



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

November 19, 2010

MERLIN SMITH JR
JENNIFER SMITH
MERLIN SMITH
399 N 500 W
BLACKFOOT, ID 83221

RE: Transfer No. 75499
Water Right No(s). 35-7367, 35-7557

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 MORNING NEWS on November 25 and December 2, 2010. 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.

Please contact this office if you have any questions regarding the application.

Sincerely,

Sharla Cox
Administrative Assistant

Cox, Sharla

From: Cox, Sharla
Sent: Friday, November 19, 2010 8:11 AM
To: 'legals@cableone.net'
Subject: Legal Ad for your paper

Contacts: Morning News



Morning News
E-Mail.doc

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

November 19, 2010

LEGAL NOTICE DEPARTMENT
MORNING NEWS
PO BOX 70
BLACKFOOT, ID 83221-0070

RE: Transfer No. 75499,
Water Right No(s). 35-7367, 35-7557

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 12/13/2010. Your cooperation is appreciated.

Sincerely,

Sharla Cox
Administrative Assistant

Enclosure(s)

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT

TRANSFER NO. 75499

MERLIN SMITH JR
JENNIFER SMITH
MERLIN SMITH,
399 N 500 W, BLACKFOOT,
ID 83221 has filed Application
No. 75499 for changes to the
following water rights within
BINGHAM County(s): Right No(s).
35-7367, 35-7557; to see a full
description of these rights and the
proposed transfer, please see
www.idwr.idaho.gov/apps

The purpose of the transfer is to
change a portion of the above
rights as follows:

The applicant proposes to change
the point of diversion, to change
the place of use and to create a
permissible place of use. The
point of diversion will be in the
NESWSE Sec 35 T2S R32E for
4.25 cfs. The place of use will be
within Sec 35 T2S R32E for
240 acres.

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
December 13, 2010. The
protestant must also send a copy of
the protest to the applicant.

GARY SPACKMAN, Interim Director
Published on Nov 25 and Dec 2, 2010