



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 31, 2014

HANK POVEY
398 E 200 S
CLIFTON, ID 83228

RE: Transfer No. 79738, 79741 and 79742
Water Right No(s). 13-2220

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the PRESTON CITIZEN on January 7 and 14, 2015. Protests to this application may be submitted for a period ending ten (10) days after the second publication (January 26, 2015).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sharla Cox', written over a horizontal line.

Sharla Cox
Administrative Assistant

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, December 31, 2014 8:27 AM
To: 'Preston Citizen'
Subject: Legal Notice for your paper
Attachments: Preston Citizen E-Mail.doc

Contacts: Preston Citizen

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A.
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79738

HANK POVEY, 398 E 200 S, CLIFTON, ID 83228; has filed Application No. 79738 for changes to the following water rights within FRANKLIN County(s): Right No(s). 13-2220; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: The applicant proposes to change the point of diversion and to change the place of use. The new point of diversion is in the SWNW Sec 22 T14S R38E for 0.17 cfs from ground water. The place of use is within Sec 21 and 22 T14S R38E for 38.6 acres.

TRANSFER NO. 79741

HANK POVEY, 398 E 200 S, CLIFTON, ID 83228; has filed Application No. 79741 for changes to the following water rights within FRANKLIN County(s): Right No(s). 13-2220; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: The applicant proposes to change the point of diversion and to change the place of use. The point of diversion is in the NENE Sec 27 T14S R38E for 0.04 cfs from ground water. The place of use is within Sec 26 T14S R38E for 9.7 acres.

TRANSFER NO. 79742

HANK POVEY, 398 E 200 S, CLIFTON, ID 83228; has filed Application No. 79742 for changes to the following water rights within FRANKLIN County(s): Right No(s). 13-2220; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: The applicant proposes to change the point of diversion and to change the place of use. The point of diversion is in the NENE Sec 27 T14S R38E for 0.13 cfs from ground water. The place of use remains the same for 30.7 acres.

TRANSFER NO. 79676

BIRCH CREEK CULINARY WATER COMPANY, C/O BRYCE STROMBERG, 6647 EAST BIRCH CREEK RD, PRESTON, ID 83263; has filed Application No. 79676 for changes to the following water rights within FRANKLIN County(s): Right No(s). 13-911; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: The applicant proposes to change the place of use, to change the nature of use and to change the period of use. The point of diversion remains the same for 0.64 cfs from Spring tributary to Birch Creek. The place of use is within Sec 6 T14S R40E and Sec 7 and 12 T14S R41E for municipal from 01/01 to 12/31.

For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before January 26, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on January 7 and 14, 2015