

MEMORANDUM

Type: In Office Conversation
Telephone
Meeting Notes

Follow-up

Log of Events

Other _____

To: Mungoitio Transfer 68272

From: J. Westra, Western Reg.

Date: 12/3/09

RE: Mungoitio Meeting @ Western Reg. 12/03/09

- Steve Hannula, ERO, Mr + Mrs L. Mungoitio and I met
- The Transfer was reviewed; Mr. Hannula went through item by item.
- The Transfer applicants names need to be updated. Mungoitios need to provide new ownership documents deeds - etc.
- Mrs Mungoitio will send in documents for ownership changes on other rights also.
- 12/23/09 called Steve Hannula to remind Mungoitios
- He confirmed he had contacted them.

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

**IN THE MATTER OF APPLICATION FOR)
TRANSFER #68272 IN THE NAME OF) WITHDRAWAL OF APPLICATION
LOU P, VICTORINA M, RICHARD J, &) PRELIMINARY REJECTION
ROSE MARIE MURGOITIO) ORDER
_____)**

FINDINGS OF FACT

1. On October 19, 2009, a preliminary order was issued from the Idaho Department of Water Resources (IDWR) rejecting Application for Transfer #68272 in the name of Lou P, Victorina M, Richard J, & Rose Marie Murgoitio for failing to respond to an information request.
2. On October 28, 2009, IDWR received a petition for reconsideration from the applicants. The petition stated it was the intent of the applicants to have the transfer application processed with amendments. The amendments would be made as early as the second week in November.

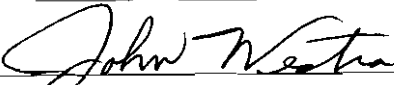
CONCLUSIONS OF LAW

1. Pursuant to Idaho Code § 67-5243 (3) a party may file a petition for reconsideration of the order to IDWR within 14 days of the service date of the order. IDWR will act on a petition for reconsideration within 21 days of its receipt.
2. The applicant has submitted the requested information to IDWR in a timely manner. The parameters of IC 67-5243 (3) have been met. The Preliminary Rejection Order should be withdrawn.

ORDER

IT IS HEREBY ORDERED the Preliminary Order Rejecting Application for Transfer #68-272 in the name of Lou P, Victorina M, Richard J, & Rose Marie Murgiotio be **WITHDRAWN**. The application will continue to be processed by IDWR.

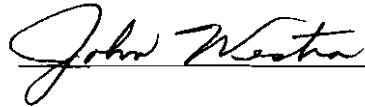
Dated this 6th day of November, 2009



John Westra
Manager, Western Regional Office

CERTIFICATE OF SERVICE

I hereby certify that on December 3, 2009 I ~~mailed~~^{hand carried} a true and correct copy, ~~postage prepaid~~, of the foregoing **ORDER** to the person(s) listed below:

_____

**Preliminary Rejection Order Withdrawal
Transfer Application #68272**

Lou P, Victorina M, Richard J, & Rose Marie Murgoitio
7373 S Maple Grove RD
Boise ID 83709

October 28, 2009

John Westra
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 832705

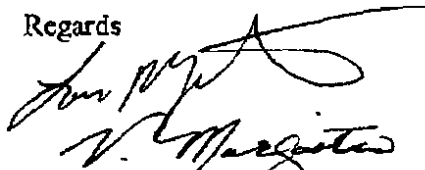
RE: Murgoitio Water Right Transfer 4565

Dear Mr. Westra:

We would like to petition the Idaho Department of Water Resources to withdraw the Preliminary Order rejecting the subject application for transfer dated October 19, 2009.

Our intention, with the assistance of ERO Resources, is to continue the processing of this transfer. We would like to amend the application as soon as possible. Lou will be available as early as the second week in November.

Regards



Lou and Vicky Murgoitio
Vicky

Deadline 11/2/09
Lid

Oct 28 09 01:37p

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

**IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 4565 IN THE NAME OF LOU P)
&/OR VICTORINA M &/OR RICHARD J &/OR)
ROSE MARIE MURGOITIO)
_____)**

**PRELIMINARY ORDER
REJECTING TRANSFER
APPLICATION**

FINDINGS OF FACT

1. On March 8, 1995, the Murgoitios (Applicant) filed Application for Transfer No. 4565 with the Idaho Department of Water Resources (IDWR) seeking to add a point of diversion to water right No. 63-17946.
2. The transfer application was initially processed, however it was never finalized.
3. In February 2007, water right No. 63-17946 was decreed by the Snake River Basin Adjudication Court.
4. On September 9, 2009, IDWR send the Applicant a letter requesting their intentions regarding the application. A 30 day response deadline was set.
5. To date, no reply has been received from the Applicant.

CONCLUSIONS OF LAW

1. Without intentions and instructions requested from the applicant, the Department cannot continue to process the changes proposed in the application consistent with the provisions of Idaho Code §42-222.
2. The Applicant failed or refused to provide IDWR the requested information. The application should be rejected.

ORDER

IT IS HEREBY ORDERED that Application for Transfer No. 4564 in the name of Lou P. &/or Victorina M. &/or Richard J. &/or Rose Marie Murgoitio is REJECTED.

Dated this 19th day of October, 2009



John Westra, Manager Western Regional Office

CERTIFICATE OF SERVICE

I hereby certify that on Oct. 20, 2009 I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:



Documents: Preliminary Rejection Order, Order Explanatory,

**Lou P, Victorina M, Richard J, Rose Marie Murgoitio
7373 S Maple Grove RD
Boise ID 83709**



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

October 20, 2009

LOU P, VICTORINA M, RICHARD J And ROSE MARIE MURGOITIO
7373 S MAPLE GROVE RD
BOISE, ID 83709

RE: Preliminary Order in the matter of Application for Transfer No. 4565

Dear Applicant(s):

The accompanying order 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 unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed yellow information sheet.

If you have any questions regarding this matter, please call me at 208-334-2190.

Sincerely,

for John Westra
Manager, Western Regional Office

Enclosures

EXPLANATORY INFORM. JN
TO ACCOMPANY A
PRELIMINARY ORDER

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. 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 Idaho Water Resource Board (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 issuance 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.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

September 9, 2009

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Lou P Murgoitio
Victorina M Murgoitio
RoseMarie Murgoitio
Richard J Murgoitio
7373 S Maple Grove RD
Boise ID 83709

RE: Notice of Intent to Void Application for Transfer

Application for Transfer #4565: Right #63-17946—Filed 3/26/1995

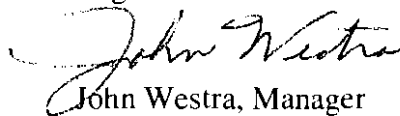
Dear Applicants:

Our office is currently reviewing old dated applications that have been filed with our agency. In early 1995, you submitted the above described application for transfer requesting an additional point of diversion (well) for water right #63-17936. The application was initially processed and a drilling permit approved for a new replacement well. The well was constructed in April of 1995, driller's log attached. However, the transfer was never finalized. In February 2007, water right #63-17936 was decreed by the Snake River Adjudication Court, copy attached.

If you desire our office to continue processing the transfer application, please notify us of your intentions in writing by **October 15, 2009**. If you desire to withdraw the application, a withdrawal form is enclosed. Failure to respond or respond untimely will result in the application ordered void.

Should you have any questions, please contact me at the Regional Office, phone 334-2190

Regards,



John Westra, Manager

Enclosure: Copies—transfer app., driller log, withdrawal form, right decree

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-31662

WATER RIGHT NUMBER: 63-31662

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICHARD J MURGOITIO 7373 S MAPLE GROVE RD BOISE, ID 83709 (208)362-1262
Current Owner	LOUIS P MURGOITIO 7373 S MAPLE GROVE RD BOISE, ID 83709 (208)362-1262

Priority Date: 03/12/2003

Basis:

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.460 CFS	
COMMERCIAL	01/01 to 12/31	0.080 CFS	
	<u>Total Diversion:</u>	0.460 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4	Sec. 12, Twp 02N, Rge 01E, B.M.
ADA County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	01E	1											X						
02N	01E	12						X											

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	01E	12						X											
03N	01E	1											X						

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-31662

Conditions of Approval:

1. X02 Stockwater use is for 113 dairy cows.
2. The water bearing zone is 99 to 152 feet.
3. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
4. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable *Well Construction Rules of the Department*.
5. WD8 The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.
6. 068 This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.
7. 121 The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
8. Commercial use is for a dairy.

Remarks:

Comments:

1. dgibson 9/2/2004 Extension of Time to file Proof

Comment: Request for Extension of Time to file proof was approved and the proof deadline was extended to July 1, 2006.

Water Supply Bank:

03 95 W 0136 000

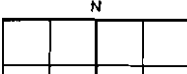
2. OWNER:

Address 7371 S. MAPLE GROVE RD.

City Boston State MA Zip 02109

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.



Twp. 3N North ☐ or South ☐
 Rge. 1E East ☐ or West ☐
 Sec. 13 1/4 1/4 1/4 1/4
10 acres 10 acres 10 acres 160 acres
 Gov't Lot _____ County ADA

Address of Well Site 7990 S. Maple
Grove 7990 S. MAPLE GROVE RD
 City BOISE 55002

(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. PROPOSED USE: **COMMERCIAL/DAILY**

☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK **REPLACEMENT**

☐ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☐ Air Rotary ☐ Cable ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
BENTONITE	0	10	600#	FOURED

Was drive shoe used? ☐ Y ☐ N Shoe Depth(s) _____

Was drive shoe seal tested? Y ☐ N ☐ How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
10"	11	215	250	STEEL	☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe Length of Tailpipe

9. PERFORATIONS/SCREENS

Perforations		Method
1	2	3
4	5	6
7	8	9
10	11	12
13	14	15
16	17	18
19	20	21
22	23	24
25	26	27
28	29	30
31	32	33
34	35	36
37	38	39
40	41	42
43	44	45
46	47	48
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55	56	57
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325	326	327
328	329	330
331	332	333
334	335	336
337	338	339
340	341	342
343	344	345
346	347	348
349	350	351
352	353	354
355	356	357
358	359	360
361	362	363
364	365	366
367		

☐ Screens	Screen Type
----------------------------------	-------------

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

95 ft. below ground Artesian pressure [b.]

Depth flow encountered _____ ft. Describe access port or control devices:

11. WELL TESTS:

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

Completed Depth 218 FEET (Measurable)
Date: Started 4/1/95 Completed 4/9/95

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name **PETE COPE DRILLING CO., INC.** Firm No. **213**

Firm Official _____ Date _____

and James S. Lee

Supervisor or Operator _____ Date _____

(Sign once if Firm Official & Operator)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

729183

Tag 299147

1. Name: LOU P MURGOITIO O 208-362-1262
Address: 7373 S MAPLE GROVE RD
BOISE ID 83709
- Name: VICTORINA M MURGOITIO O 208-362-1262
Address: 7373 S MAPLE GROVE RD
BOISE ID 83709
- Name: ROSEMARIE MURGOITIO O 208-362-1262
Address: 7373 S MAPLE GROVE RD
BOISE ID ID 83709
- Name: RICHARD J MURGOITIO O 208-362-1262
Address: 7373 S MAPLE GROVE RD
BOISE ID ID 83709

2. Proposed Well Location: Township 02N, Range 01E, Sec. 12, NWNW
ADA County

Street Address of Well Site: 7990 S MAPLE GROVE RD
BOISE ID

3. Proposed Use of Well: Other
COMMERCIAL/DAIRY

4. Well Construction Information:

- A. Replace
B. Proposed Surface Diameter 12 In. Proposed Maximum Depth 250 Ft.
C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)
(NOTE: Construction diagrams and/or other information may be requested for
monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 3/10/1995

6. Anticipated Well Driller: ~~No. 9999~~ Pete Cope - (No. 213)
NOTE: The actual well driller must be identified prior to drilling.

7. Applicant's Signature Victorina M. Murgotio Date MARCH 8, 1995
Title owner
(Owner, Firm Representative, Other)

Fee \$ 200

Received by CH

No. W018702

100.00
Date 3/8/95

W018703 100.00

(Continued)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is APPROVED

Date: 3/ 8/1995

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If the bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (Dig Line is a locator service) not less than 3 working days prior to the start of any excavation for this project. The "Dig Line" Number for your area is 1-800-342-1585.
9. The well drilled pursuant to this permit will be used under claim number A63-17946 as a replacement well. Upon completion of this well, the original well shall be capped and removed from service until such time as transfer number 4565 may be approved, authorizing the use of both wells under the above right.

David R. Tuttle
Signature of Authorized Dept. Representative

Mgr, Water Reg Off
Title

EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____

Expires On: _____

MEMORANDUM TO FILE

TO: TRANSFER FILE 4565

CC: SRBA CLAIM FILE A63-17946

FROM: MEL SCHULTE, SR. WATER RIGHTS AGENT
WESTERN REGION

THROUGH: DON SHAFF, SECTION MANAGER
ADJUDICATION BUREAU

DATE: NOVEMBER 30, 1995

COPY

A review of Application for Transfer #4565 revealed the following concerns that need to be addressed in the transfer process.

1. The SRBA claim is in the names of L.L. Murgoitio AND/OR Rose M. Murgoitio. The transfer is in the names of Lou P. &/or Victoria M. &/or Richard J. &/or Rose Marie Murgoitio. We need documentation to confirm the current ownership and/or changes of ownership.

2. A63-17946 claims a single domestic use, stock water for 750 head dairy/calves and a June 1, 1930 priority. This implies a dairy operation existed in 1930 with 750 milking and non-milking animals on site. The reality of a dairy this size in 1930 is questionable. We need to establish a number for the milking and non-milking cows that existed in 1930. If the dairy operation was much smaller than 750 animals in 1930 and has been expanded through the years, we need to establish a defensible chronology for the expansions.

3. If the dairy operation in 1930 was large enough to exceed a daily use of 13,000 gallons, a commercial component is needed in the claim for the non-stock water uses.

4. Are there additional claims and/or applications that should be filed to support the current dairy operation?

MTS

WP. JOURNAL

MEMORANDUM

TO: FILE NO. A63-17946

FROM: PAM SKAGGS⁸/STATE OFFICE

SUBJECT: TRANSFER NO. 4565

DATE: May 30, 1995

=====

Transfer No. 4565 was filed to add a second proposed well to the existing system serving Right No. A63-17946. Right No. A63-17946 is for one home and stockwater for 750 dairy cattle. This system serves a second, separate exempt domestic use and home.

The transfer adds two additional names as current owners without any proof of ownership or assignment, and the application is signed by one of the new owners. The adjudication staff may require additional proof of ownership before recommending the claim.

Standard volumes were assigned according to the limits of the claim. Recommended conditions include nonconfirmation of the claim, drilling permit requirements, multiple points of diversion/measuring device and standard transfer conditions. The approval is subject to the final review of the SRBA.

RECEIVED
APR 19 1995
WATER RESOURCES
WESTERN REGION

The Idaho Statesman
P.O. BOX 40, BOISE, IDAHO 83707
LEGAL ADVERTISING INVOICE

Account Number			Identification		Amount Due
04762800			NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. A63-17946; Transfer No. 4565		\$73.00
Ordered By	P.O. Number	Rate	Run Dates		
Sue Taylor		TT	April 6 & 13, 1995		
IDAHO DEPARTMENT OF WATER RESOURCES Western Region Attn: Sue Taylor 2735 Airport Way Boise, Idaho 83705-5082				Estimated Inches.	Real Inches
				# Affidavits	Legal Number
				1	1728

LEGAL NOTICE
NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. A63-17946
TRANSFER NO. 4565

Notice is hereby given that Lou, Victorina, Richard and RoseMarie Murgoitio of Boise, ID have applied to the Department of Water Resources for a Change in Point of Diversion of the following described water right to be changed pursuant to Section 42-222 of Idaho Code:

WATER RIGHT AS RECORDED:
Basis Snake River Basin Adjudication Claim, Beneficial Use
Date of Priority June 1, 1930
Source Groundwater
Amount 0.50 cfs
Use Stockwater (.46 cfs) & Domestic (.04 cfs)
Point of Div NWNW, S12, T2N, R1E, Ada County
Place of Use Same as Point of Div; Stockwater is for 750 dairy & Domestic is for 1 home

TO BE CHANGED AS FOLLOWS:
Point of Div Drill a second well in NWNW, S12, T2N, R1E.

Any protest against approval of the proposed water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705, together with a protest fee of \$25.00 on or before April 24, 1995. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson
Director
Pub. April 6 & 13, 1995

LINDA PORTER, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO consecutive weekly consecutive daily single odd skip insertion(s) beginning with the issue of APRIL 6, 1995 and ending with the issue of APRIL 13, 1995

Linda Porter

STATE OF IDAHO)
ss.
COUNTY OF ADA)

On this 13th day of APRIL in the year of 1995, before me, a Notary Public, personally appeared LINDA PORTER, 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 she executed the same.

Notary Public for Idaho
Residing at Boise, Idaho
My commission expires: 11-27-99

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT NO. A63-17946
TRANSFER NO. 4565

Notice is hereby given that Lou, Victorina, Richard and RoseMarie Murgoitio of Boise, ID have applied to the Department of Water Resources for a Change in Point of Diversion of the following described water right to be changed pursuant to Section 42-222 of Idaho Code:

WATER RIGHT AS RECORDED:

Basis	Snake River Basin Adjudication Claim, Beneficial Use
Date of Priority	June 1, 1930
Source	Groundwater
Amount	0.50 cfs
Use	Stockwater (.46 cfs) & Domestic (.04 cfs)
Point of Div	NWNW, S12, T2N, R1E, Ada County
Place of Use	Same as Point of Div; Stockwater is for 750 dairy & Domestic is for 1 home

TO BE CHANGED AS FOLLOWS:

Point of Div	Drill a second well in NWNW, S12, T2N, R1E.
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Any protest against approval of the proposed water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705, together with a protest fee of \$25.00 on or before April 24, 1995. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson
Director

Published in the Idaho Statesman on April 6 and 23, 1995.