



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
March 24, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Legal Notice Department
CHALLIS MESSENGER
PO BOX 405
CHALLIS ID 83226

RE: Transfer No. 71051
Application for Permit No. 73-12025

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 April 19, 2004. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*mailed
3/24/04
sc*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 71051

CLINTON BITTON, 6344 TRAIL CREEK RD, MACKAY ID 83251, has filed Application No. 71051 for changes to the following water rights within CUSTER County:

Right No. 34-772

Priority 10/14/1904

Source BIG LOST RIVER

Use IRRIGATION (320 acres) 1.60 CFS

Total Amount 1.60 CFS

Point(s) of Diversion NENESE S1 T08N R21E

Place of Use S21 T09N R22E
S28 T09N R22E

Right No. 34-770

Priority 6/20/1904

Source BIG LOST RIVER

Use IRRIGATION (320 acres) 1.60 CFS

Total Amount 1.60 CFS

Point(s) of Diversion NENESE S1 T08N R21E

Place of Use S21 T09N R22E
S28 T09N R22E

Right No. 34-771

Priority 12/4/1912

Source BIG LOST RIVER

Use IRRIGATION (320 acres) 3.22 CFS

Total Amount 3.22 CFS

Point(s) of Diversion NENESE S1 T08N R21E

Place of Use S21 T09N R22E
S28 T09N R22E

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

The applicant wishes to add a point of diversion in the Chilly Canal. The old point of diversion is hard to maintain, but will still use to some degree. The new point of diversion is in the NENWNW Sec 12 T8N R21E.

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 April 19, 2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on April 1 and 8, 2004