

MEMORANDUM

Date: January 16, 2003
To: Transfer 70241
From: dcarlson
Re: transfer evaluation

This transfer proposes to move the POD and POU to a new mine site.

Authority to File:

Applicant provided a purchase agreement for the water right. The BLM official Lin Buck- Idaho State office- Oked the transfer on Federal land. The state lands are being lease.

Water Right Validity:

This water right was being use on an existing mine in the Soda Springs area. Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

No injury issues identified. Not within the ESPA area

Enlargement of Use:

There is no evidence of enlargement of use.

Local Public Interest:

No issues identified. One mine site is being replaced with another

Beneficial Use / Conservation of Water Resources:

No issue identified.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

The application was advertised, no protests were received.

Affidavit of Publication

PUBLIC NOTICE

First Time Published

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 70241

P4 PRODUCTION LLC, P.O.
BOX 816, SODA SPRINGS, ID
83276 has filed Application No.
70241 for changes to the following
water rights within CARIBOU
COUNTY:

Right No. 27-7121

Priority: 2/9/1978

Source: GROUND WATER

Use: DOMESTIC 0.07 CFS
MINING (0 acres)

Total Amount: 0.07 CFS

Point(s) of Diversion: NE
SE NW S30 T06S R43E

Place of Use: S11 T06S R42E
S13 T06S R42E S14 T06S R42E
S19 T06S R43E S24 T06S R42E
S25 T06S R42E S29 T06S R43E
S30 T06S R43E S31 T06S R43E
S32 T06S R43E

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

The applicant is changing min-
ing locations and will change the
well site to the NWNE SEC 36 T6S
R43E. Also the place of use will be
in SEC 21, 22, 23, 25, 26 and 36
T6S R43E and SEC 31 T6S R44E.

Protests may be submitted based
on the criteria of Sec 42-222, Idaho
Code.

Any protest against the pro-
posed change must be filed with the
Department of Water Resources,
Eastern Region, 900 North Skyline
Drive Ste. A, Idaho Falls, ID 83402
together with a protest fee of
\$25.00 for each application on or
before December 2, 2002. The
protestant must also send a copy of
the protest to the applicant.

(s) KARL J. DREHER
Director

Published on Nov. 14 and 21,
2002 in the Caribou County Sun.

County of Caribou
State of Idaho

} ss.

Mark Steele

being first duly sworn on his
oath, states:

That he is publisher
of the Caribou County Sun, a
newspaper of general circulation
in Caribou County, Idaho, pub-
lished weekly at Soda Springs in
said County that said newspaper
has been published in said
County uninterruptedly and con-
tinuously for over seventy-eight
consecutive weeks, prior to the
first publication of the annexed
notice or advertisement;

That the annexed notice was
published as per clipping
attached in the regular and entire
edition of said newspaper and
not in any supplement thereof for

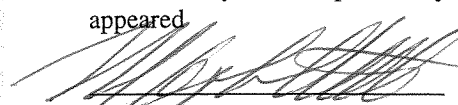
two

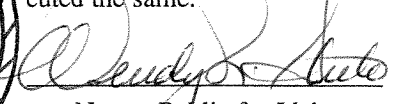
successive weekly issues there-
of, the date of the first publica-
tion being the

14th day of
November, 2002

The date of the last publication
being the 21st day of
November, 2002

On this 6th day of December
in the year of 2002, before
me, a Notary Public, personally
appeared


known or identified to me to be
the person whose name sub-
scribed to the within instrument,
and being by me first duly
sworn, declared that the state-
ments therein are true, and
acknowledged to me that he exe-
cuted the same.


Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:
March 11, 2006

RECEIVED
DEC 20 2002
Department of Water Resources
Eastern Region

