

## Maline, Denise

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**From:** Maline, Denise  
**Sent:** Wednesday, April 24, 2013 12:23 PM  
**To:** Post Register  
**Subject:** LEGAL NOTICE  
**Attachments:** Post Register Cover Letter.docx; Mid Upper Valley IWRB Recharge Notice.docx

Attached please find (1) legal notice being submitted for publication on May 2<sup>nd</sup> & 9<sup>th</sup>, 2013. Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline  
Administrative Assistant, Southern Region  
Idaho Dept of Water Resources  
1341 Fillmore St, Ste 200  
Twin Falls, ID 83301  
(208) 736-3033  
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April 24, 2013

**LEGAL NOTICE DEPARTMENT**  
POST REGISTER  
PO BOX 1800  
IDAHO FALLS, ID 83402

RE: Application For Permit No.(s): 1-10612, 1-10613, 21-13160

Dear Legal Notice Department:

Please publish the enclosed legal notice 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,

Denise Maline  
Administrative Assistant

Enclosure(s)

### IWRB Recharge Notice – Mid & Upper Valley

On March 20, 1998, the Idaho Water Resource Board (Board), 322 E. Front St., Boise, ID 83720, filed 19 applications to divert water from the Snake River for managed aquifer recharge. All 19 applications were protested. On January 15, 2013, following a series of meetings between the Board and interested parties, the Board modified 15 of the original 19 applications. Four of the applications were not modified. The 15 modified applications were consolidated into four applications, making a current total of 8 applications.

This notice is for 3 of the modified applications identifying points of diversion from the Snake River, Henry's Fork of the Snake River, South Fork of the Snake River, and the Teton River. The original application numbers have been combined and renumbered as follows:

01-10612 is the result of combining 1-7133, 1-7134, and 1-7135

01-10613 is the result of combining 1-7131, 1-7132, 1-7136, 1-7137, 1-7139, 1-7140, and 1-7141

21-13160 is the result of combining 21-7574, 21-7575, 21-7576, and 21-7579

The Board seeks to intermittently divert water for managed recharge purposes throughout the year when water is available, through the headworks of the following diversion sites, up to the maximum rate described below:

| Application | Diversion Rate | Source            | Township | Range | Section | Lot | QQ   |                                |
|-------------|----------------|-------------------|----------|-------|---------|-----|------|--------------------------------|
| 01-10612:   | 2106 cfs       | SNAKE RIVER       | 01N      | 37E   | 15      | L2  | SWNW | SNAKE RIVER VALLEY IRR. DIST.  |
|             |                | SNAKE RIVER       | 04N      | 37E   | 35      |     | NENE | IDAHO IRRIGATION DIST.         |
|             |                | SNAKE RIVER       | 04N      | 37E   | 36      |     | SENE | NEW SWEDEN IRRIGATION CO.      |
|             |                | SNAKE RIVER       | 01S      | 36E   | 26      | L1  | NENE | PEOPLES CANAL & IRRIGATION CO. |
|             |                | SNAKE RIVER       | 01S      | 36E   | 34      | L14 | SENE | ABERDEEN-SPRINGFIELD CANAL CO. |
|             |                | SNAKE RIVER       | 02S      | 35E   | 27      |     | NENE | THE UNITED CANAL CO.           |
| 01-10613:   | 3206 cfs       | S. FK SNAKE RIVER | 04N      | 40E   | 36      |     | NWSE | GREAT FEEDER HEADGATE          |
|             |                | SNAKE RIVER       | 04N      | 40E   | 36      |     | SWSE | ENTERPRISE CANAL               |
|             |                | SNAKE RIVER       | 04N      | 40E   | 36      |     | SESE | FARMERS FRIEND CANAL           |
|             |                | SNAKE RIVER       | 04N      | 41E   | 31      |     | SESW | PROGRESSIVE IRR. DIST          |
| 21-13160:   | 1130 cfs       | HENRYS FORK       | 07N      | 40E   | 1       | L8  | SENE | EGIN BENCH CANAL HEADGATE      |
|             |                | HENRYS FORK       | 07N      | 40E   | 2       | L6  | NESE | INDEPENDENT CANAL HEADGATE     |
|             |                | HENRYS FORK       | 07N      | 40E   | 10      |     | NESE | CONSOLIDATED HEADGATE          |
|             |                | TETON RIVER       | 07N      | 40E   | 36      |     | SWNE | PINCOCK-GARNER DIVERSION       |
|             |                | TETON RIVER       | 07N      | 40E   | 36      |     | SENE | TETON ISLAND FEEDER CANAL      |
|             |                | HENRYS FORK       | 08N      | 41E   | 14      |     | NWSE | CROSS CUT CANAL HEAD           |
|             |                | HENRYS FORK       | 08N      | 41E   | 14      |     | NWSE | CROSS CUT CANAL DIVERSION DAM  |
|             |                | HENRYS FORK       | 08N      | 41E   | 14      |     | NWSE | DEWEY CANAL HEADGATE           |
|             |                | HENRYS FORK       | 08N      | 41E   | 14      | L4  | NWSE | LAST CHANCE HEADGATE           |
|             |                | HENRYS FORK       | 08N      | 41E   | 32      |     | SESW | SALEM UNION CANAL CO.          |
|             |                | HENRYS FORK       | 08N      | 41E   | 32      | L1  | NESE | TWIN GROVES CANAL              |
|             |                | HENRYS FORK       | 08N      | 41E   | 33      |     | NWNE | SOUTHEAST IDAHO CANAL CO.      |
|             |                | HENRYS FORK       | 08N      | 41E   | 33      | L7  | NENW | ST ANTHONY UNION CANAL CO.     |
|             |                | HENRYS FORK       | 08N      | 42E   | 20      |     | NWSW | SILKEY DITCH                   |
|             |                | HENRYS FORK       | 08N      | 42E   | 20      | L8  | SESE | FALL RIVER CANAL               |

The points of diversion for this application are further described as being within Bingham, Bonneville, Fremont, and Jefferson Counties, Idaho. The places of use are within the delivery systems and recharge areas of the respective companies and districts operating the points of diversion. Diversion for the planned recharge generally will occur during the non-irrigation season due to water availability and canal capacity. If approved, the applications will be subject to all prior water rights and will authorize recharge of water to the Eastern Snake Plain Aquifer in Idaho during times when there is water in excess of existing water rights and established minimum flows.

Permits will be subject to all prior water rights. For additional information regarding this application, you may contact IDWR State Office at (208) 287-4800; or for a full description of the application, please see [www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp](http://www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp). Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, 322 E Front St, Boise, ID 83720, together with a protest fee of \$25.00 on or before May 20, 2013. The protestant must also send a copy of the protest to the applicant. Published in the Jefferson County Star on May 1<sup>st</sup> & 8<sup>th</sup>, 2013; and the Morning News, Rexburg Standard Journal, Post Register, Lewiston Tribune, Times News & Idaho Statesman on May 2<sup>nd</sup> & 9<sup>th</sup>, 2013.

GARY SPACKMAN, Director