

**NOTICE OF PROPOSAL
CHANGE OF WATER RIGHTS**

Transfer Applications have been filed to exchange water rights priority dates for irrigated land served by wells in the Cinder Cone Butte area south of Interstate 84 between Boise and Mt. Home. Each applicant proposes to exchange water appurtenant to 170 acres with the other applicant. Due to different rates per acre in each water right, amounts of water for 170 acres in the respective rights are not identical. The licensed rights are recorded as follows in Elmore County:

#61-7195A priority 9/6/1974, for 16.78 cfs from 3 wells irrigating 840 acres in a 1168 permissible place of use (PPOU). This occurs in Sections 25 and 36 T2S R4E and Sections 29, 30 and 31 T2S R5E.

#61-7424, priority 12/8/1980, for 7.0 cfs from 6 wells irrigating 480 acre in a 925 acre PPOU. This occurs in Sections 16, 17 and 19-21 T2S R5E just north-east of the other PPOU.

PROPOSED CHANGE

TRANSFER #70097 will split right 61-7195A and move 8.4 cfs to irrigate 170 acres in the PPOU currently served by right 61-7424. The transfer changes the points of diversion and place of use for the split portion to the PPOU currently served by right 61-7424. The applicant is **LDS Church, 139 E. South Temple Suite 110, Salt Lake City UT 84111** (corporate office).

TRANSFER #70098 will split right 61-7424 and move 2.48 cfs to irrigate 170 acres in the PPOU currently served by right 61-7195A. The transfer changes the points of diversion and place of use for the split portion to the PPOU currently served by right 61-7195A. Another .92 cfs from 61-7424 are proposed to be leased to the Water Bank in a separate action not part of this transfer. In this way, right 61-7424 will be reduced from its current location by 3.4 cfs to match the 3.4 cfs change proposed in the other transfer. The applicant is **Cinder Cone Butte Farm LLC, 5001 Fifeshire Place North, Boise ID 83713**.

Neither transfer proposes to increase the amount of water used or number of acres irrigated. Each PPOU includes a right proposed for transfer plus other rights not proposed for transfer. The rights not proposed for transfer might be affected by conditions of approval to prevent enlargement of use, injury and so forth if both transfers are approved.

Any protest against approvals of the proposed changes must be filed pursuant to I.C. § 42-222 with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before September 9, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
First Publication: August 21, 2002.
Last Publication: August 28, 2002.

AFFIDAVIT OF PUBLICATION

County of Elmore } ss.
STATE OF IDAHO }

I Coleen W. Swenson, do solemnly swear that I am the publisher, of the:

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week, in Mountain Home, Idaho, that the notice attached hereto and which is a part of publication thereof; was published in said newspaper for 100 consecutive weeks, the first publication having been made on the 21 day of Aug, 2002, and the last publication having been made on the 28 day of Aug, 2002; every Wednesday issue of the paper during the period and time of publication and that the notice was published in the paper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during the period of 78 consecutive weeks prior to the first publication of the attached notice.

Coleen W. Swenson

Subscribed and sworn to me this 28 day of Aug, 2002.

Christine M. Reurba
Notary Public

Residing in Mountain Home, Elmore County, Idaho.

My commission expires 09-25-2006

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WATER RESOURCES
DIVISION