

**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

September 29, 2004

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application for Permit Nos. 63-31811, 63-31812, 63, 31813, 63-31814, 63-31859, 63-31890,
63-31974, 63-31975, 63-31999

Application for Transfer Nos. 71237, 71109, 70947, 71198, and 71357

Dear LEGAL NOTICE DEPARTMENT:

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 10/25/2004. Your cooperation is appreciated.

Sincerely

Sue Kreger
Administrative Assistant

PROPOSED CHANGE OF WATER RIGHT

Middleton Mill Ditch Company of 23107 Hartley Ln, Middleton ID 83644 filed application no. 70947 with IDWR to transfer one water right with an 1871 priority date from the Boise River totaling 32.43 cfs. The purpose of the transfer is to retire 16 acres from irrigation and provide .32 cfs for ground water recharge to mitigate the consumptive use resulting from excavation of six ponds proposed on accompanying application for permit nos. 63-31811 through 63-31814, 63-31974 and 63-31975. Water will continue to be used for new and existing uses within applicant's service area generally located between Middleton and Eagle, north of the Boise River. The retired acres and proposed ponds are located approximately three miles east of Star, south of Hwy 44.

For specific details regarding the application, please contact IDWR Western Region at 208-334-2190 or visit www.idwr.state.id.us with detail provided under "new water right applications". 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, Western Region, 2735 Airport Wy, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application on or before October 25, 2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director
14, 2004.

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