



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

March 27, 2014

KEITH N RIGBY
LILA RIGBY
6734 PEGRAM RD
MONTPELIER, ID 83254

RE: Transfer No. 79081
Water Right No(s). 11-931, 11-933, 11-934

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 NEWS EXAMINER on April 2 and 9, 2014. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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,

Sharla Cox
Administrative Assistant



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March 27, 2014

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

Josh Hanks
Water District 11
85 Crayon Court
Logan UT 84321

RE: Application for Transfer 79081

Dear Watermaster:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered during regional review. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

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

Sincerely,

Sharla Cox
Administrative Assistant

Enclosure(s)

Cox, Sharla

From: Cox, Sharla
Sent: Thursday, March 27, 2014 11:10 AM
To: 'News Examiner (copy@news-examiner.net)'
Subject: Legal Notice for your paper
Attachments: News Examiner.RTF

Contacts: News Examiner

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. 79081

KEITH N RIGBY and LILA RIGBY, 6734 PEGRAM RD, MONTPELIER, ID 83254; has filed Application No. 79081 for changes to the following water rights within BEAR LAKE County(s): Right No(s). 11-931, 11-933, 11-934; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. The purpose of the transfer is to change a portion of the above rights as follows: The applicant proposes to add a point of diversion and to change the place of use. The points of diversion are in the SESE Sec 31 T14S R46E (Rigby Pump) and in Lot 2 NWNE Sec 6 T15S R46E (Nuffer Ditch) for 10.0 cfs from the Bear River. The place of use is within Sec 31 and 32 T14S R46E, Sec 1 T15S R45E and Sec 5 and 6 T15S R46E for 350 acres.

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 April 21, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on April 2 and 9, 2014



State of Idaho

DEPARTMENT OF WATER RESOURCES

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JAN 03 2014

Department of Water Resources
Eastern Region

C.L. "BUTCH" OTTER - Governor
Gary Spackman - IDWR Director

December 29, 2013

Keith Rigby
6734 Pegram Road
Montpelier, ID 83254

RE: Draft Transfer Application

Dear Mr. Rigby:

Thank you for meeting with me to discuss your proposed transfer. I apologize that it has taken so long to get back to you. Enclosed is a draft transfer application for you to review. Consistent with your instructions, this transfer will combine and rearrange the place of use for water rights 11-931, 11-933 and 11-934. The proposed place of use will cover 350 acres (highlighted in red on the enclosed map). This is the map we prepared when you were in the office. The transfer also proposes adding a point of diversion to the water rights to cover the pump in the Bear River.

Filing fees for transfer applications are calculated based on the amount of water being changed (Idaho Code § 42-221(O)). For example, the transfer fee associated with moving 10.00 cfs of water rights would be \$1,300. One way to reduce filing fees is to limit the amount of water being moved. In your case, you do not need to move all 10.00 cfs of your rights to the river pump. I calculate that the acres irrigated from the pump will require about 2.50 cfs. The maximum recorded diversion at the river pump is 2.00 cfs. The filing fee to transfer 2.50 cfs of water rights is \$660.

If you would like to limit the filing fee to \$660, please note anywhere on the app. that the river pump will be limited to 2.50 cfs. Otherwise, please include a filing fee of \$1300. If the draft correctly describes the changes you would like to make to your water rights, please sign the application and return the signature page and filing fee (check made out to IDWR) to our office. Lila should also sign the application because she is listed as a current owner on the rights. Feel free to keep a copy of the application for your records. We will begin processing the transfer as soon as it arrives.

Sincerely,

James Cefalo

Encl: Draft Transfer