

Buffington, Denise

From: Buffington, Denise
Sent: Thursday, September 09, 2010 10:55 AM
To: Idaho Statesman
Subject: LEGAL NOTICE
Attachments: Ada County Ads - Cover Letter.Doc; Ada County Ads - COMBINED.Doc

Attached please find (1) legal notice being submitted for publication. Please contact me immediately if you have any questions, or if you are not able to publish the ad on the dates requested.

Thank you in advance,

*Denise Buffington
Administrative Assistant I
Dept of Water Resources
Western Region
(208) 334-2190*

September 9, 2010

LEGAL NOTICE DEPARTMENT

IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Transfer No. 76177
Water Right No(s). 65-2256, 65-10943, 65-22476

RE: Application For Permit No(s): 63-32680

RE: Application for Extension of Time to Avoid Forfeiture of a Water Right: 63-4695, 63-17863, 63-31312 & 63-31313

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 10/4/2010. 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:

63-32680

KUNA COLE 880
AZEL DEVELOPMENT GROUP LLC
BOISE INVESTMENT GROUP LLC
NOELLE HOLDINGS LLC
C/O NICK FERGIS
BOISE INVESTMENT GROUP LLC
12515 COUNTY RD 22
CORTEZ, CO 81321

Point of Diversion SWSE S11 T01N R01E ADA County Source GROUND WATER Tributary
Point of Diversion SESE S11 T01N R01E ADA County Source GROUND WATER Tributary
Point of Diversion NWNE S14 T01N R01E ADA County Source GROUND WATER Tributary
Point of Diversion NENE S14 T01N R01E ADA County Source GROUND WATER Tributary
Point of Diversion SWNE S14 T01N R01E ADA County Source GROUND WATER Tributary
Point of Diversion SENE S14 T01N R01E ADA County Source GROUND WATER Tributary
Point of Diversion NESE S14 T01N R01E ADA County Source GROUND WATER Tributary
Point of Diversion NWSE S14 T01N R01E ADA County Source GROUND WATER Tributary
Use: IRRIGATION 03/01 to 11/15 5.22 CFS
Total Diversion: 5.22 CFS
Date Filed: 5/22/2007
Place Of Use: IRRIGATION
T01N R01E S11 SWSE SESE
T01N R01E S14 NE (ALL) NESE NWSE

Total Acres: 320

Water bearing zone to be appropriated is from 350 to 360 feet. Applicant proposes irrigation of 261 acres within the 320 acre place of use.

PROPOSED CHANGE OF WATER RIGHT(S)

Gold Fork Irrigating Co LTD of PO Box 12, Donnelly ID 83615 filed Application No. 76177 to transfer three water rights with 1907 and 1919 priority dates from the Gold Fork River totaling 58.92 cfs. The purpose of the transfer is to correct the service area boundary of all three rights and change the nature of use for a portion of the 1919 right, previously used for irrigation of 6 acres, to diversion to storage and aesthetic storage uses for mitigation of the consumptive losses associated with two ponds in Gold Fork River Ranch Subdivision located approximately 0.25 miles east of Hwy 55 off Plant Rd. The unchanged portion of the right will remain within the service area of Gold Fork Irrigating Co LTD, the largest portion of which is generally located south/southeast along the Gold Fork River where it empties into Cascade Reservoir extending approximately 2 miles to the northeast and southwest of the intersection of Hwy 55 and Plant Rd approximately 3.5 miles southeast of Donnelly. Published in the Idaho Statesman, Post Register, Lewiston Tribune and Times News on September 16th & 23rd, 2010

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

Orion Holdings LLC, Attn. Don Newell, 618 N. Pioneer Oak, Salt Lake City UT 84108 filed 4 Applications proposing Extensions of Time to Avoid Forfeiture for Water Rights listed below. The rights describe diversions and uses within portions of T4N, R1E, Sections 16, 17 &/or 20 for the Shores development project. The site is near South Channel Way, west of Eagle Road on Eagle Island, Ada County. The applicant stated the last substantial use of the rights was in 2006 but that partial use has continued since then. The applicant stated that full use has been prevented by changes in property ownership, continued work on approvals from entities other than the Idaho Department of Water Resources (IDWR), and by recent economic conditions for subdivision development. The applicant proposes extensions to avoid forfeiture until 2016.
Right No. 63-4695, ground water (wells), 1939 priority, 0.31 cfs for domestic, aesthetic and irrigation uses.
Right No. 63-17863, ground water (wells), 1963 priority, 0.14 cfs for domestic, stockwater and irrigation uses.
Right No. 63-31312, Boise River, 1980 priority, 0.48 cfs for aesthetic, stockwater and irrigation uses.
Right No. 63-31313, 1980 priority, 0.24 cfs for aesthetic and irrigation uses.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-211 / § 42-222. For specific details regarding the application, please contact the Idaho Department of Water Resources (IDWR) Western Region at 208-334-2190 or visit www.idwr.idaho.gov with details provided under "new water right applications." Any protest against the approval of this application 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 October 4, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director
Published on 9/16 & 9/23/2010