

FEE \$100.00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 06 2014

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. 63-7954 (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 Nampa Phone (208) 466-7861
- 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 2/2010
- Explain your reasons for non-use of the water right and your reasons for requesting an extension of time.
 Attach additional documentation if needed.
Water Right No. 63-7954 authorizes diversion from the Elijah Drain. Water supplies in the Elijah Drain have been reduced and pump maintenance has been difficult due to variable water supply. The applicant needs additional time to either replace or move the pump facility.

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

	<u>Michael Fuss Public Works Dir</u>	<u>5/5/14</u>
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 receipted by Carute Date 6/6/14 Receipt # W042204

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-7954

Current Owner: CITY OF NAMPA
Priority Date: 3/20/1974
Origin: Water Right
Status: Active
Basis: Decreed

Source

ELIJAH DRAIN

Tributary

WILSON DRAIN

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Total Diversion

Diversion Rate

1.78 CFS

1.78 CFS

Annual Volume

770 AF

770 AF

Location of Point(s) of Diversion

ELIJAH DRAIN

CANYON County

NW1/4SW1/4

Sec. 21, Twp 03N, Rge 02W B.M.

Place of Use

IRRIGATION Within CANYON County

T03N R02W S21	SWNW	17.00	T03N R02W S21	SENW	18.00
T03N R02W S21	NESW	33.00	T03N R02W S21	NWSW	33.00
T03N R02W S21	SWSW	34.00	T03N R02W S21	SESW	36.00

Total Acres: 171

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. This water right is part of the non-potable water delivery system for the City of Nampa.
4. G16 This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

Decreed Date: 5/18/2009

Sommer, Rachel

From: Sommer, Rachel
Sent: Wednesday, July 30, 2014 10:50 AM
To: LEGALS@IDAHOPRESS.COM
Subject: Canyon Legal Ad
Attachments: Canyon Cover Letter.docx; Canyon Legal Ad.docx

Good Afternoon Legal Clerk,

Please see the attached ad for publication on 8/7/2014 & 8/14/2014.

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

July 30, 2014

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

RE: Application for Permit No's: 63-33950, 63-33954
Application for Transfer No. 79304
Application for Amendment No. 63-32461
Application for Extension No. 63-7954

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 8/25/2014. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-33950

AIMEE CRAIG
TYLER CRAIG
2611 W STATE ST
EAGLE, ID 83616
Point of Diversion SWNE S21 T05N R02W CANYON County Source GROUND WATER
Use: DOMESTIC, STOCKWATER 01/01 to 12/31 0.02 CFS
Use: IRRIGATION 03/01 to 11/15 0.12 CFS
Total Diversion: 0.16 CFS
Date Filed: 5/7/2014
Place of Use: DOMESTIC, IRRIGATION, STOCKWATER
T05N R02W S21 SWNE
Total Acres: 6
Water bearing zone to be appropriated is from 50 to 350 feet.

63-33954

STEPHEN J BURTON
6915 CANYON BEND CT
STAR, ID 83669
Point of Diversion NWNW S36 T05N R02W CANYON County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.02 CFS
Use: IRRIGATION 03/01 to 11/15 0.06 CFS
Total Diversion: 0.08 CFS
Date Filed: 5/30/2014
Place of Use: DOMESTIC, IRRIGATION
T05N R02W S36 NWNW
Total Acres: 2
Water bearing zone to be appropriated is from 78 to 308 feet.

PROPOSED CHANGE OF WATER RIGHTS

Henry Rajczak of 13941 Santa Rita Dr., Nampa, ID 83686 filed Application No. **79304** to transfer a portion of two water rights with 1967 priority dates from ground water totaling 0.12 cfs. The purpose of the transfer is to split the water rights and change the point of diversion for the applicant's property to a domestic well located on his property. Water will be used at the current place of use approximately 2 miles southwest of Lake Lowell between Marsing Rd. and Deer Flat Rd. in Chaparral Ranch Subdivision.

PROPOSED AMENDMENT OF WATER PERMIT

Places LLC of PO Box 300, Parma, ID, 83660, filed Application No. **79424** to amend a water permit with a 2005 priority from Sand Hollow Creek totaling 30.0 cfs for wildlife and wildlife storage uses. The permit provides wildlife water for property located on the north side of Sharp Lane, approximately 0.5 mile east of Apple Valley Road and south of Klahr Road. The applicant proposes to amend the permit to add a second point of diversion.

**EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT**

City of Nampa of 411 3rd St. South, Nampa, ID, 83651, filed an Application proposing an Extension of Time to Avoid Forfeiture for Water Right No. **63-7954** with a 1974 priority from Elijah Drain totaling 1.78 cfs. The irrigation right was last used in 2010. The right serves property located south of Davis Ave., west of N. Stanford St., north of Lone Star Rd., and east of N. Midland Blvd. The applicant requests the extension of time to replace or move the pump facility.

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 rights(s), proposed transfer, permit and the proposed amendment, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. For specific details of the extension see this link www.idwr.idaho.gov/apps/ExtSearch/SearchWRAJ.asp using right no63-7954. Protests may be submitted based on the criteria of Sec 42-203A and 42-222, Idaho Code. Any protest against the approval of this 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 8/25/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/7/2014 and 8/14/2014