

Idaho Department of Water Resources

A

T06N R02W

Claims: 65-00805

Prepared by:

RON HOWERTON

Date: 24 AUG 00



Ponds for Wildlife



Place of use



POD



SECTION



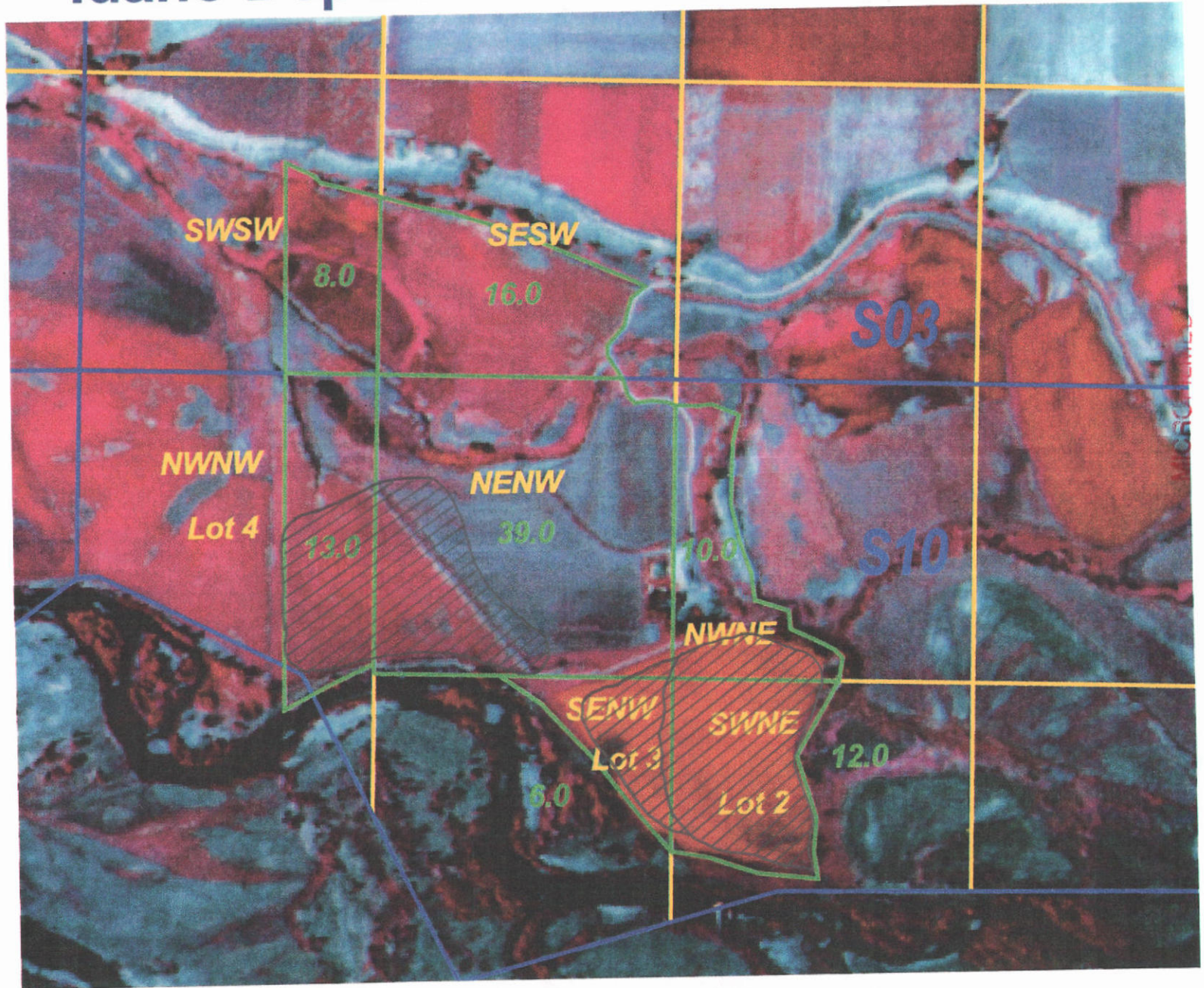
1/4 1/4



104 Acres



1987 NAPP



MAR 22 2004



RECEIVED

JUN 11 2003

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
County of Gem) SS.

ANTHONY M. CLARK
of Emmett, Gem County, Idaho, being first duly sworn,
deposes and says:

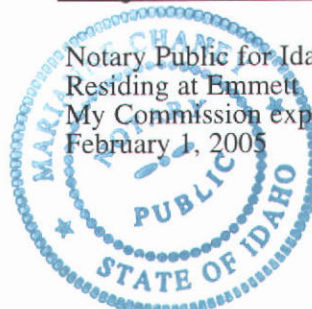
1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Messenger Index, a weekly newspaper published in the City of Emmett in the County of Gem, State of Idaho; that the said newspaper is in general circulation in the said County of Gem, and in the vicinity of Emmett, and has been uninterruptedly published in said County during a period of fifty-two consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in the newspaper two times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.
4. That said notice was published the following:
June 4, 11, 2003

STATE OF IDAHO)
County of Gem)

On this 11th day of June in the year of 2003 before me a Notary Public, personally appeared. Anthony M. Clark 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 acknowledge to me that he executed the same.

Margaret Clary

Notary Public for Idaho
Residing at Emmett
My Commission expires
February 1, 2005



MICROFILMED

MAR 22 2004

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 70461

RICHARD L ZAMZOW
11555 THOMAS DR
BOISE ID 83709, has filed Application No. 70461 for changes to the following water rights within GEM County:

Right No. 65-805
Priority 11/2/1883
Source PAYETTE RIVER
Use IRRIGATION (104 acres) 4.87 CFS
Total Amount 4.87 CFS

Point(s) of Diversion L7 S6 T06N R01W
S1 T06N R02W
Place of Use S10 T06N R02W
S3 T06N R02W

Right No. 65-3348
Priority 4/1/1965
Source WASTE WATER
Use IRRIGATION (14 acres) 0.28 CFS
Total Amount 0.28 CFS

Point(s) of Diversion S3 T06N R02W
Place of Use S3 T06N R02W

Remark: Applicant proposes changing the nature of use on 31 acres and 1.45 cfs of the above water right from irrigation to wildlife storage in the N 1/2 S10 T6N R2W. The acres have been converted to ponds, which naturally accrue ground water. This application is proposed to offset the consumptive use of ground water due to evaporative loss from the ponds during the irrigation season. The ponds are located three miles West of Emmett, just North of the Payette River.

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 Department of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before June 23, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Pub: 6-4, 11, 2003

Legal Notice No. 5081
Published in the Messenger Index

OCT 27 2003

Department of Water Resources

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 70461

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Richard Zamzow Phone 376-7033
Post Office address 11555 Thomas Drive, Boise, ID 83709

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Surface water previously used for irrigation of pond surface area will continue to be used for freshening ponds during the irrigation season. No expansion of original water right proposed.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
- | | | | | |
|---------------|------------------|--------------------|----------------------|-----------------------------|
| <u>65-805</u> | <u>11/2/1883</u> | <u>3.42/328.5</u> | <u>Irrig</u> | <u>3/15</u> to <u>11/15</u> |
| | | <u>1.45 cfs</u> | <u>Div. to stor</u> | <u>3/15</u> to <u>11/15</u> |
| | | <u>137.5 Ac-ft</u> | <u>Wildlife stor</u> | <u>3/15</u> to <u>11/15</u> |
| | | | | to _____ |
2. Total amount of water being transferred 4.87 cubic feet per second and/or 468 acre-feet per annum.
3. Source of water Payette River tributary to Snake River
4. Point(s) of Diversion: No change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>6N</u>	<u>2W</u>	<u>3</u>											<u>8</u>	<u>16</u>					<u>24</u>
		<u>10</u>		<u>8</u>	<u>2</u>		<u>29</u>	<u>7</u>	<u>3</u>										<u>49</u>
				<u>X</u>	<u>X</u>		<u>X</u>	<u>X</u>	<u>X</u>										

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Total acres 73

PART 1

6. General Information:

a. Description of diversion system No change

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer.

N/A

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

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MAR 22 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED - *See attached*

1. Right evidenced by:
 - a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
 - b. License No. _____ issued by the Idaho Department of Water Resources.
 - c. Claim No. _____ on file with the Idaho Department of Water Resources.
 - d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____
3. Source of water _____ tributary to _____
4. Date or priority _____
5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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 MAR 22 2004

Total acres _____

9. Describe any other water rights used for the same purpose as described above 65-3348 Wastewater
65-22473 - Stockwater

ATTACHMENT - PART 2

02/11/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 65-805 V1

WATER RIGHT NUMBER: 65-805 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	OATHER LANKFORD 915 PIONEER AVE EMMETT, ID 83617 (208)365-2878
Current Owner	RICHARD & ROXANNE ZAMZOW TRUST 11555 THOMAS DR BOISE, ID 83709 (208)376-7033

Priority Date: 11/02/1883

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
PAYETTE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	4.870 CFS	
	<u>Total Diversion:</u>	4.870 CFS	

Location of Point(s) of Diversion

PAYETTE RIVER	L7 (SW1/4SW1/4)	Sec. 6,	Twp 06N,	Rge 01W, B.M.
GEM County				
PAYETTE RIVER	SW1/4SE1/4	Sec. 1,	Twp 06N,	Rge 02W, B.M.
GEM County	(Rediversion)			

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	02W	3									8.0	16.0							24.0
06N	02W	10													10.0	12.0			80.0
					L 2				L 4				L 3						

Total Acres: 104

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 65-805 V1

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 65-03348 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.87 CFS.
2. Quantity USE OF THIS RIGHT WITH RIGHT NO. 65-22473 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.87 CFS.
3. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 65-03348 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 104 ACRES IN A SINGLE IRRIGATION SEASON.
4. Quantity A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED BELOW.
1.33 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
5. Explanatory WATER IS DELIVERED THROUGH BEUTLER-BANE DITCH.
6. Explanatory WATER IS RE-DIVERTED THROUGH GILL SLOUGH.

Comments:

1. MSCHULTE 3/29/1996 PRBA STIPULATION
Comment: THIS RECORD REFLECTS THE PRBA STIPULATION.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag: NONE RECEIVED
 State or Federal: S
 Owner Name Connector:
 Water District Number: 65
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	12/29/2000 3:52:07 PM	rhowerto			Active
Priority Date	12/29/2000 3:52:30 PM	rhowerto			Active
POD	12/29/2000 3:52:54 PM	rhowerto			Active
Source	12/29/2000 3:53:23 PM	rhowerto			Active
POU	12/29/2000 3:54:11 PM	rhowerto			Active
Use	12/29/2000 3:54:27 PM	rhowerto			Active
Season	12/29/2000 3:54:48 PM	rhowerto			Active
Quantity	12/29/2000 3:55:19 PM	rhowerto			Active
Summary			12/29/2000	rhowerto	Active

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 1.45/139.5 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use. (Pond area)

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>6N</u>	<u>2W</u>	<u>10</u>		<u>2</u>	<u>10</u>		<u>10</u>	<u>6</u>		<u>3</u>									<u>31</u>

Total acres 31**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) Remainder**

1. amount 3.42/328.5 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: No change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>6N</u>	<u>2W</u>	<u>3</u>																	<u>24</u>
		<u>10</u>		<u>8</u>	<u>2</u>		<u>29</u>	<u>7</u>		<u>3</u>									<u>49</u>

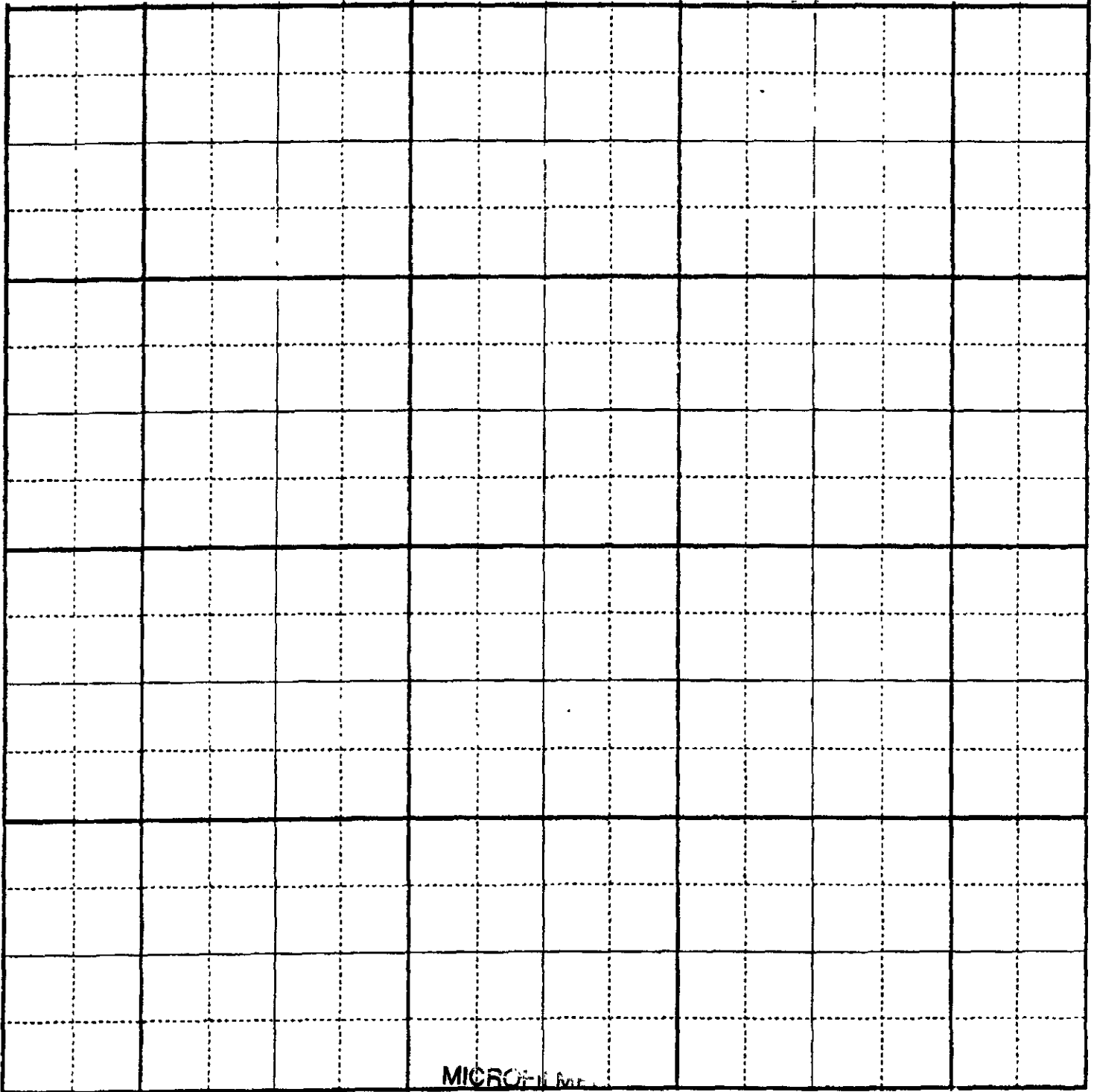
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Total acres 73

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3 *See Attachment A*

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	~~Wildlife~~	~~3.93 CFS~~	~~24/180/year~~	~~3/15 to 7/15~~
	Storage for Wildlife	35.2 AC-FT 139.5 AC-FT	24/365/year 246	3/15 to 3/15 994

2. Quantity and quality of return flows and location of discharge:

Estimate 134 AC-FT return flow, & Nutrients (N,P), slight 7
Temp. Primary discharge location: NE 1/4, NW 1/4, NW 1/4, Sec 10,

3. Describe effects on other water uses resulting from the proposed change:

No adverse or beneficial effects on other water users are anticipated. Water will be diverted from Buetler-Bane ditch using 2 existing concrete check structures and associated on-farm ditches. Full diversion (2.93 CFS) would occur for about 5 days in the spring (3/15-4/15) to initially fill the ponds (35.2 AC-FT), then lesser flows (0.5-1.0 CFS, 368 AC-FT) would be used up to 11/15 to keep the ponds full and for irrigating wildlife plantings. These lesser flows would average 0.77 CFS for 24 hours for 175 days. Duration of use for the agricultural irrigation portion (0.94 CFS, 61 AC-FT) would not change. These diversion rates, which are not an enlargement of the existing water rights associated with this property, should have a relatively small effect on the down-stream water right #65-11264, which has a maximum irrigation diversion rate of 8.05 CFS. Irrigation scheduling will, however, need to continue between right #65-11264 and right #65-805. Pond surface water elevations do not encroach upon adjacent properties and a ditch will be installed between the lower pond and the west property boundary to prevent any potential seepage from affecting Sisler Ranch property.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

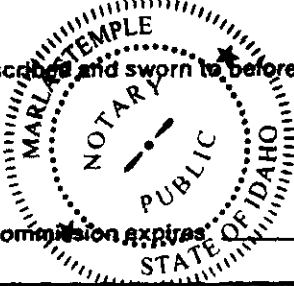
I understand that any willful misrepresentations made in this application may result in voiding its approval

Subscribed and sworn to before me this

27th day of January, 2003

(Signature of Applicant)

2003



Mark Temple
(Notary Public)

My commission expires

11-6-2003

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachments A-C

Received by KG Date 1/27/03 Protest filed by _____

Prelim. check by KG Fee 410

Received by KG Date 1/27/03 W030011

Published in MESSANGER INDEX

Copies of protest forwarded by _____

Pub. dates 6-4 + 11-03

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

rec'd.

by _____

Copy of transfer sent to lien holder _____

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Idaho Department of Water Resources

T06N R02W

Claims: 65-00805

Prepared by:

RON HOWERTON

Date: 24 AUG 00



*Ponds for
Wildlife*



Place of use



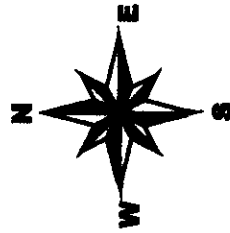
POD



SECTION

1/4 1/4

104 Acres



1987 NAPP



CHECK PAYABLE TO:
MOUNTAIN COUNTY TAX COLLECTOR
RILEY FRASIER-KNIGHTON
5 EAST MAIN STREET
METT, IDAHO 83627

2002 TAX BILL/RECEIPT

PARCEL NUMBER
R000317200

BILL# 5843 CODE A A 16-00

L 15.41
I 24.19

1ST HALF DUE	2ND HALF DUE	FULL DUE	TOT MV	39.60
X 218.45	TAX 218.45	TAX 436.90		
TE	LATE	LATE		
T	INT	INT		
ST	COST	COST		
T	TOT	TOT	TOT ACS	37.69

ZAMZOW RICHARD & ROXANNE
TRUST
1155 THOMAS DR
BCISE ID 83709

TAXING DISTRICT	RATE	AMOUN
COUNTY	.004513325	178.7
CNTY JAIL BOND	.000496483	19.6
SCHOOL #221	.003102355	122.8
SCH BOND DEBT	.002453914	97.1
CNTY FIRE #1	.000467883	18.5
AMOUNT DUE	.011033960	436.9

2693 16 03 3 00 00 004
TAX 8 & 31.
SEC 3 6N 2W

PHH
11-23-02

*** IMPORTANT ***

PLEASE READ BOTH FRONT AND BACK

*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR

TO AVOID LATE CHARGES PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE

KEEP TOP PORTION FOR YOUR RECORDS

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE

MICROFILMED

MAR 22 2004

YOU HAVE QUESTIONS REGARDING THIS BILL PLEASE
CALL 365-3272.

B1

★ ★ ★ COLLECTION OF TAXES ★ ★ ★

NOTE A 2% LATE CHARGE IS CHARGED ON LATE PAYMENTS MADE BETWEEN DECEMBER 21 AND DECEMBER 31 BEGINNING JANUARY 1, INTEREST ON THE DELINQUENT TAX AND LATE CHARGE IS CALCULATED AT THE RATE OF 1% PER MONTH ON THE DELINQUENT TAX AND LATE CHARGE

Payment of a tax delinquency

When a tax becomes delinquent payments are posted to the roll and applied to costs interest late charge and delinquent tax in the proportion each bears to the total amount due

See IDAHO CODE 63-1002

Filing a material by mail Date effective

A post office cancellation is considered the filing date A postage meter is not an acceptable post office cancellation mark

See IDAHO CODE 63-217

Effect of failure to receive notice

If you do not receive a tax notice on property, this does not excuse the late charge and interest for non-payment

See IDAHO CODE 63-902(9)

REAL PROPERTY

All taxes extended on the property roll are payable on or before December 20 The taxes may be paid in two equal halves If the first half is not paid on or before December 20 that half becomes delinquent and a 2% late charge must be added Interest on the delinquent tax and late charge is calculated at the rate of 1% per month beginning January 1 of the following year If the first half tax has been paid in part late charge and interest are calculated on the remaining first half tax If the second half is not paid on or before June 20, that half becomes delinquent and a 2% late charge must be added Interest on the delinquent tax and late charge is calculated at the rate of 1% per month beginning January 1 of that year If the second half tax has been paid in part late charge and interest are calculated on the remaining tax

All taxes extended on subsequent or missed property rolls are payable within thirty (30) days of the billing date and become delinquent if unpaid thirty (30) days after the bills are mailed See IDAHO CODE 63-903

PERSONAL PROPERTY or MANUFACTURED HOUSING

See IDAHO CODE 63-904(2)

All taxes shown on personal property and manufactured housing are due and payable on demand If no demand is made, the taxes may be paid in two equal halves The first half is due and payable on or before December 20, and the second half is due and payable on or before June 20 of the following year If the first half is not paid on or before December 20, that half becomes delinquent and the **entire tax becomes due and payable** A 2% late charge must be added to the delinquent half Interest is calculated at the rate of 1% per month beginning January 1 of the following year on the delinquent half and late charge If the first half was paid in part, late charge and interest are calculated on the unpaid portion of the first half If the second half is not paid on or before June 20 that half becomes delinquent and a 2% late charge must be added Interest on the delinquent tax and late charge is calculated at the rate of 1% per month beginning January 1 of that year If the second half has been paid in part, late charge and interest are calculated on the remaining tax

The county tax collector may issue a demand for payment on any personal or manufactured housing tax which becomes due and payable on the demand date If the tax is not paid, it becomes delinquent the day following the demand date

When any part of a tax becomes delinquent, a **warrant of distraint is issued** to the county sheriff for its collection

Before the tax becomes delinquent, the board of county commissioners may grant up to a four month extension to pay the tax, late charge and interest A warrant of distraint is not issued until the extended time expires There are **no extensions given on the second half**.

See IDAHO CODE 63-201(13), 63-904, and 63-1013

TRANSIENT PERSONAL PROPERTY

Taxes on transient personal property are due in full on demand If no demand is made the taxes are due and payable on or before December 20 If the tax is not paid on or before December 20 or the demand date, the full tax becomes delinquent and a 2% late charge must be added Interest on the delinquent tax and late charge is calculated at the rate of 1% per month beginning January 1 of the following year If the tax has been paid in part, late charge and interest are calculated on the remaining tax

When any part of a tax becomes delinquent, a **warrant of distraint is issued** to the county sheriff for its collection

See IDAHO CODE 63-201(24), 63-313, and 63-904(5)

OCCUPANCY TAX

Occupancy tax is due and payable according to the same schedule as manufactured housing, or real property, whichever is applicable

See IDAHO CODE 63-317, 63-602Z, and 63-903

When any part of the tax becomes delinquent, the tax may be collected in the same manner as tax is collected for manufactured homes or real property, whichever is applicable

Total tax due shown on this statement may not be deductible for Internal Revenue Service (IRS) purposes Please check with an accountant

Levy Sheets Available

Market Value Legend

L = Land I = Improvements P = Personal Property HM = Homeowner
MVE = Market Value Exemption

★ ★ ★ MONTHLY PAYMENTS ACCEPTED ★ ★ ★

Any portion of a property tax may be paid at any time However, to avoid delinquency, total payment must be made in full by the due date Partial payment of any tax will not invalidate any collection process as defined by Idaho Code 63-903

KE CHECK PAYABLE TO:
M COUNTY TAX COLLECTOR
RILYN FRASIER-KNIGHTON
5 EAST MAIN STREET
METT, IDAHO 83617

2002 TAX BILL/RECEIPT

PARCEL NUMBER
RP00327700

BILL# 6027 CODE AREA 2-00

L 58.07
I 110.81

	1ST HALF DUE	2ND HALF DUE	FULL DUE	TOT MV	
X	1,014.84	TAX 1,014.84	TAX 2,029.68		
TE		LATE	LATE		
T		INT	INT		
ST		COST	COST		
T		TCT	TOT	TOT ACS	105.62

ZAMZOW RICHARD & ROXANNE
TRUST
1155 THOMAS DR
BOISE ID 83709

TAXING DISTRICT	RATE	AMOUNT
COUNTY	.004513325	762.2
CNTY JAIL BOND	.000496483	83.8
SCHOOL #221	.003102355	523.9
SCH BOND DEBT	.002453914	414.4
CNTY FIRE #1	.000467883	79.0
MOSQUITO	.000583382	98.5
DISTRICT TOTAL	.011617342	1,961.9
RESIDENTIAL LANDFILL		40.0
RECREATION DIST		27.7
AMOUNT DUE		2,029.6

2300 02 02 1 12 01 006
E 10A OF LOT 4, NE NW,
W1/2 NW NE, W1/2 OF L 2, L 3,
SEC 10 6N 2W

915 PIONEER AVE

PA ID
11-23-02

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE

KEEP TOP PORTION FOR YOUR RECORDS

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE

MICROFILM

YOU HAVE QUESTIONS REGARDING THIS BILL PLEASE
CALL 365-3272.

MAR 22 2004

Bz

★ ★ ★ COLLECTION OF TAXES ★ ★ ★

NOTE A 2% LATE CHARGE IS CHARGED ON LATE PAYMENTS MADE BETWEEN DECEMBER 21 AND DECEMBER 31. BEGINNING JANUARY 1, INTEREST ON THE DELINQUENT TAX AND LATE CHARGE IS CALCULATED AT THE RATE OF 1% PER MONTH ON THE DELINQUENT TAX AND LATE CHARGE

Payment of a tax delinquency

When a tax becomes delinquent payments are posted to the roll and applied to costs interest late charge and delinquent tax in the proportion each bears to the total amount due

See IDAHO CODE 63-1002

Filing of material by mail. Date effective

A post office cancellation is considered the filing date A postage meter is not an acceptable post office cancellation mark

See IDAHO CODE 63-217

Effect of failure to receive notice

If you do not receive a tax notice on property, this does not excuse the late charge and interest for non-payment

See IDAHO CODE 63-902(9)

REAL PROPERTY

All taxes extended on the property roll are payable on or before December 20 The taxes may be paid in two equal halves If the first half is not paid on or before December 20, that half becomes delinquent and a 2% late charge must be added Interest on the delinquent tax and late charge is calculated at the rate of 1% per month beginning January 1 of the following year If the first half tax has been paid in part, late charge and interest are calculated on the remaining first half tax If the second half is not paid on or before June 20, that half becomes delinquent and a 2% late charge must be added Interest on the delinquent tax and late charge is calculated at the rate of 1% per month beginning January 1 of that year If the second half tax has been paid in part, late charge and interest are calculated on the remaining tax

All taxes extended on subsequent or missed property rolls are payable within thirty (30) days of the billing date and become delinquent if unpaid thirty (30) days after the bills are mailed See IDAHO CODE 63-903

PERSONAL PROPERTY or MANUFACTURED HOUSING

See IDAHO CODE 63-904(2)

All taxes shown on personal property and manufactured housing are due and payable on demand If no demand is made, the taxes may be paid in two equal halves The first half is due and payable on or before December 20, and the second half is due and payable on or before June 20 of the following year If the first half is not paid on or before December 20, that half becomes delinquent and the **entire tax becomes due and payable**. A 2% late charge must be added to the delinquent half Interest is calculated at the rate of 1% per month beginning January 1 of the following year on the delinquent half and late charge If the first half was paid in part, late charge and interest are calculated on the unpaid portion of the first half If the second half is not paid on or before June 20, that half becomes delinquent and a 2% late charge must be added Interest on the delinquent tax and late charge is calculated at the rate of 1% per month beginning January 1 of that year If the second half has been paid in part, late charge and interest are calculated on the remaining tax

The county tax collector may issue a demand for payment on any personal or manufactured housing tax which becomes due and payable on the demand date If the tax is not paid, it becomes delinquent the day following the demand date

When any part of a tax becomes delinquent, a **warrant of distraint is issued** to the county sheriff for its collection

Before the tax becomes delinquent, the board of county commissioners may grant up to a four month extension to pay the tax, late charge and interest A warrant of distraint is not issued until the extended time expires There are **no extensions given on the second half**.

See IDAHO CODE 63-201(13), 63-904, and 63-1013

TRANSIENT PERSONAL PROPERTY

Taxes on transient personal property are due in full on demand If no demand is made, the taxes are due and payable on or before December 20 If the tax is not paid on or before December 20 or the demand date, the full tax becomes delinquent and a 2% late charge must be added Interest on the delinquent tax and late charge is calculated at the rate of 1% per month beginning January 1 of the following year If the tax has been paid in part, late charge and interest are calculated on the remaining tax

When any part of a tax becomes delinquent, a **warrant of distraint is issued** to the county sheriff for its collection

See IDAHO CODE 63-201(24), 63-313, and 63-904(5)

OCCUPANCY TAX

Occupancy tax is due and payable according to the same schedule as manufactured housing, or real property, whichever is applicable

See IDAHO CODE 63-317, 63-602Z, and 63-903

When any part of the tax becomes delinquent, the tax may be collected in the same manner as tax is collected for manufactured homes or real property, whichever is applicable

Total tax due shown on this statement may not be deductible for Internal Revenue Service (IRS) purposes Please check with an accountant

Levy Sheets Available

Market Value Legend

L = Land I = Improvements P = Personal Property HM = Homeowner
MVE = Market Value Exemption

★ ★ ★ MONTHLY PAYMENTS ACCEPTED ★ ★ ★

Any portion of a property tax may be paid at any time However, to avoid delinquency total payment must be made in full by the due date Partial payment of any tax will not invalidate any collection process as defined by Idaho Code 63-903

EMMETT IRRIGATION DISTRICT
222 E. PARK STREET
EMMETT, ID 83617
(208) 365-4582

February 24, 2003

To Whom It May Concern:

Emmett Irrigation District does not assess Richard Zamzow for property located at the south end of Pioneer Avenue because it lies outside of the district boundary. Therefore, the district does not deliver water to his property.

Sincerely,

A handwritten signature in cursive script that reads "Carla Porath".

Carla Porath
District Secretary

MICROFILM

MAR 22 2004

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No 39576)
) Water Right 65-00805

NAME AND ADDRESS: RICHARD & ROXANNE ZAMZOW TRUST
11555 THOMAS DR
BOISE, ID 83709

SOURCE. PAYETTE RIVER TRIBUTARY: SNAKE RIVER
QUANTITY. 4.87 CFS

A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE
IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE
DESCRIBED BELOW. 1.33 CFS OF THIS RIGHT IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

USE OF THIS RIGHT WITH RIGHT NO. 65-03348 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.87 CFS.

USE OF THIS RIGHT WITH RIGHT NO. 65-22473 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.87 CFS.

PRIORITY DATE 11/02/1983

POINT OF DIVERSION T06N R01W S06 LOT 7 (SWSW) Within Gem County
R02W S01 SWSE (Rediversion)

PURPOSE AND PERIOD OF USE.	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	4.87 CFS

PLACE OF USE:	Irrigation	Within Gem County
	T06N R02W S03 SWSW 8.0	SESW 16.0
	S10 NWNE 10.0	LOT 2 (SWNE) 12.0
	NENW 39.0	LOT 4 (NWNW) 13.0
	LOT 3 (SENW) 6.0	
	104.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO 65-03348 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 104 ACRES IN A SINGLE
IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

MICROFILMED
MAR 22 2004

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

MICRO. FILM.
MAR 22 2004

IDAHO DEPARTMENT OF
LAND RESOURCES

Fax

To:	Scott Henderson	From:	Deborah J. Gibson (208) 327-7953
Fax:	365-7183	Date:	September 19, 2003
Phone:		Pages:	4
Re:	Application for Transfer of Water Right No. 65-805	CC:	

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

•Comments: Gary Spackman asked me to fax this Agreement for Withdrawal of Protest to you.

If you have any problems with the transmission or quality of this fax please call me at the above number immediately.

Deborah Gibson

Debbie -
Please fax this to
Scott Henderson at

365-7183

Thx,
Gary
oli-
sent out
9/19/03
7:55PM

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER OF WATER RIGHT)
NO. 65-805 (TRANSFER NO. 70461))
IN THE NAME OF RICHARD)
ZAMZOW)
_____)

AGREEMENT FOR
WITHDRAWAL OF PROTEST

On January 27, 2003, Richard L. Zamzow (Zamzow) filed with the Department of Water Resources (IDWR) application for transfer no. 70461. The application was protested by Joy Sisler (Sisler).

A conference to discuss the application and the protest was conducted on Wednesday, August 13, 2003. Based on discussions at the prehearing conference, Zamzow and Sisler agree that the issues for protest to application for transfer no. 70461 (water right no. 65-805) are resolved by the following agreement. The parties recognize many of the terms of the following agreement will not be included on any approval document issued by IDWR. Particular provisions expected to be included by IDWR in the approval document will be expressly identified by this agreement.

The parties agree:

A. The following are provisions of the agreement that **will not** be included in an approval issued by IDWR:

1. Zamzow and Sisler agree to jointly propose and support the creation of a management organization to oversee the maintenance of the ditch and distribution of water from the ditch that transports water to them and other users.
2. Zamzow and Sisler agree that, should their joint efforts to create a management

organization with the other ditch users fail, they will petition the Idaho Department of Water Resources and/or the watermaster of Water District No. 65, Weiser River, to assist in the creation of a delivery and maintenance organization, and the appointment of a manager of the ditch to deliver water to the users, and to otherwise perform other functions related to the delivery of water to the users. The parties agree, however, that IDWR and/or the watermaster may not have the authority to force the organization and appointment discussed above.

3. The total rate of diversion authorized by water right no. 65-805 is 4.87 cfs. The irrigation season for water right no. 65-805 spans the period from March 15 through November 15, or 246 days. If Zamzow diverts 4.87 for 246 days, a total of 2,372 acre-feet will be diverted over the course of the irrigation season. The total volume of water authorized for diversion, however, is 468 acre-feet. If Zamzow diverts the entire 4.87 cfs every time water is diverted, he will only be able to divert water for 49 days, or approximately one-fifth of the irrigation season. If half of his authorized rate is diverted, he will only be able to divert water for 98 days, or approximately 40% of the irrigation season. Zamzow agrees that he must limit his total diversion of water to 468 acre-feet total diversion and 139.5 acre-feet for wildlife/wildlife storage, or less. Zamzow also agrees to recognize traditional rotation schedules for water deliveries to water users and traditional maintenance shut off schedules, including extended ditch dry-up for moss control. If Sisler, her successor in interest, or other water users on the ditch believe that Zamzow is diverting water in excess of 468 acre-feet annually, or more than 139.5 acre-feet annually for wildlife/wildlife storage, and the matter cannot be resolved by a delivery organization, if one is formed, a water user on the ditch or any other affected water user may petition IDWR to require Zamzow to measure diversions for wildlife or other purposes.

B. The following provisions **will be included** as a condition of approval of the application for transfer:

1. The total diversion to storage and wildlife storage components of this water right cannot exceed a total of 139.5 acre-feet annually. Total diversion volume for the entire water right is limited to 486 acre-feet annually. Upon petition from another affected water user, or on its own initiative, IDWR may require measurement and reporting of the flow rate and annual volume of water diverted to insure compliance with these limitations.

C. Upon execution of this agreement and upon conditioning of the transfer approval with the above language regarding future measurement, Sisler agrees to withdraw her protest to application for transfer no. 70461 (water right no. 65-805).

Dated this _____ day of _____, 2003.

Richard Zamzow

Dated this _____ day of _____, 2003.

Joy Sisler

OCT 27 2003

Department of Water Resources

FINAL TRANSFER REVIEW CHECKLIST

Trans # 70461 Date Reviewed 3/4/03 Reviewer gRight No(s).* 65-805
Split? Y N Y N Y N Y N Y NAREA OF CONCERN: Y No Y Yes, identify _____RightID's of From & To records correct? Y N (resolve with State Office personnel)

NOTE: Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U Y Lien Holder Release _____

GROUNDWATER:

DRILLING PERMIT

All wells - 046
DP upgrade req'd Y N (contact GW personnel)

WMD - North/East/West

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 067

WMD

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M or 01Q

SUPPLEMENTAL (irr = only use) - 065-104

SUPPLEMENTAL (irr + other uses) - 100-105

SURFACE WATER:

WD

≤ 0.20 cfs/others

> 0.20 cfs

WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres

> 0.24 cfs/5 acres

(R05) (WD# 65) WM comments rec'd _____
- R02, 01P or No MD

(R43)

- No MD

- 01M or 01Q

STANDARD SEASON 3/1 to 11/15 (use X61 if extended season)STANDARD VOLUME 4.5 af/acCONSUMPTIVE USE VOLUME 3.5 af/ac (only N/U change)

USES:

STORAGE - 18C-R02-01P-18B-NA

IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)

> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)

STOCKWATER - R37 (all BLM/USFS)

MINING - 054-106

FISH PROP - 029(70'S only)-007-122-106

HEAT/COOL - R07 (injection well)

FIRE PROT. - 077

DAIRY - 082 (zoning if a concern)-106-WD8

USES:

POWER

- 17H-17K (+uses)-025-106

MUNICIPAL

Restricted area

- 022-075 RAFN - 007-109-X64

Irr., GW supp to SW

- 102

DOMESTIC

Surface water

- WB5 (Big Wood or Boise above Star Bridge)

- 27A (Payette River)

>1 in restricted area

- 070-071-075 (no parks/common areas, etc)

Irr use listed separate

- WB5

MISC CONDITIONS:

T07 - 1 yr to developT08 - comply or rescind

T17 - measure all p/d's (used with WB4)

T18 - Special T17 & R43 combined -
multiple pds in WD

Protested - 020-X19

Water Quality - 106-R07

X27 - Number of acres/season in ppu

X35 - Combined totals of multiple rts

X49 - measure p/d's (source chg'd to orig trib)

X51 - 2+ yrs to develop

X53 - Use ltd to ong. source availability

X54 - forfeited ac/rate (used rarely)

X55 - (transfer shrinks total water to less ac)

004 - no right-of-way

X58 - pending claim (statutory or AJ b/u claim)

X61 - extended irr season

X62 - replaces N11 and N13

X63 - replaces C12

WB4 - + p/ds, cfs & afa (used with T17)

WD8 - land application of waste water

01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01m)

Apply one to chg'd and unchg'd rts:

T09 - on-going SRBA (no Dir Rpt
or Recomm yet)T19 - replaces C18
(if at Recommendation
or Partial Decree stage)T20 - use instead of T09 where
not ongoing in SRBAOTHER CONDITIONS X56

COMMENTS

Database files updated YApproval form saved YShape files created Y (optional printing)Special Mailing Instructions (cc's, etc) Protestant - Conditional WithdrawalS.O. ONLY: Final database update after approval ✓ *Comment to WR No(s). NA - Associated R+ AJ record 65-3348

10-30-2003

INITIAL TRANSFER REVIEW CHECKLIST

Applicant Zamgou Transfer No. 70461
 Reviewed by g Date 3/4/03
 Data entered by g

1. Type of right ☐ Decree ☐ License OR ☒ AJ Record

Caution
before processing: ☐ Partial Decree to WR ☐ Ownership Change filed & split completed
☐ Informal AJ split completed prior to transfer processing only if needed

2. Purpose of transfer ☐ Change P/D ☐ Add P/D ☐ Change P/U
☒ Change N/U ☐ Change Period ☐ Other (identify)

3. Check Existing Right
☒ Source ☒ Priority ☒ Amount
☒ Purpose ☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights for original P/D &/or P/U

4. Check **Proposed Right** for amount of land &/or water transferred:

- a. ☒ Analysis memo – always include unless justify why not needed
- b. N All of right
- c. ☒ Part of right – Note Part B should normally be completed only if part of right is owned by applicant
- d. ☒ Description of point(s) of diversion
- e. ☒ Description of place of use
- f. ☒ Map showing proposed P/D &/or P/U
- g. ☒ Correct notarized signature and fee – see Transfer Memo #23 about fees if necessary
- h. ☒ Proof of ownership of right &/or land from which water is transferred
- i. N Expansion in use of right: check rate of flow, diversion volume and consumptive volume. Discuss in memo.
- j. Y Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

k. ☒ Overlapping rights for current & proposed scenarios

Current GW application for ponds

Proposed _____

l. ☒ SRBA Claim(s) recommended 12/29/00

m. ☒ Comment letters _____ Yes as follows

☐ No

☒ Water District # 65

☒ DRG

☒ Other, list below
or see attached

Sisler Family LLC
c/o Joy Sisler
4455 Sunset Dr
Emmett ID 83617

PUBLICATION REVIEW

1. Comment Letters

Watermaster comments received 6/23/03 (date)

Other comment letters received ☐ Yes ☒ No

2. Affidavit of publication received: ☒ Yes

3. Published correctly: ☒ Yes ☐ No

If No, re-publication required: ☐ Yes ☐ No

4. Protests received: ☒ Yes ☐ No ☐ If yes, acknowledgement sent

RECOMMENDATIONS

See electronic transfer folder.

Folder name = applicant last name + transfer application #.

Recommendations = see file name "draft approval" &/or "review memo"

FORWARDING FILE TO S.O. – see Supplemental Checklist for Scanning

1. Scanning completed & Supplemental Review Sheet filed in Western WR file(s) ☒ Yes

2. File forwarded to S.O. AT 10-23-03 Date

MEMORANDUM

TO: Transfer File No. 70461

FROM: Lori Graves

DATE: 3/12/03

RE: Evaluation of Sufficiency of Information Submitted

Brief: Applicant proposes changing the nature of use on 31 acres and 1.45 cfs of the above water right from irrigation to wildlife storage in the N ½ S10T6N R2W. The acres have been converted to ponds, which naturally accrue ground water. This application is proposed to freshen the ponds during the irrigation season. The ponds are located three miles West of Emmett, just North of the Payette River.

Contact person for the applicant is Scott Henderson with the NRCS in Emmett.

Authority to File: The land where the ponds are located is owned by the applicant. Tax bills have been provided.

Water Right Validity:

Right presumed valid since the right was claimed on 2/2/1990 and beneficial use occurred within the five year period prior to that date. Beneficial use was confirmed by a 1987 aerial photo. Ron Howerton recommended the right for partial decree 12/29/200. This transfer is based Ron's recommendation.

Injury to Other Water Rights: According to the applicant, no adverse effects on other water users are anticipated. Water will be diverted from Buetler-Bane ditch using 2 existing concrete check structures and associated on-farm ditches. The diversion rates are not an enlargement of the existing water rights associated with this property and should have relatively small effect on the down-stream water right 65-11264 owned by the Sislers, which has a maximum irrigation diversion rate of 8.05 cfs. Irrigation scheduling will continue between rights 65-11264 and 65-805. Pond surface water elevations do not encroach upon adjacent properties and a ditch will be installed between the lower pond and the west property boundary to prevent any potential seepage to the Sisler Ranch property.

This transfer can be considered as mitigation for ground water application 65-22774, however, mitigation is not required in basin 65. Consumptive use of ground water due to evaporative loss from the ponds is assumed to be at 3.5 afa/acre, with all but a de minimus amount to occur between 3/1 and 11/15 each year. Historical consumptive use of this surface water right during the irrigation season due to evapotranspiration is also assumed at 3.5 afa/acre. As a result, the transfer will maintain the p/u of the water right by delivering water to the ponds during the irrigation season to recharge the ground water

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MAR 22 2004

source and directly offset evaporation from exposed ground water from the ponds on a one-to-one basis, without any change in the historical consumptive use of the water right. Because of the mitigation aspects of this proposal, injury should not be an issue.

Enlargement of Use: The 31 acres to be changed from irrigation to wildlife storage accounts for the surface area of the ponds. Because this transfer proposes a change in nature of use, historical consumptive use was requested. Scott Henderson stated that pasture had been grown on the property for the last five years. Based on the Payette site in the Allen/Brockway report, the average irrigation consumptive use factor for pasture is equivalent to the average irrigation consumptive use factor for alfalfa in that area. Analysis by Bill Ondrechen, with department technical services, has shown that the consumptive use of a pond is similar to the consumptive use of alfalfa. Applicant listed 139.5 af for wildlife storage, which is based on 4.5 afa for 31 acres. To ensure that enlargement does not occur, the amount recommended for wildlife storage is 97 af based on the average historical consumptive use of 31 acres pasture:

$$950 \text{ ave ir}/25.4 \times 104 \text{ ac}/12 = 325.38 \text{ cu}/104 \text{ ac} = 3.128 \text{ cu/ac} \times 31 = 97 \text{ af cu}$$

Because the ponds naturally fill with ground water and the surface water will only be used to freshen the ponds during the irrigation season, the reduction in pond area to account for the reduction in wildlife storage volume is not an issue.

Local Public Interest: No negative impacts are anticipated. Beneficial use of the water right will continue, while at the same time, facilitate the use of ground water without depleting the resource.

Beneficial Use/Conservation of Water Resources: Applicant proposes beneficial use consistent with irrigation standards for the area.

Review of the application finds there is no clear inconsistency with criteria of I.C. § 42-222 preventing processing of this application.

Additional Information: Applicant also has waste water right 65-3348 applicable to acres not subject to pond development and claim 65-22473 is a stockwater right. The overlap analysis showed a conflict with Emmett Irrigation District, which included sections 3 and 10 in their general ppu, however a statement was provided from the District Secretary stating that the district does not deliver water to this property.

Data entry appeared to affect the correct record.

Watermaster comments have been requested.

Sisler Family Trust, owner of water right 65-11264 referenced above, will be sent a notice.

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MAR 22 2004

Conditions: Assuming protests are not filed and/or other information does not contradict the above analysis, and assuming it is determined the application should be approved, the following conditions of approval should be applied:

- R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
- R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
- X35 Rights 65-805 and 65-3348, when combined shall not exceed a total diversion rate of 4.87 cfs.
- GEN Rights 65-805, 65-3348, and 65-22473, when combined shall not exceed a total diversion rate of 4.87 cfs, a total maximum diversion volume of 482.6 af at the field headgate, and the irrigation of 73 acres.
- R61 This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
- X56 The portion of Right 65-805 used for conveyance losses is 1.33 cfs.
- GEN The diversion rate of .034 cfs per acre at the field headgate is included in the rate of diversion for the place of use described above.
- X61 The period of use for the irrigation and diversion to storage described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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MAR 22 2004

PROTEST INFORMATION SHEET

APPLICANT: RICHARD L ZAMZOW
11555 THOMAS
BOISE ID 83709

PH: 208-376-7033

APPLICATION NO: 65-805
65-3348

TRANSFER NO: 70461

DATE FILED: 1-27-03 **PROTEST DATE:** 6-23-03

PROTESTANT(S) NAME & ADDRESS:

JOY SISLER
4455 SUNSET DR
EMMETT ID 83617

Protestant's Attorney Name & Address: Issues:

Applicant - Attorney - Name & Address:

Hearing Date: _____

Other: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 20, 2003

JOY SISLER
4455 SUNSET DR
EMMETT ID 83617

RICHARD L ZAMZOW
11555 THOMAS
BOISE ID 83709

Re: Application for Transfer No. 70461 in the Name of Richard L. Zamzow

Dear Parties:

This letter acknowledges receipt of the agreement for withdrawal of protest of the above referenced application for transfer.

The department will now continue to process this application, subject to certain conditions of approval.

If you have any questions please call this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'John Westra'.

JOHN WESTRA
Western Regional Manager

JW:sk

MICROFILMED
MAR 22 2004

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

RECEIVED

OCT 01 2003

**WATER RESOURCES
WESTERN REGION**

**IN THE MATTER OF APPLICATION)
FOR TRANSFER OF WATER RIGHT)
NO. 65-805 (TRANSFER NO. 70461))
IN THE NAME OF RICHARD)
ZAMZOW)
_____)**

**AGREEMENT FOR
WITHDRAWAL OF PROTEST**

On January 27, 2003, Richard L. Zamzow (Zamzow) filed with the Department of Water Resources (IDWR) application for transfer no. 70461. The application was protested by Joy Sisler (Sisler).

A conference to discuss the application and the protest was conducted on Wednesday, August 13, 2003. Based on discussions at the prehearing conference, Zamzow and Sisler agree that the issues for protest to application for transfer no. 70461 (water right no. 65-805) are resolved by the following agreement. The parties recognize many of the terms of the following agreement will not be included on any approval document issued by IDWR. Particular provisions expected to be included by IDWR in the approval document will be expressly identified by this agreement.

The parties agree:

A. The following are provisions of the agreement that **will not** be included in an approval issued by IDWR:

1. Zamzow and Sisler agree to jointly propose and support the creation of a management organization to oversee the maintenance of the ditch and distribution of water from the ditch that transports water to them and other users.

2. Zamzow and Sisler agree that, should their joint efforts to create a management

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organization with the other ditch users fail, they will petition the Idaho Department of Water Resources and/or the watermaster of Water District No. 65, Weiser River, to assist in the creation of a delivery and maintenance organization, and the appointment of a manager of the ditch to deliver water to the users, and to otherwise perform other functions related to the delivery of water to the users. The parties agree, however, that IDWR and/or the watermaster may not have the authority to force the organization and appointment discussed above.

3. The total rate of diversion authorized by water right no. 65-805 is 4.87 cfs. The irrigation season for water right no. 65-805 spans the period from March 15 through November 15, or 246 days. If Zamzow diverts 4.87 for 246 days, a total of 2,372 acre-feet will be diverted over the course of the irrigation season. The total volume of water authorized for diversion, however, is 468 acre-feet. If Zamzow diverts the entire 4.87 cfs every time water is diverted, he will only be able to divert water for 49 days, or approximately one-fifth of the irrigation season. If half of his authorized rate is diverted, he will only be able to divert water for 98 days, or approximately 40% of the irrigation season. Zamzow agrees that he must limit his total diversion of water to 468 acre-feet total diversion and 139.5 acre-feet for wildlife/wildlife storage, or less. Zamzow also agrees to recognize traditional rotation schedules for water deliveries to water users and traditional maintenance shut off schedules, including extended ditch dry-up for moss control. If Sisler, her successor in interest, or other water users on the ditch believe that Zamzow is diverting water in excess of 468 acre-feet annually, or more than 139.5 acre-feet annually for wildlife/wildlife storage, and the matter cannot be resolved by a delivery organization, if one is formed, a water user on the ditch or any other affected water user may petition IDWR to require Zamzow to measure diversions for wildlife or other purposes.

B. The following provisions **will be included** as a condition of approval of the application for transfer:

1. The total diversion to storage and wildlife storage components of this water right cannot exceed a total of 139.5 acre-feet annually. Total diversion volume for the entire water right is limited to 486 acre-feet annually. Upon petition from another affected water user, or on its own initiative, IDWR may require measurement and reporting of the flow rate and annual volume of water diverted to insure compliance with these limitations.

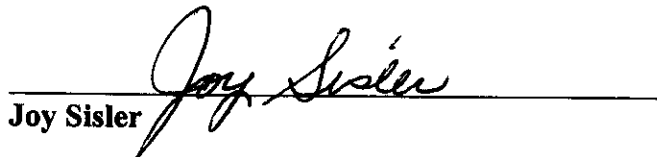
C. Upon execution of this agreement and upon conditioning of the transfer approval with the above language regarding future measurement, Sisler agrees to withdraw her protest to application for transfer no. 70461 (water right no. 65-805).

Dated this 29 day of September, 2003.


Richard Zamzow

RECEIVED
OCT 20 2003
WATER RESOURCES
WESTERN REGION

Dated this 17 day of October, 2003.


Joy Sisler

BEFORE THE DEPARTMENT OF WATER RESOURCES

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OCT 01 2003

**WATER RESOURCES
WESTERN REGION**

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MAR 22 2004

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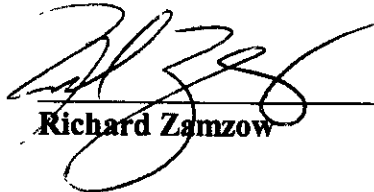
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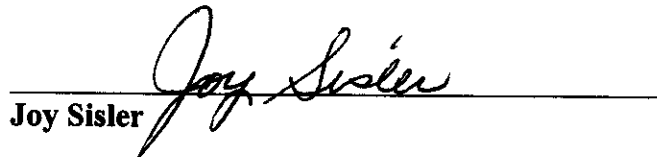
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Dated this 29 day of September, 2003.

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WATER RESOURCES
WESTERN REGION


Richard Zamzow

Dated this 17 day of October, 2003.


Joy Sisler

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MAR 22 2004

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Dated this 29 day of September, 2003.

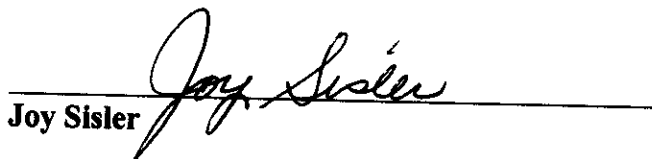
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WATER RESOURCES
WESTERN REGION


Richard Zamzow

Dated this 17 day of October, 2003.


Joy Sisler

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MAR 22 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 5, 2003

RICHARD L ZAMZOW
11555 THOMAS
BOISE ID 83709

JOY SISLER
4455 SUNSET DR
EMMETT ID 83617

Re: Agreement for Withdrawal of Protest – Application for Transfer no. 70461 (Water Right no. 65-805)

Dear Richard & Joy:

Enclosed is a draft agreement for withdrawal of the protest filed by Joy Sisler against application for transfer no. 70461 (water right no. 65-805) in the name of Richard Zamzow. Please review the document and suggest any amendments by September 19, 2003. Any suggested amendment should be submitted in writing to the Idaho Department of Water Resources (IDWR) at its Western Regional Office, 2735 Airport Way, Boise ID 83705 and to **the other party**. I am changing jobs, and I ask that you send the comments to John Westra, the new manager.

If there are suggested amendments, Western Region will amend the document and redistribute it for signature. If amendments are not suggested, Rick, would you please sign your copy of the document and send it to Joy for her signature. Joy, when you sign the document Rick sends to you, please forward it to this office. Please do not send me your draft agreement with only a single signature on it.

After the fully executed withdrawal of protest is submitted to this office, IDWR will continue to process the application for transfer. Thanks for your help to resolve this dispute.

Sincerely,

Gary Spackman

Cc: John Westra

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MAR 22 2004

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

**IN THE MATTER OF APPLICATION)
FOR TRANSFER OF WATER RIGHT)
NO. 65-805 (TRANSFER NO. 70461))
IN THE NAME OF RICHARD)
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MAR 22 2004

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C. Upon execution of this agreement and upon conditioning of the transfer approval with the above language regarding future measurement, Sisler agrees to withdraw her protest to application for transfer no. 70461 (water right no. 65-805).

Dated this _____ day of _____, 2003.

Richard Zamzow

Dated this _____ day of _____, 2003.

Joy Sisler

IDAHO DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY, BOISE, IDAHO 83705

Conducted by: Gary Spackman

ADDRESS

Nate Hauder 2102 N Liberty Boise ⁸³⁷⁰⁴
Richard Lamson 11555 Thomas Ln ~~Boise~~ 83709.
Levi Montoya 1805 Hwy 16, Rm 1, Emmet, ID 83617
Scott Handerson " " "
Jody Sisler 4455 Sunset Dr Emmett, ID 83617
Maggie Sisler 3995 Sunset Dr Emmett, ID 83617
SOLIE K. THIES 3201 1/2 SUNSET DR. Emmett, ID 83617

MAR 22 2004

Receipt Details for ID W030619

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
6/20/2003 11:25:01 AM	6/20/2003 1:58:37 PM	WESTERN	\$25.00	Check
Payer		SISLER, JOY		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
157			
Card Expiration Date	Credit Card Transaction #		

Comment TRANSFER 70461**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	PROTESTS	62103	0229	21		1155

Refund(s):

Amount	Payee	Date	Document Number
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MAR 22 2004

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER OF WATER RIGHT)
NO. 65-805 (TRANSFER NO. 70461))
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_____)

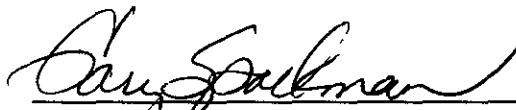
**NOTICE OF PREHEARING
CONFERENCE**

On January 27, 2003, Richard L. Zamzow filed with the Department of Water Resources (IDWR) application for transfer no. 70461. The application was protested by Joy Sisler.

IDWR has scheduled a conference for the protest to be held on **Wednesday, August 13, 2003, at 2:00 pm. in the jury room of the Gem County Courthouse, 415 E. Main, Emmett ID 83617.** The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules of Water Appropriation of the Department of Water Resources.

The conference will be conducted in a facility that satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise IDWR within (10) days prior to the conference.

Dated this 16th day of July 2003.



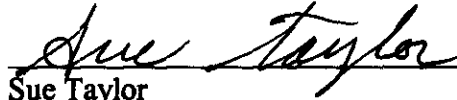
Gary Spackman

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MAR 22 2004

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of July 2003 I mailed a true and correct copy, postage prepaid, of the Notice of Prehearing Conference to those listed:



Sue Taylor
Senior Secretary

RICHARD L ZAMZOW
11555 THOMAS
BOISE ID 83709

JOY SISLER
4455 SUNSET DR
EMMETT ID 83617

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR TRANSFER

Section 42-222, Idaho Code, requires the department to consider the following issues in connection with an application for transfer:

- 1) Will the proposed transfer injure other water rights?
- 2) Will the proposed transfer constitute an enlargement in use of the original right?
- 3) Is the proposed transfer in the local public interest, where local public interest is defined as the affairs of the people in the area directly affected by the proposed use?
- 4) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof of issues 1, 2 and 4 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 3 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

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HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon written request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a preliminary order for the Director's consideration. Parties can file exceptions to a preliminary order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may, by written stipulation, waive their right to a preliminary order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer prior to any scheduled hearing.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 17, 2003

JOY SISLER
SISLER FAMILY LLC
4455 SUNSET DR
EMMETT ID 83617

Re: Application for Transfer of Permit No. 65-805 (Transfer No. 70461) in the Name of
Richard L. Zamzow

Dear Protestant:

This office acknowledges receipt of your protest opposing the above-referenced application for transfer. The following are the criteria we consider when either approving or denying an application for transfer:

1. Will other water rights be injured by the transfer?
2. Will the change constitute an enlargement in the use of the original right?
3. Will the proposed change conflict with the local public interest?
4. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Enclosed is a Notice of Prehearing Conference scheduled for Wednesday, August 13, 2003 at 2:00 pm. in the jury room at the Gem County Courthouse, 415 E. Main, Emmett ID 83617.

The department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest prior to the prehearing conference. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

If we may be of assistance, please contact us.

Sincerely,


Gary Spackman

GS:st

Encl. Notice of Prehearing Conference
Copy of Application

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MAR 22 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

July 17, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RICHARD L ZAMZOW
11555 THOMAS
BOISE ID 83709

Re: Application for Transfer No. 70461

Dear Applicant:

Enclosed please find a copy of the protest(s) filed against the above-referenced application for transfer. You should be aware that the following are the criteria we consider when either approving or denying an application for transfer:

1. Will other water rights be injured by the transfer?
2. Will the change constitute an enlargement in the use of the original right?
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The department suggests you contact the protestant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

This office will shortly schedule a conference if the matter is not resolved informally. At the conference, the department will review possibilities for resolution of the protest. If the matter cannot be resolved at that time, a formal hearing will be arranged for a future date.

If we may be assistance, please contact us.

Sincerely,

Gary Spackman

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GS:st

Enc. Copy of Protest(s)
Notice of Prehearing Conference

MAR 22 2004

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JUN 20 2003

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested 70461
2. Name of protestant Jay & Susan Siscu Siscu Family LLC
3. Protestant's Representative for service (If different than protestant)
4. Service mailing address 4455 Sunset Dr. Emmett ID 83617
5. Service telephone no. 208 365 2774
6. Basis of protest (including statement of facts and law upon which the protest is based)
(Questions - concerns) - ditch maintenance, measuring
service, historical, irrigation scheduling -
monitoring plans
 (additional pages may be attached to describe nature of the protest)
7. What would resolve your protest? assurance that the phone is
being dressed

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 20 day of June, 2003
Jay & Susan Siscu
 Protestant

Protestant's Representative

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MAR 22 2004

NOTE:

A protestant is required to timely file a protest with the department together with a \$25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
 2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.
 3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
 4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
 5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
 6. Specifically describe the nature of the protest.
 7. Describe the relief being sought by the protestant.
-

FOR DEPARTMENT USE ONLY

Received by Rdh Date 6-20-03 Time 11:25
\$25.00 fee Received by Rdh # W030619 Date 6-20-03

WATER RESOURCES
WESTERN REGION

County of Gem

of Emmett, Gem County, Idaho, being first duly sworn,
deposes and says:

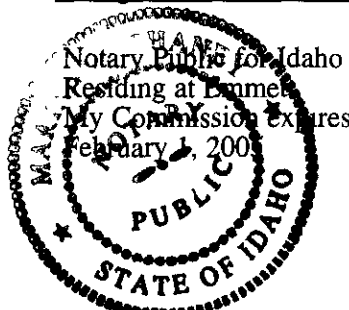
1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Messenger Index, a weekly newspaper published in the City of Emmett in the County of Gem, State of Idaho; that the said newspaper is in general circulation in the said County of Gem, and in the vicinity of Emmett, and has been uninterruptedly published in said County during a period of fifty-two consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in the newspaper two times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.
4. That said notice was published the following.
June 4, 11, 2003

Anthony M. Clue

STATE OF IDAHO
County of Gem

On this 11th day of June in the year of 2003 before me a Notary Public, personally appeared. Anthony M. Clark 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 acknowledge to me that he executed the same.

Margaret Clary



MICROFILMED

420 2 2 2004

[illegible]

RECEIVED

JUN 23 2003

WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

Application No: 70461Applicant's Name: Richard Zamzow

Watermaster's Recommendation:

- a) I do not oppose approval of this application.
- b) X I do not oppose approval of this application if it is conditioned as follows: This transfer of use should in no way interfere with the delivery of water to irrigation usages on the delivery system, or to the maintenance and operation of the delivery system.
Measurement devise should be installed to monitor diversion rate.
Mosquitoes and noxious weeds should be controlled
- c) I oppose approval of this application for the following reasons:
- d) X Additional Comment: Specific concerns are that staging water high enough to supply ponds may injure delivery to down stream users.
Canal maintenance might be disrupted or prevented.

Dated this 20th day of June, 2003

Water District No. 65


Ron Shurtleff, Watermaster

Use reverse side of page if you need more space

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MAR 22 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 29, 2003

SISLER FAMILY LLC
C/O JOY SISLER
4455 SIMSET DR
EMMETT ID 83617

Re: Water Right Application(s)

Dear Ms. Sisler:

Enclosed is a copy of application(s) that may be of interest to you. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by June 23, 2003.

If you have any questions regarding the application(s), please contact this office.

Sincerely,
Sue Taylor
Senior Secretary

Encl. Copy of Application(s)

MICROFILMED
MAR 22 2004

May 29, 2003

RON SHURTLEFF
WATER DISTRICT 65
102 N MAIN
PAYETTE ID 83661

Re Application(s) for Water Right

Dear Watermaster

Attached are copies of one or more applications. Also attached is a form for your recommendation concerning these application(s).

Please review the application(s) that are in your area. We must have your comments within two weeks. If you have any questions or need information, feel free to contact this office at 334-2190.

Sincerely,

Sue Taylor
Idaho Department of Water Resources
2735 Airport Way
Boise ID 83705
334-2190 phone
334-2348 fax

 Copy of
Recommend.
 65-22774.pdf
(86KB)
 70461.pdf
(211KB)
 pit exchange.pdf
(306KB)

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MAR 22 2004

Taylor, Sue

To: IDFG (E-mail)
Cc: Taylor, Sue
Subject: Comment Letters

70461

May 29, 2003

ERIC LEITZINGER, IDFG
PO BOX 25
BOISE ID 83707

Dear Sir:

Attached are copies of one or more applications that may be of interest to you. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of any of these applications, your written protest along with the \$25.00 protest fee for each application protested, must be received in this office by June 23, 2003.

If you have any questions regarding these applications, please contact this office at 334-2190.

Sincerely,

Sue Taylor
ID Dept Water Resources

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MAR 22 2004

5/29/2003

May 28, 2003

Legal Notice Department

Messenger-Index

PO BOX 577

EMMETT ID 83617

RE: Application for Permit No. 65-22774 and Application for Transfer No. 70461

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 06/23/2003. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

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MAR 22 2004

SCANNED
NOV 14 2003

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 70461

RICHARD L ZAMZOW
11555 THOMAS DR

BOISE ID 83709, has filed Application No. 70461 for changes to the following water rights within GEM County:

Right No. 65-805

Priority 11/2/1883

Source PAYETTE RIVER

Use IRRIGATION (104 acres) 4.87 CFS

Total Amount 4.87 CFS

Point(s) of Diversion L7 S6 T06N R01W
S1 T06N R02W

Place of Use S10 T06N R02W
S3 T06N R02W

Right No. 65-3348

Priority 4/1/1965

Source WASTE WATER

Use IRRIGATION (14 acres) 0.28 CFS

Total Amount 0.28 CFS

Point(s) of Diversion S3 T06N R02W

Place of Use S3 T06N R02W

Remark. Applicant proposes changing the nature of use on 31 acres and 1.45 cfs of the above water right from irrigation to wildlife storage in the N ½ S10 T6N R2W. The acres have been converted to ponds, which naturally accrue ground water. This application is proposed to offset the consumptive use of ground water due to evaporative loss from the ponds during the irrigation season. The ponds are located three miles West of Emmett, just North of the Payette River.

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 Department of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before June 23, 2003. The protestant must also send a copy of the protest to the applicant

KARL J DREHER, Director

Published in the Messenger Index on June 4 and 11, 2003.

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MAR 22 2004