

Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, January 13, 2010 1:53 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

January 13, 2010

LEGAL NOTICE DEPARTMENT

IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Transfer No. 73827 and 73829
Water Right No(s). 63-125G and 63-198AC

RE: Application For Permit No(s): 63-32171 and 63-32600

RE: Application to Amend Permit No.: 63-33323

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 2/8/2010. 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:

63-32171

CHAPPARAL DEVELOPMENT INC

C/O JOHN MARSHALL

GIVENS PURSLEY LLP

PO BOX 2720

BOISE, ID 83701-2720

Point of Diversion SESE S3 T04N R02W ADA County Source GROUND WATER Tributary BOISE RIVER

Point of Diversion NESE S3 T04N R02W ADA County Source GROUND WATER Tributary BOISE RIVER

Point of Diversion NWSE S3 T04N R02W ADA County Source GROUND WATER Tributary BOISE RIVER

Point of Diversion NWSE S3 T04N R02W ADA County Source GROUND WATER Tributary BOISE RIVER

Point of Diversion NWSE S3 T04N R02W ADA County Source GROUND WATER Tributary BOISE RIVER

Point of Diversion SWSE S3 T04N R02W ADA County Source GROUND WATER Tributary BOISE RIVER

Use: AESTHETIC STORAGE 01/01 to 12/31 380 AF

Total Diversion: 380 AF

Date Filed: 9/9/2005

Place Of Use: AESTHETIC STORAGE

T04N R02W S3 NESE NWSE SWSE SESE

Mitigation is proposed for consumptive use by Transfer #73827.

63-32600

EAGLEFIELD LLC

6951 N DUNCAN LN

BOISE, ID 83714

Point of Diversion SWNE S11 T04N R01W ADA County Source GROUND WATER Tributary

Point of Diversion SWNE S11 T04N R01W ADA County Source GROUND WATER Tributary

Point of Diversion SWNE S11 T04N R01W ADA County Source GROUND WATER Tributary

Point of Diversion NESW S11 T04N R01W ADA County Source GROUND WATER Tributary

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Point of Diversion NWSE S11 T04N R01W ADA County Source GROUND WATER Tributary

Point of Diversion NWSE S11 T04N R01W ADA County Source GROUND WATER Tributary

Use: AESTHETIC STORAGE 01/01 to 12/31 35 AF

Use: AESTHETIC FROM STORAGE 01/01 to 12/31 35 AF

Total Diversion: 35 AF

Date Filed: 2/12/2007

Place Of Use: AESTHETIC STORAGE and AESTHETIC FROM STORAGE

T04N R01W S11 SWNE SENW NESE NWSE

Mitigation is proposed for consumptive use by Transfer #73829. Water bearing zone to be appropriated is 1 to 35 ft.

PROPOSED CHANGES OF WATER RIGHTS

Middleton Mill Ditch Co., c/o Jerry Kiser, of 620 W. Hays, Boise ID 83702 and Middleton Irrigation Assn. Inc. of PO Box 848, Middleton ID 83644 filed Application Nos. 73827 and 73829 to transfer portions of two water rights with 1871 and 1877 priority dates from the Boise River. The transfers propose to retire 22.5 acres of irrigation to provide 0.45 cfs and 66.9 af for aesthetic and aesthetic storage uses to be used in The Lakes at Telaga Subdivision and Eaglefield Estates Subdivision.

The proposed sites for these transfers are located approximately 0.5 miles north of Hwy. 44 on the west side of Kingsbury Ln. near Middleton and west of Linder Rd. between Floating Feather and Hwy. 44 (State St.) near Eagle. The unchanged portions of the rights will remain on lands within the boundaries of Middleton Mill Ditch Co. and Middleton Irrigation Assn. Inc.

PROPOSED AMENDMENT OF WATER PERMIT

Larry J. & Diane K. Hellhake of 3837 N. Holl Dr., Eagle, ID 83616, filed Application No. 63-33323 to amend a water permit with a 1993 priority from a ground water source totaling 0.10 cfs for irrigation use. The applicant proposes to amend the permit to move the point of diversion and place of use currently located at the southeast corner of W. Desert View Dr. and S. Cloverdale Rd. to property they own east of Eagle Rd and north of Beacon Rd.

Permits will be subject to all prior water rights. 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." Protests may be submitted based on the criteria of Sec 42-211, Idaho Code. The permit will be subject to all prior water rights. Any protest against approval of the application must be filed with the Director, IDWR Western Region, 2735 Airport Way, Boise ID 83705-5082, together with a protest fee of \$25 for each application on or before February 8, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on January 21st & 28th, 2010