



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

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SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

February 26, 2001

**KARL J. DREHER
DIRECTOR**

**Legal Notice Department
SOUTH IDAHO PRESS
230 E MAIN ST
BURLEY ID 83318**

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 03/16/2001. Your cooperation is appreciated.

Sincerely

**Mary A. Baldwin
Administrative Assistant**

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that three (3) applications have been filed for changes to water rights within Cassia County as follows:

ANDERSON FARMS, 2040 OVERLAND AVE; BURLEY ID 83318 has filed two (2) applications:

Application No. 66132

Right No. 45-2405
Priority 2/11/52
Source GROUND WATER
Use IRRIGATION 1.87 CFS
Point(s) of Diversion NWSE S03 T14S R23E
Place of Use 123 acres within S03 T14S R23E

Right No. 45-2406
Priority 2/11/52
Source GROUND WATER
Use IRRIGATION 1.87 CFS 480.0 AFA
Point(s) of Diversion NESW S28 T13S R23E
Place of Use 120 acres within S28 & S29 T13S R23E

Right No. 45-2661
Priority 7/11/61
Source GROUND WATER
Use IRRIGATION 0.82 CFS 276.0 AFA
Point(s) of Diversion NESW S28 T13S R23E
Place of Use 69 acres within S28 T13S R23E

Right No. 45-12928
Priority 6/30/85
Source GROUND WATER
Use irrigation 1.87 CFS
Point(s) of Diversion SWNWSE S3 T14S R23E
Place of Use 115.2 acres within 238.2 acre permissible place of use within Sections 33 & 34 T13S R23E and Sections 3 & 4 T14S R23E

Right No. 45-12930
Priority 6/30/85
Source GROUND WATER
Use irrigation 1.00 CFS
Point(s) of Diversion NESW S28 T13S R23E
Place of Use 118.4 acres within 298.4 acre permissible place of use within S28 & S29 T13S R23E

The purpose of the transfer is to record changes to rights due to the sale of a portion of the farm. The applicants propose to divert a total of 2.69 cfs from existing wells within NWSE S03 T14S R23E & NESW S28 T13S R23E to irrigate 536.6 acres within 844.5 acre permissible place of use within Sections 20, 21, 28 & 29 T13S R23E.

Application No. 66133

Right No. 45-534
Priority 8/12/1880
Source BEDKE SPRING
Use STOCKWATER 0.12 CFS

IRRIGATION 0.50 cfs
DOMESTIC 0.06 cfs
Point(s) of Diversion SWSE S27 T13S R23E
Place of Use 40 acres within S28 T13S R23E

The source of the following listed rights is Spring Creek & Mill Creek:

Right No. 45-577A
Priority 12/31/1879
Use IRRIGATION 0.05 CFS
Point(s) of Diversion SWSE S3 & SENE S10 T14S R23E
Place of Use 10 acres within S4 T14S R23E

Right No. 45-577B
Priority 12/31/1879
Use STOCKWATER 0.09 CFS
irrigation 0.75 cfs
Total amount 0.75 cfs
Point(s) of Diversion NWSW & SWSE S03; SENE S10 T14S R23E
Place of Use 150 acres within S3 & S4 T14S R23E

Right No. 45-578A
Priority 3/1/1881
Use IRRIGATION 0.08CFS
Point(s) of Diversion SWSE S3 & SENE S10 T14S R23E
Place of Use 10 acres within S4 T14S R23E

Right No. 45-578B
Priority 3/1/1881
Use IRRIGATION 1.12 CFS
Point(s) of Diversion NWSW & SWSE S3; SENE S10 T14S R23E
Place of Use 150 acres within S3 & S4 T14S R23E

Right No. 45-579A
Priority 5/1/1884
Use IRRIGATION 0.03 CFS
Point(s) of Diversion SWSE S3 & SENE S10 T14S R23E
Place of Use 10 acres within S4 T14S R23E

Right No. 45-579B
Priority 5/1/1884
Use IRRIGATION 0.47 CFS
Point(s) of Diversion NWSW & SWSE S3; SENE S10 T14S R23E
Place of Use 150 acres within S3 & S4 T14S R23E

Right No. 45-580A
Priority 5/1/1885
Use IRRIGATION 0.02 CFS
Point(s) of Diversion SWSE S3; SESE S10 T14S R23E
Place of Use 10 acres within S4 T14S R23E

Right No. 45-580B
Priority 5/1/1885
Use IRRIGATION 0.38 CFS
Point(s) of Diversion NWSW & SWSE S3; SESE S10 T14S R23E
Place of Use 150 acres within S3 & S4 T14S R23E

Right No. 45-586
Priority 12/31/1879
Use STOCKWATER STORAGE 0.12 CFS
IRRIGATION 1.60 cfs
STOCKWATER 0.12 cfs
Total Amount 1.60 CFS 6.7 AFA
Point(s) of Diversion L1 S4; SENE S10 T14S R23E
Place of Use 249 acres within S20, S28 & S29 T13S R23E

Right No. 45-587
Priority 3/1/1881
Use IRRIGATION 1.20 CFS
Point(s) of Diversion L1 (SENE) S4; S10 T14S R23E
Place of Use 175 acres within S28 & S29 T13S R23E

Right No. 45-588
Priority 3/1/1883
Use IRRIGATION 0.70 CFS
Point(s) of Diversion L1 S4; SENE S10 T14S R23E
Place of Use 175 acres within S28 & S29 T13S R23E

Right No. 45-600
Priority 4/1/1894
Source SPRING
Use STOCKWATER 0.09 CFS
DOMESTIC 0.02 cfs
IRRIGATION 0.20 cfs
Total Amount 0.20 CFS 5.4 AFA
Point(s) of Diversion L1 S3 T14S R23E
Place of Use 10 acres within S4 T14S R23E

Right No. 45-12927
Priority 3/28/87
Source MILL CREEK, SPRING CREEK, SPRING
Use IRRIGATION 1.00 CFS
Point(s) of Diversion (Spring Creek) SWSE S3 & L1 (NWNENE) S4 T14S R23E
(Spring) L1 (NWNENE) S4 T14S R23E
(Mill Creek) SWSENE S10 T14S R23E
Place of Use 238.2 acres within S33 & S34 T13S R23E; S3 & S4 T14S R23E

Right No. 45-12929
Priority 3/28/87
Source SPRING CREEK, MILL CREEK, BEDKE SPRING
Use IRRIGATION 1.00 CFS
Point(s) of Diversion (Bedke Spring) NESESW S27 T13S R23E
(Spring Creek) L1 (NWNENE) S4 T14S R23E
(Mill Creek) SWSENE S10 T14S R23E
Place of Use 298.4 acres within S28 & S29 T13S R23E

The purpose of the transfer is to change portions of irrigation rights in connection to Companion Transfer No. 66132 due to the sale of portions of the farm. Transfer No. 66133 proposes to divert a total of 7.10 cfs for irrigation of 536.6 acres within a 844.3 acre permissible place of use within Sections 20, 21, 28, & 29, T13S R23E using co-mingled water from all sources into pond located within NWSWSE S28 T13S R23E where pumps in the pond pressurize sprinklers:

Diversion from Mill Creek into Spring Creek within SWSENE, S10 T14S R23E
Diversions from Spring Creek within NESWSE, S3 & Lot 1 (NWNENE), S4 T14S R23E
Pipeline from Bedke Spring within SWSWSE S27 T13S R23E

After requested changes, irrigation portions appear as listed by Right No. and amount with no changes to other uses.

SHAWN &/OR CINDY HURST, 435 S 750 E; BURLEY ID 83318 has filed Application No. 68887 which involves two rights diverted from GROUND WATER within NESE S9 & SENW S16 T10S R25E for irrigation of 318 acres within S16 T10S R25E as follows:

Right No. 45-02755 (4.12 cfs)

Priority 5/9/52

Right No. 45-07371(0.43 cfs)

Priority 2/6/79

The purpose of the transfer is to change a portion of the above rights from irrigation to year round uses in a new dairy by drying up forty (40) acres within SENW. Right No. 45-02755/45-13396 (0.52 cfs) and Right No. 45-07371/45-13394 (0.05 cfs) will be divert a total of 0.52 cfs from four (4) existing, inter-connected wells within SENW for stockwater/commercial uses within SENW with land application of dairy wastewater within S½, all S16 T10S R25E.

Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before March 23, 2001. **Each transfer application requires a separate protest).** The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

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