



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 14, 2002

Legal Notice Department
MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME ID 83647

RE: Transfer No. 70097 and 70098

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 09/09/2002. Your cooperation is appreciated.

Sincerely


Sue Taylor
Senior Secretary

NOTICE OF PROPOSED 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 acre 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 northeast of the other PPOU.

PROPOSED CHANGE

TRANSFER #70097 will split right 61-7195A and move 3.4 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

Published on August 21 and 28, 2002.