



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 9, 2010

Holden Kidwell Hahn & Crapo
Robert L. Harris
PO Box 50130
Idaho Falls ID 83405-0130

RE: Amended Application for Transfer No. 75705

Dear Applicant:

The Department of Water Resources has received your amended 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 Preston Citizen on October 27 and November 3, 2010, and in the Post Register, Times News, Idaho Statesman and the Lewiston Tribune on October 28 and November 4, 2011. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

Please note, that the original application is already protested. The protestants below do not need to protest this application again. Those previous protests still are active in this application. If a protestant feels that this amended application resolves their protest, they may withdraw their protest by sending a withdrawal letter to the Department.

If you have any questions, please feel free to contact this office.

Respectfully submitted,

Sharla Cox
Administrative Assistant

CC: Moffatt Thomas Barrett Rock & Field Chtd
C/O Scott L. Campbell
PO Box 829
Boise ID 83701-0829

Cox, Sharla

From: Cox, Sharla
Sent: Thursday, October 21, 2010 9:01 AM
To: 'legals@magicvalley.com'
Subject: Legal Ad for your paper

Contacts: Times News



Times 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

October 21, 2010

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Transfer No. 75705,
Water Right No(s). 13-2, 13-3, 13-2104

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 11/15/2010. Your cooperation is appreciated.

Sincerely,

Sharla Cox
Administrative Assistant

Enclosure(s)

Cox, Sharla

From: Cox, Sharla
Sent: Thursday, October 21, 2010 9:00 AM
To: 'Post Register (legalnotices@postregister.com)'
Subject: Legal ad for your paper

Contacts: Post Register



Post Register
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

October 21, 2010

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

RE: Transfer No. 75705,
Water Right No(s). 13-2, 13-3, 13-2104

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 11/15/2010. Your cooperation is appreciated.

Sincerely,

Sharla Cox
Administrative Assistant

Enclosure(s)

Cox, Sharla

From: Cox, Sharla
Sent: Thursday, October 21, 2010 9:02 AM
To: 'klewis@lmtribune.com'
Subject: Legal Ad for your paper

Contacts: Lewiston Morning Tribune

October 21, 2010

Legal Notice Department
LEWISTON MORNING TRIBUNE
505 C ST PO BOX 957
LEWISTON ID 83501

RE: Legal Ad

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 November 15, 2010. Your cooperation is appreciated.

Sincerely

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

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 75705

PRESTON WHITNEY IRRIGATION CO, PO BOX 311, PRESTON, ID 83263 has filed Application No. 75705 for changes to the following water rights within FRANKLIN County(s): Right No(s). 13-2, 13-3, 13-2104; 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 and change their points of diversion to combine them. The points of diversion are in the NWNENW Sec8 T15S R41E and NWNWSE Sec24 T15S R40E for 80 cfs. With injections into Worm Creek in the SWNESE Sec10 T15S R40E and NESWSW Sec8 T15S R40E and injection into unnamed branch of Spring Creek in the SENESW Sec30 T15S R40E. With rediversions from Worm Creek in the NESWSW Sec8 T15S R40E and the SENWSE Sec10 T15S R40E and the

NENESE Sec13 T15S R39E and the NWNESW Sec24 T15S R39E and the NWNENW Sec25 T15S R39E and rediversion from Spring Creek in the SESENE Sec36 T15S R39E. The place of use will be within the service area of the Preston Whitney Irrigation Company.

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 November 15, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on October 28 and November 4, 2010

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

October 21, 2010

LEGAL NOTICE DEPARTMENT
LEWISTON TRIBUNE
505 C ST PO BOX 957
LEWISTON, ID 83501

RE: Transfer No. 75705,
Water Right No(s). 13-2, 13-3, 13-2104

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 11/15/2010. Your cooperation is appreciated.

Sincerely,

Sharla Cox
Administrative Assistant

Enclosure(s)

Cox, Sharla

From: Cox, Sharla
Sent: Thursday, October 21, 2010 8:59 AM
To: 'legals@idahostatesman.com'
Subject: Legal Ad for your paper

Contacts: Idaho Statesman



Idaho Statesman
1.RTF

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

October 21, 2010

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Transfer No. 75705,
Water Right No(s). 13-2, 13-3, 13-2104

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Sincerely,

Sharla Cox
Administrative Assistant

Enclosure(s)

Cox, Sharla

From: Cox, Sharla
Sent: Thursday, October 21, 2010 9:00 AM
To: 'copy@prestoncitizen.com'
Subject: Legal Ad for your paper

Contacts: Preston Citizen



Preston Citizen
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

October 21, 2010

LEGAL NOTICE DEPARTMENT
PRESTON CITIZEN
PO BOX 472
PRESTON, ID 83263

RE: Transfer No. 75705,
Water Right No(s). 13-2, 13-3, 13-2104

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.

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Sincerely,

Sharla Cox
Administrative Assistant

Enclosure(s)

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GARY SPACKMAN, Interim Director

Published on October 28 and November 4, 2010