

## **Buffington, Denise**

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**From:** Buffington, Denise  
**Sent:** Thursday, February 11, 2010 12:18 PM  
**To:** 'legals - Boise'  
**Subject:** LEGAL NOTICE  
**Attachments:** Ada County - Cover Letter.Doc; Ada County Ads - Combined.Doc

Attached please find (1) legal notice being submitted for publication. 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  
Western Region

February 11, 2010

**LEGAL NOTICE DEPARTMENT**

IDAHO STATESMAN  
PO BOX 40  
BOISE, ID 83707

RE: Transfer No. 73768  
Water Right No(s). 63-31832

RE: Transfer No. 74948  
Water Right No(s). 63-9134, 63-9136, 63-10270, 63-7805, 63-2895, 63-3124, 63-8005,  
63-2872, 63-11487

RE: Application For Permit No(s): 63-32146 and 63-33260

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 3/8/2010. 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:

**63-32146**

CITY OF BOISE  
PARKS & RECREATION DEPT  
1104 ROYAL BLVD  
BOISE, ID 83706-2898

Point of Diversion NENW S14 T04N R01E ADA County Source GROUND WATER Tributary

Use: WILDLIFE STORAGE 01/01 to 12/31 20.4 AF

Use: MUNICIPAL STORAGE 01/01 to 12/31 20.4 AF

Use: RECREATION STORAGE 01/01 to 12/31 20.4 AF

Use: AESTHETIC STORAGE 01/01 to 12/31 20.4 AF

Total Diversion: 20.4 AF

Date Filed: 3/22/2005

Place Of Use: AESTHETIC STORAGE, WILDLIFE STORAGE, RECREATION STORAGE, MUNICIPAL STORAGE

T04N R01E S14 NENW NWNW

Water bearing zone to be appropriated is from 0 to 22 feet.

Mitigation is proposed for consumptive use.

**63-33260**

KENNETH ASCHENBRENNER  
SHARON ASCHENBRENNER  
6995 S RIDGEWOOD RD  
NAMPA, ID 83687-9018

Point of Diversion SENW S4 T02N R01W ADA County Source GROUND WATER Tributary

Use: IRRIGATION 03/15 to 11/15 0.8 CFS

Total Diversion: 0.8 CFS

Date Filed: 8/6/2009

Place Of Use: IRRIGATION

T02N R01W S4 SENW

Total Acres: 40

Water bearing zone to be appropriated is from 100 to 200 feet.

**PROPOSED CHANGE OF WATER RIGHT(S)**

Boise Valley Irrigation Ditch Co of 8750 N Bogart Ln, Boise ID 83714 filed Application No. 73768 to transfer one water right with an 1865 priority date from the Boise River totaling 49.51 cfs. The purpose of the transfer is to change the nature of use for a portion of the right, previously used for irrigation of 1.7 acres, to diversion to storage and aesthetic storage uses for mitigation of the consumptive losses associated with a pond in City of Boise's Optimist Park located on the south side of Hill Rd and east of Horseshoe Bend Rd just over 2 miles east of Eagle. The unchanged portion of the right will remain within the current service area of the Boise Valley Irrigation Ditch Co, largest portion of which is generally located northeast of the Boise River from one mile east of Eagle south/southeast approximately six miles along Hwy 44 (State Street).

**PROPOSED CHANGE OF WATER RIGHT(S)**

The City of Garden City, City Hall, 6015 Glenwood St., Garden City, ID 83714-1347 filed Application No. 74948 to transfer nine water rights with 1951 to 1990 priority dates from ground water totaling 22.53 cfs. The purpose of the transfer is to identify one replacement well, describe all ten wells which serve the integrated city system under each right, and accurately reflect the city's current service area.

Permits will be subject to all prior water rights. Protests against permit applications may be submitted based on the criteria of Idaho Code § 42-203A. 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](http://www.idwr.idaho.gov) with detail provided under "new water right applications." Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Any protest against the proposed change must be filed with the Director, IDWR Western Region, 2735 Airport Way, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application on or before March 8, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director  
Published on 2/18 & 2/25/2010