

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JAN 30 2013

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

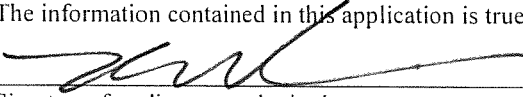
WATER RESOURCES
WESTERN REGION

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.

1. Water Right No. 2-10370 (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.
2. Applicant KHANH X MONGTU NGUYEN Phone 208.890.1566
3. 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.
4. Mailing address ☐ Same as water right record -- OR -- complete the following information:
Address 12482 N. UPPER RIDGE PL. City BOISE
State ID Zip code 83714 Email kentu.family@gmail.com
5. Give the last date water was beneficially used N/A UNKNOWN
6. 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 HAS NOT BEEN USED SINCE PURCHASED 2007.
WORKING w/ HAT BUTTE TO REESTABLISHED WATER
DELIVERY.

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


Signature of applicant or authorized agent

KHANH M. NGUYEN
Print name (and title, if applicable)

1/31/13
Date

Signature of applicant or authorized agent

Print name (and title, if applicable)

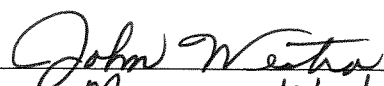
Date

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
Approve said application, subject to the following conditions or reasons:

The right holder shall resume beneficial use of water on or before July 1, 2018

Signed this 17th day of July, 20 13.


Title: Manager, Western Region

Stamped received ☒ Fee receipted by JA Date 1/31/2013 Receipt # W040831

SCANNED
JUN 04 2013



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

July 18, 2013

KHANH AND MONGTU NGUYEN
12482 N UPPER RIDGE PL
BOISE ID 83714

RE: Water Right No. 2-10370

Extension to Avoid Forfeiture of Water Right Approval Letter

Dear Water Right Holder:

Enclosed is a copy of an approved Application for Extension of Time to Avoid Forfeiture for the above referenced water right. Please note that resumption of beneficial use for this right shall occur on or before **JULY 1, 2018**.

Please notify the Department as soon as you resume use of water under this right. If you have not notified the Department sixty (60) days prior to the resumption deadline, the Department will send you a Resumption of Use Notice by certified mail.

Section 42-248, *Idaho Code*, requires water right owners to maintain current ownership and address records on file with the Department. Please refer to www.idwr.idaho.gov or contact any office of the Department for the proper form to file a change of ownership of water right and/or a change in address of the owner.

Please contact this office at 208-334-2190 if you have any questions concerning this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Westra'. Below the signature, the text 'For:' is written in a smaller, handwritten font.

John Westra
Western Regional Manager

Enclosures

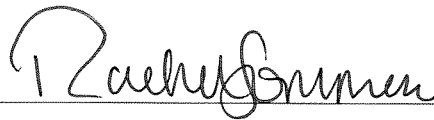
CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2013, I mailed a true and correct copy, postage prepaid, of the foregoing EXTENSION OF TIME TO AVOID FORFEITURE to the persons listed below:

RE: WATER RIGHT NO.

65-3504

**KHANH AND MONGTU NGUYEN
12482 N UPPER RIDGE PL
BOISE ID 83714**

A handwritten signature in cursive script, reading "Rachel Sommer", is written over a horizontal line.

**Rachel Sommer
Administrative Assistant I**

LEGAL NOTICE

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

63-33741

JAMES WEBBER
TONI WEBBER
4920 SE KELLY
PORTLAND, OR 97206
Point of Diversion NWNW S13 T05N R06W CANYON County
Source SOUTH BOISE DRAIN Tributary SNAKE RIVER
Use: IRRIGATION 03/01 to 11/01 3.2 CFS
Total Diversion: 3.2 CFS
Date Filed: 1/28/2013
Place Of Use: IRRIGATION
T05N R06W S12 SWSW SESW
T05N R06W S13 NENW NWNW SWNW
Total Acres: 160

63-33764

JAMES RONALD HAYS
2438 E HERBERT DR
BOISE, ID 83706
Point of Diversion SENW S12 T01S R02W CANYON County
Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 0.8 CFS
Total Diversion: 0.8 CFS
Date Filed: 4/22/2013
Place Of Use: IRRIGATION
T01S R02W S12 SENW
Total Acres: 40
Water bearing zone to be appropriated is from 120 to 250 feet.

63-33769

O STANLEY MORTENSEN
MYRTLE L MORTENSEN
2367 RIVER OAKS DR
NAMPA, ID 83686
Point of Diversion SWNE S29 T01N R02W CANYON County
Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: IRRIGATION 03/01 to 11/15 1.6 CFS
Total Diversion: 1.64 CFS
Date Filed: 4/25/2013
Place Of Use: DOMESTIC
T01N R02W S29 SWNE
Place Of Use: IRRIGATION
T01N R02W S29 SWNE SENE
Total Acres: 80
Water bearing zone to be appropriated is from 150 to 300 feet.

63-33774

RUBEN ASUMENDI
23032 HWY 20 26
PARMA, ID 83660
Point of Diversion NESW S36 T04N R02W CANYON County
Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 2.32 CFS
Total Diversion: 2.32 CFS
Date Filed: 5/2/2013
Place Of Use: IRRIGATION
T04N R02W S36 SENW NESW NWSW
Total Acres: 116
Water bearing zone to be appropriated is from 20 to 400 feet.

63-33777

LAKEVIEW LAND CO LLC
10778 PERCH RD
CALDWELL, ID 83686
Point of Diversion SWSW S4 T02N R03W CANYON County
Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 1.6 CFS
Total Diversion: 1.6 CFS
Date Filed: 5/14/2013
Place Of Use: IRRIGATION
T02N R03W S4 NWSW SWSW
Total Acres: 80
Water bearing zone to be appropriated is from 200 to 400 feet.

RECEIVED

JUN 17 2013

WATER RESOURCES
WESTERN REGION

PROPOSED CHANGE OF WATER RIGHT(S)

Ronald G. Smith of 25357 Wamstad Rd Parma ID 83660 filed Application No. **78594** to transfer four water right(s) with 1977 to 1987 priority dates from ground water totaling 11.75 cfs. The purpose of the transfer is to change an existing P/D and add a new P/D for diversion of up to 7.8 cfs. Water will be used at the current place of use near the intersection of Arena Valley and Matthews Roads in the Deer Flat area southeast of Riverside Canal, approximately 4.5 miles southwest of Parma.

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

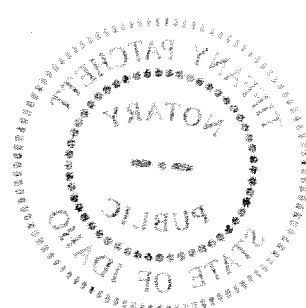
Khanh and Mongtu Nguyen of 12482 N. Upper Ridge Place, Boise, ID 83714, filed an Application proposing an Extension of Time to Avoid Forfeiture for Water Right No. **2-10370** with a 1963 priority from Snake River totaling 0.285 cfs. The applicant does not know when the the irrigation right was last used. The right serves property located 4 miles north of the Snake River and 6 miles northwest of Melba. The applicant requests the extension of time to provide adequate time to work with the Hat Butte Irrigation Company to reestablish water delivery to the site.

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. For specific details of the extension see this link www.idwr.idaho.gov/apps/ExtSearch/SearchWRAJ.asp using right no 2-10370. 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 6/24/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

June 06, 13, 2013

902888



OK
7.2.13
RS

RECEIVED

29512 902888

1 IDAHO DEPT. OF WATER RESOURCES

WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

RECEIVED

JUN 17 2013

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)

County of Canyon)

SS.

Leann Nobella
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principle Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 times(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

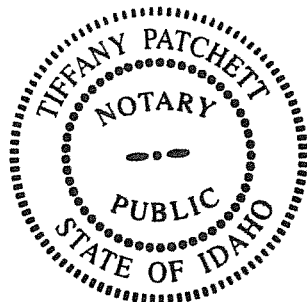
That said notice was published the following:
06/06/2013 06/13/2013

Leann Nobella

STATE OF IDAHO)

County of Canyon)

On this 13th day of June in the year of
2013 before me a Notary Public, personally appeared.
Leann Nobella, known or identified
to me to be the person whose name is subscribed
to the within instrument, and being by me first
duly sworn, declared that the statements therein
are true, and acknowledge to me that he/she
executed the same.



J. P. Pad
Notary Public for Idaho
Residing at Canyon County
My Commission expires 09/12/2018