

RECEIVED

FEB 17 2015

Form 42-222(4) Rev. 06/12
FEE \$100.00WATER RESOURCES
WESTERN REGIONSTATE 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. 67-4412 (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 City of Weiser, ID Phone 208-414-1965
- 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 Please send copies to McHugh Bromley, 380 S. 4th St., Ste. 103 City Boise
 State ID Zip code 83702 Email cmchugh@mchughbromley.com
- Give the last date water was beneficially used Fully used 5/11/2010 as decreed.
- Explain your reasons for non-use of the water right and your reasons for requesting an extension of time.
 Attach additional documentation if needed.
The City is using its water rights to the fullest extent possible. However, given the City's current needs, not all of the
water right is used every year, but the full water right is needed for future years and can be used if needed as the
City's system has the capacity to fully pump and use all of its water rights.

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

Diana L. Thomas
Signature of applicant or authorized agent

Diana Thomas, Mayor
Print name (and title, if applicable)

2/13/15
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____.

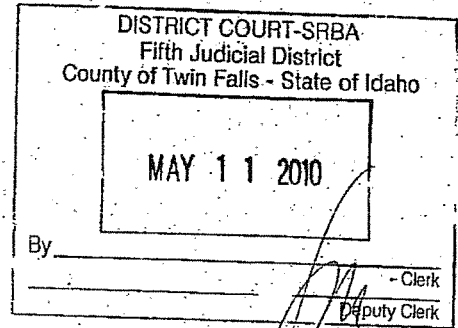
Title: _____

Stamped received ☒ Fee received by ad Date 2/17/15 Receipt # W042823

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re. SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 67-04412



NAME AND ADDRESS: CITY OF WEISER
55 W IDAHO ST
WEISER, ID 83672

SOURCE: WEISER RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.40 CFS

PRIORITY DATE: 06/01/1954

POINT OF DIVERSION: T11N R05W S32 SESW Within Washington County

The point of diversion for this water right is unsurveyed accretion land. The quarter-quarter description has been protracted from the adjacent public land survey.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.40 CFS

PLACE OF USE:	Irrigation	Within Washington County
	T11N R05W S32	NWSW 0.6 SESW 6.0 20.0 Acres Total

The place of use for this water right is unsurveyed accretion land. The quarter-quarter description has been protracted from the adjacent public land survey.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

Sommer, Rachel

From: Sommer, Rachel
Sent: Thursday, February 26, 2015 11:53 AM
To: 'IDAHOFIDDLER@YAHOO.COM'
Subject: Washington Legal Ad
Attachments: Washington Cover Letter.docx; Washington Legal Ad.docx

Good Morning Sarah Boles,

Please see the attached ad for publication on 3/4/15 & 3/11/15.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Sommer

Administrative Assistant
Dept. of Water Resources
Western Regional Office
2735 Airport Way, Boise ID 83705
Phone 208-334-2190 | Fax 208-334-2348
Email: rachel.sommer@idwr.idaho.gov

February 26, 2015

LEGAL NOTICE DEPARTMENT
WEISER SIGNAL
PO BOX 709
WEISER, ID 83672

RE: Application For Extension No's: 3-7009, 3-7034, 3-10198, 3-10264, 67-2320, 67-4412, & 67-10975.

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 3/23/2015. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

**EXTENSIONS OF TIME TO AVOID
FORFEITURE OF WATER RIGHTS**

The City of Weiser of 55 W. Idaho St., Weiser, ID, 83672, filed seven Applications proposing an Extension of Time to Avoid Forfeiture for Water Rights. The rights are recorded as:

No. 03-7009 with a 1972 priority from the Snake River totaling 0.65 cfs.

No. 03-7034 with a 1984 priority from the Snake River totaling 0.38 cfs.

No. 03-10198 with a 1907 priority from the Snake River totaling 3.76 cfs.

No. 03-10264 with a 1907 priority from the Snake River totaling 0.22 cfs.

No. 67-2320 with a 1964 priority from ground water totaling 0.55 cfs.

No. 67-4412 with a 1954 priority from the Weiser River totaling 0.40 cfs.

No. 67-10975 with an 1887 priority from ground water totaling 0.24 cfs.

The municipal, irrigation, domestic and fire protection rights were last used in 2010. The rights serve property located within the service area of the City of Weiser.

For additional information concerning the property location, please contact Western Region office at 208-334-2190 or see www.idwr.idaho.gov/apps/ExtSearch/SearchWRAJ.asp for specific details of the application provided under the above referenced right number. Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Any protest against the application must be filed with the Director, IDWR Western Region, 2735 Airport Way, Boise ID 83705-5082, together with a protest fee of \$25 for each application on or before 3/23/2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/4/2015 and 3/11/2015

McHUGH BROMLEY
ATTORNEYS AT LAW, PLLC

cmchugh@mchughbromley.com
208-287-0991

380 S. 4th St., Ste. 103
Boise, ID 83702

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WATER RESOURCES
WESTERN REGION

Idaho Department of Water Resources
Steve Lester
Western Region
2735 Airport Way
Boise, ID 83705-5082

RE: Applications for Extension of Time to Avoid Forfeiture
City of Weiser

Dear Steve:

Enclosed please find a seven (7) Applications for Extension of Time to Avoid Forfeiture of a Water Right filed on behalf of the City of Weiser along with a check for \$700.00 for fees. I am requesting that these applications be expedited given the fact that some of these water rights may be at risk this year.

I appreciate your attention to this matter; please call or email me with any questions.

Very Truly Yours,



Candice M. McHugh

Enclosures