

POST REGISTER

GOOD MORNING!

333 Northgate Mile
Idaho Falls, ID 83401

(208) 522-1800

April 28, 2004

DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET SUITE 200
TWIN FALLS ID 83301
208-736-3033

RECEIVED
MAY 03 2004
Department of Water Resources
Idaho Falls, ID 83401

ACCOUNT # : 14766

PUBLISHED: **APRIL 15, 22, 2004**

LEGAL NOTICE: **NOTICE OF APPLICATIONS EXTENSION OF TIME**

*Ext. of Time - 71-59 et al (19 applications TOTAL)
US Forest Service*

PLEASE REFER TO INVOICE # OR AD # **499644**

PO #

TOTAL COST: **\$83.44**

*OK
MB
5/5/04*

Please include Ad # and Account # with payment.
If you have questions concerning this bill. Please contact Rachelle @ extension 6215.
or rwilhelmsen@postregister.com

THANK YOU!

RECEIVED

Form 2-222

12/99

FEE \$100.00

MAY 26 2004

Water Right No. 71-00068

RECEIVED

MAR 17 2004

Department of Water Resources
Southern RegionDEPARTMENT OF
WATER RESOURCES
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 15 2004

Department of Water Resources

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

Section 42-222, Idaho Code, provides that a water right shall be lost and forfeited and the water right revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

USDA Forest Service

1. Name of water right holder _____
2. Mailing address 550 W Fort St. MSC033 Boise, ID 83724
3. The right was obtained or is evidenced by: See Attachment A for responses to questions 1-8
 - a. Decree to _____ in Case of _____
 vs. _____ Dated _____ in _____
(Name of Court)
 Court, County of _____. Fully describe decree _____

 _____ b.
 - b. SRBA No. _____
4. Source of water _____ tributary to _____
(Name of stream or source)
5. Date of priority of right _____
6. Description of Right:
 amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
7. Point of Diversion _____ 1/4 _____ 1/4 of Sec. _____ Twp. _____ Rge. _____ County _____

8. Lands irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

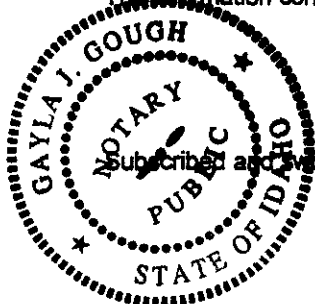
Total Acres _____

9. Give the last date when water was put to beneficial use See Attachment B

Length of extension of time requested 5 years, or until March 16, 2009 (Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use See Attachment C

The information contained in this application is true to the best of my knowledge.



Michael Collette
(Signature of Applicant)

Subscribed and sworn to before me this 15TH day of March, 20 04

[Signature]
(Notary Public)

My commission expires 11-17-2004 Residing at KUNA, IDAHO

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby APPROVE said application subject to the following conditions or reasons:

The right holder shall resume beneficial use of water on or before June 1, 2009.

Signed this 17th day of August, 20 04

Gary Spackman
Chief, Water Allocation Bureau GARY SPACKMAN

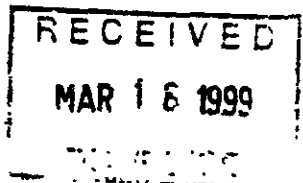
FOR DEPARTMENT USE ONLY

Date Received 3/15/04 FEE Received by AN Date 3/15/04 Receipt # C073005
Preliminary T by CS Publication prepared by MB Pub. approved by _____ Date _____
Published in CM, IS, LT, PR, TN, WJ Dates Published 4/14 + 4/21/04; 4/15 + 4/22/04
Protests filed by _____
Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for 9 APPROVAL / 9 DENIAL By [Signature]

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 71-00068



NAME AND ADDRESS: USDA FOREST SERVICE
550 W FORT ST, MSC 033
BOISE, ID 83724

SOURCE: ALTURAS LAKE CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 12.32 CFS
PRIORITY DATE: 07/01/1935
POINT OF DIVERSION: T07N R14E S04 SWSWS Within Blaine County
PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 05-01 TO 10-31 12.32 CFS
PLACE OF USE: Irrigation Within Custer County
T08N R14E S28 SWSW 33.0 SENW 38.5
S28 SWSW 6.9 NENW 10.3
S28 SWSW 28.0 NESW 40.0
S28 SWSW 23.2 SWSW 13.6
S28 SWSW 29.9 NWSE 26.4
S28 SWSW 19.8
S32 NENE 39.5 SENE 39.1
S32 NESE 39.9 NWSE 39.9
S32 SWSW 33.3 SESE 39.9
S32 SWSW 38.5
S32 NENW 25.7 MNW 37.8
S32 SWSW 37.4 SENW 32.8
S32 NESW 26.3 NWSW 38.5
S32 SWSW 39.9 SESW 19.2
797.3 Acres Total

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 1869.4 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 71-00059, 71-00061, 71-000648, 71-00066 AND
71-00068.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

B. Wood

Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

AE2B015789



SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 71-00068

ATTACHMENT A- PARTIAL
DECREE - 71-00068
Response to Questions 1-8 on the
Application for Extension of Time to
Avoid Forfeiture of a Water Right

ATTACHMENT B

Response to question #9 on the Application for Extension of Time to Avoid Forfeiture of a Water Right:

9. The five year statutory period of non-use for establishing forfeiture tolls upon the filing of a claim in the SRBA until a Partial Decree is issued. The Partial Decree for this right was issued on March 16, 1999. *See, In Re: SRBA Case No. 39576, (Wood v. Trout) 65-05663B, Order of Partial Decree, May 13, 2002.* This water right has not been put to beneficial use since March 16, 1999.

ATTACHMENT C

Response to question #10 on the Application for Extension of Time to Avoid Forfeiture of a Water Right:

10. The United States believes that it has valid defenses to forfeiture including but not limited to Idaho Code §42-223 (6). However, as a matter of comity, the United States files this *Application for Extension of Time to Avoid Forfeiture of a Water Right* as a precautionary measure.

Until such time that the United States may be able to put the water to beneficial use, the United States requests a five year extension of time. During this period the United States will work with the IDWR to explore alternative solutions for resumption of use of this water right, including consideration of placing this water right in the Water Bank operated by the Idaho Water Resource Board.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 17, 2004

USDA FOREST SERVICE
550 W FORT ST
MSC033
BOISE ID 83724

**RE: Water Right Nos. 71-00041, 71-00042B, 71-00043B, 71-00049B,
71-00050, 71-00059, 71-00061, 71-00064B, 71-00066, 71-00068, 71-2004D,
71-2053A, 71-7002, 71-10277, 71-10278, 71-10728, 71-10766, 71-10772, and
71-10871**

Dear Water Right Holder:

Enclosed are copies of the approved Applications for Extension of Time to Avoid Forfeiture of a Water Right for the above referenced water rights. Please note that resumption of beneficial use of water for these rights shall occur on or before **June 1, 2009**.

Please notify the Department as soon as you resume use of the water. If you have not notified the Department sixty (60) days prior to the resumption deadline, the Department will send you a Resumption of Use Notice by certified mail.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the Department. Please contact any office of the Department for the proper form to file a change of ownership of the water right and/or a change in the address of the owner or if you have any questions concerning this matter.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure
c: IDWR – Region

**DEPARTMENT OF
WATER RESOURCES**

FILE PROGRESS SUMMARY

WAI

APPLICANT: USDA - Service WATER RIGHT NO. 71-00068

[illegible]

EXTENSION OF TIME TO AVOID FORFEITURE

ANALYSIS SHEET

1. INITIAL REVIEW BY: Pony Shinn
2. RIGHT NUMBER 21-00068 APPLICANT USDA Forest Service
3. TYPE OF RIGHT: ☒ Decree ☐ License ☐ Claim
DECREED IN SRBA ON 3/16/1999
4. Is reason for request extension given on application?
☒ Yes ☐ No (If No, return Application)

5. CHECK:

- (a) ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period of Use
- (b) ☒ Description of Point(s) of Diversion
(c) ☒ Description of Place of Use
(d) ☒ Check for correct Signature, Notarization, Fee

6. OWNERSHIP OF RIGHT

Applicant's ownership confirmed by: CUSTER COUNTY ^{OWNERSHIP} SHAPEFILE IN ARCVIEW

- (a) ☐ Copy of Tax Notice, Deed, or other _____
in file.
- (b) ☐ County Assessor records. Date Contacted _____

7. Is the right in a Watermaster District? ☐ Yes ☒ No Dist. _____
(If Yes, send copy to Watermaster)

FINAL REVIEW IN REGION by Adm

- (a) Is Application published correctly? ☐ Yes ☐ No
- (b) Protest Received? ☐ Yes ☒ No in final

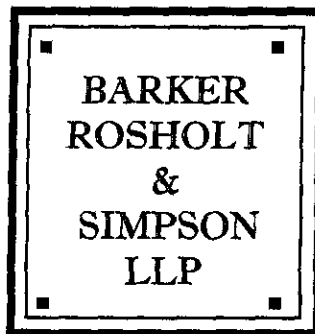
RECOMMENDED ACTION

- ☒ Approve
☐ Deny

Conditions:

* Send copy of 2 approvals
+ Travis Thompson per 5/17 letter.

*John A. Rosholt
Albert P. Barker
John K. Simpson
Amy D. Chestnut
Travis L. Thompson*



113 Main Ave. West, Suite 303
Twin Falls, ID 83301
(208) 733-0700 telephone
(208) 735-2444 facsimile
jar@idahowaters.com

205 N. Tenth St., Suite 520
P. O. Box 2139
Boise, ID 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

Travis L. Thompson
tltp@idahowaters.com

May 17, 2004

Director Karl J. Dreher
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, Idaho 83706

RECEIVED
MAY 18 2004
Department of Water Resources
Southern Region

RE: Applications for Extensions of Time to Avoid Forfeiture of Water Right Nos. 71-41, 42B, 43B, 49B, 50, 59, 64B, 66, 68, 2004D, 2053A, 7002, 10277, 10278, 10728, 10766, 10772, and 10871 filed by the U.S. Forest Service

Dear Director Dreher:

This firm represents the Challis Irrigation Company (CIC) on various matters. With respect to above-listed applications, CIC attempted to file protests on May 10, 2004, or seven (7) days after the protest deadline had ended. Although the Department would not accept the protests, CIC would still like to relay its concerns as you begin the process of reviewing and making a decision on the Forest Service applications.

First, CIC would like to make sure the Director is aware of the reason the Forest Service purchased the property (Busterback Ranch) in the first place. The agricultural lands on the property now owned by the Forest Service were taken out of production in order to provide additional stream flows for listed salmonids. It is CIC's understanding that these water rights were not purchased for the purpose of continuing to irrigate the property.

Next, CIC holds various water rights on the Salmon River that are junior to several of the subject Forest Service water rights. Although hydrologic conditions on the Salmon River have been such that CIC's water rights have not been curtailed, it is at least possible that under certain low flow conditions, CIC's rights could be subject to future water right administration. A resumption of the Forest Service irrigation water rights may injure CIC's rights, particularly if the Forest Service's water rights have in fact been forfeited.

Finally, CIC does not object to the Forest Service's, or other agencies' efforts to improve stream flows in the Salmon River Basin. Improved stream flows, whether for endangered species, or for the health of the watershed as a whole, is certainly a benefit to the Salmon River

Director Dreher
May 17, 2004
Page - 2

Basin. However, CIC is concerned that the Forest Service applications could result in determinations that are detrimental to its water rights. If the Forest Service is exploring alternatives to maintain the validity of its water rights, and the future use of those rights benefits stream flows in the Salmon River above CIC's diversion, it is likely that CIC's water rights will not be impaired or injured. Moreover, if the Forest Service seeks to place its rights in the State Water Bank, it is possible those rights could benefit water users in the Salmon River Basin, like CIC, when needed. Regardless, CIC would like to be notified of the Forest Service's plans or options that it explores with the Department.

Thank you for considering CIC's concerns over the above-referenced Forest Service applications. Although not a formal protestant, CIC would still appreciate receiving a copy of your final decision. Please contact me at (208) 733-0700 if you have any questions.

Sincerely,

BARKER ROSHOLT & SIMPSON LLP

A handwritten signature in black ink, appearing to read 'T. L. Thompson', with a long horizontal flourish extending to the right.

Travis L. Thompson

cc: Board of Directors, CIC
Allen Merritt, Southern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 12, 2004

Travis L. Thompson
Barker Rosholt & Simpson LLP
113 Main Ave. West, Suite 303
Twin Falls, ID 83301

RE: Applications for Extensions of Time to Avoid Forfeiture of Water Rights 71-41, 42B, 43B, 49B, 50, 59, 64B, 66, 68, 2004D, 2053A, 7002, 10277, 10278, 10728, 10766, 10772 and 10871 filed in the name of USDA Forest Service

Dear Travis.

Our office received the "Notice of Protest and/or Petition for Intervention" you filed for the Challis Irrigation Company into the above described matters along with your check for \$450.00 on 5/10/2004

Since the protest period ended 5/3/2004 for these matters and no other timely protests into these matters have been received (no contested case to intervene into has been created), I must return your protest/intervention and your check No. 1347 for \$450.00.

If you have questions about this process, please feel free to get in touch with us.

Sincerely,

Allen Merritt, PE
Southern Region Manager

Enclosures

CC: USFS

Merritt, Allen

From: Saxton, Glen
Sent: Tuesday, May 11, 2004 1:21 PM
To: Merritt, Allen
Cc: Rassier, Phil
Subject: PROTEST OF CHALLIS IRRIGATION COMPANY

Allen,

Phil, Karl and I have discussed the late protest filed by Challis Irrigation Company against the Applications for Extension of Time to Avoid Forfeiture of a Water Right filed by the Forest Service in connection with the Busterback Ranch. Since the protest was filed late (looks like about 10 days late) and since there is not a contested matter to intervene into (no other protestants who timely filed), the department should return the Notice of Protest and/or Petition for Intervention to the Rosholt firm together with the check they submitted. The transmittal should be by letter advising that the protest and filing fee are being returned, since they were not timely submitted to the department as required in Section 42-222, Idaho Code. We should not receipt the check and should not issue any order rejecting the protest.

We should send a copy of our letter to the USFS, since they were served by the Rosholt firm with the Notice of Protest. lgs

RECEIVED

MAY 10 2004

Department of Water Resources
Southern Region

Travis L. Thompson, ISB #6168
BARKER ROSHOLT & SIMPSON LLP
113 Main Ave. West, Suite 303
Twin Falls, Idaho 83301
Telephone: (208) 733-0700
Fax: (208) 735-2444

Attorneys for Challis Irrigation Company

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATIONS FOR	)	
EXTENSIONS OF TIME TO AVOID	)	
FORFEITURE FOR WATER RIGHT NOS.	)	
71-00041, 71-00042B, 71-00043B, 71-00049B,	)	NOTICE OF PROTEST
71-00050, 71-00059, 71-00064B, 71-00066,	)	AND/OR PETITION FOR
71-00068, 71-02004D, 71-02053A, 71-07002,	)	INTERVENTION
71-10277, 71-10278, 71-10728, 71-10766, 71-10772,	)	
and 71-10871	)	
_____	)	

CHALLIS IRRIGATION COMPANY (hereinafter referred to as "Challis"), by and through its attorneys, Barker Rosholt & Simpson LLP, files this *Notice of Protest and/or Petition for Intervention* to the approval of the above-numbered applications for extension of time to avoid forfeiture filed by the United States Forest Service ("Forest Service"). Challis files this *Notice* pursuant to Rules 250, 350, 351, and 352 of the Rules of Procedure of the Idaho Department of Water Resources ("IDWR").

BASIS FOR PROTEST

1. Challis is a non-profit irrigation company incorporated and organized pursuant to Idaho state law. Challis holds the following water rights to the Salmon River for irrigation

purposes: 72-34, 72-35, 72-2076A, 72-2076B, 72-7051, 72-7269, 72-10324, 72-10325, and 72-11740.

2. Challis diverts water from the Salmon River downstream of the location of the points of diversion and places of use for the above-referenced Forest Service irrigation water rights. A number of the Forest Service water rights are senior in priority to Challis' water rights.

3. The Forest Service has admittedly not put the above-referenced water rights to beneficial use for over five years now. Accordingly, the Forest Service may have forfeited the above-referenced irrigation water rights. I.C. § 42-222(2).

4. The Forest Service has failed to make a proper showing of "good and sufficient reason" for not putting its irrigation water rights to beneficial use for the past five years as required by I.C. § 42-222(3).

5. Resumption of use of the above-referenced Forest Service irrigation water rights would injure and impair the water rights held by Challis.

6. For such other and further reasons that may arise during the proceedings and hearing on this matter.

7. Challis requests IDWR to deny the Forest Service's above-referenced applications.

IDWR'S INTERVENTION REQUIREMENTS

1. Challis has a direct and substantial interest in this matter. The Director's determinations stand to affect Challis' water rights.

2. Challis' participation as a party to this proceeding will not unduly broaden the issues before IDWR.

3. Challis' interests are not represented by any other party to this proceeding.

4. Challis' petition to intervene is timely.

DATED this 10th day of May, 2004.

BARKER ROSHOLT & SIMPSON LLP


Travis L. Thompson

Attorneys for Challis Irrigation Company

CERTIFICATE OF MAILING

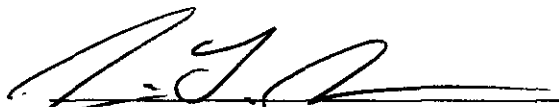
I hereby certify that on this 10th day of May, 2004, I served a copy of the foregoing *Notice of Protest and/or Petition for Intervention*, by the following methods:

Original via Hand Delivery

Idaho Department of Water Resources
Southern Regional Office
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83301

Copy via U.S. Mail, Postage Prepaid

United States Forest Service
550 West Fort St., MSC 033
Boise, Idaho 83724


Travis L. Thompson

333 Northgate Mile
Idaho Falls, ID 83401
(208) 533-1800

RECEIVED
MAY 13 2004
Department of...

OK
MB
5/5/04

[illegible]

Proof of Publication The Post Register

State of Idaho
County of Bonneville

RECEIVED
MAY 03 2004
Department of Water Resources
Southern Region

OK
MB
5/5/04

I, ~~Dan Moore~~, or Dave Oakley, first being duly sworn, depose and say That I am the Production Supervisor, or Assistant Production Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho, said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to

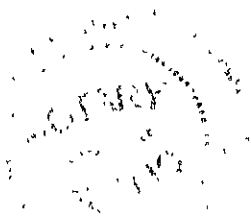
That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 consecutive (days) weeks, first publication having been made on the 15TH day of APRIL 2004, last publication having been made on the 22ND day of APRIL 2004 at the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement

Dave Oakley

Subscribed and sworn to before me, this 28TH day of APRIL 2004

[Signature]
Notary Public

My commission expires January 10, 2009



**NOTICE OF
APPLICATIONS**

Notice is hereby given that the **USDA - Forest Service**, 550 W Fort St. MSC 033; Boise ID 83724 has filed several Extensions of Time to Avoid Forfeiture with the Department of Water Resources for water rights listing either Points of Diversion or Places of Use within Custer County &/or Blaine County as listed below. The extensions are requested to avoid loss of the water rights due to non-use since the issuance of Partial Decrees by the Snake River Basin Adjudication Court.

Applications for Extensions of Time To Avoid Forfeiture Filed on 3/15/04:

Water Right No. 71-59 (25.60 cfs) with a Priority Date of 12/31/1912 and Water Right No. 71-61 (40.00 cfs) with a Priority Date of 08/30/1933 for diversion from the Salmon River tributary to Snake River with Points of Diversion within Sections 3 & 10, T07N, R14E; Custer County for irrigation of 1477.1 acres covering several sections within T07N & T08N, R14E; Custer and Blaine Counties. Water Right No. 71-66 (10.75 cfs) with a Priority Date of 07/01/1930 and Water Right No. 71-68 (12.32 cfs) with a Priority Date of 07/01/1935 for diversion from Alturas Lake Creek tributary to Salmon River with a Point of Diversion within S04, T07N, R14E; Blaine County for irrigation of 797.3 acres covering several sections within T08N, R14E, Custer and Blaine Counties. Protests may be submitted based on the criteria of Sec 42-221, Idaho Code. Any protest against an application must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 for **each application** on or before May 3, 2004. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published: April 15, 22, 2004

AK
MB
5/5/04

AFFIDAVIT OF PUBLICATION

Apr 22, 2004
State of Idaho, County of Custer, ss:

I, Ruth E. Burchill, representing the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated April 15 2004 and ending with the issue dated April 22 2004.

Ruth E. Burchill

STATE OF IDAHO

COUNTY OF CUSTER

On this 22nd day of April in the year of 2004 before me, a Notary Public, personally appeared Ruth E. Burchill known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

NOTARY
Notary Public for Idaho

Residing at Challis, ID

My commission expires: 8/31/04

NOTICE OF APPLICATIONS

Notice is hereby given that the USDA-Forest Service, 550 W Fort St. MSC 033, Boise, ID 83724 has filed several Extensions of Time to Avoid Forfeiture with the Department of Water Resources for water rights listing either Points of Diversion or Places of Use within Custer County &/or Blaine County as listed below

The extensions are requested to avoid loss of the water rights due to non-use since the issuance of Partial Decrees by the Snake River Basin Adjudication Court

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Applications for Extensions of Time To Avoid Forfeiture filed 3/16/04:

Water Right No. 71-41 with a Priority Date of 05/01/1913 for diversion of 4.80 cfs from Hanna Creek tributary to Valley Creek and Valley Creek tributary to Salmon River with Points of Diversion within S03 & S04, T11N, R12E; Custer County for irrigation of 153.0 acres covering several sections within T11N, R12E; Custer County. Rights for diversions from Valley Creek tributary to Salmon River with a Point of Diversion within S04, T11N, R12E; Custer County for irrigation covering several sections within T11N, R12E & R13E; Custer County: Water Right No. 71-42B (1.59 cfs) with a Priority Date of 05/01/1914 for 45.7 acres and Water Right No. 71-43B (2 60 cfs) with a Priority Date of 05/01/1915 for 45.0 acres and Water Right No. 71-49B (4.80 cfs) with a Priority Date of 05/01/

1904 for 151.9 acres and Water Right No. 71-50 (4.80 cfs) with a Priority Date of 05/01/1915 for 83.7 acres. Water Right No. 71-2004D with a Priority Date of 10/23/1909 (0.50 cfs for irrigation of 11.7 acres and 0.02 cfs for stock-water use) and Water Right No. 71-10772 (0.40 cfs) for irrigation with a Priority Date of 08/15/1933 for diversion from Fourth of July Creek tributary to Salmon River with a Point of Diversion within S10, T08N, R14E; Custer County for uses within S09, T08N, R14E, Custer County.

Rights for diversion from Unnamed Drain tributary to Williams Creek within S20, Custer County for irrigation: Water Right No. 71-2053A (0.68 cfs) with a Priority Date of 05/17/1930 for 10.0 acres within S20 and Water Right No. 71-7002 (1.80 cfs) with a Priority Date of 07/07/1968 for 20.1 acres within S19, all T09N, R14E; Custer County Water Right No. 71-10277 (0.15 cfs) with a Priority Date of 06/01/1925 and Water Right No. 71-10278 (0.15 cfs) with a Priority Date of 07/28/1930 for diversion from Champion Creek tributary to Salmon River with a Point of Diversion within S23, T08N, R14E; Custer County for irrigation of a combined total of 9.3 acres within S22, T08N, R14E; Custer County. Rights for diversion from the Salmon River tributary to Snake River with Points of Diversion within S05, T08N, R14E, Custer County: Water Right No. 71-10728 (0.81 cfs) with a Priority Date of 05/17/1930 for irrigation of 11.6 acres within S20 and Water Right No. 71-10766 (1.37 cfs) with a Priority Date of 05/01/1954 for irrigation of 12.0 acres within S32, both T09N, R14E; Custer County. Water Right No. 71-10871 with a Priority Date of 06/10/1964 for diversion of 4.54 cfs from the Salmon River tributary to Snake River with a Point of Diversion within S21, T08N, R14E; Custer County for irrigation of 66.8 acres covering several sections within T08N, R14E; Custer County. Protests may be submitted based on the criteria of Sec 42-221, Idaho Code. Any protest against an application must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before May 3, 2004. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Publish: April 15 & 22, 2004.

STATEMENT



Custer Publishing, Inc.

Phone 879-4445

P.O. Box 405

Challis, Idaho 83226

*Dept. of Water Resources
1341 Fremore St., Suite 200
Idaho Falls, Id 83301-3380*

Job No.	Date	DESCRIPTION	Amount
	4-22-04	<i>Notice of Application 19 Extensions of Time to Respond for Petition USDA FS Right No. 71-59, 71-61, 71-64B, 71-66, 71-68, 71-41, 71-42B, 71-43B, 71-49B, 71-50, 71-2004D, 71-10772, 71-2053A, 71-7002, 71-10277, 71-10278, 71-10728, 71-10766, 71-10871, 4/15+22/04 - 145 lines</i>	<i>216.78 OK mb 4/24/04</i>

A finance charge of 1½ percent (annual percentage rate of 18%) with a minimum charge of 50¢ will be charged to all accounts not paid within 30 days of billing.

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 04/22/2004

INVOICE NO. 353950

Account No. 446620

Description 353950NOTICE OF APPLIC

Times 2

Lines 59

Tab. Lines _____

\$ 88.21

**LEGAL ADVERTISING
INVOICE**

SOLD TO: DEPT OF WATER RESOURCES
1341 FILLMORE STREET, SUITE 20
TWIN FALLS ID 833013380

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

NOTICE OF APPLICATIONS
Notice is hereby given that the
USDA - Forest Service, 550 W
Fort St. MSC 033, Boise ID
83724 has filed several
Extensions of Time to Avoid
Forfeiture with the Department
of Water Resources for water
rights listing either Points of
Diversion or Places of Use with-
in Custer County &/or Blaine
County as listed below. The
extensions are requested to
avoid loss of the water rights
due to non-use since the
issuance of Partial Decrees by
the Snake River Basin
Adjudication Court.
Applications for Extensions of
Time to Avoid Forfeiture Filed
on 4/15/04 Water Right No. 71-
58 (10.00 cfs) with a Priority
Date of 12/31/1912 and Water
Right No. 71-61 (10.00 cfs) with
a Priority Date of 08/30/1933 for
diversion from the Salmon River
tributary to Snake River with
Points of Diversion within
Sections 3 & 10, T07N, R14E;
Custer County for irrigation of
1477.1 acres covering several
sections within T07N & T08N,
R14E; Custer and Blaine
Counties. Water Right No. 71-66
(10.75 cfs) with a Priority Date
of 07/01/1930 and Water Right
No. 71-67 (12.33 cfs) with a
Priority Date of 07/01/1930 for
diversion from Snake Lake

Creek tributary to Snake River
with a Point of Diversion within
S04, T07N, R14E; Blaine County
for irrigation of 797.3 acres cover-
ing several sections within
T08N, R14E; Custer and Blaine
Counties. Protests may be sub-
mitted based on the criteria of
Sec 42-221, Idaho Code. Any
protest against an application
must be filed with the
Department of Water
Resources, Southern Region,
1341 Fillmore St., Suite 200,
Twin Falls, ID 83301 together
with a protest fee of \$25.00 for
each application on or before
May 3, 2004. The protestant
must also send a copy of the
protest to the applicant.
Karl J. Dreher, Director
Published in the Idaho
Statesman, Lewiston Morning
Tribune, Post Register and Times
News on 4/15 & 4/22/04

AFFIDAVIT OF PUBLICATION

Karen Lewis, being duly sworn, deposes and
says, I am the Legal Clerk of the Tribune
Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho
and under and by virtue of the laws of the State of Washington,
paper of general circulation published at Lewiston, Nez Perce
County, Idaho; That the said Lewiston Morning Tribune is
an established newspaper and has been published regularly
and issued regularly at least once a day for more than 105
consecutive years next immediately preceding the first
publication of this notice, and has been so published
uninterrupted for said period; that the 353950NOTICE OF
attached hereto and which is made a part of this affidavit
was published in the said Lewiston Morning Tribune,
2 time(s). Publication being on
04/15, or once a WEEK
for 2 consecutive WEEK
the first publication thereof being on the 04/15/2004
and the last publication thereof being on the 04/22/2004
and said 353950NOTICE OF was so published in the
regular and entire issue of said newspaper and was not in a
supplement thereof and was so published in every issue and
number of the said paper, during the period and times of
publication as set forth above.

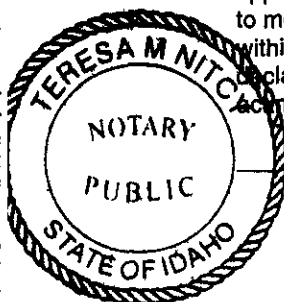
Karen J Lewis

State of Idaho

S.S.

County of Nez Perce

On this 22 day of April in the year
of 2004, before me, a Notary Public, personally
appeared Karen J Lewis, known or identified
to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledged to me that he executed the same.



Teresa M Nito
Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 11/23/2010

P.O. Box 40, Boise, Idaho 83707-0040
LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount
100632	1066289	NOTICE OF APPLICATIONS	\$86.12
Attention.	P.O. #	Run Dates	
MARY BALDWIN		APRIL 15, 22, 2004	
IDAHO DEPT. WATER RESOURCES SOUTH 1341 FILLMORE ST. SUITE 200 TWIN FALLS, ID 83301			Number of Lines 52
			Affidavit 1
			Legal # 19076

**LEGAL NOTICE
NOTICE OF APPLICATIONS**

[illegible]

Pub. Apr. 15, 22, 2004

19076

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended, for:

TWO

☒ consecutive weekly	☐ single
☐ consecutive daily	☐ odd skip

insertion(s)

beginning issue of: APRIL 15, 2004

ending issue of: APRIL 22 , 2004

Janice Hildreth

STATE OF IDAHO)
SS

COUNTY OF ADA

On this 22 day of APRIL in the year of 2004
before me, a Notary Public, personally appeared before me
Janice Hildreth known or identified to me to be the person
whose name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements therein
are true, and acknowledged to me that she executed the same

Notary Public for Idaho
Residing at Boise, Idaho
My Commission expires.

6/20/50

Notice is hereby given that the BSA - Forest Service, 550 W. Fort St., Boise 83702; Notice ID 83724 has filed several Extensions of Time to Avoid Perfection with the Department of Water Resources for water rights along Snake River of Division of Waters of the State, Blaine County and Blaine County. The extensions are necessary to avoid loss of the water rights due to the expiration of the Statute of Periodic Decree. The water rights are as follows:

To Avoid Perfection, Water Right No. 71-01 (40-00-00) with a Priority Date of 12/01/1918 and Water Right No. 71-01 (40-00-00) with a Priority Date of 12/01/1920 for diversion from the Snake River, Blaine Co. Snake River with Point of Diversion within Sections 5 & 10, T27N, R14E; Blaine County for interests of 1477.1 acres covering several sections within T27N & T28N, R14E; Blaine and Blaine Counties. Water Right No. 71-01 (10-00-00) with a Priority Date of 07/01/1920 and Water Right No. 71-01 (10-00-00) with a Priority Date of 07/01/1920 for diversion from Auburn Lake, Snake River, Blaine County with a Point of Diversion within Sec. 10N, R14E; Blaine County for interests of 787.3 acres covering several sections within T28N, R14E; Blaine and Blaine Counties. Protests may be submitted based on the contents of this notice to Idaho Code. Any protest against an extension must be filed with the Department of Water Resources, Southern Region, 1241 Fillmore St., Suite 202, Twin Falls, ID 83701 together with a protest fee of \$25.00 for each extension on or before May 3, 2004. The protest must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

46615

by Cyprien being first duly sworn upon oath, depose
that I am principal clerk of the TIMES-NEWS, published daily at,
s, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping
was published in the regular and entire issue of said newspaper, and not in any supplement
or two consecutive weeks,
beginning with the issue dated April 15, 20 04,
ending with the issue dated April 22, 20 04.

I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho News, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily, both of which newspapers prior to consolidation had been published under said names in said city and continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-Idaho News consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at said newspaper began daily publication under said name in said city and county continuously and un-

I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated in which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to proof, Thursday is announced as the day on which said legal notices will be published

IDAHO
OF TWIN FALLS

22nd day of April in the year 2004, before me,

public, personally appeared Ruby Crawford,
identified to me to be the person whose name subscribed to the within instrument, and being by me first
advised, declared that the statements therein are true, and acknowledged to me that he executed the same

Notary Public for Idaho

Residing at Twin Falls, Idaho

My commission expires

LINDA CAPPS-McGUIRE
NOTARY PUBLIC
STATE OF IDAHO

REMITTANCE ADDRESS THE TIMES-NEWS - LEG. P.O. BOX 548, TWIN FALLS, ID 83303-0548		BILL TO DEPT WATER & SOURCES	
AD NUMBER 418793	CLASS 0050 LEGAL	SALESPERSON 5	BILLING DATE 04/22/04
AD DESCRIPTION NOTICE OF APPLICATIONS NOTICE IS		START DATE 04/15/04	LINES 80 * 2
PUBLICATION 4 THE TIMES NEWS LEGAL	INSERTIONS 2	RATE LGL	STOP DATE 04/22/04
TOTAL AD CHARGE		NET AMOUNT 72.80	GROSS AMOUNT
4 AFFIDAVIT CHARGE		AFFID	9.00
(71-59, 71-61, 71-66, 71-68) Avoid Conf.		RECEIVED APR 23 2004 SOUTHERN SOUTHERN	
DAYS RUN		OK MB 4/23/04	
PURCHASE ORDER legal		PAY THIS AMOUNT 81.80	
		81.80*	

DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

legal

AD NUMBER	CLASS	START DATE	STOP DATE
418793	050 LEGAL	04/15/04	04/22/04
AD DESCRIPTION		BILLING DATE	TELEPHONE NUMBER
NOTICE OF APPLICATIONS NOTICE IS		04/22/04	208-736-3033

GROSS AMOUNT OF
81.80
DUE AFTER

VISA _ MASTERCARD

EXPIRATION DATE: / /

SIGNATURE: _____

CREDIT CARD NUMBER

DEPT WATER RESOURCES
1341 FILLMORE, SUITE 200
TWIN FALLS, ID

83301

TOTAL AMOUNT DUE
81.80
ENTER AMOUNT ENCLOSED

204000000041879300000000000000000000818000000081804

NOTICE OF APPLICATIONS

Notice is hereby given that the **USDA - Forest Service**, 550 W Fort St. MSC 033; Boise ID 83724 has filed several Extensions of Time to Avoid Forfeiture with the Department of Water Resources for water rights listing either Points of Diversion or Places of Use within Custer County &/or Blaine County as listed below. The extensions are requested to avoid loss of the water rights due to non-use since the issuance of Partial Decrees by the Snake River Basin Adjudication Court.

Applications for Extensions of Time To Avoid Forfeiture Filed on 3/15/04:

Water Right No. 71-59 (25.60 cfs) with a Priority Date of 12/31/1912 and Water Right No. 71-61 (40.00 cfs) with a Priority Date of 08/30/1933 for diversion from the Salmon River tributary to Snake River with Points of Diversion within Sections 3 & 10, T07N, R14E; Custer County for irrigation of 1477.1 acres covering several sections within T07N & T08N, R14E; Custer and Blaine Counties. Water Right No. 71-64B (6.25 cfs) with a Priority Date of 08/15/1915 and Water Right No. 71-66 (10.75 cfs) with a Priority Date of 07/01/1930 and Water Right No. 71-68 (12.32 cfs) with a Priority Date of 07/01/1935 for diversion from Alturas Lake Creek tributary to Salmon River with a Point of Diversion within S04, T07N, R14E; Blaine County for irrigation of 797.3 acres covering several sections within T08N, R14E; Custer and Blaine Counties.

Applications for Extensions of Time To Avoid Forfeiture filed 3/16/04:

Water Right No. 71-41 with a Priority Date of 05/01/1913 for diversion of 4.80 cfs from Hanna Creek tributary to Valley Creek and Valley Creek tributary to Salmon River with Points of Diversion within S03 & S04, T11N, R12E; Custer County for irrigation of 153.0 acres covering several sections within T11N, R12E; Custer County. Rights for diversions from Valley Creek tributary to Salmon River with a Point of Diversion within S04, T11N, R12E; Custer County for irrigation covering several sections within T11N, R12E & R13E; Custer County. Water Right No. 71-42B (1.59 cfs) with a Priority Date of 05/01/1914 for 45.7 acres and Water Right No. 71-43B (2.60 cfs) with a Priority Date of 05/01/1915 for 45.0 acres and Water Right No. 71-49B (4.80 cfs) with a Priority Date of 05/01/1904 for 151.9 acres and Water Right No. 71-50 (4.80 cfs) with a Priority Date of 05/01/1915 for 83.7 acres. Water Right No. 71-2004D with a Priority Date of 10/23/1909 (0.50 cfs for irrigation of 11.7 acres and 0.02 cfs for stockwater use) and Water Right No. 71-10772 (0.40 cfs) for irrigation with a Priority Date of 08/15/1933 for diversion from Fourth of July Creek tributary to Salmon River with a Point of Diversion within S10, T08N, R14E; Custer County for uses within S09, T08N, R14E; Custer County. Rights for diversion from Unnamed Drain tributary to Williams Creek within S20; Custer County for irrigation: Water Right No. 71-2053A (0.68 cfs) with a Priority Date of 05/17/1930 for 10.0 acres within S20 and Water Right No. 71-7002 (1.80 cfs) with a Priority Date of 07/07/1968 for 20.1 acres within S19, all T09N, R14E; Custer County. Water Right No. 71-10277 (0.15 cfs) with a Priority Date of 06/01/1925 and Water Right No. 71-10278 (0.15 cfs) with a Priority Date of 07/28/1930 for diversion from Champion Creek tributary to Salmon River with a Point of Diversion within S23, T08N, R14E; Custer County for irrigation of a combined total of 9.3 acres within S22, T08N, R14E; Custer County. Rights for diversion from the Salmon River tributary to Snake River with Points of Diversion within S05, T08N, R14E; Custer County. Water Right No. 71-10728 (0.81 cfs) with a Priority Date of 05/17/1930 for irrigation of 11.6 acres within S20 and Water Right No. 71-10766 (1.37 cfs) with a Priority Date of 05/01/1954 for irrigation of 12.0 acres within S32, both T09N, R14E; Custer County. Water Right No. 71-10871 with a Priority Date of 06/10/1964 for diversion of 4.54 cfs from the Salmon River tributary to Snake River with a Point of Diversion within S21, T08N, R14E; Custer County for irrigation of 66.8 acres covering several sections within T08N, R14E; Custer County. Protests may be submitted based on the criteria of Sec 42-221, Idaho Code. Any protest against an application must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before May 3, 2004. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Challis Messenger on 4/15 & 4/22/04.

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

April 7, 2004

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

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301

Phone: 736-3033

Fax# : 736-3037

April 7, 2004

ATTN: Kristan Kennedy-LEGALS
WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Dear Kristan:

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 at 736-3033. 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

Notice is hereby given that the **USDA - Forest Service**, 550 W Fort St. MSC 033; Boise ID 83724 has filed several Extensions of Time to Avoid Forfeiture with the Department of Water Resources for water rights listing either Points of Diversion or Places of Use within Custer County &/or Blaine County as listed below. The extensions are requested to avoid loss of the water rights due to non-use since the issuance of Partial Decrees by the Snake River Basin Adjudication Court. **Applications for Extensions of Time To Avoid Forfeiture Filed on 3/15/04:** Water Right No. 71-59 (25.60 cfs) with a Priority Date of 12/31/1912 and Water Right No. 71-61 (40.00 cfs) with a Priority Date of 08/30/1933 for diversion from the Salmon River tributary to Snake River with Points of Diversion within Sections 3 & 10, T07N, R14E; Custer County for irrigation of 1477.1 acres covering several sections within T07N & T08N, R14E; Custer and Blaine Counties. Water Right No. 71-64B (6.25 cfs) with a Priority Date of 08/15/1915 and Water Right No. 71-66 (10.75 cfs) with a Priority Date of 07/01/1930 and Water Right No. 71-68 (12.32 cfs) with a Priority Date of 07/01/1935 for diversion from Alturas Lake Creek tributary to Salmon River with a Point of Diversion within S04, T07N, R14E; Blaine County for irrigation of 797.3 acres covering several sections within T08N, R14E; Custer and Blaine Counties. Protests may be submitted based on the criteria of Sec 42-221, Idaho Code. Any protest against an application must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 for **each application** on or before May 3, 2004. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Wood River Journal on 4/14 & 4/21/04.

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301

Phone: 736-3033

Fax#: 736-3037

April 7, 2004

ATTN: JANICE HILDRETH-LEGALS
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

Dear Janice:

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 at 736-3033.

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

Notice is hereby given that the USDA - Forest Service, 550 W Fort St. MSC 033; Boise ID 83724 has filed several Extensions of Time to Avoid Forfeiture with the Department of Water Resources for water rights listing either Points of Diversion or Places of Use within Custer County &/or Blaine County as listed below. The extensions are requested to avoid loss of the water rights due to non-use since the issuance of Partial Decrees by the Snake River Basin Adjudication Court. Applications for Extensions of Time To Avoid Forfeiture Filed on 3/15/04: Water Right No. 71-59 (25.60 cfs) with a Priority Date of 12/31/1912 and Water Right No. 71-61 (40.00 cfs) with a Priority Date of 08/30/1933 for diversion from the Salmon River tributary to Snake River with Points of Diversion within Sections 3 & 10, T07N, R14E; Custer County for irrigation of 1477.1 acres covering several sections within T07N & T08N, R14E; Custer and Blaine Counties. Water Right No. 71-66 (10.75 cfs) with a Priority Date of 07/01/1930 and Water Right No. 71-68 (12.32 cfs) with a Priority Date of 07/01/1935 for diversion from Alturas Lake Creek tributary to Salmon River with a Point of Diversion within S04, T07N, R14E; Blaine County for irrigation of 797.3 acres covering several sections within T08N, R14E; Custer and Blaine Counties. Protests may be submitted based on the criteria of Sec 42-221, Idaho Code. Any protest against an application must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before May 3, 2004. The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director

Published in the Idaho Statesman, Lewiston Morning Tribune, Post Register and Times News on 4/15 & 4/22/04.

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

April 7, 2004

ATTN Karen
LEWISTON MORNING TRIBUNE
505 C STREET
LEWISTON ID 83501

Dear Karen:

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 at 736-3033.

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

Notice is hereby given that the USDA - Forest Service, 550 W Fort St. MSC 033; Boise ID 83724 has filed several Extensions of Time to Avoid Forfeiture with the Department of Water Resources for water rights listing either Points of Diversion or Places of Use within Custer County &/or Blaine County as listed below. The extensions are requested to avoid loss of the water rights due to non-use since the issuance of Partial Decrees by the Snake River Basin Adjudication Court. Applications for Extensions of Time To Avoid Forfeiture Filed on 3/15/04: Water Right No. 71-59 (25.60 cfs) with a Priority Date of 12/31/1912 and Water Right No. 71-61 (40.00 cfs) with a Priority Date of 08/30/1933 for diversion from the Salmon River tributary to Snake River with Points of Diversion within Sections 3 & 10, T07N, R14E; Custer County for irrigation of 1477.1 acres covering several sections within T07N & T08N, R14E; Custer and Blaine Counties. Water Right No. 71-66 (10.75 cfs) with a Priority Date of 07/01/1930 and Water Right No. 71-68 (12.32 cfs) with a Priority Date of 07/01/1935 for diversion from Alturas Lake Creek tributary to Salmon River with a Point of Diversion within S04, T07N, R14E; Blaine County for irrigation of 797.3 acres covering several sections within T08N, R14E; Custer and Blaine Counties. Protests may be submitted based on the criteria of Sec 42-221, Idaho Code. Any protest against an application must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before May 3, 2004. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Idaho Statesman, Lewiston Morning Tribune, Post Register and Times News on 4/15 & 4/22/04.

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301

Phone: 736-3033

Fax#: 736-3037

April 7, 2004

ATTN: Cathy-LEGALS DEPT
POST REGISTER
PO BOX 1800
IDAHO FALLS ID 83401

Dear Cathy:

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 at 736-3033.

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

Notice is hereby given that the USDA - Forest Service, 550 W Fort St. MSC 033; Boise ID 83724 has filed several Extensions of Time to Avoid Forfeiture with the Department of Water Resources for water rights listing either Points of Diversion or Places of Use within Custer County &/or Blaine County as listed below. The extensions are requested to avoid loss of the water rights due to non-use since the issuance of Partial Decrees by the Snake River Basin Adjudication Court. Applications for Extensions of Time To Avoid Forfeiture Filed on 3/16/04: Water Right No. 71-69 (25.60 cfs) with a Priority Date of 12/31/1912 and Water Right No. 71-61 (40.00 cfs) with a Priority Date of 06/30/1933 for diversion from the Salmon River tributary to Snake River with Points of Diversion within Sections 3 & 10, T07N, R14E; Custer County for irrigation of 1477.1 acres covering several sections within T07N & T08N, R14E; Custer and Blaine Counties. Water Right No. 71-66 (10.75 cfs) with a Priority Date of 07/01/1930 and Water Right No. 71-68 (12.32 cfs) with a Priority Date of 07/01/1935 for diversion from Alturas Lake Creek tributary to Salmon River with a Point of Diversion within S04, T07N, R14E; Blaine County for irrigation of 797.3 acres covering several sections within T08N, R14E; Custer and Blaine Counties. Protests may be submitted based on the criteria of Sec 42-221, Idaho Code. Any protest against an application must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before May 3, 2004. The protestant must also send a copy of the protest to the applicant. Karl J. Dreher, Director

Published in the Idaho Statesman, Lewiston Morning Tribune, Post Register and Times News on 4/15 & 4/22/04.

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

April 7, 2004

ATTN RUBY AUFDERHEIDE
LEGALS DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS ID 83303-0548

Dear Ruby:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

NOTICE OF APPLICATIONS

Notice is hereby given that the USDA - Forest Service, 550 W Fort St. MSC 033; Boise ID 83724 has filed several Extensions of Time to Avoid Forfeiture with the Department of Water Resources for water rights listing either Points of Diversion or Places of Use within Custer County &/or Blaine County as listed below. The extensions are requested to avoid loss of the water rights due to non-use since the issuance of Partial Decrees by the Snake River Basin Adjudication Court. Applications for Extensions of Time To Avoid Forfeiture Filed on 3/15/04: Water Right No. 71-59 (25.80 cfs) with a Priority Date of 12/31/1912 and Water Right No. 71-61 (40.00 cfs) with a Priority Date of 08/30/1933 for diversion from the Salmon River tributary to Snake River with Points of Diversion within Sections 3 & 10, T07N, R14E; Custer County for irrigation of 1477.1 acres covering several sections within T07N & T08N, R14E; Custer and Blaine Counties. Water Right No. 71-66 (10.75 cfs) with a Priority Date of 07/01/1930 and Water Right No. 71-68 (12.32 cfs) with a Priority Date of 07/01/1935 for diversion from Alturas Lake Creek tributary to Salmon River with a Point of Diversion within S04, T07N, R14E; Blaine County for irrigation of 797.3 acres covering several sections within T08N, R14E; Custer and Blaine Counties. Protests may be submitted based on the criteria of Sec 42-221, Idaho Code. Any protest against an application must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before May 3, 2004. The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director

Published in the Idaho Statesman, Lewiston Morning Tribune, Post Register and Times News on 4/15 & 4/22/04.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J DREHER
Director

April 8, 2004

USDA - FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724

Re: (19) Applications for Extension of Time To Avoid Forfeiture - Basin 71 (Blaine and Custer Counties)

Dear Applicants:

The Department of Water Resources acknowledges receipt of your Applications for Extension of Time to Avoid Forfeiture as referenced above.

This office has scheduled advertising the applications in the Challis Messenger for 4/15 & 4/22/04; in the Wood River Journal on 4/14 & 4/21/04; and also in the Idaho Statesman, Lewiston Morning Tribune, Post Register, and Times News on 4/15 & 4/22/04.

The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests. (May 3, 2004)

If an application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this 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 about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

Mary A. Baldwin
Administrative Assistant I