

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301
Phone: 736-3033, Fax#: 736-3037

August 28, 2009

Legal Notice Department
Custer Publishing Co
PO Box 405
Challis ID 83226

Ladies and Gentlemen:

Enclosed you will find a legal notice which we wish to have published in the Challis Messenger 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. Your cooperation is appreciated.

Sincerely,

Mary A. Baldwin
Administrative Assistant

NOTICE OF APPLICATION FOR PERMIT

The following application has been filed to appropriate the public waters of the State of Idaho, Custer County.

Application No. 71-10926

DANIEL J MAHONEY III

14 BERESFORD HILL

BLOOMFIELD HILLS MI 48304

Point of Diversion: SENE, S10, T11N, R12E

Source: GROUNDWATER

Use: IRRIGATION 05/01 to 10/31 (0.15 CFS)

Use: FIRE PROTECTION STORAGE 05/01 to 10/31 (0.1 AF)

Use: AESTHETIC STORAGE 05/01 to 10/31 (0.1 AF)

Use: DIVERSION TO STORAGE 05/01 to 10/31 (0.15 CFS)

Total Diversion: 0.15 CFS, 0.1 AF

Date Filed: 6/29/2009

Place of Use: irrigation of 5 acres and other uses within parts of S10, T11N, R12E

Remark: Application proposes to use an existing well to divert 0.15 cfs for the irrigation of 5 acres and diversion to storage and 0.1 af for aesthetic and fire protection storage in two small existing ponds. Location of the well is approximately 8 ¾ miles northwest of Stanley on the east side of Highway 21. This application proposes the diversion and use of water tributary to a federally designated 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 it is for irrigation purposes and the diversion rate and acres will be applied to the subordination amounts specified in the decree for the applicable Salmon Wild & Scenic River. **Permit will be subject to all prior water rights. For specific details regarding the application, please contact IDWR Southern Regional Office at 208-736-3033 or visit the website for the Department at <http://www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp> Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 on or before September 21, 2009. The protestant must also send a copy of the protest to the applicant.

Gary Spackman, Interim Director

Published in the Challis Messenger on 9/3 & 9/10/09