



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

July 7, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

JESSICA K MC NELLIS
TERRY A MC NELLIS
PO BOX 834
RANCHO SANTA FE, CA 92067

RE: Transfer No. 76630
Water Right No(s). 74-200, 74-203, 74-204, 74-408A, 74-409A, 74-408B, 74-433

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 RECORDER-HERALD on July 15 and 22, 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



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LEGAL NOTICE DEPARTMENT
RECORDER-HERALD
PO BOX 310
SALMON, ID 83467

RE: Transfer No. 76630,
Water Right No(s). 74-200, 74-203, 74-204, 74-408A, 74-409A, 74-408B, 74-433

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 August 2, 2010. Your cooperation is appreciated.

Sincerely,

Sharla Cox
Administrative Assistant

Enclosure(s)

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 76630

JESSICA K MC NELLIS and TERRY A MC NELLIS, PO BOX 834, RANCHO SANTA FE, CA 92067 has filed Application No. 76630 for changes to the following water rights within LEMHI County(s): Right No(s). 74-200, 74-203, 74-204, 74-408A, 74-409A, 74-408B, 74-433; 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 change the point of diversion to the same point as 74-200 on West Fork Sandy Creek. They also propose to combine the place of use into a permissible place of use. The point of diversion is in Lot 3 (SENEW) Sec 4 T20N R24E for 7.94 cfs. The place of use is within Sec 13, T20N R23E and Sec 7, 8 and 18 T20N R24E for 543.3 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 August 2, 2010. The protestant must also send a copy of the protest to the applicant.

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

74-15797

LISA K TRAGER
DOUGLAS K TRAGER
1438 HWY 28
SALMON, ID 83467

Point of Diversion	SESEW S30 T20N R24E LEMHI County Source	SPRINGS Tributary
Use: IRRIGATION	03/15 to 11/15	0.3 CFS
Use: RECREATION STORAGE	01/01 to 12/31	0.7 AF
Use: DIVERSION TO STORAGE	01/01 to 12/31	0.3 CFS
	Total Diversion:	0.3 CFS

Date Filed: 7/20/2007

Place Of Use: IRRIGATION
T20N R24E S30 SESW

Total acres: 5

Place Of Use: RECREATION STORAGE
T20N R24E S30 SESW

This application proposes the diversion and use of water from Springs tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate .30 cfs and 5 acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. 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 August 2, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on July 15 and 22, 2010