

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR PERMIT**

To appropriate the public water of the State of Idaho

**RECEIVED**

**APR 09 2012**

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

1. Name: CARMEN M ZABALA  
PO BOX 262  
HAGERMAN ID 83332  
(208)837-6654  
AND

IGNACIO NICK ZABALA  
PO BOX 262  
HAGERMAN ID 83332  
(208)837-6654

2. Source: SPRING Tributary to: SNAKE RIVER

3. Location of Point of Diversion:

#1 SPRING SE1/4NE1/4SE1/4 Sec. 2, Twp 07S, Rge 13E, B.M.  
GOODING County

4. Water will be used for the following purposes:

| <u>Purpose</u> | <u>From</u> <u>To</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|----------------|-----------------------|--------------------------|----------------------|
| DOMESTIC       | 01/01 to 12/31        | 0.04 CFS                 |                      |

5. Total quantity to be appropriated is: 0.04 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

a. Type and size of devices used to divert water from the source: HEADBOX AT SPRING

b. Height of storage dam \_\_\_\_\_ feet;

Active reservoir capacity \_\_\_\_\_ acre-feet;

Total reservoir capacity \_\_\_\_\_ acre-feet;

c. Proposed well diameter is \_\_\_\_\_ inches;

Proposed depth of well is \_\_\_\_\_ feet.

d. Is ground water with a temperature of greater than 85F being sought?

e. If well is already drilled, when? \_\_\_\_\_;

Drilling Firm \_\_\_\_\_;

Drilling Permit No. \_\_\_\_\_.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8.

STATE OF IDAHO  
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**PLACE OF USE:** DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07S | 13E | 2   |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |        |

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

Point of Diversion #1: LAMAR LOVELAND - Pipeline already in place to applicants adjacent property.

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

Application proposes to use spring water for in-house use only at a proposed household. Applicant currently owns the adjacent property to the north that uses the same spring water under rights 36-10314 via a pipeline to the property. Application proposes to add plumbing to the existing pipeline to supply the proposed house.

11. Map of proposed point of diversion and place of use attached? [X]

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

*Carmen M. Zabala*  
*Lgario Nick Zabala*  
Applicant

Received by DB Date 4-9-2012 Time 12 pm Preliminary check by \_\_\_\_\_  
Publication prepared by DB Date 4/12/12 Published in Times News  
Publication approved \_\_\_\_\_ Date 4/19 & 26, 2012

Receipt No. 5032475

Date: 4/10/2012

Receipted by: J. Cooper

07S13E2SWNE

07S13E2SENE

07S13E1SWNW

07S13E2NWSE

07S13E2NESE

07S13E1NWSW

07S13E2SWSE

07S13E2SESE

07S13E1SWSW

Proposed Point of Diversion

Proposed Place of Use





## 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](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

April 13, 2012

IGNACIO NICK ZABALA  
CARMEN M ZABALA  
PO BOX 262  
HAGERMAN, ID 83332

RE: Application For Permit No. 36-16936

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 4/19/2012 and 4/26/2012**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**May 7, 2012**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Buffington  
Administrative Assistant

## **Buffington, Denise**

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**From:** Buffington, Denise  
**Sent:** Thursday, April 12, 2012 5:01 PM  
**To:** Times News  
**Subject:** LEGAL NOTICE  
**Attachments:** Times News Cover Letter.Doc; Times News Ad - COMBINED.doc

Attached please find (1) legal notice being submitted for publication on April 19<sup>th</sup> & 26<sup>th</sup>, 2012. Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Buffington  
Administrative Assistant  
Dept of Water Resources  
1341 Fillmore St, Ste 200  
Twin Falls, ID 83301  
(208) 736-3033  
[denise.buffington@idwr.idaho.gov](mailto:denise.buffington@idwr.idaho.gov)

April 12, 2012

**LEGAL NOTICE DEPARTMENT**  
**TIMES NEWS**  
**PO BOX 548**  
**TWIN FALLS, ID 83303-0548**

**RE:** Transfer No. 77851  
Water Right No(s): 43-13640, 43-13642

**RE:** Transfer No. 77425  
Water Right No(s): 36-7507, 36-16916

**RE:** Transfer No. 77522  
Water Right No(s): 36-16914

**RE:** Transfer No. 77523  
Water Right No(s): 36-14152, 36-16242, 36-16244, 36-4157F, 36-16915

**RE:** Application For Permit No.(s): 36-16936

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 May 7, 2012. Your cooperation is appreciated.

Sincerely,

Denise Buffington  
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

**36-16936**

IGNACIO NICK ZABALA

CARMEN M ZABALA

PO BOX 262

HAGERMAN, ID 83332

Point of Diversion SENESE S2 T07S R13E GOODING County Source SPRING Tributary SNAKE RIVER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 4/9/2012

Place Of Use: DOMESTIC

T07S R13E S2 NWSE

Application proposes to divert up to 0.04 CFS from an unnamed spring for in-house domestic use for a home located approximately 1.4 miles N of Hagerman. The unnamed spring is located approximately 700 ft due east of the proposed place of use and is proposed to be delivered through an existing pipeline.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

**TRANSFER NO. 77851**

GW FINANCE CO LLC, 22 N YALE RD, DECLO, ID 83323 has filed Application No. 77851 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13640, 43-13642. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes adding a new well to be drilled on a farm located approximately 14.0-14.8 mi. east and 2.2-2.7 mi. south of Declo. The new well and an existing well will be used to divert 4.75 cfs and 976 AF for the irrigation of 244 acres on the farm.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

**TRANSFER NO. 77425**

MILLENKAMP PROPERTIES, 471 N 300 W, JEROME, ID 83338 has filed Application No. 77425 for changes to the following water rights within JEROME County(s): Right No(s). 36-7507, 36-16916. The purpose of the transfer is to change a portion of the above rights as follows: Application 77425 proposes changing the point of diversion (POD) and the recorded place of use (POU) for a 1.06 CFS (71 acres, 284 AFA) portion associated with an irrigation groundwater right (36-7507) currently appurtenant to property located approximately 3.5 to 4.0 mi. W & 4.5 to 5.0 mi. N of Jerome. Applicant proposes to move this portion to an adjacent farm and well, located SE of the current authorized place of use, to cover 71 acres proposed to be dried up under right 36-8054 involved in companion transfers 77522 & 77523.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

**TRANSFER NO. 77522**

MILLENKAMP PROPERTIES, LLC, 471 N 300 W, JEROME, ID 83338 has filed Application No. 77522 for changes to the following water rights within JEROME County(s): Right No(s). 36-16914. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 3 acre portion (0.06 cfs) of an irrigation groundwater right from a farm located approximately 4.0 - 4.5 miles north and 3.0 - 3.5 miles west of the center of Jerome to 3 acres of irrigation associated with a home and landscaping at a CAFO facility located adjacent to the farm. The transferred portion of this right (0.06 cfs) will be diverted from three existing wells and a new well to be drilled at the CAFO site.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

**TRANSFER NO. 77523**

MILLENKAMP PROPERTIES, LLC, 471 N 300 W, JEROME, ID 83338 has filed Application No. 77523 for changes to the following water rights within JEROME County(s): Right No(s). 36-14152, 36-16242, 36-16244, 36-4157F, 36-16915. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 68 acre portion (1.36 cfs) of an irrigation groundwater right from a farm located approximately 4.0 - 4.5 miles north and 3.0 - 3.5 miles west of the center of Jerome to commercial and stockwater use to a CAFO located adjacent to the farm at approximately 4.5 - 5.0 miles north and 2.75 - 3.75 miles west of the center of Jerome. The transferred portion of this right (1.36 cfs) and an additional existing domestic and stockwater right (0.04 cfs) will be added to three existing commercial and stockwater rights for the CAFO. These five water rights will be diverted from three existing wells and a new well to be drilled at the CAFO site.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see [www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp](http://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, 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 May 7, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on April 19<sup>th</sup> & 26<sup>th</sup>, 2012