

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

July 14, 2006

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

Dear LEGAL NOTICE DEPARTMENT:

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 APPLICATIONS

The following two applications were filed on 1/4/2006 by **MARSHALL D. & JOLENE OGDEN**, HC 67 BOX 550; CLAYTON ID 83227 regarding the public waters of the State of Idaho, Custer County.

Application for Permit No. 72-16692

Points of Diversion: SENESE, S29 and NWNENE, S32, both T11N, R17E

Source: FRENCH CREEK Tributary To SALMON RIVER

Use: 04/01 To 10/31

IRRIGATION (0.29 CFS)

Application proposes appropriating 0.29 cfs from French Creek for the irrigation of 14.7 acres within a 27.7-acre permissible place of use along the south side of Highway 75, approximately 0.25 - 0.60 miles south and 3.45 - 3.75 miles west of Clayton. The application proposes two diversions from French Creek, one located approximately 0.9 miles south and 3.8 miles west of Clayton and the other diversion located approximately 0.55 miles south and 3.7 miles west of Clayton. 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 be applied to the subordination amounts specified in the decree for the applicable Salmon River Wild & Scenic River. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. **Application for Transfer No. 72496** proposes creating a 27.7-acre permissible place of use for a 0.29 cfs water right currently diverted from French Creek at a point located approximately 0.9 miles south and 3.8 miles west of Clayton and currently authorized to irrigate 13.0 acres, along the south side of Highway 75, approximately 0.25 - 0.55 miles south and 3.45 - 3.7 miles west of Clayton. The application proposes irrigating 13.0 acres within the proposed 27.7-acre permissible place of use, along the south side of Highway 75, approximately 0.25 - 0.60 miles south and 3.45 - 3.75 miles west of Clayton. The application also proposes adding a second point of diversion at a point located approximately 0.55 miles south and 3.7 miles west of Clayton. Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. For specific details regarding an application, please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.idaho.gov with detail provided under "New Water Right Applications". 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 for each application on or before August 7, 2006. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Challis Messenger on 7/20 & 7/27/06.