

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78253

This is to certify that: JOANNE WRIGHT AND
WAYNE WRIGHT
3700 N 2658 E
TWIN FALLS, ID 83301

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
47-17555	WR/DECREED	11/6/1961	3.340 cfs	728.8 af	182.2	182.9	GROUND WATER
47-17560	WR/DECREED	8/8/1954	1.520 cfs	665.2 af	166.3	182.9	GROUND WATER
47-17565	WR/DECREED	4/3/1961	0.230 cfs	110.8 af	84.2	182.9	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
47-17555	YES	YES	YES	NO	NO	NO
47-17560	YES	YES	YES	NO	NO	NO
47-17565	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
47-17555	47-17593	0.030 cfs	7.2 af	1.8	1.8	47-17555	3.310 cfs	721.6 af	180.4	181.1
47-17560	47-17591	0.010 cfs	6.5 af	1.6	1.8	47-17560	1.510 cfs	658.7 af	164.7	181.1
47-17565	47-17592	0.010 cfs	1.1 af	0.8	1.8	47-17565	0.220 cfs	108.4 af	83.4	181.1
COMBINED TOTALS		0.030 cfs	7.2 af	1.8	1.8		3.31 cfs	724.4 af	181.1	181.1

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 27th day of March, 2013.



Southern Region Manager

SUPPORT DATA

Transfer No. 78253

IN FILE # 47-17555

WATER RIGHT NO. 47-17560
As Modified by Transfer No. 78253

In accordance with the approval of Transfer No. 78253, Water Right No. 47-17560 is now described as follows:

Right Holder: MATHERS RANCH INC
 3485 E 3100 N
 KIMBERLY, ID 83341

Priority Date: 8/8/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	1.510 cfs 1.510 cfs	658.7 af 658.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNW	Sec 32 Twp 11S Rge 18E TWIN FALLS County
GROUND WATER	SWNE	Sec 31 Twp 11S Rge 18E TWIN FALLS County
GROUND WATER	SWSW	Sec 32 Twp 11S Rge 18E TWIN FALLS County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	31	0.5		8.5	27.2								2.6	40	26.0	38.0	34.0	176.8
11S	18E	32							4.3										4.3

Right Acre Limit: 164.7

POU Total Acres: 181.1

CONDITIONS OF APPROVAL

1. The rights listed below are limited to a total combined diversion rate 3.31cfs. Combined Right Nos.: 47-17555, 47-17560, 47-17565
2. The rights listed below are limited to a total combined annual diversion volume of 724.4 af. Combined Right Nos.: 47-17555, 47-17560, 47-17565
3. Right Nos. 47-17555, 47-17560, 47-17565 are limited to the irrigation of a combined total of 181.1 acres in a single irrigation season.
4. Right 47-17560 is limited to the irrigation of 164.7 acres within the place of use described above in a single irrigation season.
5. The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Transfer No. 78253

WATER RIGHT NO. 47-17560
As Modified by Transfer No. 78253

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. Use of this right is combined with water from Twin Falls Canal Co.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



WATER RIGHT NO. 47-17591

As Modified by Transfer No. 78253

In accordance with the approval of Transfer No. 78253, Water Right No. 47-17591 is now described as follows:

Right Holder: MATHERS RANCH INC
3485 E 3100 N
KIMBERLY, ID 83341

Priority Date: 8/8/1954

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
0.010 cfs
0.010 cfs

Diversion Volume
6.5 af
6.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSE Sec 24 Twp 10S Rge 16E TWIN FALLS County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	16E	24														0.8	1.0		1.8

Right Acre Limit: 1.6

POU Total Acres: 1.8

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
2. Rights 47-17591, 47-17592, and 47-17593 when combined shall not exceed a total diversion rate of 0.03 cfs, a total annual maximum diversion volume of 7.2 af at the field headgate, and the irrigation of 1.8 acres.
3. This right is limited to the irrigation of 1.6 acres within the authorized place of use in a single irrigation season.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Transfer No. 78253

WATER RIGHT NO. 47-17591

As Modified by Transfer No. 78253

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



WATER RIGHT NO. 47-17565
As Modified by Transfer No. 78253

In accordance with the approval of Transfer No. 78253, Water Right No. 47-17565 is now described as follows:

Right Holder: MATHERS RANCH INC
 3485 E 3100 N
 KIMBERLY, ID 83341

Priority Date: 4/3/1961

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
 0.220 cfs
 0.220 cfs

Diversion Volume
 109.7 af
 108.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 31 Twp 11S Rge 18E TWIN FALLS County
GROUND WATER	SWNW	Sec 32 Twp 11S Rge 18E TWIN FALLS County
GROUND WATER	SWSW	Sec 32 Twp 11S Rge 18E TWIN FALLS County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	31	0.5		8.5	27.2								2.6	40.0	26.0	38.0	34.0	176.8
11S	18E	32							4.3										4.3

Right Acre Limit: 83.4
 POU Total Acres: 181.1

CONDITIONS OF APPROVAL

- The rights listed below are limited to a total combined diversion rate of 3.31 cfs. Combined Right Nos.: 47-17555, 47-17560, 47-17565
- The rights listed below are limited to a total combined annual diversion volume of 724.4 af. Combined Right Nos.: 47-17555, 47-17560, 47-17565
- Right Nos. 47-17555, 47-17560, 47-17565 are limited to the irrigation of a combined total of 181.1 acres in a single irrigation season.
- Right 47-17565 is limited to the irrigation of 83.4 acres within the place of use described above in a single irrigation season.
- This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Transfer No. 78253

WATER RIGHT NO. 47-17565
As Modified by Transfer No. 78253

CONDITIONS OF APPROVAL

6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. The right holder shall maintain 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. Use of this right is combined with water from Twin Falls Canal Co.



WATER RIGHT NO. 47-17592
As Modified by Transfer No. 78253

In accordance with the approval of Transfer No. 78253, Water Right No. 47-17592 is now described as follows:

Right Holder: MATHERS RANCH INC
 3485 E 3100 N
 KIMBERLY, ID 83341

Priority Date: 4/3/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.010 cfs 0.010 cfs	1.1 af 1.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSW Sec 24 Twp 10S Rge 16E TWIN FALLS County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	16E	24														0.8	1.0		1.8

Right Acre Limit: 0.8

POU Total Acres: 1.8

CONDITIONS OF APPROVAL

1. Rights 47-17591, 47-17592, and 47-17593 when combined shall not exceed a total diversion rate of 0.03 cfs, a total annual maximum diversion volume of 7.2 af at the field headgate, and the irrigation of 1.8 acres.
2. This right is limited to the irrigation of 0.8 acres within the authorized place of use in a single irrigation season.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 78253

WATER RIGHT NO. 47-17592
As Modified by Transfer No. 78253

CONDITIONS OF APPROVAL

6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



WATER RIGHT NO. 47-17555
As Modified by Transfer No. 78253

In accordance with the approval of Transfer No. 78253, Water Right No. 47-17555 is now described as follows:

Right Holder: MATHERS RANCH INC
 3485 E 3100 N
 KIMBERLY, ID 83341

Priority Date: 11/6/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	3.31 cfs 3.310 cfs	721.6 af 721.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 31 Twp 11S Rge 18E TWIN FALLS County
GROUND WATER	SWNW	Sec 32 Twp 11S Rge 18E TWIN FALLS County
GROUND WATER	SWSW	Sec 32 Twp 11S Rge 18E TWIN FALLS County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	31	0.5		8.5	27.2								2.6	40.0	26.0	38.0	34.0	176.8
11S	18E	32							4.3										4.3

Right Acre Limit: 180.4

POU Total Acres: 181.1

CONDITIONS OF APPROVAL

1. The rights listed below are limited to a total combined diversion rate 3.31 cfs. Combined Right Nos.: 47-17555, 47-17560, 47-17565
2. The rights listed below are limited to a total combined annual diversion volume of 724.4 af. Combined Right Nos.: 47-17555, 47-17560, 47-17565
3. Right Nos. 47-17555, 47-17560, and 47-17565 are limited to the irrigation of a combined total of 181.1 acres in a single irrigation season.
4. Right 47-17555 is limited to the irrigation of 180.4 acres within the place of use described above in a single irrigation season.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Transfer No. 78253

WATER RIGHT NO. 47-17555
As Modified by Transfer No. 78253

CONDITIONS OF APPROVAL

6. The right holder shall maintain 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. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. Use of this right is combined with water from Twin Falls Canal Co.



WATER RIGHT NO. 47-17593
As Modified by Transfer No. 78253

In accordance with the approval of Transfer No. 78253, Water Right No. 47-17593 is now described as follows:

Right Holder: MATHERS RANCH INC
 3485 E 3100 N
 KIMBERLY, ID 83341

Priority Date: 11/6/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.030 cfs 0.030 cfs	7.2 af 7.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSE Sec 24 Twp 10S Rge 16E TWIN FALLS County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	16E	24														0.8	1.0		1.8

Right Acre Limit: 1.8

POU Total Acres: 1.8

CONDITIONS OF APPROVAL

1. Rights 47-17591, 47-17592, and 47-17593 when combined shall not exceed a total diversion rate of 0.03 cfs, a total annual maximum diversion volume of 7.2 af at the field headgate, and the irrigation of 1.8 acres.
2. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. 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. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Transfer No. 78253

State of Idaho
Department of Water Resources
Attachment To Transfer No. 78253
Rights: 47-17591, 47-17592 & 47-17593

This map depicts the IRRIGATION place of use boundary for this water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.015 0.03 0.06 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 28, 2013

WAYNE WRIGHT
JOANNE WRIGHT
3700 N 2658 E
TWIN FALLS ID 83301

Re: Transfer No: 78253
Water Right No(s): 47-17555, 47-17560, 47-17565

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

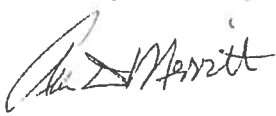
ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208)736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Merritt", with a stylized flourish at the end.

Allen Merritt
Southern Region Manager

Enclosure

cc:

SNAKE RIVER MANAGEMENT
STAN HAYE
3539 E 3000 N
KIMBERLY ID 83341

CERTIFICATE OF SERVICE

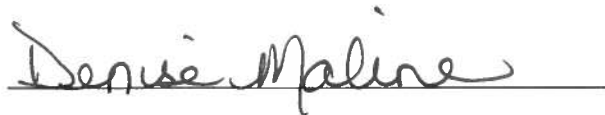
I hereby certify that on March 28, 2013 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 78253

Water Right No(s): 47-17555, 47-17560, 47-17565

**WAYNE WRIGHT
JOANNE WRIGHT
3700 N 2658 E
TWIN FALLS ID 83301**

**SNAKE RIVER MANAGEMENT
STAN HAYE
3539 E 3000 N
KIMBERLY ID 83341**

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

**Denise Maline
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Affidavit of Publication
 STATE OF IDAHO)
 COUNTY OF TWIN FALLS) SS.

RECEIVED
 FEB 15 2013
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

I, Ruby Aufderheide, being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily at, Twins Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated 7th day of February, 2013 and ending with the issue dated 14th day of February, 2013

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issued thereof Thursday is announced as the day on which said legal will be published.

Ruby Aufderheide
 Ruby Aufderheide, Legal Clerk

STATE OF IDAHO
 COUNTY OF TWIN FALLS

On this 14th day of February, 2013, before me,

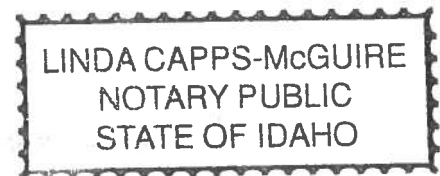
a Notary Public, personally appeared Ruby Aufderheide, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Linda Capps McGuire
 Notary Public for Idaho
 Residing at Twin Falls, Idaho.

My commission expires: 5-19-15

→
 OVER

✓ OK DM
 2-21-2013



**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78359**

✓ **ALONZO B LEAVELL**, PO BOX 54, GOODING, ID 83330 has filed Application No. 78359 for changes to the following water rights within GOODING & LINCOLN County(s): Right No(s). 37-13043, 37-13112, 37-13113, 37-13114, 37-21401, 37-21402, 37-21403, 37-21404, 37-21405. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to add diversion points to nine Little Wood River rights owned by the Big Wood Canal Company to allow for the diversion of Big Wood Canal Company shares from the Big Wood River rather than the Little Wood River. The application describes a point of diversion where water from the Little Wood River enters the X Canal along the west side of Gooding, a point of injection where the X Canal discharges into the Big Wood River northwest of Gooding, and two new proposed points of rediversion from the Big Wood River northwest of Gooding. The rediversion points from the Big Wood River will be located approximately 0.6 miles west and 1.7 miles north, and 0.65 miles west and 1.65 miles north of the Highway 26 and 46 intersection. The application proposes limiting the diversion of water from the two new rediversion points to no more than a combined total of 0.41 cfs.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78370**

✓ **WILLOW CREEK ENTERPRISES LLC**, C/O REED GIBBY, 872 E PEBBLE DR, BURLEY, ID 83318; and **LEON R WALKER FAMILY TRUST**, C/O ZEONA M WALKER TRUSTEE, 87 S 800 E, LINDON, UT 84042 have filed Application No. 78370 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13384, 43-13386, 43-13388, 43-13390, 43-13392, 43-13394, 43-13396, 43-13398, 43-13400, 43-13402, 43-13404, 43-13406, 43-13466, 43-13468, 43-2359, 43-2460, 43-4010, 43-7015, 43-7054. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU) and add points of diversion (PODs) for fifteen groundwater irrigation rights. Two rights 5.12 CFS (310.6 Acres), currently appurtenant to a farm located approximately 10.2 mi to 11.2 mi E of Declo, are diverted from three wells located the following approximate distances from Declo: 10.4 mi. E & 1.0 mi N, 10.3 mi. E, and 10.7 mi. E. An additional thirteen rights allow for the irrigation of 171 acres on adjacent ground, from a well located approximately 11.2 mi. E & 1.3 mi. N (132 acres, 1.74 CFS) of Declo and a well located approximately 10.0 mi E. & 1.0 mi. N (39 acres, 0.48 CFS) of Declo. Application proposes to create a 3469.7-acre permissible place of use (PPU) located approximately 7.9 to 11.9 mi. E & 0.3 to 2.0 mi. N of Declo by combining all fifteen rights. The well located approximately 11.2 mi. E & 1.3 mi. N of Declo will be relocated to a new location approximately 10.8 mi. E & 1.0 mi. N of Declo. These five wells will allow for the diversion of up to 7.34 CFS (481.6 acres) for use within the PPU. Rights (10 CFS, 546 acres) on an adjacent farm, located approximately 9.7 to 11.2 mi E & 1.3 mi. N to 0.7 mi. S of Declo, also utilizes the three wells located the following approximate distances from Declo: 10.4 mi. E & 1.0 mi N, 10.3 mi. E, and 10.7 mi. E and will be modified to reflect the ability to divert water from the additional two wells.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78376**

✓ **BRENT and CHALET FUNK**, 2786 ROCK CREEK RD, HANSEN, ID 83334 has filed Application No. 78376 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-162A, 47-16640D, 47-17599, 47-17600, 47-17601, 47-17602, 47-17603, 47-17604, 47-177D, 47-2551. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the place of use (POU) of 0.34 CFS (12.5 acres) of Rock Creek water rights by creating a 21.6-acre permissible place of use (PPU), by incorporating adjacent ground, on a farm located approximately 8.7 to 8.9 mi. S of Hansen. Application also proposes to change the POU for a 0.2 CFS (9.1 acre) portion of rights 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A to be combined with the rights in the proposed PPU to allow for the irrigation of the entire 21.6-acre PPU. The 0.2 CFS (9.1 acre) portion of rights 47-10693, 47-122, 47-124B, 47-138, 47-158, and 47-162A will result in an overall reduction of 9.1 acres of irrigation at their original 292.5-acre PPU, located approximately 6.5 to 7.8 mi. S of Hansen. The application also proposes changing the points of diversion (PODs) for the 0.2 CFS portion of rights 47-10693, 47-122, 47-124B, 47-138, 47-158, and 47-162A, by moving them upstream from three PODs along Rock Creek located the following approximate distances from Hansen: 7.2 mi S, 7.6 mi S, & 7.8 mi. S to four PODs, currently authorized under rights 47-16640D & 47-177D, located the approximate following distances from Hansen: 9.0 mi. S, 9.7 mi. S, 9.8 mi. S, & 10.7 mi. S.

See next page for remainder of ad.

✓ OK dm
2-21-2013

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78253**

✓ **WAYNE and JOANNE WRIGHT**, 3700 N 2658 E, TWIN FALLS, ID 83301 has filed Application No. 78253 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17555, 47-17560, 47-17565, 47-17591, 47-17592, 47-17593. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 1.8 acre portion (0.03 cfs) of three groundwater rights from a farm located approximately 7.2-8.0 miles south and 0.75-1.5 miles west of the center of Kimberly to irrigation use associated with a home located approximately 1.75 miles south and 3.2 miles west of the center Twin Falls. The transferred portion of the rights (0.03 cfs) will be diverted from an existing domestic well associated with the home.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78254**

✓ **PAUL MONAHAN**, 18972 HWY 30, HAGERMAN, ID 83332 has filed Application No. 78254 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17555, 47-17560, 47-17565, 47-17594, 47-17595, 47-17596. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 4.3 acre portion (0.08 cfs) of three groundwater rights from a farm located approximately 7.2-8.0 miles south and 0.75-1.5 miles west of the center of Kimberly to irrigation use associated with an orchard and winery located approximately 8.6 miles north and 4.5 miles west of the center Buhl. The transferred portion of the rights (0.08 cfs) will be diverted from an existing domestic well associated with a home and the property.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and the proposed transfers, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before February 25, 2013.

The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

PUBLISH: February 7 and 14, 2013

✓ OK
AM 2-21-2013