune on March 5th & 12th, 2015

Maline, Denise

From: Maline, Denise
Sent: Thursday, February 26, 2015 11:52 AM
To: Post Register
Subject: LEGAL NOTICE
Attachments: Post Register Cover Letter.docx; 01-10633 Ad.doc

Attached please find (1) legal notice being submitted for publication on March 5th & 12th, 2015. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 26, 2015

LEGAL NOTICE DEPARTMENT
POST REGISTER
PO BOX 1800
IDAHO FALLS, ID 83402

RE: Application For Permit No.(s): 1-10633

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice 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 March 23, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

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PO BOX 675

RUPERT, ID 83350-0675

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Total Diversion: 30 CFS

Date Filed: 2/11/2015

Place Of Use: IRRIGATION

T09S R22E S1 SWSW

T09S R22E S2 SESW SESE

T09S R22E S10 NENE SWNE NENW SWSE SESE

T09S R22E S11 NENE NWNW SENW SWSW NWSE

T09S R22E S12 SENW NWSW

T09S R22E S15 NE(ALL) NENW L2(SENW) SW(ALL) NESE NWSE

T09S R22E S28 SESW NWSE SESE

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GARY SPACKMAN, Director

Published in the Times News, Idaho Statesman, Post Register & Lewiston Tribune on March 5th & 12th, 2015

Maline, Denise

From: Maline, Denise
Sent: Thursday, February 26, 2015 11:53 AM
To: Lewiston Tribune (legals@lmtribune.com)
Subject: LEGAL NOTICE
Attachments: Lewiston Tribune Cover Letter.docx; 01-10633 Ad.doc

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Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



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

February 26, 2015

LEGAL NOTICE DEPARTMENT

LEWISTON TRIBUNE

505 C ST

PO BOX 957

LEWISTON, ID 83501

RE: Application For Permit No.(s): 1-10633

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice 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 March 23, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

1-10633

A & B IRRIGATION DISTRICT

PO BOX 675

RUPERT, ID 83350-0675

Point of Diversion NENW S20 T10S R22E MINIDOKA County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 03/15 to 11/15 30 CFS

Total Diversion: 30 CFS

Date Filed: 2/11/2015

Place Of Use: IRRIGATION

T09S R22E S1 SWSW

T09S R22E S2 SESW SESE

T09S R22E S10 NENE SWNE NENW SWSE SESE

T09S R22E S11 NENE NWNW SENW SWSW NWSE

T09S R22E S12 SENW NWSW

T09S R22E S15 NE(ALL) NENW L2(SENW) SW(ALL) NESE NWSE

T09S R22E S28 SESW NWSE SESE

Total Acres: 1478.5

Application proposes diverting up to 30 cfs from the Snake River, upstream from Milner Dam, at a point located approximately 6.2 miles west and 4.0 miles south of Paul. Water will be used for irrigation of 1478.5 acres of land located approximately 1.8 - 5.1 miles west and 0.0 to 4.2 miles north of the center of Paul. The 1478.5 acres is currently irrigated with groundwater and the 30 cfs will be used when available as a "soft conversion" in lieu of diverting groundwater. Groundwater rights will continue to be utilized on the 1478.5 acres when the 30 cfs is not available.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033, or you may visit our website at www.idwr.idaho.gov and search under New Water Right Applications. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. 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 March 23, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published in the Times News, Idaho Statesman, Post Register & Lewiston Tribune on March 5th & 12th, 2015



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Governor

GARY SPACKMAN
Director

February 26, 2015

CINDY YENTER
WATER DISTRICT #130
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

Hand Delivered

RE: Application for Permit No. 01-10633

Dear Ms. Yenter:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 26, 2015

LYLE SWANK
WATER DISTRICT #01
900 N SKYLINE DR, STE A
IDAHO FALLS, ID 83402

Via E-mail

RE: Application For Permit No.(s): 01-10633

Dear Mr. Swank:

A copy of the above referenced application is attached for your review. Please review the application, and comment as necessary within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)



State of Idaho

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Governor

GARY SPACKMAN
Director

February 26, 2015

IDAHO DEPT OF FISH & GAME
324 S 417 E, STE 1
JEROME, ID 83338

RE: Application for Permit No. 01-10633 & 43-13740

Dear Fish & Game:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days.

The Department can publish notice of the application as soon as the initial review is completed. Therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application, or you may visit our website at www.idwr.idaho.gov.

Sincerely,

Denise Maline
Southern Region

Enclosure(s)

Skinner, Corey

From: abid [abid@pmt.org]
Sent: Tuesday, February 24, 2015 2:49 PM
To: Skinner, Corey
Cc: 'Travis Thompson'
Subject: RE: A&B

Cory,

As per our phone conversation, will you please add the PDF attached to your email below of the District's new point of diversion (POD) to the District's application.

I also concur that the POD is located in Section 20 TWP 10S RGE. 22 EMB in the NENW within the Lee Placer claim and to make any changes necessary to the application.

Please send us a copy of the corrected application.

Dan
A&B

From: Skinner, Corey [mailto:Corey.Skinner@idwr.idaho.gov]
Sent: Tuesday, February 24, 2015 2:22 PM
To: 'Dan Temple'
Cc: Travis Thompson
Subject: RE: A&B

Dan,

As we discussed, the head of the channel will leave the river further west than where the actual pumping plant will be located. Based on the location of where the constructed channel leaves the river it would probably be best to describe the point of diversion on the application as the NENW, rather than the NWNE. The legal description for the point of diversion is still the "Lee Placer Claim" within Section 20, Township 10 South, Range 20 East. However, with your permission I would like to change the point of diversion description on the recently filed Application for Permit (question # 3 on first page) to the following....

- TWP 10 S, RGE. 22 E, Sec 20 NENW, Minidoka County, Source Snake River, local name Lee Placer Claim.

And add the following sentence to the remarks section (question # 11 on second page of the application)...

- The point of diversion is to be located within the Lee Placer Claim within Section 20, Township 10 South, Range 20 East generally located within the projected NENW.

It would probably be a good idea to include the attached map showing the point of diversion and pumping plant with your application.

If this is OK, shoot me an e-mail response back and I will go ahead and add/change the application accordingly. If you have any questions, or want to discuss feel free to give me a call (208)736-3033.

Thanks,

Corey

From: Skinner, Corey
Sent: Tuesday, February 24, 2015 11:18 AM
To: 'Travis Thompson'
Cc: 'Dan Temple'
Subject: RE: A&B

Travis & Dan,

It looks like the legal description for the point of diversion is the "Lee Placer Claim" within Section 20, Township 10 South, Range 20 East.

With your permission, I would like to change the point of diversion description on the recently filed Application for Permit (question # 3 on first page) to the following....

- TWP 10 S, RGE. 22 E, Sec 20 NWNE, Minidoka County, Source Snake River, local name Lee Placer Claim.

And add the following sentence to the remarks section (question # 11 on second page of the application)...

- The point of diversion is to be located within the Lee Placer Claim within Section 20, Township 10 South, Range 20 East generally located within the projected NWNE.

If this is OK, shoot me an e-mail response back and I will go ahead and add/change the application accordingly. If you have any questions, or want to discuss feel free to give me a call (208)736-3033.

Thanks,

Corey

From: Travis Thompson [<mailto:tlt@idahowaters.com>]
Sent: Tuesday, February 24, 2015 9:31 AM
To: Skinner, Corey
Cc: 'Dan Temple'
Subject: A&B

Corey,

See attached and email from Dan Temple re: the point of diversion location and property. Please call Dan if you have any questions.

Travis

From: Dan Temple [<mailto:dtemple@abirrigation.org>]
Sent: Tuesday, February 24, 2015 9:26 AM
To: Travis Thompson
Subject: FW:

Travis,

Parcel #1 pumping plant site is located within the Lee Placers claim which is in part located in Lot 4 10 22 . Looking at the survey legal is shows it in section 20 as part of the Placer claim.

Let me know if this doesn't work. Also the patent information we have is for the original site to the east not this current location.

Dan

*John A. Rosholt
Albert P. Barker
John K. Simpson
Travis L. Thompson
Shelley M. Davis
Paul L. Arrington
Scott A. Magnuson*



195 River Vista Pl., Suite 204
Twin Falls, ID 83301-3029
(208) 733-0700 telephone
(208) 735-2444 facsimile

1010 W. Jefferson St., Suite 102
P.O. Box 2139
Boise, ID 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

Travis L. Thompson
tlt@idahowaters.com

February 11, 2015

RECEIVED

FEB 11 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

BY HAND DELIVERY

Idaho Department of Water Resources
Southern Regional Office
650 Addison Ave. West, Suite 500
Twin Falls, Idaho 83301-5858

Re: A&B Irrigation District

Dear Staff:

We represent the A&B Irrigation District on various matters. Please find enclosed the following for filing today:

- 1) Application for Water Right Permit (Basin 01 – Snake River)
- 2) Joint Application for Permit – Stream Alteration (Snake River)
- 3) Check #5041 for \$1,230 for Filing Fees for both Applications (\$1,210 for water right permit; \$20 for stream alteration permit)

Please call me at 733-0700 if you have any questions or need additional information.

Sincerely,

BARKER ROSHOLT & SIMPSON LLP

Travis L. Thompson

Enc.

cc: Dan Temple, A&B Irrigation District