

Sommer, Rachel

From: Sommer, Rachel
Sent: Thursday, May 01, 2014 9:14 AM
To: 'SSWENSON@MOUNTAINHOMENEWS.COM'
Subject: Elmore Legal Ad
Attachments: Elmore Cover Letter.docx; Elmore Legal Ad.docx

Good Morning Stacy Swenson,

Please see the attached ad for publication on 5/7/2014 & 5/14/2014.

Please confirm these are okay to publish as shown.

Thank you very much,

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

May 1, 2014

LEGAL NOTICE DEPARTMENT
MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME, ID 83647-1330

RE: Application for Exchange of Water Right No. 61-2152

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 5/27/2014. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

PROPOSED EXCHANGE OF WATER RIGHT

Richard W. Anderson of 9689 Gurdon Dr., Boise, ID, 83704, filed an application for exchange of Water Right No. **61-2152** with a 1965 priority date from Little Canyon Creek totaling 1.36 cfs. The right is diverted and used for irrigation purposes from March 15 through November 15 located on the south side of Little Canyon Creek, approximately 1 mile northwest of Three Island Crossing State Park, 2 miles southwest of Glens Ferry and 0.7 miles north of the Snake River.

The purpose of the exchange is to move the point of diversion. Water will be left in the creek to flow into the river, in exchange for being diverted from the river about 0.25 mile upstream from the confluence of those streams. This exchange will be permanent.

For additional information concerning the property location, contact Western Region office at (208) 334-2190; or see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp for a full description of the right(s) and the proposed transfer. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change 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 5/27/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/7/2014 and 5/14/2014

Walker, Kay

From: Mark Anderson (markanderson) [markanderson@micron.com]
Sent: Wednesday, April 30, 2014 2:20 PM
To: Walker, Kay
Cc: 'GEORGIA ANDERSON'; Mark Anderson (markanderson)
Subject: RE: Application for Exchange of Water Rt. 61-2152

Thank you Kay,

That helps a great deal in understanding the process and what to expect.

Regards,

Mark Anderson

From: Walker, Kay [mailto:Kay.Walker@idwr.idaho.gov]
Sent: Wednesday, April 30, 2014 2:08 PM
To: Mark Anderson (markanderson)
Cc: Walker, Kay
Subject: RE: Application for Exchange of Water Rt. 61-2152

Mr. Anderson:

If a protest is filed, the Department will set up a preliminary conference to allow the applicant and protestant a chance to resolve the protest and if that does not happen the Department will schedule a hearing, with a hearing officer and attorneys if there are any involved. Some of the contested cases have gone on for years, some are resolved pretty quick. I am sorry but I cannot give you a better answer to that question.

Sincerely,

KAY WALKER

Sr. Water Resource Agent

From: Mark Anderson (markanderson) [mailto:markanderson@micron.com]
Sent: Wednesday, April 30, 2014 1:58 PM
To: Walker, Kay
Subject: RE: Application for Exchange of Water Rt. 61-2152

Thank you Kay,

Sorry but one more question, If a protest is filed how long can that potentially delay the final approval??

Thanks again,

Mark Anderson

From: Walker, Kay [mailto:Kay.Walker@idwr.idaho.gov]
Sent: Wednesday, April 30, 2014 1:53 PM
To: Mark Anderson (markanderson)
Cc: Walker, Kay
Subject: RE: Application for Exchange of Water Rt. 61-2152

Mr. Anderson:

Best Regards,

Mark Anderson

From: Walker, Kay [<mailto:Kay.Walker@idwr.idaho.gov>]
Sent: Tuesday, March 25, 2014 10:19 AM
To: Mark Anderson (markanderson)
Cc: Walker, Kay
Subject: RE: Application for Exchange of water

Mr. Anderson:

I have placed your exchange application in the basket to be advertised. It should be advertised the 1st and 2nd weeks of April, on Wednesday in the Elmore county newspaper. The last date of protest should be April 21st. This should work well with the SRBA Court's hearing on April 15th. Once the Court has finalized their process and the advertising is completed, if there are no protests, we should be able to complete the action on your exchange.

Hope this information is helpful.

Sincerely,

Kay Walker

Sr. Water Resource Agent

334-2190

From: Mark Anderson (markanderson) [<mailto:markanderson@micron.com>]
Sent: Monday, March 24, 2014 4:31 PM
To: Walker, Kay
Cc: Mark Anderson (markanderson)
Subject: RE: Application for Exchange of water

Hi Kay,

Kay we are curious of the status of our application and if you can provide any further update from the one below.

Looking forward to an update if one is available.

Best Regards,

Mark Anderson

From: Walker, Kay [<mailto:Kay.Walker@idwr.idaho.gov>]
Sent: Friday, February 28, 2014 1:58 PM
To: Mark Anderson (markanderson)
Cc: Walker, Kay
Subject: RE: Application for Exchange of water

Mr. Anderson:

I received your application for exchange for review on February 20 and have not had a chance to look at it yet. I do see that the SRBA court is working to make corrections to the partial decree. There is a hearing scheduled on April 15th at 1:30 pm at the SRBA Court in Twin Falls. I am unsure if we will have to wait until the partial decree is fixed before we can process the exchange or not. Once I review the application and discuss with my supervisor I will know what we can

and cannot do. I will try to keep you informed of what is going on. Please feel free to contact me if you have further questions.

Sincerely,

KAY WALKER

Sr. Water Resource Agent

334-2190

From: Mark Anderson (markanderson) [<mailto:markanderson@micron.com>]

Sent: Friday, February 28, 2014 8:50 AM

To: Grimm, Angie

Cc: Mark Anderson (markanderson)

Subject: Application for Exchange of water

Hi Angie,

Hope all is well with you. I was wondering if you have the ability to give me an update on the status of the application for exchange (point of diversion) filed December 26th for water right # 61-2152. If it has been reviewed yet, when it may be published ?? if you can find out?

Thanks for your help!

Mark Anderson

AFFIDAVIT OF PUBLICATION

County of Elmore } ss.
State of Idaho

The following application has been filed to appropriate the public waters of the State of Idaho:

PROPOSED EXCHANGE OF WATER RIGHT

Richard W. Anderson of 9689 Gurdon Dr., Boise, ID, 83704, filed an application for exchange of Water Right No. 61-2152 with a 1965 priority date from Little Canyon Creek totaling 1.36 cfs. The right is diverted and used for irrigation purposes from March 15 through November 15 located on the south side of Little Canyon Creek, approximately 1 mile northwest of Three Island Crossing State Park, 2 miles southwest of Glenns Ferry and 0.7 miles north of the Snake River.

For additional information concerning the property location, contact Western Region office at (208) 334-2190; or see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp for a full description of the right(s) and the proposed transfer. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change 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 4/21/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
First Publication: April 2, 2014
Last Publication: April 9, 2014

X
FATAL
ERROR
WILL
RE ADV.
4/30/14
RS.

Mountain Home News

A weekly newspaper of general circulation, published once a week, in Mountain Home, Idaho, that the notice attached hereto which is a part of publication thereof; was published in said newspaper for _____ consecutive weeks, the first publication having been made on the _____ day of _____, 2014, and the last publication having been made on the _____ day of _____, 2014; every Wednesday issue of the paper during the period and time of publication and that the notice was published in the paper proper and not in a supplement thereof.

And I further swear that the said Mountain Home News has been continuously and uninterruptedly published in said Elmore County during the period of 78 consecutive weeks prior to the first publication of the attached notice.

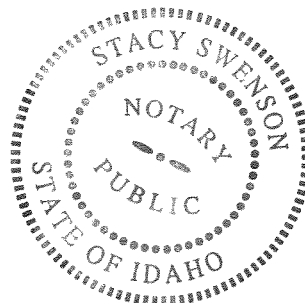
Brenda M Fincher
Publisher

Subscribed and sworn to me this 10th day of April, 2014.

[Signature]
Notary Public

Residing in Mountain Home, Elmore County, Idaho.

My commission expires **11-17-2017**.



RECEIVED

APR 14 2014

WATER RESOURCES
WESTERN REGION