



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

January 22, 2003

Roger Mickelsen
2140 Lago-Liberty Rd
Grace, Idaho 83241

Mr. Mickelsen:

Enclosed is a transfer application filed by Charles Barlow on portions of water rights from Whiskey Creek. You may have a portion of these rights also and we wanted you to be aware of this proceeding.

We will finalize this application soon so if you have any comments or questions please contact me within 7 days.

Sincerely,

Harold W. Jones

Water Resource Supervisor



State of Idaho

DEPARTMENT OF WATER RESOURCES

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EASTERN REGION

January 22, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Steve Tingey
115 Hyway 34
Grace, Idaho 83241

Mr. Tingey:

Enclosed is a transfer application filed by Charles Barlow on portions of water rights from Whiskey Creek. You may have a portion of these rights also and we wanted you to be aware of this proceeding.

We will finalize this application soon so if you have any comments or questions please contact me within 7 days.

Sincerely,

Harold W. Jones
Water Resource Supervisor



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EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 19, 2002

S Criss James
For Protestants Jay & June Turner
PO Box 474
Soda Springs ID 83276

RE: Withdrawal of protest on Transfer #70192 for Barlow

Dear Protestants:

This Department has received the withdrawal of protest against the application for Charles Barlow.

We will continue to process this application.

If you have any questions, please call our office.

Sincerely,

A handwritten signature in cursive script that reads "Harold W. Jones". The signature is written in dark ink and is positioned above the printed name and title of the signatory.

Harold W Jones
Water Rights Supervisor

HWJ:sc



State of Idaho

DEPARTMENT OF WATER RESOURCES

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EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 19, 2002

**Charles Barlow
1130 Manchester Dr
Kaysville UT 84037**

RE: Withdrawal of protest on Application for Transfer No. 70192

Dear Sir:

This Department has received a withdrawal of protest from S Criss James for protestants Jay and June Turner.

Our office will continue to process your application.

If you have any questions, please call our office.

Sincerely,

A handwritten signature in dark ink that reads "Harold W. Jones". The signature is written in a cursive, flowing style.

**Harold W Jones
Water Rights Supervisor**

HWJ:sc

S. CRISS JAMES

Attorney at Law
P O Box 474
Soda Springs, ID 83276

Telephone: (208) 547-1930

Facsimile: (208) 547-1932

December 12, 2002

Idaho Department of Water Resources
900 N Skyline Dr. Ste. A
Idaho Falls ID 83402-1718

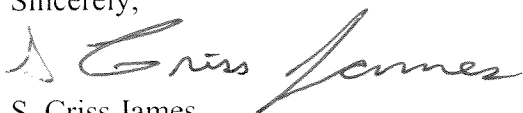
Re: Proposed Water Right Transfer No. 70192

Dear Department of Water Resources:

I have been informed by Jay and June Turner that the water right they believed they owned was apparently sold to Mr. Turner's brother approximately twenty-five (25) years ago. Jay was unaware that he had sold this water right and therefore, he no further objects to the transfer of this water right.

If there are any questions, please feel free to contact my office. Thank you.

Sincerely,



S. Criss James
Attorney at Law

SCJ/vm

c: Jay & June Turner
Charles Barlow

RECEIVED
DEC 16 2002
Department of Water Resources
Eastern Region



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
November 7, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CHARLES BARLOW
1130 MANCHESTER DR
KAYSVILLE UT 84037

RE: Application for Transfer No 70192
Water Right No(s) 13-696A 13-713 13-718B 13-719B 13-720B 13-720A
13-712A 13-718C 13-719A 13-695

Dear Applicant(s):

Enclosed is a copy of a protest filed against approval of the above referenced application. The Department suggests that you contact the protestant(s) directly to determine the nature of the protest and, if possible, to resolve the matter without action by the Department. In our experience, informal discussion between the parties prior to initiation of formal proceedings often leads to resolution of the protest.

If the protest cannot be resolved informally, the matter will be scheduled for conference and/or hearing. The following are criteria the Department must consider in either approving or denying the application (Section 42-222, Idaho Code).

1. Will other water rights be injured by the proposed transfer?
2. Will the proposed change constitute an enlargement in the use of the original right(s)?
3. Will the proposed change conflict with the local public interest?
4. Will the proposed change be contrary to the conservation of water resources within the State of Idaho?

You will be notified at a later date of the time and place of the conference and/or hearing. Please contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W Jones
Water Right Supervisor

Enclosure

CC: State Office

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 07, 2002

H JAY OR JANE TURNER
PO BOX 220
GRACE, ID 83241

RE: Application for Transfer No 70192
Water Right No(s) 13-696A 13-713 13-718B 13-719B 13-720B 13-720A
13-712A 13-718C 13-719A 13-695

Dear Protestant(s):

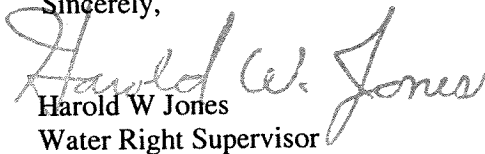
The Department of Water Resources acknowledges receipt of your protest against the approval of the above referenced application. A copy of your protest has been sent to the applicant. The Department suggests that you contact the applicant directly for details regarding the application and, if possible, to resolve the matter without action by the Department. In our experience, informal discussion between the parties prior to initiation of formal proceedings often leads to resolution of the protest.

If the protest cannot be resolved informally, the matter will be scheduled for conference and/or hearing. The following are criteria the Department must consider in either approving or denying the application (Section 42-222, Idaho Code).

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2. Will the proposed change constitute an enlargement in the use of the original right(s)?
3. Will the proposed change conflict with the local public interest?
4. Will the proposed change be contrary to the conservation of water resources within the State of Idaho?

You will be notified at a later date of the time and place of the conference and/or hearing. Please contact this office if you have any questions regarding this procedure.

Sincerely,


Harold W Jones
Water Right Supervisor

CC: State Office, S. CRISS JAMES, PO BOX 474, SODA SPRINGS ID 83276

HWJ:sc

S. CRISS JAMES
Attorney at Law
P.O. Box 474
109 South Main
Soda Springs, ID 83276
(208) 547-1930
Fax (208) 547-1932

RECEIVED

NOV 06 2002

November 4, 2002

Department of Water Resources
Eastern District Office

Department of Water Resources
Eastern Region
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402
(208) 525-7161
fax (208) 525-7177

RE: PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 70192

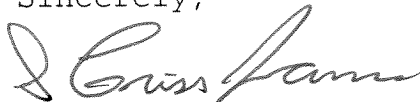
Dear Department of Water Resources,

I have been retained by Jay and June Turner concerning the proposed Change of Water Right Transfer No. 70192. The Turners are filing a this protest to the transfer of this water right. The water that has been used on the Glen Turner Ranch for the past several years did not belong to Glen Turner and also was not transferred to Charles Barlow when he purchased the Glen Turner Ranch. Said water right belongs to Jay and June Turner. Also Jay Turner is the brother of Glen Turner.

Since my clients disputes that Charles Barlow has any rights to this water, They are opposed to the transfer of the point of diversion.

Please contact me at my office if I can be of assistance to you. I am faxing a copy of this protest today as this is the last day to file a protest. I will send the original letter and a protest fee by mail today. Thank you.

Sincerely,



S. CRISS JAMES

Received faxed
protest, 11/4/02
@ 4:19 pm

Receipt # E028291

S. CRISS JAMES

Attorney at Law
P.O. Box 474
109 South Main
Soda Springs, ID 83276
(208) 547-1930
Fax (208) 547-1932

November 4, 2002

Department of Water Resources
Eastern Region
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402
(208) 525-7161
fax (208) 525-7177

RE: PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 70192

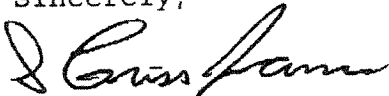
Dear Department of Water Resources,

I have been retained by Jay and June Turner concerning the proposed Change of Water Right Transfer No. 70192. The Turners are filing a this protest to the transfer of this water right. The water that has been used on the Glen Turner Ranch for the past several years did not belong to Glen Turner and also was not transferred to Charles Barlow when he purchased the Glen Turner Ranch. Said water right belongs to Jay and June Turner. Also Jay Turner is the brother of Glen Turner.

Since my clients disputes that Charles Barlow has any rights to this water, They are opposed to the transfer of the point of diversion.

Please contact me at my office if I can be of assistance to you. I am faxing a copy of this protest today as this is the last day to file a protest. I will send the original letter and a protest fee by mail today. Thank you.

Sincerely,



S. CRISS JAMES



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 09, 2002

WILLIAM SWANSON
WATER DISTRICT 13S
685 BENCH LAGO RD
GRACE, ID 83241

RE: Application for Transfer 70192
Water Right Number(s) 13-696A , 13-713 , 13-718B , 13-719B , 13-720B ,
13-712A , 13-718C , 13-719A , 13-720A , 13-695

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 4, 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

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EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 09, 2002

CHARLES BARLOW
1130 MANCHESTER DR
KAYSVILLE UT 84037

RE: Application for Transfer No 70192

Water Right No(s) 13-696A 13-713 13-718B 13-719B 13-720B 13-712A
13-718C 13-719A 13-720A 13-695

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 Caribou Co Sun on October 17 and 24, 2002. Submittal of protests to this application will be allowed for a period ending ten days (November 5, 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,

Harold W Jones
Water Right Supervisor

HWJ:sc



State of Idaho

DEPARTMENT OF WATER RESOURCES

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EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 09, 2002

Legal Notice Department
CARIBOU COUNTY SUN
PO BOX 815
SODA SPRINGS ID 83276

RE: Transfer No. 70192

Water Right No(s). 13-696A 13-713 13-718B 13-719B 13-720B 13-712A 13-718C 13-719A
13-720A 13-695

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 4, 2002. Your cooperation is appreciated.

Sincerely


Sharla Cox
Administrative Assistant

*forwarded
10/16/02
sc*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 70192

CHARLES BARLOW, 1130 MANCHESTER DR, KAYSVILLE UT 84037, has filed Application No. 70192 for changes to the following water rights within CARIBOU County:

Right No. 13-696A

Priority 5/1/1905
Source WHISKEY CREEK
Use IRRIGATION (40 acres) 0.78 CFS
Total Amount 0.78 CFS

Right No. 13-713

Priority 5/1/1905
Source WHISKEY CREEK
Use IRRIGATION (0 acres) 0.90 CFS
Total Amount 0.90 CFS

Right No. 13-712A

Priority 5/1/1878
Source WHISKEY CREEK
Use IRRIGATION (0 acres) 0.58 CFS
Total Amount 0.58 CFS

Point(s) of Diversion S24 T11S R40E

Place of Use S31 T11S R41E

Right No. 13-718B

Priority 5/1/1880
Source WHISKEY CREEK
Use IRRIGATION (0 acres) 0.55 CFS
Total Amount 0.55 CFS

Right No. 13-719B

Priority 5/1/1905
Source WHISKEY CREEK
Use IRRIGATION (0 acres) 0.85 CFS
Total Amount 0.85 CFS

Right No. 13-720B

Priority 6/1/1905
Source WHISKEY CREEK
Use IRRIGATION (0 acres) 0.65 CFS
Total Amount 0.65 CFS

Right No. 13-718C

Priority 5/1/1880
Source WHISKEY CREEK
Use IRRIGATION (0 acres) 0.21 CFS
Total Amount 0.21 CFS

Right No. 13-719A

Priority 5/1/1905
Source WHISKEY CREEK
Use IRRIGATION (0 acres) 0.85 CFS
Total Amount 0.85 CFS

Right No. 13-720A

Priority 6/1/1905

Source WHISKEY CREEK

Use IRRIGATION (0 acres) 0.59 CFS

Total Amount 0.59 CFS

Point(s) of Diversion S24 T11S R40E

Place of Use S25 T11S R40E

Right No. 13-695

Priority 5/1/1880

Source WHISKEY CREEK

Use IRRIGATION (0 acres) 0.40 CFS

Total Amount 0.40 CFS

Point(s) of Diversion S18 T11S R41E

Place of Use S25 T11S R40E

305.4 Total Acres

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

The applicant has purchased the Glen Turner ranch and is clarifying the places of use to be in Sec 25 and 36 T11S R40E and Sec 31 T11S R41E, limited to 296.1 acres irrigated. The point of diversion is the ditch in the SWSE Sec 24 T11S R40E.

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 04, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on October 17 and 24, 2002