

Idaho Statesman

P.O. BOX 40, BOISE, ID 83707-0040

LEGAL PROOF OF PUBLICATION

RECEIVED

AUG 29 2013

Account # 263978	DTI# 612893	Identification LEGAL NOTICE TERTELING CO INC	Amount \$234.38	WATER RESOURCES WESTERN REGION
Attention: RACHEL SOMMER		P.O. #	Run Dates AUGUST 15, 22, 2013	
IDAHO DEPARTMENT OF WATER RESOURCES WEST 2735 AIRPORT WAY BOISE, ID 83705			Number of Lines 2 X 75	
			Affidavit 1	Legal #

LEGAL NOTICE

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

63-12540

THE TERTELING CO INC

3858 GARDEN CENTER WAY STE 300
BOISE, ID 83703

Points of Diversion NWNE NWNE NWNE NWSE S22 T04N R02E ADA
County Source GROUND WATER

Use: IRRIGATION 3/15 to 11/15 1.1 CFS

Total Diversion: 1.1 CFS

Date Filed: 6/24/1999

Place of Use: IRRIGATION

T04N R02E S14 SWSW SESW

T04N R02E S15 NESE SESE

T04N R02E S21 SENE NESE SESE

T04N R02E S22 NENE NWNE NW(ALL) SW(ALL) NWSE

Total Acres: 357

Proposes 3 applications (Appl) for existing and proposed development around Cartwright Road about 1-2 miles north of Simplot Hill, east of Quail Hollow Golf Course. The Appls propose a 357 acre permissible place of use limited as follows: Appl 78280 for 63-10533, 25 acres; Appl 78282 for 63-3603 & 63-7595, 178 acres; Appl 63-12540, 95 acres; total irrigation per year, 298 acres. Appls 78280 and 63-12540 are limited to cold water less than 85 degrees Fahrenheit, Appl 78282 allows use of cold water and low temperature geothermal water (exceeding 85 degrees Fahrenheit), hotter water is from existing wells authorized under existing rights. Two new cold water wells are proposed (Creekside & Miller Gulch Wells). Water bearing zone for existing & proposed wells in Appl 63-12540 is from 205 to 595 feet. Ground water less than 200 feet deep is not involved. Appl 78280 retires use from Cartwright Well (formerly United Water) that is close to Simplot Hill.

PROPOSED CHANGE OF WATER RIGHTS

The Terteling Company Inc. of 3858 Garden Center Way, Boise, ID, 83703, filed Application Nos. 78280 and 78282 to transfer three water rights with 1967 to 1987 priority dates from ground water sources.

Transfer 78280 proposes to change a municipal water right to an irrigation right. The transfer also proposes to change and add points of diversion, place of use and season of use of the right.

Transfer 78282 proposes to change and add points of diversion and place of use of two existing irrigation rights.

Proposes 3 applications (Appl) for existing and proposed development around Cartwright Road about 1-2 miles north of Simplot Hill, east of Quail Hollow Golf Course. The Appls propose a 357 acre permissible place of use limited as follows: Appl 78280 for 63-10533, 25 acres; Appl 78282 for 63-3603 & 63-7595, 178 acres; Appl 63-12540, 95 acres; total irrigation per year, 298 acres. Appls 78280 and 63-12540 are limited to cold water less than 85 degrees Fahrenheit, Appl 78282 allows use of cold water and low temperature geothermal water (exceeding 85 degrees Fahrenheit), hotter water is from existing wells authorized under existing rights. Two new cold water wells are proposed (Creekside & Miller Gulch Wells). Water bearing zone for existing and proposed wells in Appl 63-12540 is from 205 to 595 feet. Ground water less than 200 feet deep is not involved. Appl 78280 retires use from Cartwright Well (formerly United Water) that is close to Simplot Hill.

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 &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. 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, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 9/03/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Pub. Aug. 15, 2013

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended, for:

TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning issue of: AUGUST 15, 2013

ending issue of: AUGUST 22, 2013

Janice Hildreth

STATE OF IDAHO)

.SS

COUNTY OF ADA)

On this 22 day of AUGUST in the year of 2013
before me, a Notary Public, personally appeared before me
Janice Hildreth 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 she executed the same.

Notary Public for Idaho

Residing at: Boise, Idaho

My Commission expires:

