



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

April 25, 2013

ROBERT & OLIVIA BOYACK LIVING TRUST
3168 E HWY 36
PRESTON, ID 83263

RE: Transfer No. 78526
Water Right No(s). 13-7632, 13-7634, 13-969A

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 5/1/2013 and 5/8/2013. 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,

Judea Jones
Administrative Assistant



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Josh Hanks
Acting Watermaster – WD11
85 Crayon Court
Logan, UT 84321

RE: Application for Transfer 78526

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,

Judea Jones
Administrative Assistant

Enclosure(s)

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application No.: 78526

Applicant's Name: Robert Boyack.

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:

- c) ☐ I oppose approval of this application for the following reasons:

- d) ☐ Additional Comment:

Dated this _____ day of _____, 20____.

Water District No: 11

Watermaster's Signature

April 25, 2013

Legal Notice Department

Preston Citizen
PO Box 472
Preston ID 83263

RE: Legal Ad for your paper

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 May 20, 2013. Your cooperation is appreciated.

Sincerely

Judea Jones
Administrative Assistant
Dept of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-525-7161
208-525-7177 – fax

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78526**

ROBERT & OLIVIA BOYACK LIVING TRUST, 3168 E HWY 36, PRESTON, ID 83263; has filed Application No. 78526 for changes to the following water rights within FRANKLIN County(s): Right No(s). 13-7632, 13-7634, 13-969A; 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 change the point(s) of diversion and change the place of use. The point(s) of diversion are in SESE Sec 20 T14S R40E from Bear River and NESW Sec 20 T14S R40E from Water Hollow Creek. The place of use is within SE 1/4 Sec 20, SW 1/4 Sec 21, NE 1/4 Sec 29 T14S R40E for 69.0 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 5/20/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/1/2013 and 5/8/2013

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GARY SPACKMAN, Director

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