



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

February 1, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

KURT W BIRD
JANET E BIRD
56 LOWER TEXAS CREEK RD
LEADORE, ID 83464

RE: Transfer No. 77706
Water Right No(s). 74-34, 74-7165, 74-15926, 74-15927, 74-15928, 74-15929,
74-15930, 74-15931, 74-32

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 RECORDER-HERALD on February 9 and 16, 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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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

DAN P SMITH
WATER DISTRICT 74W
PO BOX 22
LEADORE, ID 83464-0022

RE: Application for Transfer 77706

Water Right Number(s) 74-32 , 74-15926 , 74-15927 , 74-15929 , 74-15930,
74-15928 , 74-34 , 74-15931 , 74-7165

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, February 01, 2012 8:55 AM
To: 'rhlegals@custertel.net'
Subject: Legal Ad for your paper
Attachments: Recorder Herald.doc

Contacts: Recorder Herald

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

A COPY WILL BE FAXED TO YOU ALSO. Thank you. Sharla

February 1, 2012

Legal Notice Department

Recorder Herald
PO Box 310
Salmon ID 83467

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 February 27, 2012. Your cooperation is appreciated.

Sincerely

Sharla Cox
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. 77706**

KURT W BIRD and JANET E BIRD, 56 LOWER TEXAS CREEK RD, LEADORE, ID 83464 has filed Application No. 77706 for changes to the following water rights within LEMHI County(s): Right No(s). 74-34, 74-7165, 74-15926, 74-15927, 74-15928, 74-15929, 74-15930, 74-15931, 74-32; 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 place of use and the nature of use. The point of diversion remains the same for 2.53 cfs from Big Timber Creek / Lemhi River. The place of use is within Sec 3, 8, 9, 10, 14, 15, 17, 22 T15N R26E for 1617.0 acres and for irrigation to storage.

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 2/27/2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on February 9 and 16, 2012