

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 78923

This is to certify that: SCOTT T SCHEER  
377 S 500 E  
FAIRFIELD, ID 83327

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

| Water Right | Origin/Basis | Priority Date | Diversion Rate | Diversion Volume | Acre Limit | Total Acres | Source      |
|-------------|--------------|---------------|----------------|------------------|------------|-------------|-------------|
| 37-21363    | WR/DECREED   | 6/1/1898      | 1.150 cfs      | N/A              | 137.0      | 170.0       | CAMAS CREEK |
| 37-21367    | WR/DECREED   | 7/20/1901     | 0.960 cfs      | N/A              | 137.0      | 170.0       | CAMAS CREEK |
| 37-591A     | WR/DECREED   | 7/15/1887     | 0.670 cfs      | N/A              | 80.0       | 170.0       | CAMAS CREEK |
| 37-592A     | WR/DECREED   | 6/1/1899      | 0.500 cfs      | N/A              | 80.0       | 170.0       | CAMAS CREEK |

Purpose of Transfer (Changes Proposed)

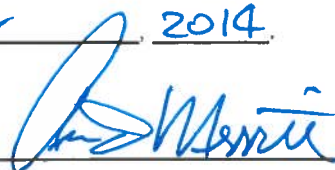
| Current Number | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|----------------|-------|-----|-----|---------|---------------|---------------|
| 37-21363       | NO    | NO  | NO  | YES     | NO            | NO            |
| 37-21367       | NO    | NO  | NO  | YES     | NO            | NO            |
| 37-591A        | NO    | NO  | NO  | YES     | NO            | NO            |
| 37-592A        | NO    | NO  | NO  | YES     | NO            | NO            |

Summary Of Water Rights After the Approved Change

| Existing Right  | New No. (Changed Portion) | Transfer Rate | Transfer Volume | Acre Limit | Total Acres | New No. (remaining portion) | Remaining Rate | Remaining Volume | Remaining Acre Limit | Remaining Total Acres |
|-----------------|---------------------------|---------------|-----------------|------------|-------------|-----------------------------|----------------|------------------|----------------------|-----------------------|
| 37-21363        | 37-21363                  | 1.150 cfs     | N/A             | 137.0      | 170.0       | N/A                         | N/A            | N/A              | N/A                  | N/A                   |
| 37-21367        | 37-21367                  | 0.960 cfs     | N/A             | 137.0      | 170.0       | N/A                         | N/A            | N/A              | N/A                  | N/A                   |
| 37-591A         | 37-591A                   | 0.670 cfs     | N/A             | 80.0       | 170.0       | N/A                         | N/A            | N/A              | N/A                  | N/A                   |
| 37-592A         | 37-592A                   | 0.500 cfs     | N/A             | 80.0       | 170.0       | N/A                         | N/A            | N/A              | N/A                  | N/A                   |
| COMBINED TOTALS |                           | 3.280 cfs     | N/A             | N/A        | 170.0       |                             | 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 18<sup>th</sup> day of September, 2014.

  
Southern Region Manager

Transfer No. 78923

SUPPORT DATA

IN FILE # 37-591A

**WATER RIGHT NO. 37-591A**  
**As Modified by Transfer No. 78923**

In accordance with the approval of Transfer No. 78923, Water Right No. 37-591A is now described as follows:

**Right Holder:** SCOTT T SCHEER  
 377 S 500 E  
 FAIRFIELD, ID 83327

**Priority Date:** 7/15/1887

**Source:** CAMAS CREEK

**Tributary:** BIG WOOD RIVER

**BENEFICIAL USE**  
 IRRIGATION

**From** 04/15 **To** 10/31

**Diversion Rate**  
 0.670 cfs  
 0.670 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|             |        |                        |              |
|-------------|--------|------------------------|--------------|
| CAMAS CREEK | NWSWNE | Sec 36 Twp 01S Rge 14E | CAMAS County |
| CAMAS CREEK | SEWNNE | Sec 31 Twp 01S Rge 15E | CAMAS County |
| CAMAS CREEK | NENE   | Sec 32 Twp 01S Rge 15E | CAMAS 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   |        |
| 01S | 15E | 29  |      |      |    |    |    |    |    |    |    |    |    |    | 38.0 |    | 40.0 | 39.0 | 117.0  |
| 01S | 15E | 32  | 22.0 | 31.0 |    |    |    |    |    |    |    |    |    |    |      |    |      |      | 53.0   |

Right Acre Limit: 80.0

POU Total Acres: 170.0

**CONDITIONS OF APPROVAL**

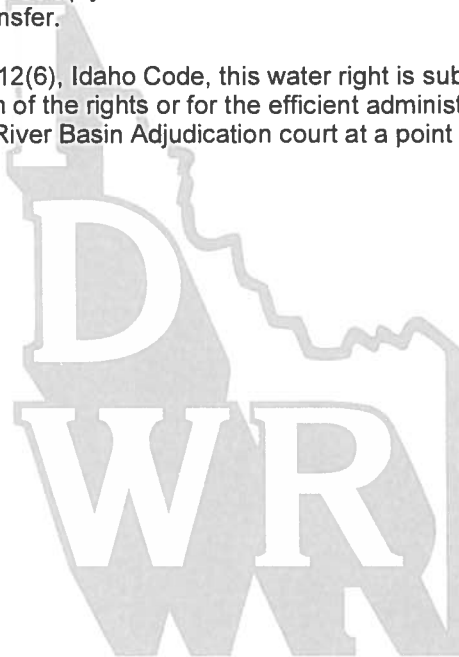
1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37B.
2. This right is limited to the irrigation of 80 acres within the authorized place of use in a single irrigation season.
3. Rights 37-591A, 37-592A, 37-21363 and 37-21367 when combined shall not exceed a total diversion rate of 3.28 cfs and the irrigation of 170 acres.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Transfer No. 78923

**WATER RIGHT NO. 37-591A**  
**As Modified by Transfer No. 78923**

**CONDITIONS OF APPROVAL**

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. The right holder shall accomplish the change authorized by this transfer within five year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



**WATER RIGHT NO. 37-592A**  
**As Modified by Transfer No. 78923**

In accordance with the approval of Transfer No. 78923, Water Right No. 37-592A is now described as follows:

**Right Holder:** SCOTT T SCHEER  
 377 S 500 E  
 FAIRFIELD, ID 83327

**Priority Date:** 6/1/1899

**Source:** CAMAS CREEK

**Tributary:** BIG WOOD RIVER

**BENEFICIAL USE**  
 IRRIGATION

**From** 04/15 **To** 10/31

**Diversion Rate**  
 0.500 cfs  
 0.500 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|             |        |                        |              |
|-------------|--------|------------------------|--------------|
| CAMAS CREEK | NWSWNE | Sec 36 Twp 01S Rge 14E | CAMAS County |
| CAMAS CREEK | SESWNE | Sec 31 Twp 01S Rge 15E | CAMAS County |
| CAMAS CREEK | NENE   | Sec 32 Twp 01S Rge 15E | CAMAS 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   |        |
| 01S | 15E | 29  |      |      |    |    |    |    |    |    |    |    |    |    | 38.0 |    | 40.0 | 39.0 | 117.0  |
| 01S | 15E | 32  | 22.0 | 31.0 |    |    |    |    |    |    |    |    |    |    |      |    |      |      | 53.0   |

Right Acre Limit: 80.0

POU Total Acres: 170.0

**CONDITIONS OF APPROVAL**

1. 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. 37B.
2. This right is limited to the irrigation of 80 acres within the authorized place of use in a single irrigation season.
3. Rights 37-591A, 37-592A, 37-21363 and 37-21367 when combined shall not exceed a total diversion rate of 3.28 cfs and the irrigation of 170 acres.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Transfer No. 78923

**WATER RIGHT NO. 37-592A**  
**As Modified by Transfer No. 78923**

**CONDITIONS OF APPROVAL**

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. The right holder shall accomplish the change authorized by this transfer within five year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



**WATER RIGHT NO. 37-21363****As Modified by Transfer No. 78923**

In accordance with the approval of Transfer No. 78923, Water Right No. 37-21363 is now described as follows:

**Right Holder:** SCOTT T SCHEER  
377 S 500 E  
FAIRFIELD, ID 83327

**Priority Date:** 6/1/1898

**Source:** CAMAS CREEK

**Tributary:** BIG WOOD RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 04/15 **To** 10/31

**Diversion Rate**  
1.150 cfs  
1.150 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|             |        |                        |              |
|-------------|--------|------------------------|--------------|
| CAMAS CREEK | NWSWNE | Sec 36 Twp 01S Rge 14E | CAMAS County |
| CAMAS CREEK | SEWNNE | Sec 31 Twp 01S Rge 15E | CAMAS County |
| CAMAS CREEK | NENE   | Sec 32 Twp 01S Rge 15E | CAMAS 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   |        |
| 01S | 15E | 29  |      |      |    |    |    |    |    |    |    |    |    |    | 38.0 |    | 40.0 | 39.0 | 117.0  |
| 01S | 15E | 32  | 22.0 | 31.0 |    |    |    |    |    |    |    |    |    |    |      |    |      |      | 53.0   |

Right Acre Limit: 137.0

POU Total Acres: 170.0

**CONDITIONS OF APPROVAL**

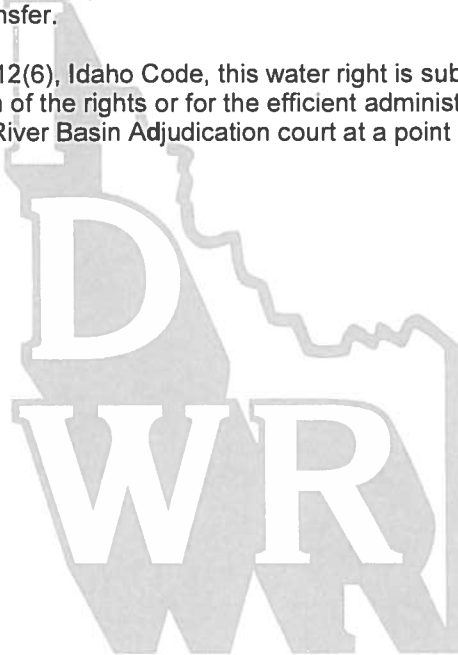
1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37B.
2. This right is limited to the irrigation of 137 acres within the authorized place of use in a single irrigation season.
3. Rights 37-591A, 37-592A, 37-21363 and 37-21367 when combined shall not exceed a total diversion rate of 3.28 cfs and the irrigation of 170 acres.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Transfer No. 78923

**WATER RIGHT NO. 37-21363**  
**As Modified by Transfer No. 78923**

**CONDITIONS OF APPROVAL**

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. The right holder shall accomplish the change authorized by this transfer within five year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



**WATER RIGHT NO. 37-21367**  
**As Modified by Transfer No. 78923**

In accordance with the approval of Transfer No. 78923, Water Right No. 37-21367 is now described as follows:

**Right Holder:** SCOTT T SCHEER  
 377 S 500 E  
 FAIRFIELD, ID 83327

**Priority Date:** 7/20/1901

**Source:** CAMAS CREEK

**Tributary:** BIG WOOD RIVER

**BENEFICIAL USE**  
 IRRIGATION

**From** 04/15 to **To** 10/31

**Diversion Rate**  
 0.960 cfs  
 0.960 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|             |        |                        |              |
|-------------|--------|------------------------|--------------|
| CAMAS CREEK | NWSWNE | Sec 36 Twp 01S Rge 14E | CAMAS County |
| CAMAS CREEK | SEWNNE | Sec 31 Twp 01S Rge 15E | CAMAS County |
| CAMAS CREEK | NENE   | Sec 32 Twp 01S Rge 15E | CAMAS 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   |        |
| 01S | 15E | 29  |      |      |    |    |    |    |    |    |    |    |    |    | 38.0 |    | 40.0 | 39.0 | 117.0  |
| 01S | 15E | 32  | 22.0 | 31.0 |    |    |    |    |    |    |    |    |    |    |      |    |      |      | 53.0   |

Right Acre Limit: 137.0

POU Total Acres: 170.0

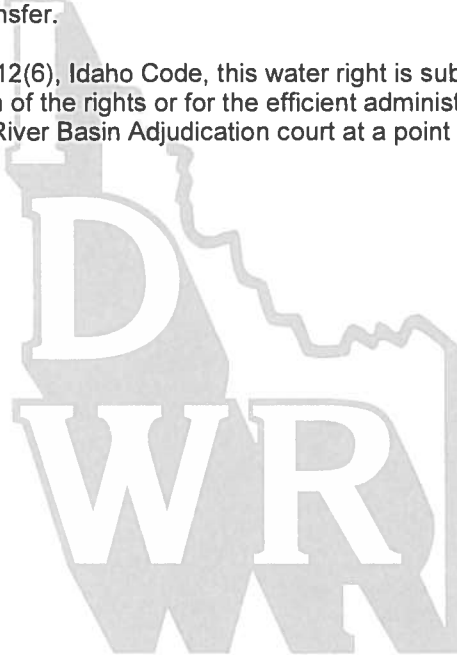
**CONDITIONS OF APPROVAL**

1. 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. 37B.
2. This right is limited to the irrigation of 137 acres within the authorized place of use in a single irrigation season.
3. Rights 37-591A, 37-592A, 37-21363 and 37-21367 when combined shall not exceed a total diversion rate of 3.28 cfs and the irrigation of 170 acres.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

**WATER RIGHT NO. 37-21367**  
**As Modified by Transfer No. 78923**

**CONDITIONS OF APPROVAL**

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. The right holder shall accomplish the change authorized by this transfer within five year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

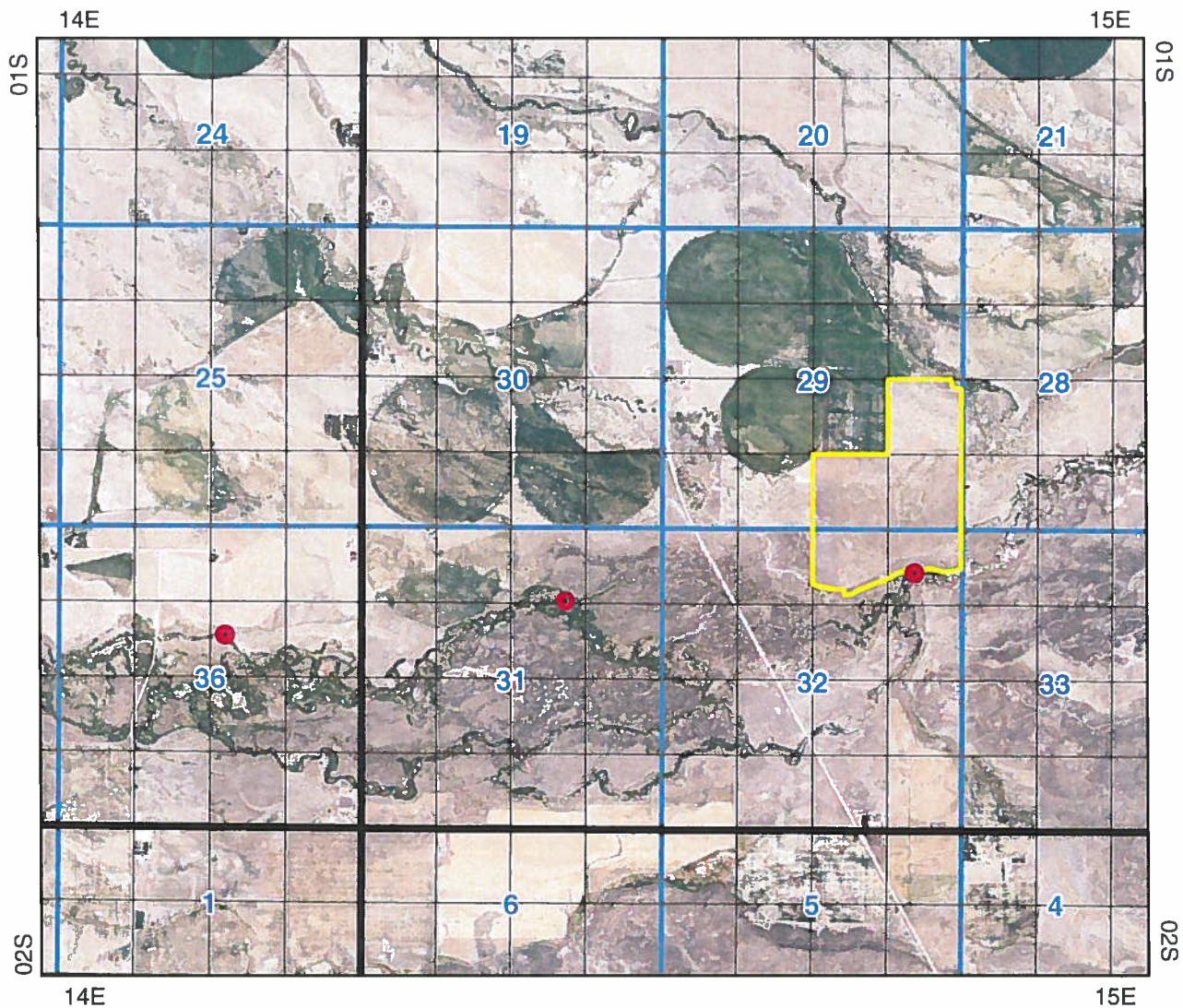


State of Idaho  
Department of Water Resources

# Attachment To Transfer No. 78923

Rights: 37-591A, 37-592A, 37-21363 and 37-21367

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
- Quarter Quarters

0 0.375 0.75 1.5 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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

September 19, 2014

SCOTT T SCHEER  
377 S 500 E  
FAIRFIELD ID 83327

Re: Transfer No: 78923  
Water Right No(s): 37-591A , 37-592A , 37-21363, 37-21367

### 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

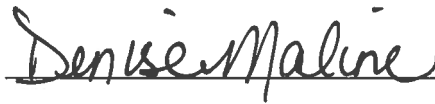
## **CERTIFICATE OF SERVICE**

I hereby certify that on September 19, 2014 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

**Re: Transfer No.: 78923**

**Water Right No(s): 37-591A , 37-592A , 37-21363, 37-21367**

**SCOTT T SCHEER  
377 S 500 E  
FAIRFIELD ID 83327**

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.



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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

September 19, 2014

RUSTY KRAMER WATERMASTER  
WATER DISTRICT # 37-B  
PO BOX 591  
FAIRFIELD, ID 83327

Re: **Approved Transfer No. 78923 (Scott Scheer)**

Dear Mr. Kramer:

For your information and records, we have enclosed a copy of the above referenced APPROVED Application(s) for Transfer within your District.

If you have any questions, please contact this office, or the applicant.

Sincerely,

Denise Maline  
Administrative Assistant

Enclosure

## MEMORANDUM

**Date:** ~~August 11, 2014~~ 9/15/2014  
**To:** Transfer 78923 File  
**From:** Jana Reeder  
**Re:** Evaluation of Sufficiency of Information Submitted

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Transfer proposes adding a point of diversion to four Camas Creek water rights (37-591A, 37-592A, 37-21363 and 37-21367). Three diversions (two existing and one new) will divert up to 3.28 cfs for the irrigation of 170 acres on an existing farm located approximately 2.8 – 3.6 mi. south and 4.5 – 5.0 mi. east of the city of Fairfield. The new point of diversion is located approximately 3.5 mi south and 4.3 mi. east of the city of Fairfield. In addition, the new point of diversion is downstream of the existing points of diversion so injury is not an issue. The property and points of diversion are located in Water District 37B so water master comments will be requested.

- **Authority to File:**  
The applicant is listed as the current owner of the rights according to IDWR records. A letter of consent from Northwest Farm Credit Services has also been submitted with the application.
- **Water Right Validity:**  
The rights involved with the transfer were decreed in the SRBA. Aerial photography indicates the use of the rights in recent years. Therefore forfeiture of the rights involved with the transfer does not appear to be an issue.
- **Injury to Other Water Rights:**  
None anticipated. New diversion is downstream of the two existing points of diversion.
- **Enlargement of Use:**  
None anticipated.
- **Local Public Interest:**  
No negative impact anticipated. Application will be subject to public notice advertising.
- **Beneficial Use/Conservation of Water Resources:**  
Proposed use is recognized as beneficial uses of water.
- **Effect on Economy of the Local Area:**  
None anticipated.
- **Effect of the Agricultural Base of the Local Area:**  
None anticipated.

**Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application**

## RECEIVED

SEP 15 2014

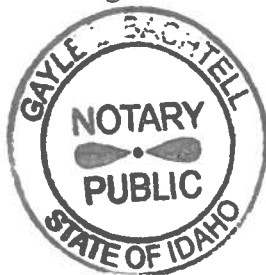
DEPT OF WATER RESOURCES  
SOUTHERN REGION

STATE OF IDAHO )  
 ) ss.  
County of Camas )

Edward Reagan, being first duly sworn, deposes and says that he/she is the designated agent for the publisher of The Camas Courier, a newspaper published every week in Fairfield, County of Camas, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145, that the annexed advertisement, a copy of which is hereto attached, was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 20th day of August, 2014, and the date of the last publication was on the 27th day of August, 2014.

E. J. Reilly

On this 12<sup>th</sup> day of Sept., in the year of 2014 before me,  
a Notary Public, personally appeared Edward Reagan,  
known or identified to me to be the person whose name subscribed to the within  
instrument, and being by me first duly sworn, declared that the statements therein  
are true, and acknowledged to me that he/she executed the same.



*Gayle L. Bachtell*  
Notary Public for Idaho

### Residing in Fairfield

My commission expires: 10-19-2017

## Cost of Publication

Number of lines in notice 48  
Number of runs 2

|                         |                   |                 |
|-------------------------|-------------------|-----------------|
| Cost for advertisement: | First run         | \$ <u>38.40</u> |
|                         | Additional runs   | \$ <u>33.60</u> |
|                         | <b>Total Cost</b> | \$ <u>72.00</u> |

Legal ad rates:  
1st or single run - \$ 0.80 pcl  
Additional run - \$0.70 pcl  
(pcl - per column line)

Mail payment to:

**THE CAMAS COURIER**  
Post Office Box 339  
Fairfield, Idaho 83327



The Herrett Center and Magic Valley Astronomical Society will team up again for another 'Dark Sky' Star Party on Friday and Saturday, Aug. 22 and 23 at Castle Rocks State Park near Almo. The annual event lets people enjoy sky views that are not washed out by city light.

The seventh annual City of Rocks Star Party will start at 2 p.m. each day with solar viewing at the Smoky Moun-

tain Campground at Castle Rocks State Park until 6 p.m. This park is located about one mile southwest of the town of Almo. Visitors are encouraged to camp overnight at the campground. State park fees apply but the event is free of charge and open to everyone.

For more information about the event, please call the Herrett Center at 732-6655 or visit [www.csi.edu/herrett](http://www.csi.edu/herrett)

# LEGAL NOTICES ~ LEGAL NOTICES ~ LEGAL NOTICES ~ LEGAL NOTICES ~ LEGAL NOTICES ~ LEGAL NOTICES

## NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 78923

SCOTT T SCHEER, 377 S 500 E, FAIRFIELD, ID 83327; has filed Application No. 78923 for changes to the following water rights within CAMAS County(s): Right No(s). 37-21363, 37-21367, 37-591A, 37-592A; to see a full description of these rights and the proposed transfer, please visit our website at [www.idwr.idaho.gov](http://www.idwr.idaho.gov) and search under New Water Right Applications. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes adding a point of diversion to four Camas Creek water rights. Three diversions (two existing and one new) will divert up to 3.28 cfs for the irrigation of 170 acres on an existing farm located approximately 2.8 – 3.6 mi. south and 4.5 – 5.0 mi. east of the city of Fairfield. The new point of diversion is located approximately 3.5 mi south and 4.3 mi. east of the city of Fairfield.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. 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 September 8, 2014. The protestant must also send a copy of the protest to the applicant.

**GARY SPACKMAN, Director**  
published on 8/20 & 8/27, 2014

## IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CAMAS

GREEN TREE SERVICING LLC

Plaintiff,

vs.

IAN DAVID IRELAND; DEANNA IRELAND; TIMOTHY J. OSWALD and  
Does 1-10 as individuals with an interest in the property legally described as:

All that portion of the SW1/4 of Section 11 Township 1 South, Range 14,  
East Boise Meridian, Camas County, Idaho Described as follows:  
Beginning at the SW corner of SW1/4 of Section 11 and running thence East on  
the South Section line of said Section 11, 738 feet; thence in a Northwesterly  
direction to a point on the South line of the Railroad Right of Way of the Idaho  
Central Railroad Company, which is 140 feet East of the West Section line of  
said Section 11; thence West 140 feet to the West Section line of said Section 11;  
thence, South on said West Section line to the point of beginning. Excepting  
therefrom all land heretofore deeded or used for highway or road purposes.

Which may commonly be known as: North 110 East, Fairfield, ID 83327.

Defendants.

Case No.  
CV 2014-09

SUMMONS  
FOR  
PUBLICATION

**NOTICE: YOU HAVE BEEN SUED BY THE ABOVE-NAMED PLAINTIFF. THE COURT MAY ENTER JUDGMENT AGAINST YOU WITHOUT FURTHER NOTICE UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE FOLLOWING BELOW.**

### TO: All Defendants

You are hereby notified that in order to defend this lawsuit, an appropriate written response must be filed with the above-designated court within 20 days after service of this Summons on you. If you fail to so respond, the court may enter judgment against you as demanded by the Plaintiff in the Complaint.

The nature of the claim against you is for, among other things, judicial foreclosure of the real property located at North 110 East, Fairfield, ID 83327.

A copy of the Summons and Complaint can be obtained by contacting either the Clerk of the Court or the attorney for Plaintiff. If you wish to seek the advice of or representation by an attorney in this matter, you should do so promptly so that your written response, if any, may be filed in time and other legal rights protected.

An appropriate written response requires compliance with Rule 10(a)(1) and other Idaho Rules of Civil Procedure and shall also include:

1. The title and number of this case.
2. If your response is an Answer to the Complaint, it must contain admissions or denials of the separate allegations of the Complaint and other defenses you may claim.
3. Your signature, mailing address and telephone number, or the signature, mailing address and telephone number of your attorney.
4. Proof of mailing or delivery of a copy of your response to Plaintiff's attorney, as designated above.

To determine whether you must pay a filing fee with your response, contact the Clerk of the above-named Court.

DATED This 4th day of August, 2014.

CLERK OF THE DISTRICT COURT  
By: Annie Frostenson, Deputy Clerk

OK DM  
9-15-2014

State of Idaho  
Department of Water Resources  
Transfer of Water Right(s)  
**RECOMMENDATION FORM**

RECEIVED

AUG 19 2014

DEPT OF WATER RESOURCES  
SOUTHERN REGION

Transfer Application No.: 78923

Water Right No(s): 37-21363, 37-21367, 37-591A,  
37-592A

Transfer Applicant's Name: SCOTT T SCHEER  
377 S 500 E  
FAIRFIELD, ID 83327

Watermaster's Recommendation:

- a)  I do not oppose approval of this application.
- b)        I do not oppose approval of this application if it is conditioned as follows:
- c)        I oppose approval of this application for the following reasons:
- d)        Additional comments:

Dated this 18 day of August, 2014

Water District No. 37-B

Rusty Kramer  
Watermaster's Signature

Rusty Kramer  
Printed Name