Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, May 28, 2008 12:37 PM
To: cvonborstel@postregister.com
Subject: Legal Notice for Eagle Springs Ranch
Attachments: Eagle Springs Cover Letter Post Register.RTF; Eagle Springs Ad.doc

Please run the attached legal notice as requested. If you are not able to run the ad on the dates requested, please contact me immediately.

Thank you,

Denise Buffington
Idaho Department of Water Resources
Western Region

May 28, 2008

Legal Notice Department
POST REGISTER
PO BOX 1800
IDAHO FALLS ID 83401

RE: Application for Permit No. 65-23105 and 65-23239

Transfer No. 73787
Water Right No(s). 65-5633 65-8850 65-5696 65-11324

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 06/23/2008. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

PROPOSED NEW AND CHANGED WATER RIGHTS

The following applications have been filed for recreation and aesthetic water amenities plus re-configured irrigation for the **Southfork Landing** project adjacent to and south of the South Fork Payette River, near the town of Garden Valley in portions of Sections 27, 28, 34 and 35, T9N, R4E, and Section 2, T8N, R4E, Boise County.

Applicant addresses are:
Eagle Springs Ranch LLC, PO Box 2020, Boise ID 83701.
Barnes Ventures Inc., 5983 W. State St., Suite D, Boise ID 83703.

Application 65-23105 for a new right filed 11/15/2006 by Eagle Springs Ranch LLC. Sources include shallow ground water for 18 excavated ponds, existing irrigation diversions from Alder Creek, Charters Creek, Coski Creek and the South Fork Payette River. Additional diversion points are proposed from the river (8 total diversions from river). One diversion from an Unnamed Stream tributary to Charters Creek is included. Constructed channels, associated water features and excavated ponds will be developed, filled and maintained. Year around use will include 12 cfs from the combined sources and 562 af of pond storage. Ponds will cover about 39 acres of previously irrigated land. Return flows from the water amenities will be routed downstream to the South Fork Payette River via an existing and perhaps enhanced side channel. Consumptive use from evaporation etc. will be mitigated by reduced irrigation proposed in Transfer Application 73787.

Application 65-23239 for a new right filed 11/23/2007 by Eagle Springs Ranch LLC. Proposes an additional 12 cfs from the same existing and proposed South Fork Payette River diversions noted above. Water will be used for year around recreation and aesthetic purposes in the same project noted above. Return flows and consumptive use will be as noted above.

Application 73787 to change existing rights filed by co-applicants Eagle Springs Ranch LLC and Barnes Ventures Inc. The applicants seek to change four surface water rights from Alder Creek, Charters Creek, Coski Creek and South Fork Payette River with priority dates ranging from 1900 to 1966 for a total of 10.08 cfs. The rights currently provide irrigation for 329 acres and minor stockwater. The same existing and proposed diversion points from these sources as noted above will be used under this application (does not include Unnamed Stream). The applicants propose to reduce irrigation by 39 acres to mitigate Applications 65-23105 and 65-23239. Remaining irrigation for the project will cover two adjacent permissible places of use (PPUs), one for each co-owner. Eagle Springs Ranch will include 193 acres of irrigation within a 332 acre area in the west side of the site. Barnes Ventures will include 97 acres of irrigation within a 136 acre area in the east side of the site, including minor stockwater. Total irrigation will cover 290 acres in the combined PPUs. Water from retired irrigation will be dedicated to

aesthetic use (0.95 cfs). The period of use will not be changed under this application. Return flows to the river will be as described above.

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 with detail provided under "new water right applications." Protests against Applications 65-23105 and/or 65-23239 may be submitted based on the criteria of Sec 42-203A, Idaho Code. Protests against Application 73787 may be submitted based on the criteria of Sec 42-222, Idaho Code. Any protest against the proposed new rights and/or proposed changed rights 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 June 23, 2008. The protestant must also send a copy of the protest to the applicant(s).

DAVID R. TUTHILL, JR., Director

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and The Idaho Statesman, Post Register,
Lewiston Morning Tribune and Times News
on June 5th & 12th, 2008