



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 WEB SITE: www.idwr.state.id.us

EASTERN REGION
September 22, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Legal Notice Department
POST-REGISTER
PO BOX 1800
IDAHO FALLS ID 83402

RE: Transfer No. 71141 and 71258

Dear Cathy Von Borstel:

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 October 18, 2004. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*mailed
9/22/04
sc*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 71141

DEL E WILKINS or LINDA R WILKINS, PO BOX 96, SWAN VALLEY ID 83449, has filed Application No. 71141 for changes to the following water rights within BONNEVILLE County:

Right No. 23-48B

Priority 6/1/1893

Source RAINEY CREEK

Use IRRIGATION (16 acres) 0.24 CFS

Total Amount 0.24 CFS

Point(s) of Diversion SWNENE S7 T01N R44E

Place of Use S6 T01N R44E

Right No. 23-98B

Priority 1/22/1916

Source RAINEY CREEK

Use IRRIGATION (16 acres) 0.21 CFS

Total Amount 0.21 CFS

Point(s) of Diversion SWNENE S7 T01N R44E

Place of Use S6 T01N R44E

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

The applicant purposes to change the place of use, add a point of diversion and to change the nature of use to the above water rights. They purpose to maintain pond levels and irrigate surrounding pond vegetation by drying up one (1) acres of irrigated pasture. The added point of diversion will be in the NENESW Sec 6 T1N R44E.

TRANSFER NO. 71258

BRION D EGAN, HC 61 BOX 1060, DUBOIS ID 83423, has filed Application No. 71258 for changes to the following water rights within CLARK County:

Right No. 32-25

Priority 10/1/1883

Source MEDICINE LODGE CREEK

Use STOCKWATER 3.36 CFS
IRRIGATION (293 acres)

Total Amount 3.36 CFS

Point(s) of Diversion SWNESE S25 T11N R34E
NWSWSE S31 T11N R35E

Place of Use S31 T11N R35E
S6 T10N R35E

Right No. 32-43

Priority 10/15/1884

Source MEDICINE LODGE CREEK

Use IRRIGATION (293 acres) 2.00 CFS
STOCKWATER

Total Amount 2.00 CFS

Point(s) of Diversion SWNESE S25 T11N R34E
NWSWSE S31 T11N R35E

Place of Use S31 T11N R35E
S6 T10N R35E

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

The applicant proposes to change one of his points of diversion to the lower place of use. The new place of use will be in the NESE SEC 6 T10N R35E and he will leave the SWNESE Sec 25 T11N R34E point of diversion alone.

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 October 18, 2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on September 30 and October 7, 2004