



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

June 29, 2011

Martin W. Halpren
PO Box 32
Argyle TX 76226

RE: Application for Transfer No. 77374

Dear Applicant(s):

The Department of Water Resources has received your water right transfer applications. Please refer to the transfer number referenced above in all future correspondence regarding these transfers.

A legal notice of the application has been prepared and is scheduled for publication in the Recorder Herald on July 7 and 14, 2011. Protests to this application may be submitted for a period ending ten (1) days after the second publication.

If the application is protested, you will be sent a copy of the protest(s). 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.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Sharla Cox
Administrative Assistant

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, June 29, 2011 2:05 PM
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

June 29, 2011

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 July 25, 2011. 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

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

75-14702

GRANT D. DUNCAN
2661 SALMON RIVER RD
SHOUP ID 83469

Point of Diversion SWNW T23N R18E SEC 19 LEMHI County Source GARDEN CREEK Tributary Panther Creek

Use: IRRIGATION 04/01 to 10/15 0.1 CFS

Total Diversion: 0.1 CFS

Date Filed: 05/09/2011

Place Of Use: IRRIGATION

T23N R17E S24 NENE

Total Acres: 3

This application proposes the diversion and use of water from Garden Creek tributary to Panther Creek a tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate 0.1 cfs for 3 acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

74-15825

SOUTH LEMHI SCHOOL DISTRICT #292
PO BOX 119
LEADORE ID 83464

Point of Diversion NWNWNE T16N R26E SEC 33 LEMHI County Source GROUND WATER

Use: IRRIGATION 04/01 to 10/15 0.34 CFS

Use: FIRE PROTECTION 01/01 to 12/31 0.34 CFS

Total Diversion 0.34 CFS

Date Filed: 11/14/2007

Place Of Use: IRRIGATION and FIRE PROTECTION

T16N R26E S33 NWNE

Total Acres: 17

This application proposes the diversion and use of water from Ground Water tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate 0.34 cfs for 17 acres and fire protection will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

74-7346

KURT OR JANET BIRD
HC 68 BOX 40
LEADORE ID 83464

Point of Diversion: SESE T15N R26E SEC 15 LEMHI County Source WASTER WATER Tributary Texas Creek

Use: IRRIGATION 03/15 to 11/15 0.80 CFS

Total Diversion 0.80 CFS

Date Filed: 04/25/1994

Place Of Use: IRRIGATION

T15N R26E S14 SWNW

Total Acres: 40

This application proposes the diversion and use of water from Waste Water tributary Texas Creek tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate 0.80 cfs for 40 acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

Permits will be subject to all prior water rights. 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, 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 July 25, 2011. The protestant must also send a copy of the protest to the applicant.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 77374

Martin W. Halpren, PO Box 32, Argyle TX 76226, has filed Application No. 77374 for changes to the following water rights within LEMHI County(s): Right No(s). 75-4043 and 75-7067: 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 nature of use, the period of use and to change the place of use. The point of diversion remains the same for .31 cfs. The place of use is within Sec 14 T17N R20E for 6.1 acres, along with stockwater, diversion to storage, recreation storage, wildlife storage, aesthetic storage and fire protection storage.

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 July 25, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on July 7 and 14, 2011