

**Buffington, Denise**

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**From:** Buffington, Denise  
**Sent:** Wednesday, December 30, 2009 1:08 PM  
**To:** 'Jennifer Stutheit'  
**Subject:** LEGAL NOTICE  
**Attachments:** Owyhee County Ads - Cover Letter.Doc; Owyhee 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

December 30, 2009

**LEGAL NOTICE DEPARTMENT**

OWYHEE AVALANCHE  
PO BOX 97  
HOMEDALE, ID 83628

RE: Transfer No. 74776  
Water Right No(s). 57-2254, 2-10238, 2-10239, 2-10240, 2-10241, 2-10242, 2-10243

RE: Transfer No. 74753  
Water Right No(s). 2-10017, 2-2251

RE: Transfer No. 75115  
Water Right No(s). 57-4006

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 1/25/2010. Your cooperation is appreciated.

Sincerely,

Denise Buffington  
Administrative Assistant

Enclosure(s)

### **PROPOSED CHANGE OF WATER RIGHT**

Dale and Jackie Van Es of 8222 Desert Dr., Marsing, ID 83639 filed Application No. 74753 to transfer two water rights with 1963 and 1964 priority dates from the Snake River totaling 35.08 cfs. The purpose of the transfer is to create a permissible place of use on the applicant's property limited to irrigation of 2,495 acres in a 2,720 acre area. Water will be used at the current place of use located approximately; two miles west of Swan Falls Dam, two miles north of Murphy Flat Rd, and five miles east of Murphy within the Snake River Birds of Prey area.

GARY SPACKMAN, Interim Director

Published in the Owyhee Avalanche on January 6<sup>th</sup> & 13<sup>th</sup>, 2010 *AND*

The Idaho Statesman, Post Register, Lewiston Tribune and

Times News on January 7<sup>th</sup> & 14<sup>th</sup>, 2010

### **PROPOSED CHANGE OF WATER RIGHT**

Dale and Jackie Van Es of 8222 Desert Dr., Marsing, ID 83639 filed Application No. 74776 to transfer seven water rights with 1962, 1974 and 1994 priority dates from ground water totaling 1.09 cfs and the Snake River totaling 13.38 cfs. The purpose of the transfer is to create a permissible place of use on the applicant's property limited to irrigation of 934 acres in a 1,256 acre area. Water will be used at the current place of use generally located between Highway 95 and Highway 78 approximately 3 miles south of Marsing.

### **PROPOSED CHANGE OF WATER RIGHT**

Lyman & Lena Winchester of 1003 Succor Creek Road, Homedale ID 83628 filed Application No. 75115 to transfer a water right with an 1889 priority date from Succor Creek totaling 4.00 cfs and 11 af of storage. The purpose of the transfer is to reduce the right to 2.00 cfs, eliminate the storage, and move the diversion point about 2 to 3 miles downstream. The diversion point is currently in Oregon about 2 miles upstream from the Idaho-Oregon border. The diversion will be changed to a point in Idaho about 0.25 mile downstream from the border. Water will be used to continue irrigating 77 acres in Idaho on the south side of the creek near the border.

For specific details regarding the applications, 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 January 25, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on January 6<sup>th</sup> & 13<sup>th</sup>, 2010