

Weston Creek Irrigation Company
3952 West 5000 South
Weston, Idaho 83286

RECEIVED
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Department of Water Resources
Eastern Region

October 23, 2002

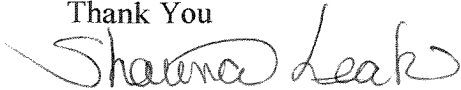
To Whom It May Concern:

This is a statement for Mr. Dan McKay regarding ownership of Weston Creek Irrigation Shares. Mr. McKay's shares pertain to the following description:

Section 18, Township 16 South, Range 39 East
also Section 17, Township 16 South, Range 39 East

Any water from the Weston Creek Irrigation Company owned by Mr. Dan McKay, may be used on the above described property.

Thank You



Shauna Leak
Sec. Weston Creek Company



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 23, 2002

PETE PETERSON
WATER DISTRICT 11
2483 RIVERDALE RD
PRESTON, ID 83263

RE: Application for Transfer 70217
Water Right Number(s) 13-138

Dear Watermaster:

Enclosed is a copy of the above referenced application. Please review the application, complete the enclosed recommendation form, and submit it to this office by November 18, 2002.

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

Sincerely,


Harold W Jones
Water Right Supervisor

Enclosure(s)

HWJ:sc



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION
October 15, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dan McKay
2105 W 3600 S
Weston, Idaho 83286

Mr. McKay;

I have received your fax allowing us to reduce the cfs on right 13-138 to 1.77cfs on your transfer application.

I also find on the transfer application that there is a statement that both the original place of use and proposed place of use have Weston Creek Irrigation shares.

Our review of the data base can only show that an unknown quantity of acres in Sec 18, T16S, R39E have Weston Creek shares. The original place of use in Sec 17, T16S, R39E are not listed.

I will need some documentation from the Irrigation Company that shares apply to both your properties. This should be in the form of a letter from the company to us.

Sincerely,

Harold W. Jones
Water Resource Supervisor

HWJ/clk

NOTE:

$$\begin{aligned} \text{Rate: } 2.00 \text{ cfs} / 88.6 \text{ ac} &= 0.02257 \text{ cfs/ac} \\ &\approx 1.13 \text{"/ac} \end{aligned}$$

$$\begin{aligned} \text{ORIGINAL PLACE OF USE } \approx 100 \text{ ac} \\ \text{Ac: } 22.1 + 21.4 + 35.7 + 18.7 \\ = 97.9 \approx 100 \text{ ac} \end{aligned}$$



State of Idaho

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EASTERN REGION
October 23, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DAN MCKAY FARMS
2105 W 3600 S
WESTON ID 83286

RE: Application for Transfer No 70217

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Preston Citizen on October 30 and November 6, 2002. Submittal of protests to this application will be allowed for a period ending ten days (November 18, 2002) 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.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

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

Sincerely,

A handwritten signature in cursive script that reads "Harold W. Jones".
Harold W Jones
Water Right Supervisor

HWJ:sc



State of Idaho

DEPARTMENT OF WATER RESOURCES

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EASTERN REGION
October 23, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Legal Notice Department
PRESTON CITIZEN
PO BOX 472
PRESTON ID 83263

RE: Transfer No. 70217
Water Right No(s). 13-138

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 18, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*Mailed
10/23/02
sc*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 70217

DAN MCKAY FARMS, 2105 W 3600 S, WESTON ID 83286, has filed Application No. 70217 for changes to the following water rights within FRANKLIN County:

Right No. 13-138

Priority 6/1/1877

Source WESTON SLOUGH

Use IRRIGATION (0 acres) 2.00 CFS

Total Amount 2.00 CFS

Point(s) of Diversion

Place of Use S17 T16S R39E

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

The applicant is changing the place of use to 88.6 acres in the S 1/2 NE 1/4 and NESW SEC 18 T16S R39E. The cfs will also be reduced to 1.77 cfs.

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

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 18, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on October 30 and November 6, 2002