

RECEIVED

MAY 13 2013

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESWATER RESOURCES
WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for an entire water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right or to report an ownership change for a portion of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

☒ Change diversion point(s)☒ Add diversion point(s)☐ Ownership change1. APPLICANT(S) RONALD G SMITH AND MARGARETE SMITH Phone 208-722-63332. MAILING ADDRESS 25357 WAMSTAD RD City PARMA
State ID Zip 83660 Email SLF@SLFARMS-US☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) required for water right ownership changes; see fee schedule.☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.3. LIST WATER RIGHT NUMBER(S) 63-9058 63-9074 63-9881 63-10555☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers*, Step 1, or by contacting any Department office.4. TOTAL AMOUNT OF WATER transferred is 11.75 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers*, *Online Resources*.

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
5N	5W	31	3		NW	SW	CANYON	GROUND WATER	
5N	5W	31	2		SW	NW	"	"	
5N	5W	31			NW	SW	"	"	
5N	5W	31			SE	NW	"	"	

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WATER RESOURCES
WESTERN REGION

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

WELL - PUMP - PIPE LINE WATER METER

- b. Who owns the property at the point(s) of diversion? RONALD & MARGARET SMITH
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe _____

7. **MAP** - ☐ Attach a map of the diversion, measurement, control and distribution system. Clearly label the map with township, range, section and ¼ ¼ of section information. The *Map Tool*, available at <http://maps.idwr.idaho.gov/TransferApplicationLayouts/> provides a satisfactory template for creating the required map.

8. **SIGNATURE** - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Ronald G Smith RONALD G SMITH OWNER 5-10-13
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

9. **FEE** - ☐ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The *Fee Schedule* is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the *Application for Transfer Instructions*.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by MG Date 5/13/13
Fee paid \$1060- Date 5/13/13 Received by MG Receipt # 1104112A
Preliminary review completed by _____ Date _____

Please expedite this application as I expect the well driller to be available soon and I don't want to miss my turn in line.

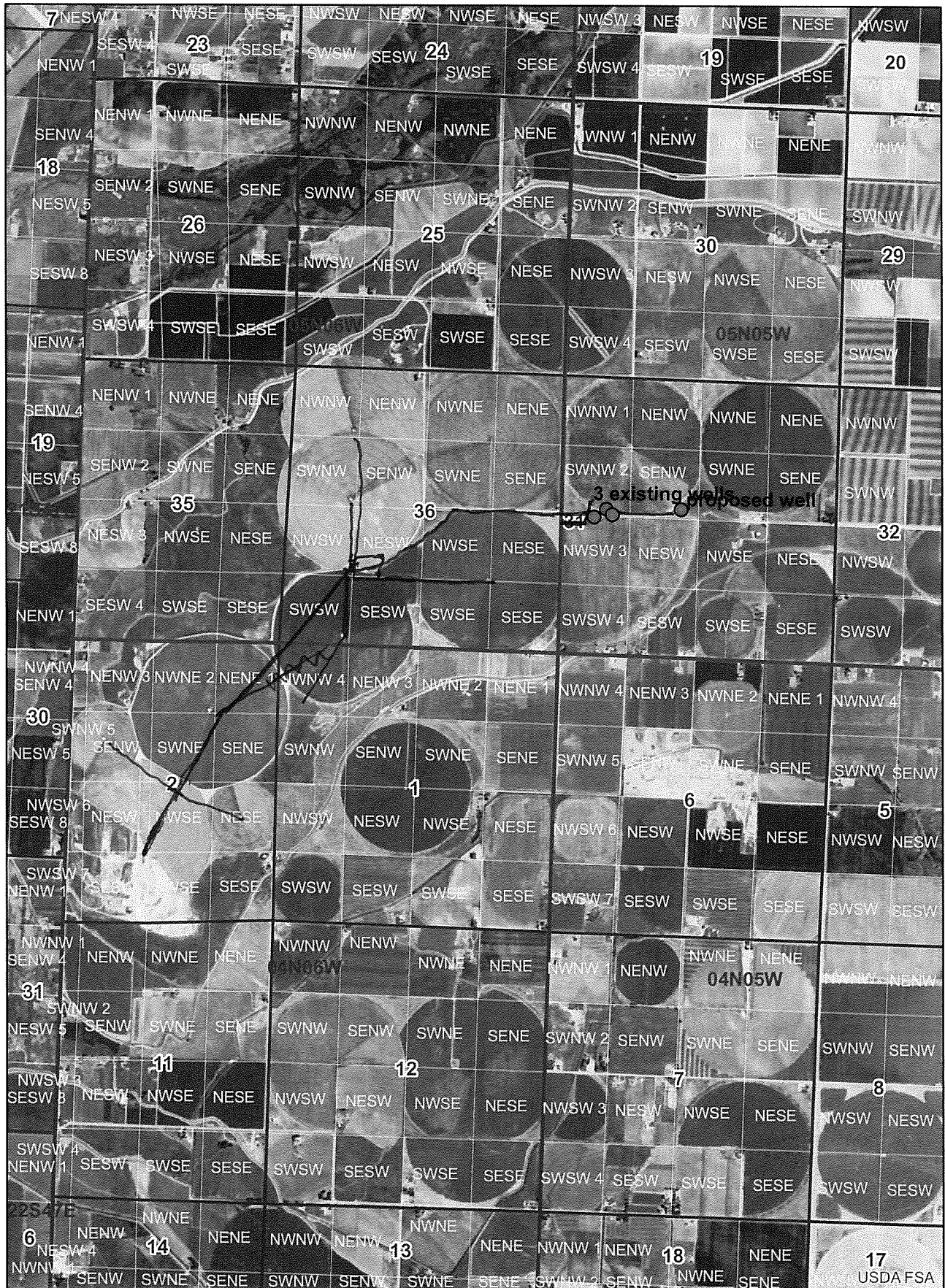
Thank you,

Ronald G. Smith

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**WATER RESOURCES
WESTERN REGION**



max from NW well = 3500 gpm or 7.8 cfs = for of a 1060' -
 T # 78594

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9058

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MAY 13 2013

WATER RESOURCES
WESTERN REGION

WATER RIGHT NUMBER: 63-9058

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RONALD G SMITH 25357 WAMSTAD RD PARMA, ID 83660 (208)722-6333

Priority Date: 10/18/1977

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.600 CFS	576.00 AF
	<u>Total Diversion:</u>	1.600 CFS	576.00 AF

Location of Point(s) of Diversion

GROUND WATER	L2 (SW1/4NW1/4)	Sec. 31, Twp 05N, Rge 05W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4	Sec. 36, Twp 05N, Rge 06W, B.M.
CANYON County		
GROUND WATER	L3 (NW1/4SW1/4)	Sec. 31, Twp 05N, Rge 05W, B.M.
CANYON County		

Place of UseIRRIGATION Within CANYON County

T05N R05W S31 Lot 2 SWNW	34.0	T05N R05W S31 Lot 3 NWSW	36.0
T05N R05W S31 Lot 4 SWSW	39.0	T05N R05W S31 SESW	19.0

Total Acres: 128

Conditions of Approval:

1. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
2. F05 Right Nos. 63-9074, 63-9881 and 63-10555 are also diverted through point of diversion described above.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9058

3. The total instantaneous diversion of water from all points of diversion under Right Nos. 63-9058, 63-9074, 63-9881 and 63-10555 shall not exceed 11.75 cfs, nor a total combined annual volume of 5160.2 af.
- Right 63-09058 when combined with Right 63-09881 shall not exceed a total diversion rate of 1.60 cfs and a total annual maximum diversion volume of 777.5 af at the field headgate.
4. Approval of Transfer 5246 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. S39 The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
6. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. 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.
8. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
9. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
10. W59 Use of this right is combined with water from Wilder Irrigation District.
11. 079 This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Remarks:Comments:

1. vmusic 8/24/2006 RECOMMENDATION
Comment: RECOMMENDED PER TRANSFER 5246

2. vmusic 8/24/2006 ACRES
Comment: DID NOT REDUCE ACRES REFERENCED IN TRANSFER MEMO. WITHIN 5 PERCENT

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9058

Dates and Other Information:

Licensed Date:
Decreed Date: 4/3/2009
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.6	777.5	

Combined Water Rights: 63-9881 , 63-9058

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9074

WATER RIGHT NUMBER: 63-9074

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WESTERN REGION**

Owner Type Name and Address
 Current Owner RONALD G SMITH
 25357 WAMSTAD RD
 PARMA, ID 83660
 (208)722-6333

Priority Date: 11/08/1977

Basis: License

Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	8.000 CFS	3,887.70 AF
	<u>Total Diversion:</u>	8.000 CFS	3,887.70 AF

Location of Point(s) of Diversion

GROUND WATER	L3 (NW1/4SW1/4)	Sec. 31, Twp 05N, Rge 05W, B.M.
CANYON County		
GROUND WATER	L2 (SW1/4NW1/4)	Sec. 31, Twp 05N, Rge 05W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4	Sec. 36, Twp 05N, Rge 06W, B.M.
CANYON County		

Place of UseIRRIGATION Within CANYON County

T04N R06W S01	NENW	26.0	T04N R06W S01	NWNW	35.0
T04N R06W S01	SWNW	17.0	T04N R06W S02 Lot 1	NENE	40.0
T04N R06W S02 Lot 2	NWNE	39.0	T04N R06W S02	SWNE	40.0
T04N R06W S02	SENE	40.0	T04N R06W S02 Lot 3	NENW	2.0
T04N R06W S02 Lot 5	SWNW	9.0	T04N R06W S02	SENW	40.0
T04N R06W S02	NESW	39.0	T04N R06W S02 Lot 6	NWSW	10.0
T04N R06W S02 Lot 7	SWSW	9.0	T04N R06W S02	SESW	35.0
T04N R06W S02	NESE	38.0	T04N R06W S02	NWSE	40.0
T04N R06W S02	SWSE	35.0	T04N R06W S11	NWNE	26.0
T05N R06W S36	NENW	35.0	T05N R06W S36	NWNW	35.0
T05N R06W S36	SWNW	37.0	T05N R06W S36	SENW	37.0
T05N R06W S36	NESW	37.0	T05N R06W S36	NWSW	36.0

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9074

T05N R06W S36	SWSW	35.0	T05N R06W S36	SESW	35.0
T05N R06W S36	NESE	38.0	T05N R06W S36	NWSE	38.0
T05N R06W S36	SWSE	34.0	T05N R06W S36	SESE	34.0

Total Acres: 951

Conditions of Approval:

1. 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.
2. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. The total instantaneous diversion of water from all points of diversion under Transfer 5246 shall not exceed 11.75 cfs, nor a total combined annual volume of 5160.2 af.
Right 63-09074 when combined with Rights 63-09058, 63-09881 and 63-10555 shall not exceed a total diversion rate of 11.75 cfs.
After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
Approval of Transfer 5246 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. 079 This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Remarks:Comments:

1. PSKAGGS 7/30/1998 TRANSFER 5246

Comment: Transfer 5246 adds points of diversion (total of 3 each rt.) under Rights 63-09058/09074/09881 & 10555, & changes the place of use under Rights 63-09058 & 09881 (shifting 17 acres).

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9074

Dates and Other Information:

Licensed Date: 12/8/1994
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9881

WATER RIGHT NUMBER: 63-9881

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WATER RESOURCES
WESTERN REGION

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GERALDINE L HALL 4307 S OREGON AVE CALDWELL, ID 83605 (208)459-6464
Original Owner	ROBERT M HALL 4307 S OREGON AVE CALDWELL, ID 83605 (208)459-6464
Current Owner	RONALD G SMITH 25357 WAMSTAD RD PARMA, ID 83660 (208)722-6333

Priority Date: 02/25/1982

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.900 CFS	202.50 AF
	<u>Total Diversion:</u>	0.900 CFS	202.50 AF

Location of Point(s) of Diversion

GROUND WATER	L2 (SW1/4NW1/4)	Sec. 31, Twp 05N, Rge 05W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4	Sec. 36, Twp 05N, Rge 06W, B.M.
CANYON County		
GROUND WATER	L3 (NW1/4SW1/4)	Sec. 31, Twp 05N, Rge 05W, B.M.
CANYON County		

Place of UseIRRIGATION Within CANYON County

T05N R05W S31	NESW	29.0	T05N R05W S31	SESW	16.0
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Total Acres: 45

Conditions of Approval:

1. This right shall not be used if the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9881

2. E52 The rights listed below are limited to a total combined diversion rate of 11.75 cfs and a total annual maximum diversion volume of 777.5 af at the field headgate. Combined Right Nos.: 63-9058, 63-9074, 63-9881 and 63-10555.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. 01M After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. W59 Use of this right is combined with water from Wilder Irrigation District.
6. 004 Approval of Transfer 5246 does not grant any right-of-way or easement for use of a delivery system owned by persons other than the right holder. .
7. 01J Prior to diversion of water under Transfer 5246, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
8. E60 Right Nos. 63-9058 and 63-9881 are limited to a total combined diversion rate of 1.60 cfs and to a total combined annual diversion volume of 777.5 AF.
9. T08 Failure of the right holder to comply with the conditions of Transfer 5246 is cause for the Director to rescind approval of the transfer.
10. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. 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.
12. T07 The right holder shall accomplish the change authorized by Transfer 5246 within one year of the date of this approval.
13. S39 The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Remarks:Comments:

1. vmusic 8/23/2006 RECOMMENDATION
Comment: RECOMMENDED PER TRANSFER 5246 APPROVED 1998

2. vmusic 8/23/2006 ACRES
Comment: DID NOT REDUCE THE ACRES BY THE 1 ACRE REFERENCED IN THE TRANSFER 5246 MEMO. WITHIN 5 PERCENT.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9881

Dates and Other Information:

Licensed Date:
Decreed Date: 4/3/2009
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.6	777.5	

Combined Water Rights: 63-9881 , 63-9058

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10555

WATER RIGHT NUMBER: 63-10555

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WATER RESOURCES
WESTERN REGION

Owner Type Name and Address
Current Owner RONALD G SMITH
25357 WAMSTAD RD

PARMA, ID 83660
(208)722-6333
Original Owner RONALD G SMITH

, ID
Original Owner MARGARET E SMITH

~~POTLATCH, ID~~ Parma, ID

Priority Date: 12/29/1987

Basis: License

Status: Active

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	2.200 CFS	495.00 AF
	<u>Total Diversion:</u>	2.200 CFS	495.00 AF

Location of Point(s) of Diversion

GROUND WATER	L2 (SW1/4NW1/4)	Sec. 31, Twp 05N, Rge 05W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4	Sec. 36, Twp 05N, Rge 06W, B.M.
CANYON County		
GROUND WATER	L3 (NW1/4SW1/4)	Sec. 31, Twp 05N, Rge 05W, B.M.
CANYON County		

Place of UseIRRIGATION Within CANYON County

T05N R05W S31	NENW	33.0	T05N R05W S31 Lot 1 NWNW	33.0
T05N R05W S31 Lot 2 SWNW	5.0		T05N R05W S31	SENW
				39.0

Total Acres: 110

Conditions of Approval:

1. 079 This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
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.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10555

3. The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.
The total instantaneous diversion of water from all points of diversion under Transfer 5246 shall not exceed 11.75 cfs, nor a total combined annual volume of 5160.2 af.
Right 63-09074 when combined with Rights 63-09058, 63-09881 and 63-10555 shall not exceed a total diversion rate of 11.75 cfs.
After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
Approval of Transfer 5246 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

Remarks:Comments:

1. PSKAGGS 7/30/1998 TRANSFER 5246

Comment: Transfer 5246 adds points of diversion (total of 3 each rt.) under Rights 63-09058/09074/09881 & 10555, & changes the place of use under Rights 63-09058 & 09881 (shifting 17 acres).

Dates and Other Information:

Licensed Date: 1/5/1993
 Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number:
 Judicial District:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

Sommer, Rachel

From: Sommer, Rachel
Sent: Wednesday, May 29, 2013 3:21 PM
To: 'LEGALS@IDAHOPRESS.COM'
Subject: Legal Ad
Attachments: Canyon Cover Letter.docx; Canyon Legal Ad.docx

Good Afternoon Leann Nobella,

Please see the attached ad for publication on 6/6/2013 & 6/13/2013.

Please confirm these are okay to publish as shown.

Thank you very much,

Rachel Sommer

Administrative Assistant
IDWR, Western Region
Office: 208-334-2190
Fax: 208-334-2348
rachel.sommer@idwr.idaho.gov

May 29, 2013

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

RE: Application For Permit No's: 63-33741, 63-33764, 63-33769, 63-33774 & 63-33777
Transfer No. 78594
Extension of Time to Avoid Forfeiture No. 2-10370

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 6/24/2013. 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:

63-33741

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.

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

Published on 6/6/2013 and 6/13/2013