



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 16, 2012

DARLA ANN HINTZE
MELVIN MARX HINTZE
RT 1 BOX 14
MACKAY, ID 83251

RE: Transfer No. 77928
Water Right No(s). 34-13761, 34-42A, 34-452A, 34-2300, 34-7194, 34-14342

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 CHALLIS MESSENGER on May 24 and 31, 2012. 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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ROGER TOTTEN
WATER DISTRICT 34
PO BOX 53
MACKAY ID 83252

RE: Application for Transfer 77928

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: Wednesday, May 16, 2012 12:12 PM
To: 'Challis Messenger (ameans@challismessenger. com) '
Subject: Legal Notice for your paper
Attachments: Challis Messenger E-Mail.doc

Contacts: Challis Messenger

Sharla

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

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 77928

DARLA ANN HINTZE and MELVIN MARX HINTZE, RT 1 BOX 14, MACKAY, ID 83251 has filed Application No. 77928 for changes to the following water rights within CUSTER County(s): Right No(s). 34-13761, 34-42A, 34-452A, 34-2300, 34-7194, 34-14342; 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, change the place of use, to change the nature of use and to change the period of use. The points of diversion are in the NWNW Sec 34 (new, Big Lost River), SESW Sec 20 (Big Lost River), SWNESW Sec 35 (new, ground water), and NWSWSE Sec 26 (ground water) T7N R24E for 4.85 cfs. The place of use is within Sec 26 and 35 T7N R24E for irrigation use of 167.6 acres from 5/1 to 10/15, 4/1 to 10/31 and 4/1 to 11/1, recreational use and fish storage use from 1/1 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 June 11, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on May 24 and 31, 2012