

FROM :

FAX NO. : 208-324-8033

Jan. 13 2005 12:34PM P1

WD 130 2005

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NORTH SNAKE GROUND WATER DISTRICT
152 East Main Street
Jerome, ID 83338 (208) 324-8995 FAX 324-8033

**NORTH SNAKE GROUND
WATER DISTRICT**

Fax

To:	Tim Luke	From:	Angye Leavitt
Fax:	1-208-287-6700	Date:	January 13, 2005
Phone:	1-208-287-4800	Pages:	11 including cover
Re:	Mitigation assessment publication	CC:	Cindy Yenter, Gary Spackman, Karl Dreher

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

•**Comments:**

North Snake GROUND WATER DISTRICT

152 East Main • Jerome, Idaho 83338 • (208) 324-8995 • Fax (208) 324-8033

January 13, 2005

RE: mitigation assessment publication
VIA FACSIMILE

Gary Spackman
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Dear Gary Spackman:

Enclosed are copies of the notices sent out regarding the curtailment notice and HB848. The order in which the items were sent is as follows:

- 1) A letter was sent to all water right holders on the list provided by Tim Luke that were not already members of the NSGD or MVGD and were within the area decided by the two GWD to be areas that would be connected to each of the GWD's.
- 2) Following a meeting consisting of Jeff Martin, Mike Creamer, Tim Luke, and Gary Spackman in which financial numbers were reviewed and approved, a second letter was sent to those same water right holders that had received the first letter. This letter was approved by IDWR before being sent out.
- 3) The District stopped receiving petitions for annexation on October 29, 2004 in order to have time to prepare the list to be posted in the counties as per required before the annexation hearing that was held on December 7, 2004.
- 4) Those who had not replied to the first two notices were then sent a "notice of assessment and bill" with the amount due being that required by HB848 to be paid that was the water right holder's proportionate share of the cost to implement the "2004 Agreement". This was sent out November 1, 2004.
- 5) I notified the Times News that the "Notice of Assessment" needed to be published in the paper for a period of two consecutive weeks. This was done December 12 and 19th. A copy of the Affidavit is also enclosed. I also posted this notice in the NSGD office window from November 1 until December 31, 2004.

North Snake GROUND WATER DISTRICT

152 East Main • Jerome, Idaho 83338 • (208) 324-8995 • Fax (208) 324-8033

6) Those water right holders who did not pay their notice of assessment by December 31, 2004 were then placed on the Delinquent Assessment List. I sent another notice to these water right holders on January 4, 2005 by certified mail as required by statute. I also notified Karl Dreher and Cindy Yenter of those water right holders that were now delinquent on that same day. This list was then recorded at each of the counties, Jerome, Lincoln, Gooding and Blaine. The recording was done on January 6, 2005.

7) As assessments are paid I notify Karl, Cindy, Tim and Gary that they have been paid and will be removed from the delinquent list.

8) As of today January 13, 2005 those on the attached delinquent list that are now removed are:

Country Club Estates Homeowners

Devere Hope

Bannock Paving

Richard Olsen

George Arkoosh

If you have any other questions please let me know.

Thank you,



Angelina M. Leavitt
Secretary/Clerk

NORTH SNAKE GROUND WATER DISTRICT

cc: Cindy Yenter
Tim Luke
Karl Dreher

North Snake GROUND WATER DISTRICT

152 East Main • Jerome, Idaho 83338 • (208) 324-8995 • Fax (208) 324-8033

April 9, 2004

Dear Wateruser,

Subject: membership dues

The following enclosed invoice and petition is being sent to you in accordance a letter you should have received from the Idaho Department of Water Resources dated March 25, 2004.

Pursuant to the agreement reached by the North Snake and Magic Valley Groundwater Districts, surface water users in the Hagerman Valley and the State of Idaho, the invoice reflects your proportionate share of the cost of mitigation for groundwater depletions to senior water rights.

The petition to join needs to be signed, notarized, and returned with the buy-in fee circled on the invoice by May 1, 2004. Petitions and fees not received by May 1, 2004 will be placed on a list of delinquent assessments and turned over to the Water District 130 water master.

This buy-in invoice only covers expenses incurred through December 2003. The mitigation budget and the per CFS rate for 2004 will be set in June and your proportionate share will appear on your December 2004 property tax bill. After we receive your initial buy in amount, the yearly assessments will be placed on your property tax bill that you receive in December.

You may elect to join as a **full member**- which means the North Snake Groundwater District provides hydrographer services to you (measurement & reporting for diversion rates greater than 0.24 cfs) for a \$75.00 per measured diversion annual fee. Alternatively, you may join as a **mitigation only member**, in which case the Western Water Measurement District will provide any required hydrographer services and will assess you separately for measurement and reporting. The invoice included does not reflect any measurement costs.

If you have any questions about filling out the petition please give Angye or Jeff a call at 208-324-8995.

Thank you,


Angelina M. Leavitt

Secretary/Clerk

NORTH SNAKE GROUND WATER DISTRICT

North Snake GROUND WATER DISTRICT

152 East Main • Jerome, Idaho 83338 • (208) 324-8995 • Fax (208) 324-8033

**IMPORTANT WATER RIGHTS ASSESSMENT NOTICE
REQUIRING IMMEDIATE ACTION
DO NOT DISCARD**

May 11, 2004

Dear Water Right Holder,

Subject: Notice Regarding Assessments for Membership in NSGD or Participation in 2004 Mitigation Plan.

You are receiving this letter and revised invoice because legislation enacted in 2004 (HB848) required that you either become a member of the North Snake Groundwater District ("NSGD") or be "deemed a nonmember participant" in NSGD's 2004 Mitigation Plan. This notice is being sent to more carefully define your obligations to the NSGD for either membership or for one year's protection from curtailment by the district's approved mitigation plan.

NSGD apologizes for any confusion that this notice may cause. Many of you have recently completed a "petition for annexation" of your water rights into the NSGD. If you have already completed the annexation petition and paid the assessment, you are not required to respond to this notice unless you wish to change the nature of your participation in NSGD's 2004 Mitigation as set out in the three options below.

Whether you submitted a petition for annexation into NSGD or not, you have the following three options for participation:

1. Full membership in the NSGD for mitigation and measurement. The assessment includes past mitigation costs, and current and future assessments for measurement and mitigation.
2. Membership in the NSGD for mitigation only. The assessment includes past mitigation costs, and current and future assessments for mitigation.
3. Participation only for the coming year as a non-member in NSGD's 2004 mitigation plan. This assessment includes past mitigation costs, and the present cost of the mitigation plan.

Members under options 1 or 2 must pay past mitigation costs at submission of their petition and will be billed for 2004 (and future years) on their property tax

current mitigation expenses at submission of the Non-Member Mitigation Agreement. If you are required by WD130 to measure and report your diversions and you elect to mitigate under options 2 or 3 you will be billed seperately for measurement costs by WD130.

The district is entitled to collect from non-member participants portions of assessments levied in previous years that are attributable to costs that benefit the current mitigation plan. The district can also collect back assessments from new members who are joining. The assessments for each of the three options are itemized for 2001, 2002, and 2003 on the accompanying invoice. Participation for one year is more expensive because some of the cost of the current mitigation plan is being paid for over a period of years. A one-year participant must pay the entire proportionate cost of the benefit during the year of participation, however.

If you have already submitted an "annexation" petition you may choose to remain a member of the district (you do not need to respond to this notice) or choose to participate as a non-member. If you prefer to participate as a nonmember for one year only, please sign and return the enclosed Non-Member Mitigation Agreement and we will void your annexation petition. You will, however, be responsible for the difference between what you have already paid and the new "buy in" assessment amount shown on the invoice for non-member, one-year participants. This difference amount is shown on the bottom line of the invoice under Option 3.

If you have not already become a member of the district, all three options listed above are available to you. The initial assessment amount for either choice is shown on the invoice identified as the "Total Due At Buy In" under the option you have chosen. Assessment payments must be received by NSGWD by June 5, 2004. Assessments not paid by June 5, 2004, will be considered delinquent. Delinquent assessment information will be reported to the Idaho Department of Water Resources for enforcement pursuant to Idaho Code § 42-5244.

Thank you for your prompt attention to this matter. If you have any questions concerning this notice please contact the NSGD office at 208-324-8995.



Angelina M. Leavitt
Secretary/Clerk
NORTH SNAKE GROUND WATER DISTRICT

North Snake Ground Water
District
152 East Main Street
Jerome, ID 83338
(208) 324 - 8995
(208) 324 - 8033 fax

North Snake Ground Water District

NOTICE OF ASSESSMENT AND BILL

November 1st, 2004

TO: «First_Name» «Last_Name»

«CO»

«Address»

«City», «State» «Zip»

NOTICE IS HEREBY GIVEN by the undersigned Treasurer of the North Snake Ground Water District ("District") that at the Budget meeting of the Board of Directors held on June 16th, an assessment was levied again each District member to pay the District assessment per cubic foot per second of water that each member is authorized to divert pursuant to their water rights on file with the Idaho Department of Water Resources. The Board also established an assessment for each ground water user within Water District 130, which assessment represents such ground water user's proportionate share of the District's estimated costs in implementing its mitigation plan for the year 2004.

These assessments shall be due and payable on or before December 31st of this year, after which date each unpaid assessment or any unpaid portion of such assessment, pursuant to Idaho Code § 42-5241, shall be delinquent; shall bear interest until paid at the rate of interest established for money judgments, which as of July 1, 2004 is 7.125 percent; shall entitle the District to take any appropriate action to collect the assessment, including suit and foreclosure of liens; and, in addition, shall be subject to a penalty in the amount of \$15.00 per delinquent assessment.

Pursuant to Idaho Code § 42-5244 any ground water user who is delinquent in the payment of any District assessment against his water use is prohibited from being a participant in any mitigation plan until such delinquent assessment is paid in full.

YOUR BILL IS AS FOLLOWS:

Water Right #: «Water_Right_1», «Water_Right_2», «Water_Right_3», «Water_Right_4»,
«Water_Right_5», «Water_Right_6», «Water_Right_7»

Point(s) of Diversion (Township, Range, Section):

«POD_1»

«POD_2»

«POD_3»

«POD_4»

«POD_5»

Acres: «Acres»

CFS: «CFS»

Amount Due: «Amount_Due» for «Type»

Please mail payments to the above address and include the water right number(s) with payment. You may also bring the payments to the above address Monday – Friday 8:30am – Noon and 1:00 pm – 5:00 pm. If there is any correction as to name or address, please let us know.

North Snake Ground Water District

By: /s/ Angelina M. Leavitt

Treasurer/Clerk

152 East Main Street

North Snake Ground Water
District
152 East Main Street
Jerome, ID 83338
(208) 324 - 8995
(208) 324 - 8033 fax

North Snake Ground Water District

NOTICE OF ASSESSMENT

NOTICE IS HEREBY GIVEN by the undersigned Treasurer of the North Snake Ground Water District ("District") that at a Budget meeting of the Board of Directors held on June 16th, an assessment was levied against each District member to pay the District assessment per cubic foot per second of water that each member is authorized to divert pursuant to their water rights on file with the Idaho Department of Water Resources. The Board also established an assessment for each ground water user within Water District 130, which assessment represents such ground water user's proportionate share of the District's costs in implementing its mitigation plan for the year 2004.

This assessment shall be due and payable on or before December 31st of this year, after which date each unpaid assessment or any unpaid portion of such assessment, pursuant to Idaho Code § 42-5241 shall be delinquent; shall bear interest until paid at the rate of interest established for money judgments, which as of July 1, 2004 is 7.125 percent; shall entitle the District to take any appropriate action to collect the assessment, including suit and foreclosure of liens; and, in addition, shall be subject to a penalty in the amount of \$15.00 per delinquent assessment.

Pursuant to Idaho Code § 42-5244 any ground water user who is delinquent in the payment of any District assessment against his water use is prohibited from being a participant in any mitigation plan until such delinquent assessment is paid in full.

This notice shall be published for a period of not less than two (2) weeks in a newspaper published or having general circulation in Jerome, Lincoln, Gooding, and Blaine Counties. An assessment bill shall be mailed to each water user.

Please mail payments to the following address and include name and water right number(s). You may also bring the payment to the above address Monday-Friday between the hours of 8:30am-Noon and 1:00pm-5:00pm.

North Snake Ground Water District
By: /s/ Angelina M. Leavitt
Treasurer/Clerk
152 East Main Street
Jerome, ID 83338
Phone: 208-324-8995
Fax: 208-324-8033

Affidavit of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS } SS.

47535

I, Ruby Augderheide being first duly sworn upon oath, depose and say that I am principal clerk of the TIMES-NEWS, published daily at, Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated December 12, 2004, and ending with the issue dated December 19, 2004.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO

COUNTY OF TWIN FALLS

On this 20th day of December in the year 2004, before me, a Notary Public, personally appeared Ruby Augderheide, 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 acknowledged to me that he executed the same.

LINDA CAPPS-McGUIRE
NOTARY PUBLIC
STATE OF IDAHO

Linda Capps-McGuire
Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5-19-09

NOTICE OF ASSESSMENT
NOTICE IS HEREBY GIVEN by the undersigned Treasurer of the North Snake Ground Water District ("District") that at a Budget meeting of the Board of Directors held on June 16th, an assessment was levied against each District member to pay the District assessment per cubic foot per second of water that each member is authorized to divert pursuant to their water rights on file with the Idaho Department of Water Resources. The Board also established an assessment for each ground water user within Water District 130, which assessment represents each ground water user's proportionate share of the District's costs in implementing its mitigation plan for the year 2004. This assessment shall be due and payable on or before December 31st of this year, after which date each unpaid assessment or any unpaid portion of such assessment pursuant to Idaho Code § 42-524, shall be delinquent and bear interest until paid at the rate of interest established for money judgments, which as of July 1, 2004 is 12.25 percent. shall entitle the District take any appropriate action to collect the assessment, including suit and foreclosure of liens, and, in addition, shall be subject to a penalty in the amount of \$15.00 per delinquent assessment. Pursuant to Idaho Code § 42-524, any ground water user who is delinquent in the payment of any District assessment against his water use is prohibited from being a participant in any mitigation plan until such delinquent assessment is paid in full.

This notice shall be published for a period of not less than two (2) weeks in a newspaper published or having general circulation in Jerome, Lincoln, Gooding, and Blaine Counties. An assessment bill shall be mailed to each water user.

Please mail payments to the following address and include name and water right number(s). You may also bring the payment to the above address Monday-Friday between the hours of 8:30 am Noon and 1:00 pm - 5 pm.

North Snake Ground Water District
At: Angelina M. Leavitt, Treasurer/Clerk
152 East Main Street, Jerome, ID 83338
Phone: 208-324-8895 Fax: 208-324-8033

PUBLISH: December 12 and 19, 2004

North Snake Ground Water
District
152 East Main Street
Jerome, ID 83338
(208) 324 - 8995
(208) 324 - 8033 fax

North Snake Ground Water District

NOTICE OF DELINQUENT ASSESSMENT AND BILL

January 1st, 2005

TO: Paul Benko
500 River View Drive
Gooding, Idaho 83330

NOTICE IS HEREBY GIVEN by the undersigned Treasurer of the North Snake Ground Water District ("District") that at the Budget meeting of the Board of Directors held on June 16th, an assessment was levied against each District member to pay the District assessment per cubic foot per second of water that each member is authorized to divert pursuant to their water rights on file with the Idaho Department of Water Resources. The Board also established an assessment for each ground water user within Water District 130, which assessment represents such ground water user's proportionate share of the District's estimated costs in implementing its mitigation plan for the year 2004.

These assessments were due and payable on or before December 31st of 2004, after which date each unpaid assessment or any unpaid portion of such assessment, pursuant to Idaho Code § 42-5241, shall be delinquent; shall bear interest until paid at the rate of interest established for money judgments, which as of July 1, 2004 is 7.125 percent; shall entitle the District to take any appropriate action to collect the assessment, including suit and foreclosure of liens; and, in addition, shall be subject to a penalty in the amount of \$15.00 per delinquent assessment.

Pursuant to Idaho Code § 42-5244 any ground water user who is delinquent in the payment of any District assessment against his water use is prohibited from being a participant in any mitigation plan until such delinquent assessment is paid in full.

YOUR DELINQUENT BILL IS AS FOLLOWS:

Water Rights: 37-11201

Point(s) of Diversion (Township, Range, Section):

06S 14E 06 SWSE

Acres:

CFS: 0.5

Previous Amount Due: \$ 394.71 for 2004 Mitigation

Penalty: \$15.00

Interest: \$28.12

Amount Now Past Due: \$437.83

Please mail payments to the above address and include the water right number(s) with payment. You may also bring the payments to the above address Monday - Friday 8:30am - Noon and 1:00 pm - 5:00 pm. If there is any correction as to name or address, please let us know.

North Snake Ground Water District
By: /s/ Angelina M. Leavitt
Treasurer/Clerk
152 East Main Street
Jerome, ID 83338

name	address	city/state/zip	water right	assessment	penalty	interest	amount now past due
Scott Castle	P.O. Box 500	Bellevue, Id 83313	37-7621D	\$388.34	\$15.00	\$27.67	\$431.01
Triple S Ranch	P.O. Box 112	Carey, Id 83320	37-7628	\$1,714.76	\$15.00	\$122.18	\$1,851.94
Picabo-Gannett Cemetery District	P.O. Box 394	Bellevue, Id 83313	37-8413	\$23.40	\$15.00	\$1.67	\$40.07
County Total				\$2,323.02			

Gooding County Delinquent Assessment List - January 1, 2005

name	address	city/state/zip	water right	assessment	penalty	interest	amount now past due
Paul Benko	500 River View Drive	Gooding, Id 83330	37-11201	\$394.71	\$15.00	\$28.12	\$437.83
Clear Lake Country Club	403 Clear Lake Lane	Buhl, Id 83316	38-8369	\$257.88	\$15.00	\$18.37	\$291.25
Life Investors Insurance Co. of America	4333 Edgewood Rd NE	Cedar Rapids, Iowa 52499	37-8289	\$405.24	\$15.00	\$28.87	\$449.11
Thomas Pilkington	1449-B Bob Barton Rd	Wendell, Id 83355	36-7650B	\$56.52	\$15.00	\$4.03	\$75.55
George Arkoosh	2159 East 1700 South	Gooding, Id 83330	37-7160	\$177.00	\$15.00	\$12.61	\$204.61
David Rothrock	1403 South 1800 East	Gooding, Id 83330	37-7700	\$173.40	\$15.00	\$12.35	\$200.75
County Total				\$1,659.10			

Jerome County Delinquent Assessment List - January 1, 2005

name	address	city/state/zip	water right	assessment	penalty	interest	amount now past due
Country Club Estates Homeowners	217 Sage Road West	Jerome, Id 83338	36-8807	\$239.93	\$15.00	\$17.10	\$272.03
Devere Hope	491 East 250 South	Jerome, Id 83338	36-8805	\$28.26	\$15.00	\$2.01	\$45.27
Wayne McFadden	118 East 530 South	Jerome, Id 83338	36-8536	\$21.20	\$15.00	\$1.51	\$37.71
Dianna Napier	131 West 550 South	Jerome, Id 83338	36-8521	\$21.20	\$15.00	\$1.51	\$37.71
Walker Farms Partnership	3794 East 3600 North	Hansen, Id 83334	36-7492B	\$2,797.98	\$15.00	\$199.36	\$3,012.34
Bannock Paving	P.O. Box 3429	Ogden, Ut 84409	36-7470	\$175.62	\$15.00	\$12.51	\$203.13
Daniel Chatterton	66 North 200 West	Jerome, Id 83338	36-8837	\$49.05	\$15.00	\$3.49	\$67.54
Kristie Heidemann/North View Dairy	670 East 170 North	Jerome, Id 83338	36-7906B, 36-2612B	\$5,459.40	\$15.00	\$388.98	\$5,863.38
County Total				\$9,539.11			

Lincoln County Delinquent Assessment List - January 1, 2005

name	address	city/state/zip	water right	assessment	penalty	interest	amount now past due
Kirk Christiansen	P.O. Box 950	Twin Falls, Id 83301	37-4382	\$994.69	\$15.00	\$70.87	\$1,080.56
Ralph Towne	\$18 East Hwy 24	Dietrich, Id 83324	37-8211	\$258.05	\$15.00	\$18.39	\$291.45
Richard Olsen	251 W. Thorne Creek Rd	Shoshone, Id 83352	37-8374	\$50.15	\$15.00	\$3.57	\$68.72
County Total				\$1,440.73			