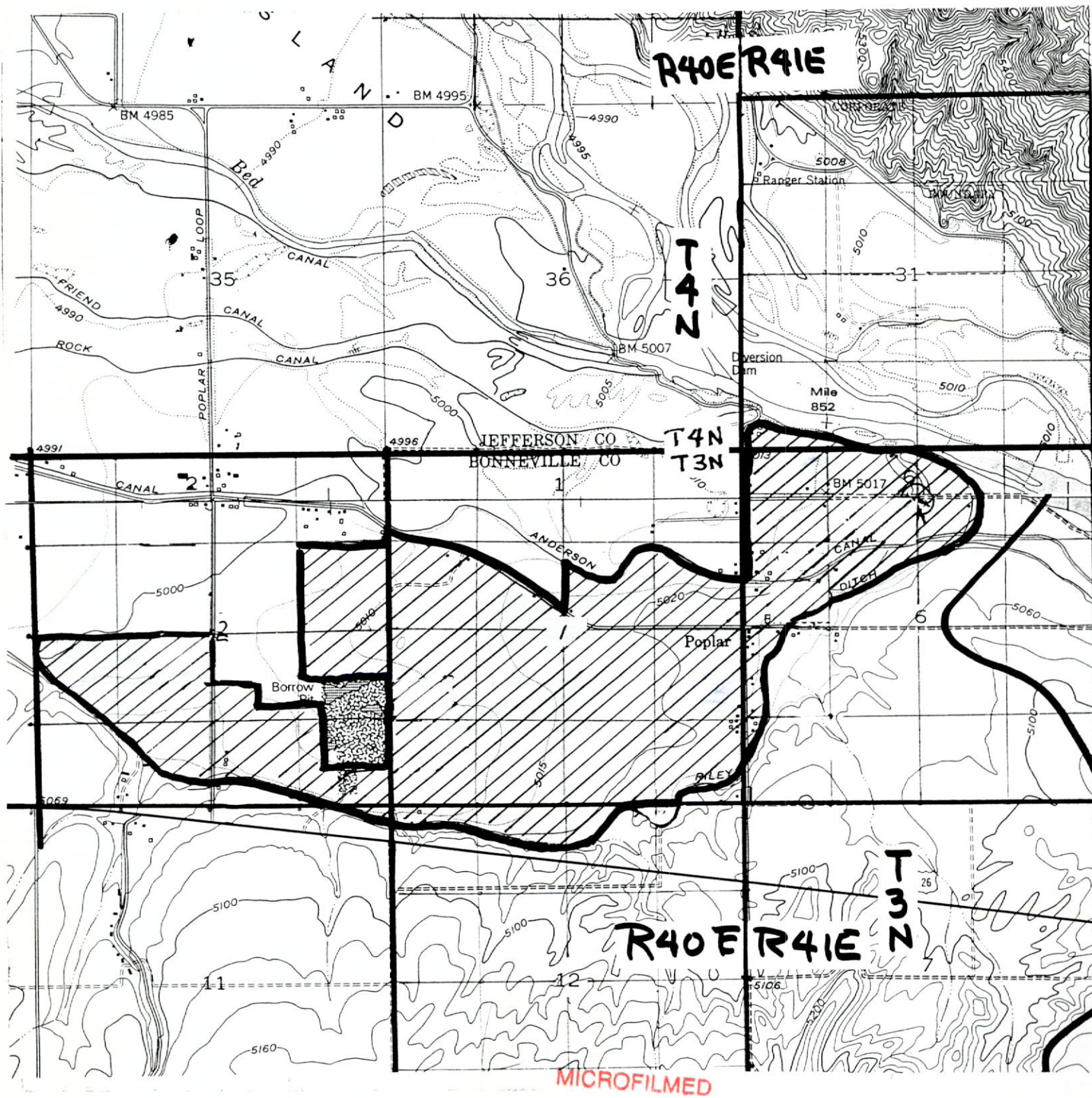


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED

SEP 18 1998

23 T5241

737 R41E

POPLAR QUADRANT

IDAHO-BONNEVILLE C

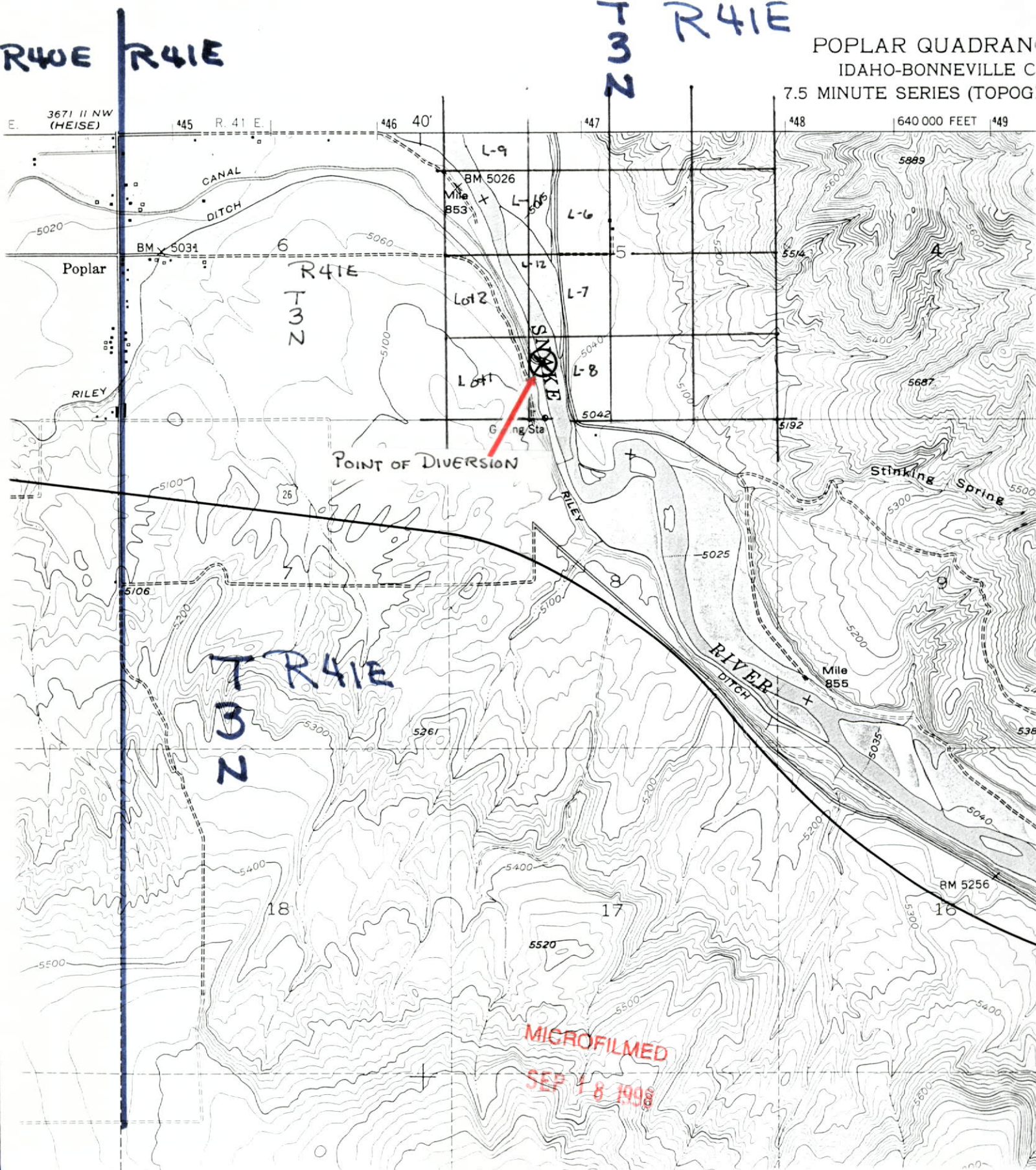
7.5 MINUTE SERIES (TOPOG)

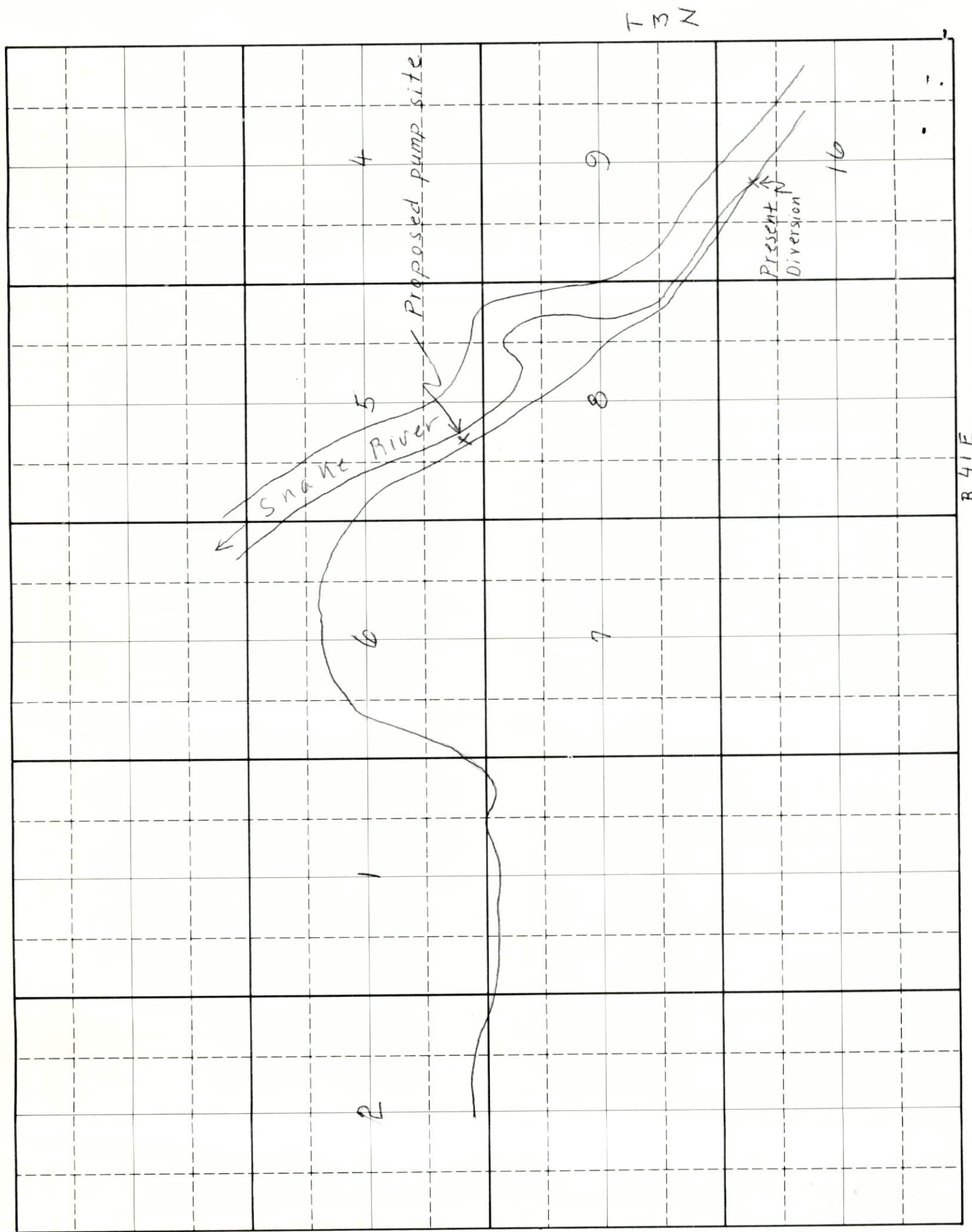
R40E R41E

T
3
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R41E
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N

MICROFILMED
SEP 18 1998





SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

**NOTICE OF PROPOSED CHANGE OF A
WATER RIGHT NO. T5241**

Notice is hereby given that Poplar Irrigation District, c/o Kym Ferguson, 15533 E Ririe Hwy, Ririe, ID 83443, has applied to the Department of Water Resources to change point of diversion of the waters of a groundwater source. The right sought to be changed is evidenced by a license and recorded as follows:
License No.: 01-00156 Source: Snake River, South Fork

Amount: 24.0 cfs Priority: 06/01/1902
Point(s) of Diversion: Lot 4 NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY

License No.: 01-00202 Source: Snake River, South Fork
Amount: 12.0 cfs Priority: 01/22/1916
Point(s) of Diversion: NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY

The water is used for irrigation of 869.8 acres from 4/01 to 11/1 within the SEC 1, 2, 12 T03N R40E, B.M., SEC 6 T03N R41E, B.M. and SEC 31, T04N R41E B.M.

TO BE CHANGED AS FOLLOWS:

The applicant intends to change point of diversion to Lot 1, NWSESW SEC 5 T03N R41E, known as the Anderson Canal, to help alleviate severe flood damage to original head gates and 1 1/2 miles of the canal.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before April 27, 1998. The Protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

PUBLISH: April 9 and 16, 1998

of Publication

IDAHO }
OF TWIN FALLS } SS.

No 30460

Emily McKnight being first duly sworn upon oath, depose I am principal clerk of the TIMES-NEWS, published daily, at Idaho, and do solemnly swear that a copy of the notice of advertisement, as perched, was published in the regular and entire issue of said newspaper, and not in any hereof, for two consecutive weeks,

with the issue dated April 9, 19 98,

with the issue dated April 16, 19 98.

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

I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be y, will be published; and that at the head of the editorial column of said combined newspapers, and in each urday is announced as the day on which said legal notices will be published.

HO
WIN FALLS

7-th day of April in the year of 1998, before me,

Emily McKnight a Notary Public, personally appeared 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.

Sheva R. Feltman
Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 5/19/2000

MICROFILMED
RECEIVED
SEP 18 1998
APR 20 1998

Department of Water Resources
Eastern Region

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

Date 04/16/98 INVOICE NO. 170827
Account No. 446600
Description 170827NOTICEOFPROPOSED
Times 2 Lines 28

LEGAL ADVERTISING INVOICE

Tab. Lines _____

SOLD TO: IDAHO DEPT. OF WATER RESOURCES
900 N. SKYLINE
IDAHO FALL ID 83402

\$ 84.00

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.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

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, publishers of the LEWISTON MORNING TRIBUNE, a newspaper 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 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 170827NOTICEOFP 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 04/09, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 04/09/98, and the last publication thereof being on the 04/16/98, and said 170827NOTICEOFP 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

SUBSCRIBED AND SWORN BEFORE ME THIS THE 16

day of April 1998

Ray Ried

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 7/1/03

RECEIVED

APR 20 1998

Department of Water Resources
Eastern Region

MICROFILMED
SEP 18 1998

170827
NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. TS241
Notice is hereby given that Poplar Irrigation District, C/O Kym Ferguson, 15533 E Ririe Hwy, Ririe, ID 83443, has applied to the Department of Water Resources to change point of diversion of the waters of a groundwater source. The sources to change point of diversion of the waters of a groundwater source. The right sought to be change is evidenced by a license and recorded as follows:
Source: Snake River, South Fork
License No. 01-00156
Priority: 06/01/1902
Amount: 24.0 cfs
Point(s) of Diversion: Lot 4 NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY
License No. 01-00202
Priority: 01/22/1916
Amount: 12.0 cfs
Point(s) of Diversion: NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY
The water is used for irrigation of 869.8 acres from 4/01 to 11/1 within the SEC 1-2, 12 T03N R40E, B.M., SEC 6 T03N R41E, B.M. and SEC 31, T04N R41E, B.M.
TO BE CHANGED AS FOLLOWS:
The applicant intends to change point of diversion to Lot 1, NWSEW SEC 5 T03N R41E, known as the Anderson Canal, to help alleviate severe flood damage to original head gates and 1 1/2 miles of the canal.
Any protests against approval of the proposed changed must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before April 27, 1998. The Protest must also send a copy of the protest to the applicant.
KARL J. DREHER Director
Published in the Lewiston Tribune on April 9th and 16th, 1998.

TRIBUNE PUBLISHING COMPANY, INC.

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

Date 04/16/98INVOICE NO. 170827Account No. 446600Description 170827NOTICEOFPROPOSEDTimes 2Lines 28

Tab. Lines _____

\$ 84.00

SOLD TO: IDAHO DEPT. OF WATER RESOURCES
900 N. SKYLINE
IDAHO FALL ID 83402

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.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

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, publishers of the LEWISTON MORNING TRIBUNE, a newspaper 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 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 170827NOTICEOFP 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 04/09, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 04/09/98, and the last publication thereof being on the 04/16/98, and said 170827NOTICEOFP 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.

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

day of _____ 1998

MICROFILMED

SEP 18 1998

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires _____

RECEIVED

APR 20

Department of Water Resources
Eastern Region

170827

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT

NO. T5241

Notice is hereby given that Poplar Irrigation District, C/O Kym Ferguson, 15533 E Ririe Hwy, Ririe, ID 83443, has applied to the Department of Water Resources to change point of diversion of the waters of a groundwater source. The right sought to be change is evidenced by a license and recorded as follows:
License No. 01-00156
Source: Snake River,
South Fork

Amount: 24.0 cfs
Point(s) of Diversion: Lot 4 NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY
License No. 01-00202
Source: Snake River,
South Fork

Amount: 12.0 cfs
Point(s) of Diversion: NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY
The water is used for irrigation of 869.8 acres from 4/01 to 11/1 within the SEC 1, 2, 12 T03N R40E, B.M., SEC 6 T03N R41E, B.M. and SEC 31, T04N R41E, B.M.

TO BE CHANGED AS FOLLOWS:

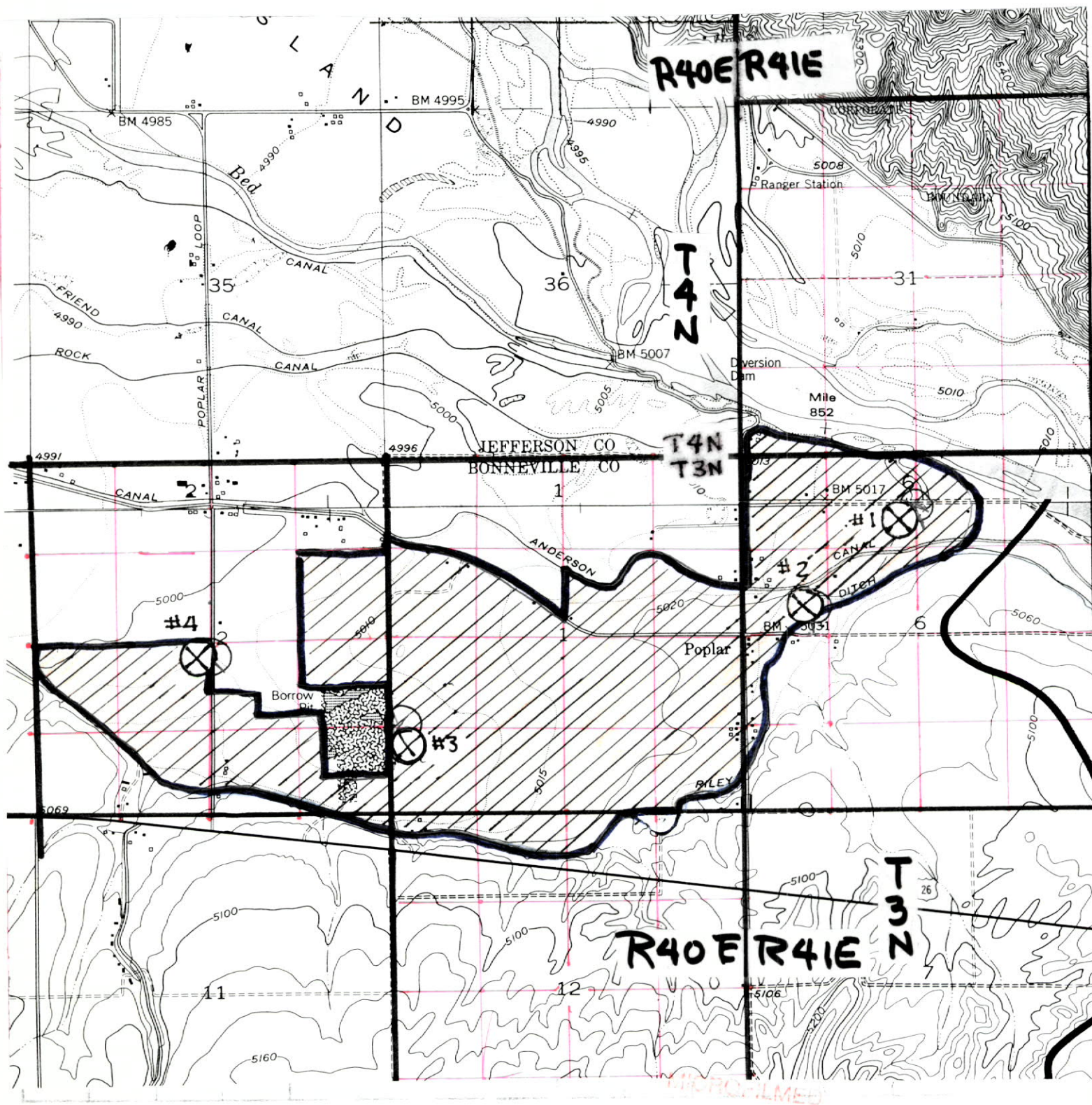
The applicant intends to change point of diversion to Lot 1, NWSESW SEC 5 T03N R41E, known as the Anderson Canal, to help alleviate severe flood damage to original head gates and 1 1/2 miles of the canal.

Any protests against approval of the proposed changed must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before April 27, 1998. The Protest must also send a copy of the protest to the applicant.

KARL J. DREHER Director
Published in the Lewiston Tribune on April 9th and 16th, 1998.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

APR 15 1938

NOTICE OF PROPOSED CHANGE OF A
WATER RIGHT NO. 5141

Notice is hereby given that Poplar Irrigation District, Jay Wheeler, 13150 N 160 E, Ririe, ID 83443, has applied to the Department of Water Resources to change point of diversion and source of the waters of the Snake River. The rights sought to be changed are evidenced by decrees and recorded as follows:

Decree No.: 01-00156 Source: S.F. Snake River
Amount: 24.00 cfs Priority: 06/01/1902
Point(s) of Diversion: NENW (LOT 4) SEC 16 T03N
R41E, BONNEVILLE COUNTY
The water is used for irrigation. The place of use was not listed in the decree.

Decree No.: 01-00202 Source: Snake River
Amount: 12.00 cfs Priority: 01/22/1916
Point(s) of Diversion: NENW SEC 16 T03N R41E, BONNEVILLE COUNTY

The water is used for irrigation within the S $\frac{1}{2}$ NE S $\frac{1}{2}$ NW S $\frac{1}{2}$ SEC 1; SENE SW $\frac{1}{4}$ S $\frac{1}{2}$ SE SEC 2; NWNE N $\frac{1}{2}$ NW $\frac{1}{4}$ SEC 12 T03N R40E; NWNE S $\frac{1}{2}$ NE NW $\frac{1}{4}$ N $\frac{1}{2}$ SW SWSW SEC 6 T03N R41E, BONNEVILLE COUNTY

TO BE CHANGED AS FOLLOWS:

The applicant intends to stop diverting water directly out of the flow of the Snake River, South Fork and instead drill four wells with mainlines and ditches to irrigate 869.8 acres in SEC 1, 2, & 12 T03N, R40E; SEC 6 T03N R41E AND SEC 31 T04N R41E. The locations of the proposed 4 wells are in the SENENW SEC 6 T3N R41E DIVERSION #1; SESWNW SEC 6 T3N R41E DIVERSION #2; NWSWSW SEC 1 T3N R40E DIVERSION #3; NENESW SEC 2 T3N R40E DIVERSION #4.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before October 20, 1997. The protestant must also send a copy of the protest to the applicant.
KARL J. DREHER, Director

PUBLISH: October 2 and 9, 1997

Invit of Publication

OF IDAHO
COUNTY OF TWIN FALLS } SS.

No 29755

Emily McKnight being first duly sworn upon oath, depose that I am principle clerk of the TIMES-NEWS, published daily, at Idaho, and do solemnly swear that a copy of the notice of advertisement, as per attached, was published in the regular and entire issue of said newspaper, and not in any part thereof, for two consecutive weeks, beginning with the issue dated October 2, 1997, ending with the issue dated October 9, 1997.

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

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published; and that at the head of the editorial column of said combined newspapers, and in each issue, Thursday is announced as the day on which said legal notices will be published.

IDAHO
COUNTY OF TWIN FALLS

9th day of Oct in the year of 1997, before me, Emily McKnight, public, personally appeared Sheva R. Feltman, identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, depose and testify that the statements therein are true, and acknowledged to me that he executed the same.

Sheva R. Feltman
Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 5/19/2000

APR 15 1998

TRIBUNE PUBLISHING COMPANY, INC.

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

Date 10/09/97INVOICE NO. 156441Account No. 446600Description 156441NOTICEOFPROPOSED**LEGAL ADVERTISING
INVOICE**Times 2Lines 34

Tab. Lines _____

SOLD TO: IDAHO DEPT. OF WATER RESOURCES
900 N. SKYLINE
IDAHO FALL ID 83402

\$ 102.00

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.

AFFIDAVIT OF PUBLICATION

**NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. 5141**

156441

Notice is hereby given that Poplar Irrigation District s/o Jay Wheeler, 13150 N 160 E, Ririe, Idaho 83443, has applied to the Department of Water Resources to change point of diversion and source of the waters of the Snake River. The rights sought to be changed are evidenced by decree and recorded as follows:

Decree No. 01-00156 Source: S.F. Snake River
Amount: 24.00 cfs Priority: 06/01/1902
Point(s) of Diversion: NENW(Lot 4) SEC 16 T03N R41E, BONNEVILLE COUNTY

The water is used for irrigation. The place of use was not listed in the decree.

Decree No.: 01-00202 Source: Snake River
Amount: 12.00 cfs Priority: 01/22/1916
Point(s) of Diversion: NENW SEC 16 T03N R41E, BONNEVILLE COUNTY

The water is used for irrigation within the S1/2NE S1/2NW S1/2 SEC 1; SENE SW1/4 S1/2SE SEC 2; NWNE N1/2NW1/4 SEC 12 T03N R40E; NWNE S1/2NE NW1/4 N1/2SW SWSW SEC 6 T03N R41E, BONNEVILLE COUNTY

TO BE CHANGED AS FOLLOWS:

The applicant intends to stop diverting water directly out of the flow of the Snake River, South Fork and instead drill four wells with mainlines and ditches to irrigate 869.8 acres in SEC 1, 2, & 12 T03N, R40E; SEC 6 T03N R41E AND SEC 31 T04N R41E. The locations of the proposed 4 wells are in the SENENW SEC 6 T3N R41E DIVERSION #1; SESWNW SEC 6 T3N R41E DIVERSION #2; NWSWSW SEC 1 T3N R40E DIVERSION #3; NENESW SEC 2 T3N R40E DIVERSION #4.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, together with a protest fee of \$25 on or before October 20, 1997. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER

Director

Published statewide on October 2 and 9, 1997.

OF IDAHO, ss.
of Nez Perce

ewis _____, being duly sworn, deposes and says, I am
al Clerk _____ of the Tribune Publishing Company, a corporation
d and existing under and by virtue of the laws of the
daho, publishers of the LEWISTON MORNING TRIBUNE,
aper of general circulation published at Lewiston, Nez Perce County,
hat the said Lewiston Morning Tribune is an established newspaper
been published regularly and issued regularly at least once a day
than 21 consecutive years next immediately preceding the first
on of this notice, and has been so published uninterrupted for
od; that the 156441NOTICEOFP attached hereto and which is made
this affidavit was published in the said Lewiston Morning Tribune,
ime(s). Publication being on 10/02, or once a WEEK
_____ consecutive WEEK, the first publication thereof being on
2/97, and the last publication thereof being on
9/97, and said 156441NOTICEOFP was so published in the
nd entire issue of said newspaper and was not in a supplement
nd was so published in every issue and number of the said
uring the period and times of publication as set forth above.

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

day of _____ 1997

MICROFILMED
APR 15 1998

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires _____

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due

\$85.08

Account Number/Trans. #	Identification		
100564	NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 5141		
Ordered By	P.O. Number	Rate	Run Dates
RITA BODELL		TT	OCTOBER 2, 9, 1997
STATE OF IDAHO DEPARTMENT OF WATER RESOURCES 900 N SKYLINE DRIVE IDAHO FALLS, ID 83402-1718		Estimated Inches	Real Inches
		# Affidavits	Legal Number
		1	8711

LEGAL NOTICE NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. 5141

Notice is hereby given that Poplar Irrigation District c/o Jay Wheeler, 13150 N 160 E, Ririe, ID 83443, has applied to the Department of Water Resources to change point of diversion and source of the waters of the Snake River. The rights sought to be changed are evidenced by decrees and recorded as follows:

Decree No.: 01-00156
Source: S.F. Snake River
Amount: 24.00 cfs
Point(s) of Diversion: NENW (LOT 4) SEC 16 T03N R41E, BONNEVILLE COUNTY
Priority: 06/01/1902
The water is used for irrigation. The place of use was not listed in the decree.

Decree No.: 01-00202
Source: Snake River
Amount: 12.00 cfs
Point(s) of Diversion: NENW SEC 16 T03N R41E, BONNEVILLE COUNTY
Priority: 01/22/1916

The water is used for irrigation within the S1/2NE S1/2NW S1/2 SEC 1; SENE SW1/4 S1/2SE SEC 2; NWNE N1/2NW1/4 SEC 12 T03N R40E; NWNE S1/2NE NW1/4 N1/2SW SWSW SEC 6 T03N R41E, BONNEVILLE COUNTY

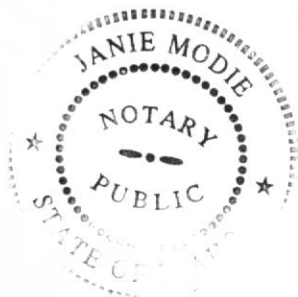
TO BE CHANGED AS FOLLOWS:

The applicant intends to stop diverting water directly out of the flow of the Snake River/ South Fork and instead drill four wells with mainlines and ditches to irrigate 869.8 acres in SEC 1, 2, & 12 T03N, R40E; SEC 6 T03N R41E AND SEC 31 T04N R41E. The locations of the proposed 4 wells are in the SENENW SEC 6 T3N R41E DIVERSION #1; SESWNW SEC 6 T3N R41E DIVERSION #2; NWSWSW SEC 1 T3N R40E DIVERSION #3; NENESW SEC 2 T3N R40E DIVERSION #4.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, together with a protest fee of \$25 on or before October 20, 1997. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
Pub. October 2 & 9, 1997

8711



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 with the issue of
OCTOBER 2

1997

and ending with the issue of
OCTOBER 9

1997

RECEIVED

OCT 16 1997

Department of Water Resources
Eastern Region

Janice Hildreth

STATE OF IDAHO)

SS.

COUNTY OF ADA)

On this 9TH day of OCTOBER in the year of 1997, before me, a Notary Public, personally appeared 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:

APR 15 1998

Janie Modie

5703

12-15-1969
Department of Reclamation

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss.

I, E. F. McDermott, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, 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 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks 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 two consecutive weeks, first publication having been made on the 4th day of December, 19 69, last publication having been made on the 11th day of December, 19 69, and that 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.

Subscribed and sworn to before me, this 12th day of December, 19 69

Karl S. Hale
Notary Public

My commission expires April 5, 19 71

B10, 1M, 10-63

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT
Notice is hereby given that Poplar Irrigation District of Rigby, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the point of diversion of the waters of Snake River as follows:
Amount: 24.0 cubic feet per second.
Priority: June 1, 1902.
Point of Diversion: NE 1/4 NW 1/4, Section 16, Township 3N, Range 41E, B.M.
Place of Use: Not Given.
TO BE TRANSFERRED TO
Point of Diversion: SE 1/4 SW 1/4, Section 5, Township 3N, Range 41E, B.M.
Place of Use: No Change.
Any protests against this proposed transfer of water right must be filed with the Department of Reclamation within ten days from the last date of this notice.
Published: December 4, 11, 1969.
R. KEITH HIGGINSON
State Reclamation Engineer

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5241
WATER RIGHT NO(S). 01-00156/01-00202

This is to certify that: **POPLAR IRRIGATION DISTRICT**
C/O KYM FERGUSON
15533 E RIRIE HWY
RIRIE ID 83443

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 01-00156 :			
IRRIGATION	04/01 to 10/31	24.00 CFS	3479.2 AF
Priority: 06/01/1902			
Right No. 01-00202 :			
IRRIGATION	04/01 to 10/31	12.00 CFS	3479.2 AF
Priority: 01/22/1916			
TOTAL:		* 36.00 CFS	* 3479.2 AF

SOURCE

TRIBUTARY OF

SNAKE RIVER, SOUTH FORK

SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION: Lot 1(SESW), Sec. 5, Township 03N, Range 41E
BONNEVILLE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	40E	1	SWNE 30.0	SENE 30.0	NWNW 5.0	
			SWNW 40.0	SENE 30.0	NESW 40.0	
			NWSW 40.0	SWSW 40.0	SESW 40.0	
			NESE 40.0	NWSE 40.0	SWSE 40.0	
			SESE 32.0			447.0
		2	SENE 40.0	NESW 40.0	NWSW 28.0	
			SESW 17.0	NESE 12.0	NWSE 17.0	
			SWSE 28.0	SESE 25.8		207.8
		12	NWNE 8.0	NENW 14.0	NWNW 6.0	28.0
41E		6	NWNE 26.0	SWNE 3.0	NENW 40.0	
			NWNW 40.0	SWNW 26.0	SENE 20.0	
			NWSW 15.0	SWSW 5.0		175.0
04N	41E	31	SWSW 10.0	SESE 2.0		12.0

Total number of acres irrigated: * 869.8

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TRANSFER NO. 5241
WATER RIGHT NO(S). 01-00156/01-00202

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 6. Rights 01-00156 and 01-00202 when combined shall not exceed a total diversion rate of 36.00 cfs, a total annual maximum diversion volume of 3479.2 af at the field headgate, and the irrigation of 869.8 acres.
7. Prior to use of water for irrigation purposes under Rights 01-00156 and 01-00202, the right holder shall install a hydromet compatible measuring device to measure the amount of water diverted and shall annually report the diversion to the department. The right holder shall obtain prior approval from the department of the type of measuring device to install.
8. Approval of Transfer 5241 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 15th day of

September, 1998


Chief, Water Allocation Bureau

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5241
RECEIVED
APR 29 1998
Department of Water Resources**APPLICATION FOR TRANSFER OF WATER RIGHT**
PART 1Name of applicant POPLAR IRRIGATION DISTRICT % Kym Ferguson (208) 538-7949
Post Office address 15533 E. River Hwy, Ririe, ID. 83443**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other _____
2. Describe the reason for the proposed changes SEVERE FLOOD DAMAGE TO HEADGATES
AND $\approx 1\frac{1}{2}$ MILES OF CANAL

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
- 01-00156 06/01/1902 24.0 cfs IRRIGATION 4/1 to 11/1
- 01-00202 01/22/1916 12.0 cfs IRRIGATION 4/1 to 11/1
- _____ to _____
- _____ to _____
2. Total amount of water being transferred 36 cfs cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Snake River, South Fork tributary to Snake River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
1	NW	SE	SW	5	3N	4E	BONNEVILLE	ANDERSON CANAL

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	40E	1			30	30		5	40	30	40	40	40	40	40	40	40	32	447.0
		2				40					40	28		17	12	17	28	25.8	207.8
		12		8			14	6											28.0
3N	41E	6		26	3		40	40	26	20		15	5	MICROFILMED					175.0
4N	41E	31										10	2	SEP 18 1998					12

Total acres 869.8

PART 1

6. General Information:

a. Description of diversion system ANDERSON CANAL HEADGATE TO SPRINKLER & FLOOD
IRRIGATION Systems with ditches

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes N/A No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NONE. EASIER DISTRIBUTION OF WATER RIGHTS

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

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PART 2

TRANS NO. 5241

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 01-00156

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	24.00 CFS
<u>SOURCE</u>		<u>TRIBUTARY OF</u>
SNAKE RIVER, SOUTH FORK		SNAKE RIVER

Priority: 06/01/1902

LOCATION OF POINT(S) OF DIVERSION: Lot 4(NENW), Sec. 16, Township 03N, Range 41E
BONNEVILLE County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. TRANS. 1619. P/D CHANGE.
2. P/D RILEY CANAL LEGAL FROM U.S.G.S & PLAT MAPS.
3. P/U INCOMPLETE.

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PART 2

TRANS NO. 5241

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 01-00202

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	12.00 CFS
<u>SOURCE</u>		<u>TRIBUTARY OF</u>
SNAKE RIVER		COLUMBIA RIVER

Priority: 01/22/1916

LOCATION OF POINT(S) OF DIVERSION:NENW , Sec. 16, Township 03N, Range 41E
BONNEVILLE CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 40E 1	SWNE	SENE	SWNW	
	SENE	NESW	NWSW	
	SWSW	SESW	NESE	
	NWSE	SWSE	SESE	
2	SENE	NESW	NWSW	
	SWSW	SESW	SWSE	
	SESE			
12	NWNE	NENW	NWNW	
41E 6	NWNE	SWNE	SENE	
	NENW	NWNW	SWNW	
	SENE	NESW	NWSW	
	SWSW			

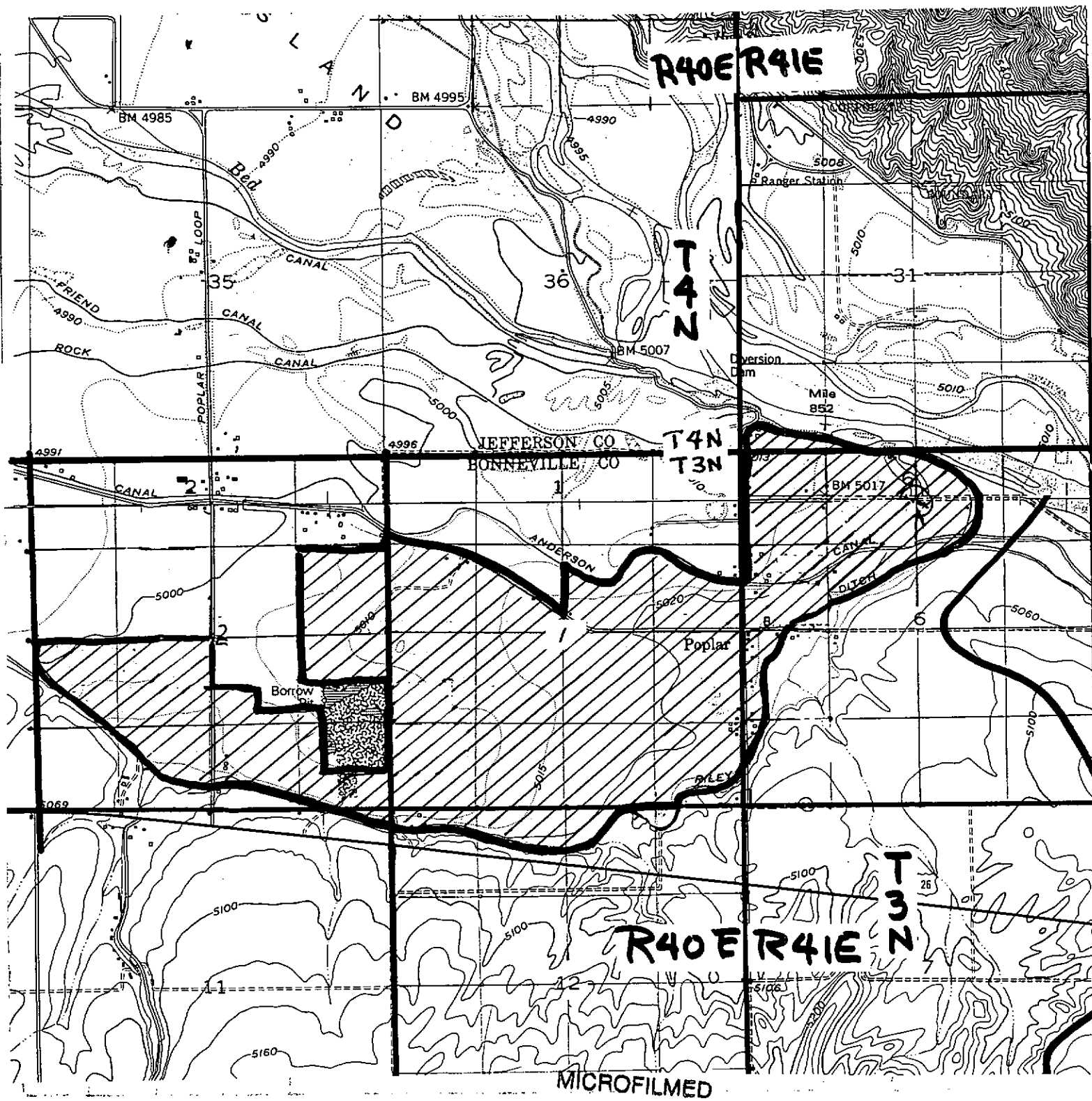
CONDITIONS/REMARKS:

1. P/D INCOMPLETE: J. H. RILEY DITCH.
2. P/U WITHIN LANDS OF POPLAR IRRIGATION DISTRICT.

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SEP 18 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

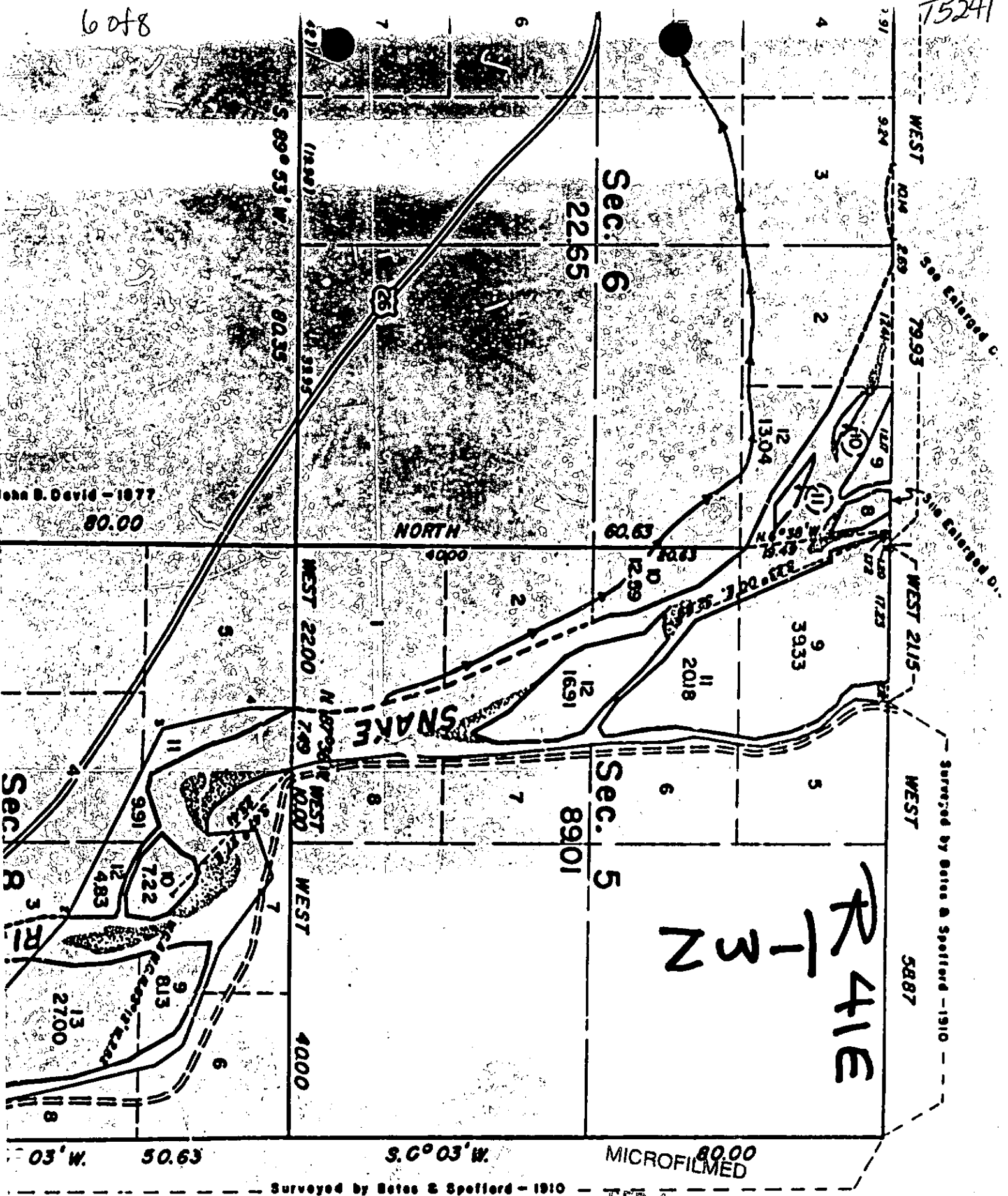
- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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T5241

6 of 8



This of p meanc true evid and t
Excel show the i and p
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SEP 18 1998

AD 3MVR 4900 317 12A3

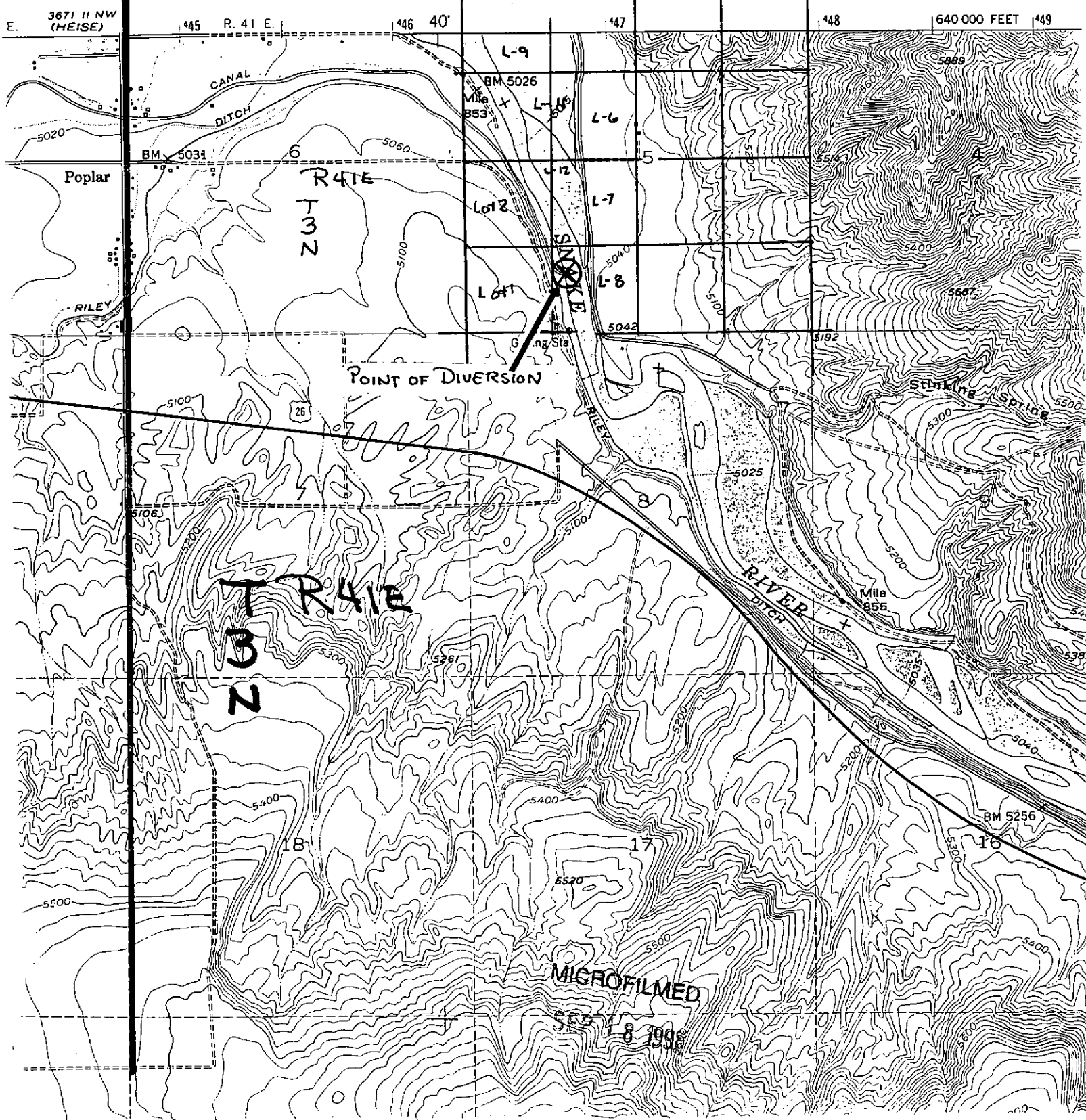
X-95 1078

T5241

R40E R41E

T3 R41E

POPLAR QUADRANGLE
IDAHO-BONNEVILLE C
7.5 MINUTE SERIES (TOPOG



PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

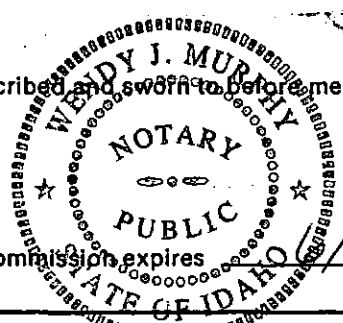
3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 27th day of March, 19 98

[Signature] Director
(Signature of Applicant)



Wendy J. Murphy
(Notary Public)

My commission expires 6/23/2000

Assisted by KCW 1-15-1997 3-26-1998 FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee \$100

Received by HLS # E024003 Date 3-27-98

Published in Post Register, ID Statesman, Lewiston Trib, The Times News Copies of protest forwarded by _____

Pub. dates April 9th & 16th 1998 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by BA

Copy of transfer sent to lien holder _____

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SEP 18 1998

For Department Use Only

Received by RWH Date 11-24-69
Prelim. check by RWH Date 11-24-69
Fee Received by 20 Date 11-24 Fee \$10⁰⁰
Approved for publication by _____
Published in Post Register Dates 12-4-69
Hearing held none

Protest filed by: _____

Date _____

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Identification No. 01-0156
~~01-0003~~

Transfer No. 1619

RECEIVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

1. Name of Right Holder POPLAR IRRIGATION DISTRICT
Post office address Rt 2, Box 270 A - Rigby, Idaho

2. Right obtained by:
a. Decree to Riley, J. H. and others in Case of Rexburg Irrigation Co. ETAL
vs. Teton Irrig. Canal (Name) Co. Dated Dec. 16, 1910 (?) in Sixth Judicial Court
(Name of Court)
Court. County of Fremont

b. License No. _____ issued by the State of Idaho, Department of Reclamation.

3. Source of water Snake River tributary to _____
(Name of stream or source)

4. Date of Priority June 1, 1902

5. Amount of water a. 24 c.f.s. and/or
b. _____ acre feet/annum

6. Water is used for Irrigation from May 1 to September 30
(Month, Day) (Month, Day)

7. Original location of point of diversion is NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16 T 3N R 41E,
Township _____, Range _____, B.M., in Bonneville County;

Additional points of diversion, if any _____

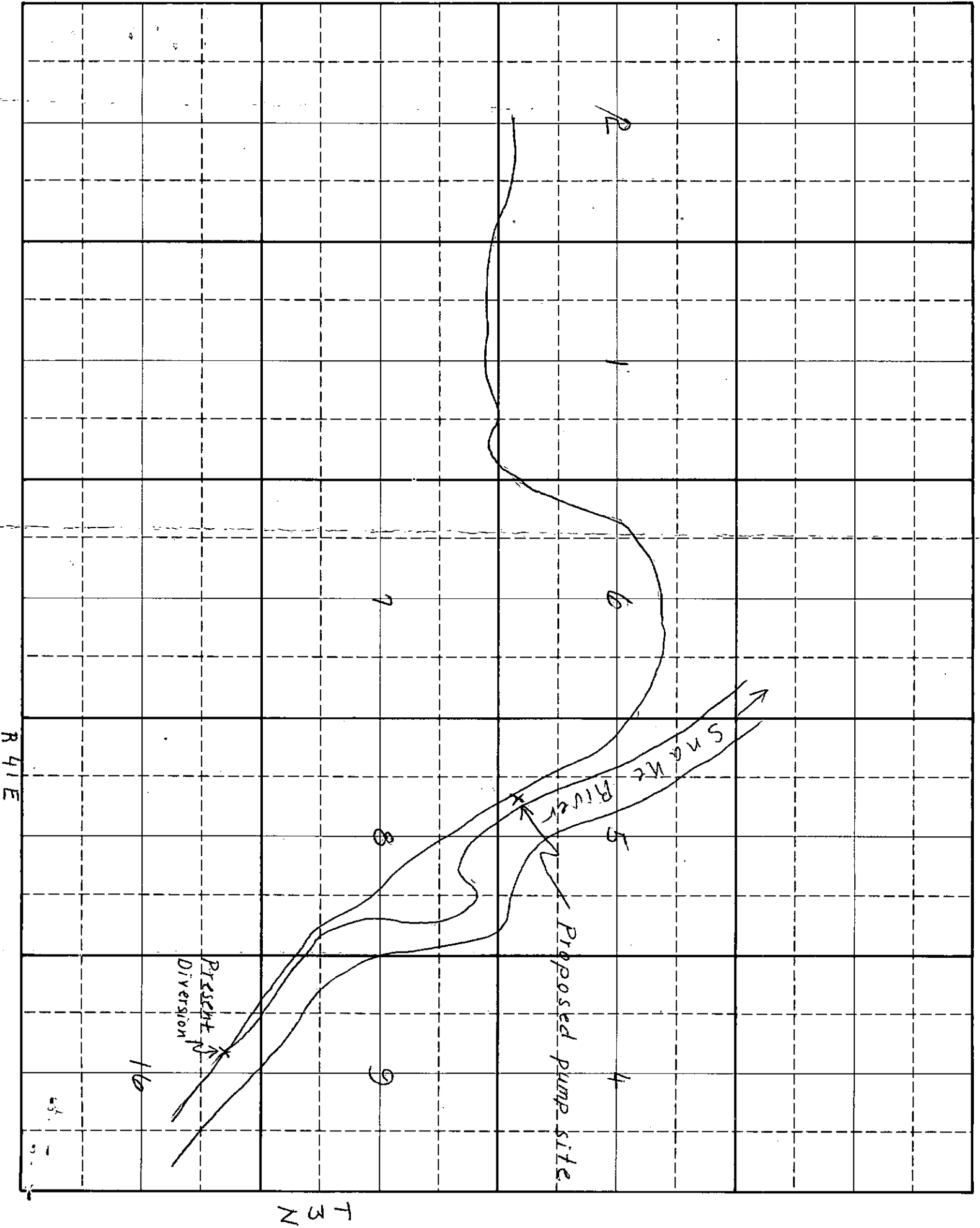
8. Lands presently irrigated or place of use: Description not given in pleadings.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres presently irrigated _____

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SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.



9. If applicant was not the original holder of this right explain how it was acquired: _____

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 24 c.f.s. and/or _____ acre feet
- b. New point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, Township 3N R 41E
_____, Range _____, B.M. _____
- c. Description of method of diversion and conveyance from new points of diversion: _____
Pump from River into existing ditch

- d. Is water to be conveyed to the lands previously irrigated? Yes X No _____
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
To eliminate about two miles of sidehill canal that is difficult and expensive to maintain.

- f. Do you intend to make the transfer permanent? Yes
- g. Do you intend to abandon completely the old point of diversion? Yes
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.
No new lands involved.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

b. Do you intend to make the transfer permanent? yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Earl E. Dunning (signature of applicant)

Subscribed and sworn to before me this 21st day of November, 1969
Wm. Bush (notary public)

My commission expires 9-21-71

APPROVED
ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. 1619 and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:
that the pump site selected does not interfere with the Anderson Canal
diversion or the U.S.G.S. gaging station Snake River near Heise.

2. Denial of said application is for the following reasons:

Witness my hand this 23 day of December, 1969

E. Keith H.
State Reclamation Engineer

RECEIVED

FEB 27 1911

OFFICE OF STATE ENGINEER

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF FREEMONT.

Boxburg Irrigation Company, et al.,

PLAINTIFFS,

DECREED.

-V-

Teton Irrigation Canal Company, et al.,

DEFENDANTS.

This cause coming on to be heard this 15th day of
1910, upon the report of F. J. Cowen, Referee heretofore appointed
for the purpose of taking the testimony and making recommendations
as to Findings of Fact, Conclusions of Law and Decree, to be entered
herein, and the said F. J. Cowen, having filed his report of the
testimony taken, and his recommendations as to Findings of Fact
and Conclusions of Law, which have heretofore been adopted, and the
respective plaintiffs and defendants and cross-complainants appearing
herein by their respective counsel, and the Court being fully informed
and advised in the premises, and having ordered that, judgment be
entered in accordance with the report and recommendations of the said
Referee, Therefore, by reason of the law and the Report and Findings
and Conclusions of Law aforesaid,

It is ordered, Adjudged and decreed, that the several parties
plaintiffs and defendants herein named, do have judgment respectively
for a right to use, for irrigation and other purposes, the following
number of inches of water, each fifty inches thereof to be equivalent
to a flow of one cubic foot per second, as prescribed by the law

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~~003~~ 01-156
 Riley, J. H. and
 J. H. and
 Joseph Morgan,
 George Rasmussen
 and O. Wheeler

1,200 inches. June 1, 1902. South Fork of the
 Snake River.

Ririe, David

The Farmers' Friend
 Canal Company.

Ritter, Philip

The Farmers' Friend
 Canal Company.

~~003~~ 1 157
 Riverside Ditch
 Company

500 inches. June 1, 1885. Snake River.

~~003~~ 1 158
 Riverside Ditch
 Company.

4,500 inches. June 1, 1887. Snake River.

Robinson, Amos

The Farmers' Friend
 Canal Company.

Robinson, Lee S.

The Farmers' Friend
 Canal Company.

Robinson, S. T.

The Farmers' Friend
 Canal Company.

~~003~~ 22 0484
 Robertson, A. I.

87 inches. Apr. 1, 1890. Trail Creek.

~~003~~ 22 0485
 Robertson, A. I.

10 inches. June 1, 1896. Springs on place.

~~003~~ 21 0089
 Rogers, Caroline
 M. and Walter A.

220 inches. July 15, 1902. Moose Creek.

~~003~~ 22 0486
 Rogers, Orson T.

200 inches. Jan. 18, 1905. Badger Creek.

Romrell, Alfred

Good Luck Canal
 Company.

Romrell, Joseph

Good Luck Canal
 Company.

Roose, Albert

The Farmers' Friend
 Canal Company.

~~003~~ 1 159
 Rostan, C. E.

100 inches. June 1, 1886. South Fork of the
 Snake River.

~~003~~ 1 160
 Rostan, C. E.

100 inches. June 1, 1888. South Fork of the
 Snake River.

~~003~~ 1 161

Roth, Frederick
 Roueche, Jacob

150 inches. June 1, 1902. Bannock Jim Slough.

90 inches. June 1, 1897. North Leigh Creek.

~~003~~ 22 0488
 Roueche, Jacob
~~003~~ 22 0489
 Roueche, Jacob

35 inches. June 1, 1899. North Leigh Creek.

160 inches. June 1, 1899. North Leigh Creek.

Roundy, J. C.

(Sold to Samuel Bar-
 rop.)

~~003~~ 21 0090
 Row, Eliza S.

160 inches. Sept. 26, 1902. Sheridan Creek. Jan. 1891
 -576-

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

September 16, 1998

PHILIP E. BATT
GOVERNOR

POPLAR IRRIGATION DISTRICT
C/O KYM FERGUSON
15533 E RIRIE HWY
RIRIE ID 83443

KARL J. DREHER
DIRECTOR

RE: Water Rights 01-00156/01-00202 (Transfer 5241)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water rights (Transfer 5241). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

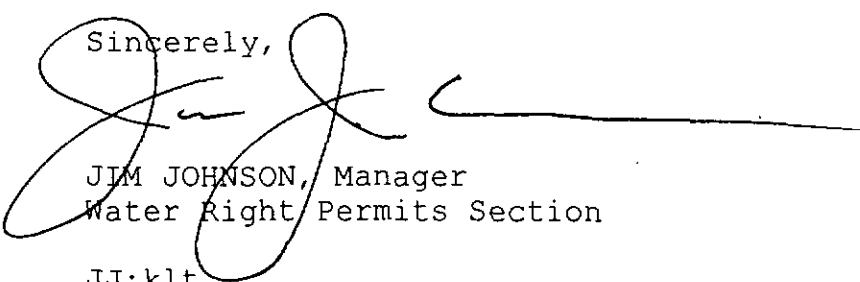
As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt
Enclosures

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SEP 18 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

September 16, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RONALD D CARLSON
WATERMASTER
900 N SKYLINE
IDAHO FALLS ID 83402

RE: TRANSFER OF WATER RIGHTS 01-00156/01-00202 (Transfer 5241)

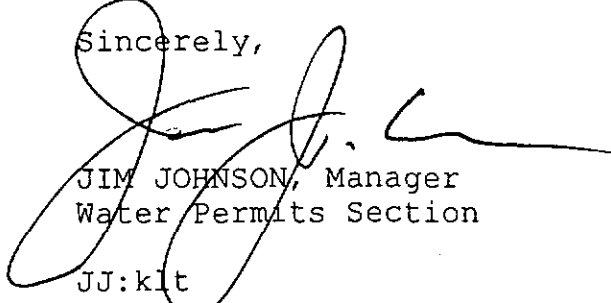
Dear Ron:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water right (Transfer 5241) in the name of Poplar Irrigation District.

Also enclosed is a copy of the reviewers notes.

If you have any questions, please call me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Permits Section

JJ:klt

Enclosures

MICROFILMED

SEP 18 1998

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of **September, 1998**, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHTS 01-00156/01-00202 (Transfer 5241)

**POPLAR IRRIGATION DISTRICT
C/O KYM FERGUSON
15533 E RIRIE HWY
RIRIE ID 83443**


Kari Lynn Townsend
Secretary

MICROFILMED
SEP 18 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
SEP 18 1998

MEMORANDUM

TO: Files 01-00156 & 01-00202

FROM: Pam Skaggs^{JS}/State Office

SUBJECT: Transfer 5241

DATE: September 10, 1998



Transfer 5241 changes the point of diversion under Rights 01-00156 and 01-00202. The original point of diversion sustained flood damage to the headgates and canal.

Season of use and diversion volume were adjusted to current standards. The place of use was specifically identified describing the same 869.8 acres claimed in the SRBA. Recommended conditions include combined right limits, watermaster control, measuring & reporting, irrigation overlap and standard transfer conditions.

MICROFILMED
SEP 18 1998

TRANSFER REVIEW SHEET

(07-98)

Transfer # 5241

Date Reviewed 9-9-98 38

Right(s) 01-00154 _____
01-00202 _____

☒ WRQ/Split Summary ☒ ^{No Activity} SRBA Status NA Run POU Comparison Report

☒ Change P/D C: Add P/D D: Change P/U E: Change Nature of Use
 F: Change Period of Use G: Other H: Change P/D & Add P/D
 I: Change P/D & P/U J: Add P/D & Change P/U

Proof of Ownership NA - Change P/D IRR District

Transfer ☒ All of Right _____ Portion of Right
 Resulting Split(s) NONE

Check Transfer Against Recorded Right Season/Vol. C/4.0

(1) ☒ Priority (2) ☒ Use (3) _____ Season (4) ☒ Rate ^{.04 cts/acre} (5) _____ Volume
 (6) ☒ Source (7) _____ P/D (8) _____ P/U (9) NA Proof/Owner (10) ☒ Map
 (11) 01 Water District (12) NO Pertinent Conditions (13) NO Expansion

(3) Standard Season 4-1 to 10-31
 (5) Standard Vol = 4 x 869.8 = 3479.2 afa < Vol each rt.
 (7) Change P/D
 (8) Identify specific P/U 869.8 Acres claimed in SRBA

Progressive IRR District approval letter 3-30-98
W57 (Anderson Canal) Per Region
 Transfer Remarks W35/869.8 Acres + 3479.2 afa WDE & Hydromet compatible
 Conditions R04, R60, T07, T08, T09

Database/Processing Notes Standard ☒ Non-Standard _____
T files

"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo ☒
 Database Updated Following Approval ☒ Memo/Form Files Deleted ☒
9-15-98 38

WR0749NP
No. T01-00156

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/10/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	POPLAR IRRIGATION DISTRICT C/O KYM FERGUSON 15533 E RIRIE HWY RIRIE ID 83443 (208) 538-7949	06/01/1902	IRRIGATION	04/01 10/31	24.000 CFS	3479.20 AFA
TOTAL DIVERSION:					24.000 CFS	3479.20 AFA

Water Source: SNAKE RIVER, SOUTH FORK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T03N R41E S05 Lot 01(SESW)

BONNEVILLE County

Point of Diversion Name(s):

Name	Rate	Number
T03N R41E S05 Lot 01 (SE SW) ANDERSON CANAL		

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		SUM
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
03N	40E	1				30	30				05	40	30				40	40	40	40			40	40	40	32				447.0		
03N	40E	2					40										40	28		17			12	17	28	25				207.8		
03N	40E	12			08				14	06																					28.0	
03N	41E	6			26	03			40	40	26	20					15	05													175.0	
04N	41E	31															10	02													12.0	
																												TOTAL ACRES	869.8			

Pou County: BONNEVILLE

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
- R60 - This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: GEN Rights 01-00156 and 01-00202 when combined shall not exceed a total diversion rate of 36.00 cfs, a total annual maximum diversion volume of 3479.2 af at the field headgate, and the irrigation of 869.8 acres.
Prior to use of water for irrigation purposes under Rights

WR0749NP
No. T01-00156

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/10/98
PAGE: 2

Remarks: 01-00156 and 01-00202, the right holder shall install a hydromet compatible measuring device to measure the amount of water diverted and shall annually report the diversion to the department. The right holder shall obtain prior approval from the department of the type of measuring device to install. Approval of Transfer 5241 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dates: App. Received: Priority Date: 06/01/1902
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 01 Field Exam Fee:

Comments: Date: 09/09/1998 User-ID: PSKAGGS Subject: TRANSFER 5241
Transfer 5241 changes the point of diversion under Rights
01-00156 & 01-00202.

Audit: 09/10/98 PSKAGGS

WR0749NP
No. T01-00202

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/10/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	POPLAR IRRIGATION DISTRICT C/O KYM FERGUSON 15533 E RIRIE HWY RIRIE ID 83443 (208) 538-7949	01/22/1916	IRRIGATION	04/01 10/31	12.000 CFS	3479.20 AFA
TOTAL DIVERSION:					12.000 CFS	3479.20 AFA

Water Source: SNAKE RIVER, SOUTH FORK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T03N R41E S05 Lot 01(SESW)

BONNEVILLE County

Point of Diversion Name(s):

Name	Rate	Number
T03N R41E S05 Lot 01 (SE SW) ANDERSON CANAL		

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
03N	40E	1	:				30	30	:			05	40	30	:	40	40	40	40	:	40	40	40	32	:						447.0	
03N	40E	2	:					40	:						:	40	28		17	:	12	17	28	25	:						207.8	
03N	40E	12	:			08			:	14	06				:					:											28.0	
03N	41E	6	:			26	03		:	40	40	26	20	:		15	05			:											175.0	
04N	41E	31	:						:						:		10	02		:											12.0	
TOTAL ACRES																												869.8				

Pou County: BONNEVILLE

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
- R60 - This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: GEN Rights 01-00156 and 01-00202 when combined shall not exceed a total diversion rate of 36.00 cfs, a total annual maximum diversion volume of 3479.2 af at the field headgate, and the irrigation of 869.8 acres.
Prior to use of water for irrigation purposes under Rights

WR0749NP
No. T01-00202

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/10/98
PAGE: 2

Remarks: 01-00156 and 01-00202, the right holder shall install a hydromet compatible measuring device to measure the amount of water diverted and shall annually report the diversion to the department. The right holder shall obtain prior approval from the department of the type of measuring device to install. Approval of Transfer 5241 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dates: App. Received: Priority Date: 01/22/1916
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 01 Field Exam Fee:

Comments: Date: 09/09/1998 User-ID: PSKAGGS Subject: TRANSFER 5241
Transfer 5241 changes the point of diversion under Rights
01-00156 & 01-00202.

Audit: 09/10/98 PSKAGGS 09/10/98 PSKAGGS

SPLIT RIGHT SUMMARY
9/3/98
TRANSFER 5241

D-0611-2 Basin: 01 Starting Water Right: 00156

S	Water	Name	O	Priority	STG/	Source	Use	S
L	Right No.	Last, First	N	Date	STS		Desc	S
-	01-00156	POPULAR IRRIGATION	D C	06/01/1902	D/	SNAKE RIVER, SOU	IRR	WR
-	A01-00156	POPLAR IRRIGATION	DI C	06/01/1902	D/	SNAKE RIVER, SOU	IRR	AJ

SD-0611-2 Basin: 01 Starting Water Right: 00202

S	Water	Name	O	Priority	STG/	Source	Use	S
L	Right No.	Last, First	N	Date	STS		Desc	S
-	01-00202	POPLAR IRRIGATION	DI C	01/22/1916	D/	SNAKE RIVER	IRR	WR
-	A01-00202	POPLAR IRRIGATION	DI C	01/22/1916	D/	SNAKE RIVER	IRR	AJ

No SRBA Activity / SRBA Home Page Checked 9-3-98.

AJ5809NP
No. A01-00156

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/09/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	POPLAR IRRIGATION DISTRICT	06/01/1902	IRRIGATION	04-01 11-01	25.00 CFS	
TOTAL DIVERSION:					25.00 CFS	
CONSUMPTIVE USE:						2074.50 AFA

Water Source: SNAKE RIVER, SOUTH FORK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T03N R41E S16

SENEW

BONNEVILLE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
03N	40E	1	:			30	30	:		05	40	30	:	40	40	40	40	:	40	40	40	32	:	447.0	
03N	40E	2	:				40	:					:	40	28		17	:	12	17	28	25	:	207.8	
03N	40E	12	:		08			:	14	06			:					:					:	28.0	
03N	41E	6	:		26	03		:	40	40	26	20	:		15	05		:					:	175.0	
04N	41E	31	:					:					:			10	02	:					:	12.0	
																							TOTAL ACRES		869.8

POU County: BONNEVILLE, JEFFERSON

Other Rights: A01-00202 AND APPLICATION 01-07049

Dates: Exam Made Date: Verified Date: 06/09/1986 Objection Filed Date:

Misc: Water District Number: 01 Field Inspection Flag:
Presumption Flag:

Audit: 08/17/89 SCHULD 03/29/95 POST-STD

AJ5809NP
No. A01-00202

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/09/98
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	POPLAR IRRIGATION DISTRICT	01/22/1916	IRRIGATION	04-01 11-01	12.00 CFS	
TOTAL DIVERSION:					12.00 CFS	
CONSUMPTIVE USE:						2074.50 AFA

Water Source: SNAKE RIVER

Tributary to: COLUMBIA RIVER

Stage: DECREED

Point(s) of Diversion: T03N R41E S16 SENENW BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE																							
NENE NWNE SWNE SENE												NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE				SUM																			
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac																			
03N	40E	1	:					30		30	:			05		40		30	:	40		40		40		40	:	40		40		40		32	:	447.0							
03N	40E	2	:							40	:								:	40		28				17	:	12		17		28		25	:	207.8							
03N	40E	12	:				08				:		14		06				:								:								28.0								
03N	41E	6	:				26		03		:		40		40		26		20	:			15		05		:								175.0								
04N	41E	31	:								:								:				10		02	:									12.0								
																							TOTAL ACRES																				869.8

POU County: BONNEVILLE, JEFFERSON

Other Rights: A01-00156 AND APPLICATION 01-07049

Dates: Exam Made Date: Verified Date: 06/09/1986 Objection Filed Date:

Misc: Water District Number: 01 Field Inspection Flag:
Presumption Flag:

Audit: 08/16/89 BAUMHOFF 03/29/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

Need Statewide
Advertising

3-31-1998

INITIAL REVIEW BY: HUT

1. Right number 01-00156 Applicant Poplar Irrigation District
 2. Type of right: ☒ Decree ☐ License ☐ Claim
 3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____

4. Check:
 a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 b. ☒ Description of original point of diversion.
 c. ☒ Description of original place of use.

RECEIVED

APR 29 1998

Department of Water Resources

5. Amount of land &/or water transferred:
 a. ☒ All of right.
 b. ☐ Part of right (NOTE: Part B should be filled in only if part of the right is owned by the applicant).
 c. ☒ Check description of point(s) of diversion.
 d. ☒ Check description of place of use.
 e. ☒ Check map (shows p.d. and p.u. after transfer).
 f. ☒ Check for correct signature, notarization, and fee.
 g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 h. ☒ Check for expansion in use of right. Comments Need letter from Anderson
Canal accepting transfer.
 i. ☒ Check for existing water rights from same source, on land water is being transferred to.
 Right number(s) NA
 j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
 If yes, what district? WDOI

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
 2. Is transfer published correctly? ☒ Yes ☐ No
 3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
 2. ☐ Deny (WDC) + ?
 3. Conditions: A hydromet compatible measuring device
required.
 4. BY RDC Date 4/27/98

* All uses within Watermaster Districts require special conditions.

based Ad 4/2/98
sent copy of transfer to vault 4/2/98

Proof of Publication

The Post Register

State of Idaho
County of Bonneville

I, S. Bob Bright or Robert Park, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. 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 two consecutive (days) weeks, first publication having been made on the 9th day of April, 1998, last publication having been made on the 16th day of April, 1998, and that 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.

Robert Park
.....

Subscribed and sworn to before me, this 22nd day of April, 1998

Ivy Berry
.....
Notary Public

My commission expires January 10, 2003



RECEIVED
MICROFILMED
APR 23 1998
SEP 18 1998
Department of Water Resources
Eastern Region

**NOTICE
OF PROPOSED CHANGE
OF A WATER RIGHT
NO. T5241**

Notice is hereby given that Poplar Irrigation District, C/O Kym Ferguson, 15533 E Ririe Hwy, Ririe, ID 83443, has applied to the Department of Water Resources to change point of diversion of the waters of a groundwater source. The right sought to be changed is evidenced by a license and recorded as follows:

License No.: 01-00156

Source: Snake River, South Fork

Amount: 24.0 cfs

Priority: 06/01/1902

Point(s) of Diversion: Lot 4 NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY

License No.: 01-00202

Source: Snake River, South Fork

Amount: 12.0 cfs

Priority: 01/22/1916

Point(s) of Diversion: NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY

The water is used for irrigation of 869.8 acres from 4/01 to 11/1 within the SEC 1, 2, 12 T03N R40E, B.M., SEC 6 T03N R41E, B.M. and SEC 31, T04N R41E, B.M.

**TO BE CHANGED
AS FOLLOWS:**

The applicant intends to change point of diversion to Lot 1, NWSESW SEC 5 T03N R41E, known as the Anderson Canal, to help alleviate severe flood damage to original head gates and 1 1/2 miles of the canal.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before April 27, 1998. The Protester must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published: April 9, 16, 1998

MICROFILMED

SEP 18 1998

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040
LEGAL ADVERTISING INVOICE

Account # /Trans # 100564	Identification CHANGE OF WATER RIGHT, POPLAR IRRIGATION DISTRICT			Amount: \$82.75
Ordered by: S. COX	P.O. Number	Rate NT	Run Dates: APRIL 9, 16, 1998	
STATE OF IDAHO DEPT OF WATER RESOURCES EAST 900 N. SKYLINE DRIVE IDAHO FALLS, IDAHO 83402-1718			Estimated Inches	Real Inches
			Affadavit: 1	Legal Number: 1089

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 with the issue of: APRIL 9, 1998
and ending with the issue of: APRIL 16, 1998

STATE OF IDAHO)
) ss. Janice Hildreth
COUNTY OF ADA)

On this 16 th day of APRIL in the year of 1998, before me, a Notary Public, personally appeared 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.

Jan English
 Notary Public for Idaho
 Residing at: Boise, Idaho
 My commission expires: 02/28/02

ORIGINAL FILED

MICROFILMED
RECEIVED
SEP 18 1998
APR 23 1998

Department of Water Resources
Eastern Region

LEGAL NOTICE**NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. T5241**

Notice is hereby given that Poplar Irrigation District, c/o Kym Ferguson, 15533 E Ririe Hwy, Ririe, ID 83443, has applied to the Department of Water Resources to change point of diversion of the waters of a groundwater source. The right sought to be change is evidenced by a license and recorded as follows:

License No:	01-00156	Source:	Snake River, South Fork
Amount:	24.0 cfs	Priority:	06/01/1902
Point(s) of Diversion:	Lot 4 NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY		
License No:	01-00202	Source:	Snake River, South Fork
Amount:	12.0 cfs	Priority:	01/22/1916
Point(s) of Diversion:	NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY		

The water is used for irrigation of 869.8 acres from 4/01 to 11/1 within the SEC 1, 2, 12 T03N R4DE, S.M., SEC 6 T03N R41E, B.M. and SEC 31/ T04N R41E B.M.

TO BE CHANGED AS FOLLOWS:

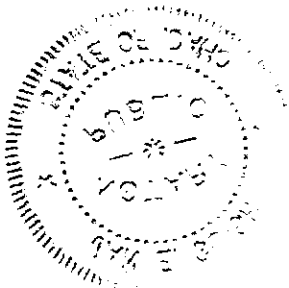
The applicant intends to change point of diversion to Lot 1, NWSESW SEC 5 T03N R41E, known as the Anderson Canal, to help alleviate severe flood damage to original head gates and 1 1/2 miles of the canal.

Any protests against approval of the proposed changed must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before April 27, 1998. The Protester must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Pub. April 9, 16, 1998

1089



MICROFILMED
SEP 18 1998

Not of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

No 30460

I, Emily McKnight being first duly sworn upon oath, depose
and say that I am principle Clerk of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in any
supplement thereof, for two consecutive weeks,
commencing with the issue dated April 9, 19 98,
and ending with the issue dated April 16, 19 98.

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

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be
published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each
issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 17-th day of April in the year of 1998, before me,
a Notary Public, personally appeared Emily McKnight,
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.

Shirley R. Feltman
Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 5/19/2000

MICROFILMED
RECEIVED
SEP 18 1998
APR 2 11 1999

**NOTICE OF PROPOSED CHANGE OF A
WATER RIGHT NO. T5241**

Notice is hereby given that Poplar Irrigation District, c/o Kym Ferguson, 15533 E Ririe Hwy, Ririe, ID 83433, has applied to the Department of Water Resources to change point of diversion of the waters of a groundwater source. The right sought to be changed is evidenced by a license and recorded as follows:

License No.: 01-00156 Source: Snake River,
South Fork
Amount: 24.0 cfs Priority: 06/01/1902
Point(s) of Diversion: Lot 4 NENW, SEC 16, T03N, R41E,
BONNEVILLE COUNTY

License No.: 01-00202 Source: Snake River,
South Fork
Amount: 12.0 cfs Priority: 01/22/1916
Point(s) of Diversion: NENW, SEC 16, T03N, R41E,
BONNEVILLE COUNTY

The water is used for irrigation of 869.8 acres from 4/01 to 11/1 within the SEC 1, 2: 12 T03N R40E, B.M., SEC 6 T03N R41E, B.M. and SEC 31, T04N R41E B.M.

TO BE CHANGED AS FOLLOWS:

The applicant intends to change point of diversion to Lot 1, NWSESW SEC 5 T03N R41E, known as the Anderson Canal, to help alleviate severe flood damage to original head gates and 1½ miles of the canal.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before April 27, 1998. The Protest must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

PUBLISH: April 9 and 16, 1998

Notice of Publication

IDAHO
OF TWIN FALLS } SS.

No 30460

Emily McKnight being first duly sworn upon oath, depose I am principle Clerk of the TIMES-NEWS, published daily, at Idaho, and do solemnly swear that a copy of the notice of advertisement, as perched, was published in the regular and entire issue of said newspaper, and not in any hereof, for two consecutive weeks

with the issue dated April 9, 19 98,
with the issue dated April 16, 19 98

I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except which newspapers prior to consolidation had been published under said names in said city and county uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since on, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said daily publication under said name in said city and county continuously and uninterruptedly. I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be, will be published; and that at the head of the editorial column of said combined newspapers, and in each Thursday is announced as the day on which said legal notices will be published.

IDAHO
TWIN FALLS

7-th day of April in the year of 1998, before me,

Emily McKnight being first duly sworn, personally appeared Sheva R. Feltman, 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 Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5/19/2000

MICROFILMED

SEP 18 1998

APR 2 1998

Department of Water Resources
Idaho

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

Date 04/16/98

INVOICE NO. 170827

Account No. 446600

Description 170827NOTICEOFPROPOSED

LEGAL ADVERTISING INVOICE

Times 2

Lines 28

Tab. Lines _____

SOLD TO: IDAHO DEPT. OF WATER RESOURCES
900 N. SKYLINE
IDAHO FALL ID 83402

\$ 84.00

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.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

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, publishers of the LEWISTON MORNING TRIBUNE, a newspaper 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 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 170827NOTICEOFP 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 04/09, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 04/09/98, and the last publication thereof being on the 04/16/98, and said 170827NOTICEOFP 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

SUBSCRIBED AND SWORN BEFORE ME THIS THE 16

day of April 1998

Roy Reed

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 7/1/03

170827
NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. T5241
Notice is hereby given that Poplar Irrigation District, C/O Kym Ferguson, 15533 E Ririe Hwy, Ririe, ID 83443, has applied to the Department of Water Resources to change point of diversion of the waters of a groundwater source. The right sought to be change is evidenced by a license and recorded as follows:
License No. 01-00156
Source: Snake River, South Fork
Priority: 06/01/1902
Amount: 24.0 cfs
Point(s) of Diversion: Lot 4 NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY
License No. 01-00202
Source: Snake River, South Fork
Priority: 01/22/1916
Amount: 12.0 cfs
Point(s) of Diversion: NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY
The water is used for irrigation of 869.8 acres from 4/01 to 11/1 within the SEC 1, 2, 12 T03N R40E, B.M., SEC 6 T03N R41E, B.M. and SEC 31, T04N R41E, B.M.
TO BE CHANGED AS FOLLOWS:
The applicant intends to change point of diversion to Lot 1, NWSEW SEC 5 T03N R41E, known as the Anderson Canal, to help alleviate severe flood damage to original head gates and 1 1/2 miles of the canal
Any protests against approval of the proposed changed must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before April 27, 1998. The Protest must also send a copy of the protest to the applicant.
KARL J. DREHER Director
Published in the Lewiston Tribune on April 9th and 16th, 1998.

RECEIVED

APR 20 1998

MICROFILMED

SEP 18 1998

Department of Water Resources
Eastern Region

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

Date 04/16/98 INVOICE NO. 170827
Account No. 446600
Description 170827NOTICEOFPROPOSED

LEGAL ADVERTISING INVOICE

Times 2 Lines 28

Tab. Lines _____

SOLD TO: IDAHO DEPT. OF WATER RESOURCES
900 N. SKYLINE
IDAHO FALL ID 83402

\$ 84.00

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.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

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, publishers of the LEWISTON MORNING TRIBUNE, a newspaper 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 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 170827NOTICEOFF 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 04/09, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 04/09/98, and the last publication thereof being on the 04/16/98, and said 170827NOTICEOFF 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.

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

day of _____ 1998

MICROFILMED

SEP 18 1998

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires _____

RECEIVED

APR 20

Department of Water Resources
Eastern Region

170827
NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. TS241
Notice is hereby given that Poplar Irrigation District, C/O Kym Ferguson, 15533 E Ririe Hwy, Ririe, ID 83443, has applied to the Department of Water Resources to change point of diversion of the waters of a groundwater source. The right sought to be change is evidenced by a license and recorded as follows:
License No. 01-00156
Source: Snake River, South Fork
Amount: 24.0 cfs
Priority: 06/01/1902
Point(s) of Diversion: Lot 4 NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY
License No. 01-00202
Source: Snake River, South Fork
Amount: 12.0 cfs
Priority: 01/22/1916
Point(s) of Diversion: NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY
The water is used for irrigation of 869.8 acres from 4/01 to 11/1 within the SEC 1, 2, 12 T03N R40E, B.M., SEC 6 T03N R41E, B.M. and SEC 31, T04N R41E, B.M.
TO BE CHANGED AS FOLLOWS:
The applicant intends to change point of diversion to Lot 1, NWSESW SEC 5 T03N R41E, known as the Anderson Canal, to help alleviate severe flood damage to original head gates and 1 1/2 miles of the canal.
Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before April 27, 1998. The Protest must also send a copy of the protest to the applicant.
KARL J. DREHER Director
Published in the Lewiston Tribune on April 9th and 16th, 1998.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

April 2, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

POPLAR IRRIGATION DISTRICT
C/O KYM FERGUSON
15533 E RIRIE HWY
RIRIE ID 83443

RE: Application for Transfer #5241

Dear Applicant:

This office is currently in the process of advertising the application in the Idaho Statesman, Lewiston Tribune, The Times News and the Post Register on April 9 and 16, 1998. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the 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.

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

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED

SEP 18 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 2, 1998

TIMES NEWS
PO BOX 548
TWIN FALLS ID 83303

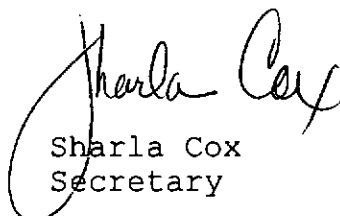
Dear Publisher: *Ruby Ausderheide*

Enclosed you will find a legal notice which we wish to have published on the dates indicated in your newspaper. 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.

Please send the affidavit of publication and publication billing to this office before April 27, 1998.

Yours truly,


Sharla Cox
Secretary

Enc.

*boxed
4/2/98
SC*

MICROFILMED

SEP 18 1998

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. T5241

Notice is hereby given that Poplar Irrigation District, C/O Kym Ferguson, 15533 E Ririe Hwy, Ririe, ID 83443, has applied to the Department of Water Resources to change point of diversion of the waters of a groundwater source. The right sought to be change is evidenced by a license and recorded as follows:

License No.:	01-00156	Source:	Snake River, South Fork
Amount:	24.0 cf	Priority:	06/01/1902
Point(s) of Diversion:	Lot 4 NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY		
License No.:	01-00202	Source:	Snake River, South Fork
Amount:	12.0 cfs	Priority:	01/22/1916
Point(s) of Diversion:	NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY		

The water is used for irrigation of 869.8 acres from 4/01 to 11/1 within the SEC 1, 2, 12 T03N R40E, B.M., SEC 6 T03N R41E, B.M. and SEC 31, T04N R41E. B.M.

TO BE CHANGED AS FOLLOWS:

The applicant intends to change point of diversion to Lot 1, NWS&SW SEC 5 T03N R41E, known as the Anderson Canal, to help alleviate severe flood damage to original head gates and 1 ½ miles of the canal.

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KARL J. DREHER
Director

Published in the The Times News on April 9th and 16th, 1998.

MICROFILMED
SEP 18 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 2, 1998

POST REGISTER
PO BOX 1800
IDAHO FALLS ID 83403

Dear Publisher: *Cathy Von Borstel*

Enclosed you will find a legal notice which we wish to have published on the dates indicated in your newspaper. 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.

Please send the affidavit of publication and publication billing to this office before April 27, 1998.

Yours truly,

Sharla Cox
Sharla Cox
Secretary

Enc.



MICROFILMED

SEP 18 1998

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
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Point(s) of Diversion:	Lot 4 NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY		
License No.:	01-00202	Source:	Snake River, South Fork
Amount:	12.0 cfs	Priority:	01/22/1916
Point(s) of Diversion:	NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY		

The water is used for irrigation of 869.8 acres from 4/01 to 11/1 within the SEC 1, 2, 12 T03N R40E, B.M., SEC 6 T03N R41E, B.M. and SEC 31, T04N R41E. B.M.

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KARL J. DREHER
Director

Published in the The Post Register on April 9th and 16th, 1998.

MICROFILMED

SEP 18 1998

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 2, 1998

LEWISTON MORING TRIBUNE
PO BOX 957
LEWISTON ID 83501

Dear Publisher: *KAREN Lewis*

Enclosed you will find a legal notice which we wish to have published on the dates indicated in your newspaper. 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.

Please send the affidavit of publication and publication billing to this office before April 27, 1998.

Yours truly,

Sharla Cox
Sharla Cox
Secretary

Enc.

*Filed
4/2/98
SC*

MICROFILMED
SEP 18 1998

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. T5241

Notice is hereby given that Poplar Irrigation District, C/O Kym Ferguson, 15533 E Ririe Hwy, Ririe, ID 83443, has applied to the Department of Water Resources to change point of diversion of the waters of a groundwater source. The right sought to be change is evidenced by a license and recorded as follows:

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Amount:	24.0 cf	Priority:	06/01/1902
Point(s) of Diversion:	Lot 4 NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY		
License No.:	01-00202	Source:	Snake River, South Fork
Amount:	12.0 cfs	Priority:	01/22/1916
Point(s) of Diversion:	NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY		

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KARL J. DREHER
Director

Published in the Lewiston Tribune on April 9th and 16th, 1998.

MICROFILMED

SEP 18 1998

SEP 18 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 2, 1998

IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

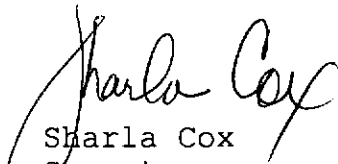
Dear Publisher: *JANICE HILDRETH*

Enclosed you will find a legal notice which we wish to have published on the dates indicated in your newspaper. 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.

Please send the affidavit of publication and publication billing to this office before April 27, 1998.

Yours truly,


Sharla Cox
Secretary

Enc.



MICROFILMED

SEP 18 1998

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. T5241

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Point(s) of Diversion:	Lot 4 NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY		
License No.:	01-00202	Source:	Snake River, South Fork
Amount:	12.0 cfs	Priority:	01/22/1916
Point(s) of Diversion:	NENW, SEC 16, T03N, R41E, BONNEVILLE COUNTY		

The water is used for irrigation of 869.8 acres from 4/01 to 11/1 within the SEC 1, 2, 12 T03N R40E, B.M., SEC 6 T03N R41E, B.M. and SEC 31, T04N R41E. B.M.

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KARL J. DREHER
Director

Published in the Idaho Statesman on April 9th and 16th, 1998.

MICROFILMED
SEP 18 1998

POPLAR IRRIGATION DIST
13245 N 160 E, RIGBY ID 83442

BOOK
208-538-7231

OFFICERS *Bret*
PRES: ~~KAY~~ LUTHY, 16726 E RIRIE HWY, RIRIE 83443
VPRES:
SEC: SHAREN SPAULDING, 13245 N 160 E, RIGBY 83442
WM:
ATTY: BLAIR GROVER, 102 N CLARK, RIGBY 83442
DIR: JAY WHEELER, 13150 N 160 E, RIRIE 83443
JAMES THOMAS, 17896 E 143 N, RIRIE 83443

538-7372
538-7231
745-6653
538-7985
538-7746

PERTINENT DATA: KAY LUTHY, JAY WHEELER
MINUTES OF MEETINGS:
WEEKLY WATER REPORT: KATY LUTHY, JAY WHEELER
BILLING: SHAREN SPAULDING

MICROFILMED
SEP 18 1998

PROGRESSIVE IRRIGATION DISTRICT

Bonneville and Jefferson Counties, Idaho
OFFICE OF THE SECRETARY AND SHOP HEADQUARTERS

2585 North Ammon Road
Idaho Falls, Idaho 83401-1949
Phone/Fax: (208) 522-3102

March 30, 1998

Poplar Irrigation District
13245 N. 160 E.
Rigby, ID 83442

Re: Change in point of diversion

To Whom It May Concern:

The Board of Directors at a special board meeting held March 25, 1998, agreed to your request for a change in the point of diversion from the Snake River to approximately one half mile down stream from the measuring device in the Anderson Canal in the North Half of the Northwest Quarter of the Northeast Quarter of Section 6, Township 3 North, Range 41, East of the Boise Meridian, Bonneville County, Idaho. Progressive agrees to carry up to 32 c.f.s. to this point of diversion.

If you have any questions regarding this matter, please contact me.

Sincerely,



Alan Skaar
Manager

AS/lc

MICROFILMED

SEP 18 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 30, 1998

POPLAR IRRIGATION DISTRICT
C/O JAY WHEELER
13150 N 160 E
RIRIE ID 83443

RE: Application for Transfer No. 5141

Dear Mr. Wheeler:

This letter is to acknowledge receipt of your relinquishment of the above referenced application. The Department has taken the steps necessary to void the transfer in our files.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED

APR 15 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 30, 1998

MUD LAKE AND MONTEVIEW WATER USERS GROUP
C/O GARTH SODERQUIST
PO BOX 68
TERRETON ID 83450

RE: Application for Transfer No. 5141, Poplar Irrigation

Dear Protestant:

This is to advise you that the above referenced application has been withdrawn. A copy of the withdrawal has been enclosed.

If you have any questions, please call our office.

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

Enclosure

MICROFILMED
APR 15 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 30, 1998

ROSHOLT ROBERTSON AND TUCKER
PO BOX 1906
TWIN FALLS ID 83703-1906

RE: Application for Transfer No. 5141, Poplar Irrigation

Dear Protestant:

This is to advise you that the above referenced application has been withdrawn. A copy of the withdrawal has been enclosed.

If you have any questions, please call our office.

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

Enclosure

MICROFILMED

APR 15 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 30, 1998

HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

RE: Application for Transfer No. 5141, Poplar Irrigation

Dear Protestant:

This is to advise you that the above referenced application has been withdrawn. A copy of the withdrawal has been enclosed.

If you have any questions, please call our office.

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

Enclosure

MICROFILMED
APR 15 1998

RECEIVED
APR 02 1998
Department of Water Resources

IN THE MATTER OF)
APPLICATION FOR TRANSFER)
NUMBER 5141)
IN THE NAME OF)
Poplar Irrigation)
_____)

WITHDRAWAL

I hereby withdraw Application for Transfer number 5141
and ask that it be voided from the Idaho Department of Water
Resources records.

Signed this 27 day of March 1998.

Signature: *[Signature]* Director

MICROFILMED

APR 15 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

9-15-97
RECEIVED

INITIAL REVIEW BY: HWJ

APR 02 1998

Department of Water Resources

1. Right number 01-00156; 01-00203 Applicant Peplar Irrigation
2. Type of right: ☒ Decree ☐ License ☐ Claim T 5141
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Other Change Source
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☐ Check for expansion in use of right. Comments NA
 - i. ☐ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) NA
 - j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? WD 01

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 10-19-97 Received on 10-22-97
NOV 10-20-97
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☒ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny
3. Conditions* Withdrawn! HWJ

4. By _____ Date AD 50 9-18-97
TR 50 9-29-97

* All uses within Watermaster Districts require special conditions.

T 5141

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5141

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

APR 02 1998

Department of Water Resources

Name of applicant POPLAR IRRIGATION DISTRICT % JAY WHEELER(208) 538-7985Post Office address 13150 N 160 E Ririe, ID. 83443

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Change source
2. Describe the reason for the proposed changes SEVERE FLOOD DAMAGE TO HEADGATES
AND 2 1/2 MILES OF CANAL

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>01-001526</u>	<u>06/01/1902</u>	<u>24.0 cfs</u>	<u>IRRIGATION</u>	<u>4/1</u> to <u>11/1</u>
<u>01-00202</u>	<u>01/22/1916</u>	<u>12.0 cfs</u>	<u>IRRIGATION</u>	<u>4/1</u> to <u>11/1</u>
				to
				to

2. Total amount of water being transferred 36 cfs cubic feet per second and/or _____ acre-feet per annum.3. Source of water GROUNDWATER tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NW	6	3N	41E	Bonneville	#1
	SE	SW	NW	6	3N	41E	Bonneville	#2
	NW	SW	SW	1	3N	40E	Bonneville	#3
	NE	NE	SW	2	3N	40E	Bonneville	#4

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	40E	1			30	30		5	40	30	40	40	40	40	40	40	40	32	447.0
						40					40	28		17	12	17	28	25.8	207.8
		12			8			14	6										28.0
3N	41E	6			26	3		40	40	26	20		15	5					175.0
4N	41E	31											10	2					12

Total acres

869.8

PART 1**6. General Information:**

a. Description of diversion system Four wells with mainline to sprinkler & flood irrigation systems with ditches

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes N/A No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NONE. EASIER DISTRIBUTION OF WATER RIGHTS, ELIMINATION OF DITCH LOSSES.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

MICROFILMED

APR 15 1998

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 01-00156

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	24.00 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SNAKE RIVER, SOUTH FORK	SNAKE RIVER

Priority: 06/01/1902

LOCATION OF POINT(S) OF DIVERSION: Lot 4(NENW), Sec. 16, Township 03N, Range 41E
BONNEVILLE County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. TRANS. 1619. P/D CHANGE.
2. P/D RILEY CANAL LEGAL FROM U.S.G.S & PLAT MAPS.
3. P/U INCOMPLETE.

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APR 15 1998

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 01-00202

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	12.00 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SNAKE RIVER	COLUMBIA RIVER

Priority: 01/22/1916

LOCATION OF POINT(S) OF DIVERSION:NENW , Sec. 16, Township 03N, Range 41E
BONNEVILLE CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	40E	1	SWNE	SENE	SWNW	
			SENW	NESW	NWSW	
			SWSW	SESW	NESE	
			NWSE	SWSE	SESE	
		2	SENE	NESW	NWSW	
			SWSW	SESW	SWSE	
			SESE			
		12	NWNE	NENW	NWNW	
41E	6		NWNE	SWNE	SENE	
			NENW	NWNW	SWNW	
			SENW	NESW	NWSW	
			SWSW			

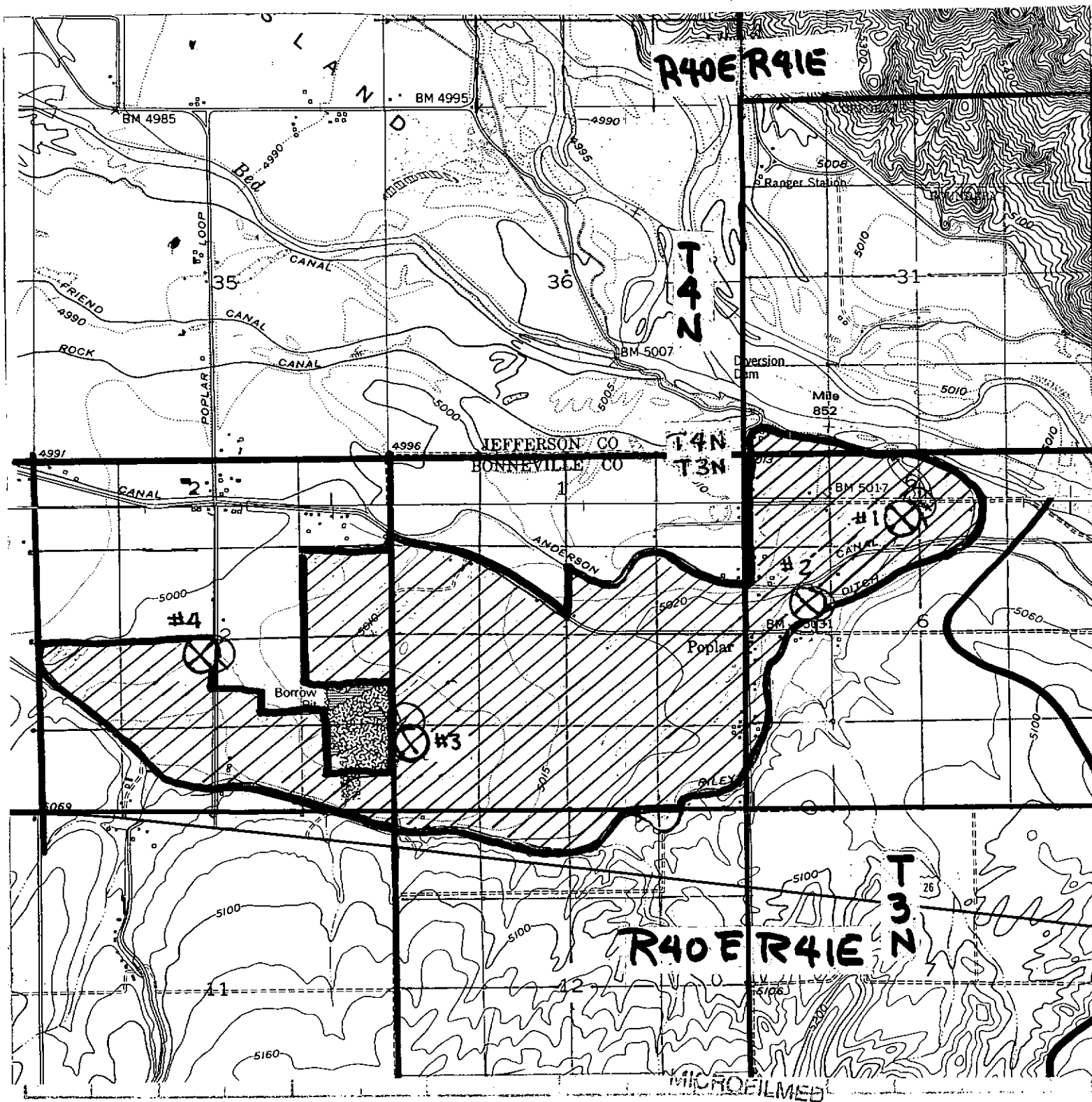
CONDITIONS/REMARKS:

1. P/D INCOMPLETE: J. H. RILEY DITCH.
2. P/U WITHIN LANDS OF POPLAR IRRIGATION DISTRICT.

MICROFILMED
APR 15 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

APR 15 1998

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				_____ to _____
				_____ to _____

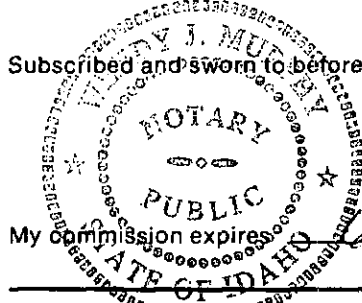
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 15th day of September, 19 97.



Jay B. Wheeler vi chairman
(Signature of Applicant)

Wendy J. Murphy
(Notary Public)

FOR DEPARTMENT USE ONLY

Assisted By Kaw 9-15-97
Transfer contains 6 pages and _____ attachments

Received by Kaw Date 9/15/97 # E023628 Protest filed by Twin Falls & North
Prelim. check by _____ Fee 100⁰⁰ Side Canal Co. Thru Norman M.
Receipted by Kaw Date 9/15/97 Semanko
Published in Post Register and statewide Copies of protest forwarded by AB
Pub. dates October 2 and 9, 1997 Hearing held by _____ Date _____
Watermaster recommendation requested on 10-19-97 Recommended for ☐ approval ☐ denial
WD-01 rec'd. 10-22-97 by _____
Copy of transfer sent to lien holder _____

MICROFILMED

APR 1 1998

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS, P.A.
DALE W. STORER
MARIE T. TYLER
JOHN G. SIMMONS
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
SHAN B. PERRY

U.S. BANK OF IDAHO BUILDING
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL HOLDNLAW@SRV.NET

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

December 4, 1997

RECEIVED
DEC 05 1997

Department of Water Resources
Eastern Region

Harold Jones
IDAHO DEPARTMENT OF
WATER RESOURCES
900 N. Skyline
Idaho Falls, Idaho 83402-1718

Dear Mr. Jones:

We appreciate receiving a copy of the application of Poplar Irrigation District for transfer no. 5141. As you know, Mud Lake and Montevue Water Users groups filed a protest to this application and have now asked us to represent them in connection with the protest. We would very much appreciate it if you would put us on the mailing list as the attorneys for these protestants and let us know when a pre-hearing conference might be scheduled.

Yours very truly,



Kent W. Foster

G:\WPDATA\KWF\1047\JONE1203.LTR:kmc

MICROFILMED
APR 15 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

OCTOBER 29, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MUD LAKE AND MONTEVIEW WATER USERS
C/O GARTH SODERQUIST
PO BOX 68
TERRETON ID 83450

Mr. Soderquist:

I received the protest filed by you on behalf of several water user groups against transfer application #5141 (Poplar Irrigation District). The content of your protest seems to be concerned with another transfer application #4488 in the name of Laird & Sons.

Under Idaho Code Section 42-222 you as a protestant must address four (4) issues. They are:

- 1) Are other water rights injured by the transfer?
- 2) Does the change constitute enlargement in the use of the original water right?
- 3) Is the change consistent with the conservation of water resources within the State of Idaho?
- 4) Does the change conflict with the local public interest?

You must address these issues as they apply to transfer #5141. I can see no relationship between this water source listed as the Snake River or wells in the proximity of the Snake River and that of the water users in the Mud Lake area.

I need you to reply in writing within 15 days and specify which of the four (4) issues under Idaho Code Section 42-222 affect your water rights if transfer #5141 is approved.

Sincerely,

Harold W Jones
Water Rights Supervisor

HWJ:sc

MICROFILMED
APR 15 1998

APPLICATION FOR TRANSFER OF
WATER RIGHT NO. T5141

WATER DISTRICT: 01

WATERMASTER: Ron Carlson

DATE: August 19, 1997

HAS THIS WATER RIGHT(S) BEEN DELIVERED WITHIN THE LAST FIVE YEARS?

YES ☒ NO ☐

COMMENTS: I believe it is in the best
interest of all parties and the State
to allow Poplar Irrigation district to
pump ground water for their
Project, which I believe to be less than
870 acres. While I am troubled by the
direct transfer of surface water rights to gw - the
change represented by this application makes sense
I do endorse approval of this change.

☐ I do not endorse approval of this change.

I recommend the following conditions of approval:

I can not recommend conditions at this
time. Conditions of approval may not
be necessary for delivery purposes.

Ronald D. Carlson
Watermaster

10/22/97
DATE

MICROFILMED
APR 15 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 21, 1997

JAY WHEELER
POPLAR IRRIGATION DIST
13150 N 160 E
~~ROBERTS~~ ID 83443

Rine

RE: Application for Transfer No.: 5113

Dear Applicant:

Enclosed please find a copy of the protest filed against the above referenced application for transfer of a water right. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

- 1) Are other water rights injured by the transfer?
- 2) Does the change constitute enlargement in the use of the original water right?
- 3) Is the change consistent with the conservation of water resources within the state of Idaho?
- 4) Does the change conflict with the local public interest?

The applicant must be prepared to present evidence and/or testimony addressing each of the four items should an additional hearing be necessary. You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Respectfully submitted,

Harold W. Jones
HAROLD W. JONES

Water Rights Supervisor

HWJ/rb

enclosures

cc: IDWR - State Office

MICROFILMED
APR 15 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

October 21, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MUD LAKE & MONTEVIEW WATER USERS GROUPS
C/O GARTH SODERQUIST
PO BOX 68
TERRETON ID 83450

RE: Application for Transfer No. 5141

Dear Protestant:

This letter acknowledges receipt of the protest filed by you on behalf of Mud Lake Users Groups, Montevue Users Groups, and Independent Water Users against the above referenced application for transfer. The following are the principle items considered by the Department at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute enlargement in the use of the original right?
3. Is the change consistent with the conservation of water resources within the state of Idaho?
4. Does the change conflict with the local public interest?

The protestant must be prepared to present proof of the allegations involving one or more of the items. You will be notified at a later date as to the time and place set for conference and/or hearing.

In addition, Rule 302 of the Department's Rules of Procedure requires a protestant to send a copy of the protest to the applicant in question.

If we may be of further assistance, please contact us.

Respectfully submitted,

Harold W. Jones
HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

cc: IDWR - State Office

MICROFILMED
APR 15 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

October 20, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

NORMAN M SEMANKO
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83703-1906

RE: Application for Transfer No. 5141

Dear Protestant:

This letter acknowledges receipt of the protest filed by you on behalf of Twin Falls Canal Co. and North Side Canal Co. against the above referenced application for transfer. The following are the principle items considered by the Department at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute enlargement in the use of the original right?
3. Is the change consistent with the conservation of water resources within the state of Idaho?
4. Does the change conflict with the local public interest?

The protestant must be prepared to present proof of the allegations involving one or more of the items. You will be notified at a later date as to the time and place set for conference and/or hearing.

In addition, Rule 302 of the Department's Rules of Procedure requires a protestant to send a copy of the protest to the applicant in question.

If we may be of further assistance, please contact us.

Respectfully submitted,

Harold W. Jones
HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

cc: IDWR - State Office

MICROFILMED

APR 15 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 20, 1997

JAY WHEELER
POPLAR IRRIGATION DIST
13150 N 160 E
RIRIE ID 83443

RE: Application for Transfer No.: 5141

Dear Applicant:

Enclosed please find a copy of the protest filed against the above referenced application for transfer of a water right. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

- 1) Are other water rights injured by the transfer?
- 2) Does the change constitute enlargement in the use of the original water right?
- 3) Is the change consistent with the conservation of water resources within the state of Idaho?
- 4) Does the change conflict with the local public interest?

The applicant must be prepared to present evidence and/or testimony addressing each of the four items should an additional hearing be necessary. You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Respectfully submitted,

Harold W. Jones
HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

enclosures

cc: IDWR - State Office

MICROFILMED
APR 15 1998

Receipt # E025118

MUD LAKE AND MONTEVIEW WATER USERS GROUPS
C/O Garth Soderquist
P.O. Box 68
Terreton, ID 83450

10/17/97

IDAHO DEPARTMENT OF WATER RESOURCES
900 N. Skyline
Idaho Falls, ID 83402-1718

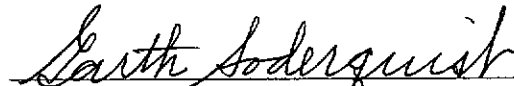
RE: Application for a proposed change of a water right #5141.

We have been requested by the following water user groups, in the names of, Owsley Canal Co., Jackett Canal Co., Holly Water Users, Jefferson Irrigation Co., Producers Canal Co., Montevieu Canal Co., and the Independent Water Users of Mud Lake, to protest the application filed by Poplar Irrigation District under transfer #5141 for a proposed change of water right.

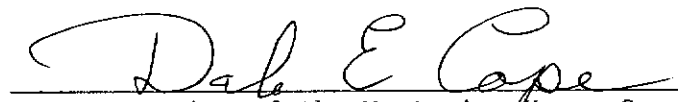
This protest is filed on the grounds that the change will injure the water rights of the protestants, and the proposed change is not in the local public interest.

We further request this proposed changes not even be considered before water right transfer #4488 filed by Laird & Sons filed on the 15th day of November 1994, be processed. This transfer application #4488 is an exact attempt as #5144, and these protestants feel transfer #4488 has a priority over #5144 after all the years it has set in I.D.W.R. dead files. The same protestants want a say in transfer #4488 as they were protestants and have many concerns of priority dates of well issues such as, who regulates and controls, how the surface waters are going to be dealt with and by whom, along with many other concerns of injury to existing water right both surface and ground water. We will continue to protest until #4488 has been dealt with and our concerns are dealt with.

A copy of transfer #4488 is attached as advertised in 1994 and will also be sent to the applicant of #5144.



Representative of the Mud Lake Users Groups
Garth Soderquist



Representative of the Montevieu Users Groups
Dale E. Cope

APR 15 1998



Representative of the Independent Water Users (President)
Andy Dobson

NAME TO COMPLY
IDAH CODE NO REP
THEY ARE OR ARE
BLE FOR THIS OBLIGA
The default for which it
make principal and inter
Deed of Trust and Inter
Twin Falls County, Idaho
DIVISION

Invit of Publication

OF IDAHO } SS.
COUNTY OF TWIN FALLS }

No 29755

RECEIVED

OCT 10 1997

Department of Water Resources
Eastern Region

RECEIVED

OCT 08 1997

Department of Water Resources
Eastern Region

I, Emily McKnight being first duly sworn upon oath, depose
and say that I am principle clerk of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in any
supplement thereof, for two consecutive weeks,
commencing with the issue dated October 2, 19 97,
and ending with the issue dated October 9, 19 97.

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

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be
published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each
issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 9th day of Oct in the year of 1997, before me,
a Notary Public, personally appeared Emily McKnight,
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 herein are true, and acknowledged to me that he executed the same.

APR 15 1998

Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 5/19/2000

Sheva R. Feltman

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. 5141

Notice is hereby given that Poplar Irrigation District, Jay Wheeler, 13150 N 160 E, Ririe, ID 83443, has applied to the Department of Water Resources to change point of diversion and source of the waters of the Snake River. The rights sought to be changed are evidenced by decrees and recorded as follows:

Decree No.: 01-00156 Source: S.F. Snake River
Amount: 24.00 cfs Priority: 06/01/1902
Point(s) of Diversion: NENW (LOT 4) SEC 16 T03N R41E, BONNEVILLE COUNTY

The water is used for irrigation. The place of use was not listed in the decree.

Decree No.: 01-00202 Source: Snake River
Amount: 12.00 cfs Priority: 01/22/1916
Point(s) of Diversion: NENW SEC 16 T03N R41E, BONNEVILLE COUNTY

The water is used for irrigation within the S $\frac{1}{2}$ NE S $\frac{1}{2}$ NW S $\frac{1}{2}$ SEC 1; SENE SW $\frac{1}{4}$ S $\frac{1}{2}$ SE SEC 2; NWNE N $\frac{1}{2}$ NW $\frac{1}{4}$ SEC 12 T03N R40E; NWNE S $\frac{1}{2}$ NE NW $\frac{1}{4}$ N $\frac{1}{2}$ SW SWSW SEC 6 T03N R41E, BONNEVILLE COUNTY

TO BE CHANGED AS FOLLOWS:

The applicant intends to stop diverting water directly out of the flow of the Snake River, South Fork and instead drill four wells with mainlines and ditches to irrigate 869.8 acres in SEC 1, 2, & 12 T03N, R40E; SEC 6 T03N R41E AND SEC 31 T04N R41E. The locations of the proposed 4 wells are in the SENENW SEC 6 T3N R41E DIVERSION #1; SESWNW SEC 6 T3N R41E DIVERSION #2;

NWSWSW SEC 1 T3N R40E DIVERSION #3; NENESW SEC 2 T3N R40E DIVERSION #4.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before October 20, 1997. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

PUBLISH: October 2 and 9, 1997

Invit of Publication

OF IDAHO

Y OF TWIN FALLS } SS.

No 29755

Emily McKnight being first duly sworn upon oath, depose

that I am principle clerk of the TIMES-NEWS, published daily, at Idaho, and do solemnly swear that a copy of the notice of advertisement, as per attached, was published in the regular and entire issue of said newspaper, and not in any part thereof, for two consecutive weeks,

beginning with the issue dated October 2, 19 97,

ending with the issue dated October 9, 19 97.

And 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 except Sunday, and which newspapers prior to consolidation had been published under said names in said city and county and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published; and that at the head of the editorial column of said combined newspapers, and in each issue, Thursday is announced as the day on which said legal notices will be published.

IDAHO
OF TWIN FALLS

9th day of Oct in the year of 1997, before me,

Emily McKnight, personally appeared, identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, he depose that the statements therein are true, and acknowledged to me that he executed the same.

Sheva R. Feltman
Notary Public for Idaho

APR 15 1998
Residing at Twin Falls, Idaho.

My commission expires: 5/19/2000

TRIBUNE PUBLISHING COMPANY, INC.

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

**LEGAL ADVERTISING
INVOICE**Date 10/09/97INVOICE NO. 156441Account No. 446600Description 156441 NOTICE OF PROPOSEDTimes 2Lines 34

Tab. Lines _____

SOLD TO: IDAHO DEPT. OF WATER RESOURCES
 900 N. SKYLINE
 IDAHO FALL ID 83402

\$ 102.00

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.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
 County of Nez Perce

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, publishers of the LEWISTON MORNING TRIBUNE, a newspaper 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 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 156441 NOTICE OF P 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 10/02, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 10/02/97, and the last publication thereof being on the 10/09/97, and said 156441 NOTICE OF P 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.

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

day of _____ 1997

Notary Public in and for the State of Idaho,
 residing at Lewiston, therein
 Commission Expires _____

MICROFILMED

APR 15 1998

**NOTICE OF PROPOSED CHANGE OF A W
NO. 5141**

Notice is hereby given that Poplar Irrigation District, 160 E. Ririe, Idaho 83443, has applied to the Department of Water Resources to change point of diversion and source of the waters of the Snake River. The change is evidenced by decree and record. Decree No. 01-00156. Source: S.F. Snake River. Amount: 24.00 cfs. Priority: 06/01/19. Point(s) of Diversion: NENW (Lot 4) SEC 16 T03N R41E, BONNEVILLE COUNTY.

The water is used for irrigation. The place of use is Snake River. Decree No.: 01-00202. Source: Snake River. Amount: 12.00 cfs. Priority: 01/22/19. Point(s) of Diversion: NENW SEC 16 T03N R41E, BONNEVILLE COUNTY.

The water is used for irrigation within the S1/2NE S1 SW1/4 S1/2SE SEC 2; NWNE N1/2NW1/4 SEC 12 T03N R41E. The locations of the proposed 4 wells are in R41E DIVERSION #1; SESWNW SEC 6 T3N R41E DI SEC 1 T3N R40E DIVERSION #3; NENESW SEC 2 #4.

The applicant intends to stop diverting water direct Snake River, South Fork and instead drill four wells with irrigate 869.8 acres in SEC 1, 2, & 12 T03N, R40E; SEC 6 T04N R41E. The locations of the proposed 4 wells are in R41E DIVERSION #1; SESWNW SEC 6 T3N R41E DI SEC 1 T3N R40E DIVERSION #3; NENESW SEC 2 #4.

Any protests against approval of the proposed change must also send a copy of the protest to the applicant. KARL J. DREHER, Director.

Published statewide on October 2 and 9, 1997.

Subsidized
Tuition Ass

Apply in pers

Ask for

517 2nd
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NE

DI

S/4

746

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

Date 10/09/97 INVOICE NO. 156441
Account No. 446600
Description 156441NOTICEOFPROPOSED

LEGAL ADVERTISING INVOICE

Times 2 Lines 34

Tab. Lines _____

SOLD TO: IDAHO DEPT. OF WATER RESOURCES
900 N. SKYLINE
IDAHO FALL ID 83402

\$ 102.00

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.

AFFIDAVIT OF PUBLICATION

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. 5141

156441

OF IDAHO, ss.
of Nez Perce

Notice is hereby given that Poplar Irrigation District s/o Jay Wheeler, 13150 N 160 E, Ririe, Idaho 83443, has applied to the Department of Water Resources to change point of diversion and source of the waters of the Snake River. The rights sought to be changed are evidenced by decree and recorded as follows:

Decree No. 01-00156 Source: S.F. Snake River
Amount: 24.00 cfs Priority: 06/01/1902
Point(s) of Diversion: NENW (Lot 4) SEC 16 T03N R41E, BONNEVILLE COUNTY

The water is used for irrigation. The place of use was not listed in the decree.

Decree No.: 01-00202 Source: Snake River
Amount: 12.00 cfs Priority: 01/22/1916
Point(s) of Diversion: NENW SEC 16 T03N R41E, BONNEVILLE COUNTY

The water is used for irrigation within the S1/2NE S1/2NW S1/2 SEC 1; SENE SW1/4 S1/2SE SEC 2; NWNE N1/2NW1/4 SEC 12 T03N R40E; NWNE S1/2NE NW1/4 N1/2SW SWSW SEC 6 T03N R41E, BONNEVILLE COUNTY

TO BE CHANGED AS FOLLOWS:

The applicant intends to stop diverting water directly out of the flow of the Snake River, South Fork and instead drill four wells with mainlines and ditches to irrigate 869.8 acres in SEC 1, 2, & 12 T03N, R40E; SEC 6 T03N R41E AND SEC 31 T04N R41E. The locations of the proposed 4 wells are in the SENENW SEC 6 T3N R41E DIVERSION #1; SESWNW SEC 6 T3N R41E DIVERSION #2; NWSWSW SEC 1 T3N R40E DIVERSION #3; NENESW SEC 2 T3N R40E DIVERSION #4.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, together with a protest fee of \$25 on or before October 20, 1997. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER

Director

Published statewide on October 2 and 9, 1997.

ewis _____, being duly sworn, deposes and says, I am
al Clerk _____ of the Tribune Publishing Company, a corporation
d and existing under and by virtue of the laws of the
daho, publishers of the LEWISTON MORNING TRIBUNE,
aper of general circulation published at Lewiston, Nez Perce County,
hat the said Lewiston Morning Tribune is an established newspaper
been published regularly and issued regularly at least once a day
than 21 consecutive years next immediately preceding the first
on of this notice, and has been so published uninterrupted for
od; that the 156441NOTICEOFFP attached hereto and which is made
this affidavit was published in the said Lewiston Morning Tribune;
ime(s). Publication being on 10/02, or once a WEEK
consecutive WEEK, the first publication thereof being on
2/97, and the last publication thereof being on
9/97, and said 156441NOTICEOFFP was so published in the
nd entire issue of said newspaper and was not in a supplement
nd was so published in every issue and number of the said
uring the period and times of publication as set forth above.

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

day of _____ 1997

MICROFILMED
APR 15 1998

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires _____

Proof of Publication

The Post Register

State of Idaho
County of Bonneville

I, S. Bob Bright or Robert Park, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. 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 two consecutive (days) weeks, first publication having been made on the 2nd day of October, 1997, last publication having been made on the 9th day of October, 1997, and that 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.

Robert Park

Subscribed and sworn to before me, this 15th day of October, 1997

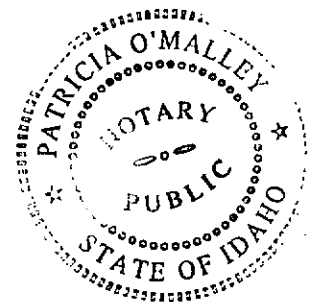
Patricia O'Malley
Notary Public

My commission expires January 3, 2003

RECEIVED

OCT 16 1997

Department of Water Resources
Eastern Region



MICROFILMED
APR 15 1998

**NOTICE OF
PROPOSED CHANGE OF
A WATER RIGHT
NO. 5141**

Notice is hereby given that Poplar Irrigation District c/o Jay Wheeler, 13150 N 160 E, Ririe, ID 83443, has applied to the Department of Water Resources to change point of diversion and source of the waters of the Snake River. The rights sought to be changed are evidenced by decrees and recorded as follows:

Decree No.: 01-00156

Source: S.F. Snake River

Amount: 24.00 cfs

Priority: 06/01/1902

Point(s) of Diversion: NENW (LOT 4) SEC 16 T03N R41E, BONNEVILLE COUNTY

The water is used for irrigation. The place of use was not listed in the decree.

Decree No.: 01-00202

Source: Snake River

Amount: 12.00 cfs

Priority: 01/22/1916

Point(s) of Diversion: NENW SEC 16 T03N R41E, BONNEVILLE COUNTY

The water is used for irrigation within the S1/2NE S1/2NW S1/2 SEC 1; SENE SW 1/4 S1/2 SE SEC 2; NWNE N1/2NW1/4 SEC 12 T03N R40E; NWNE S1/2NE NW1/4 N1/2SW SWSW SEC 6 T03N R41E, BONNEVILLE COUNTY

TO BE CHANGED

AS FOLLOWS:

The applicant intends to stop diverting water directly out of the flow of the Snake River, South Fork and instead drill four wells with mainlines and ditches to irrigate 869.8 acres in SEC 1, 2, & 12 T03N, R40E; SEC 6 T03N R41E AND SEC 31 T04N R41E. The locations of the proposed 4 wells are in the SE-NENW SEC 6 T3N R41E DIVERSION #1; SESWNW SEC 6 T3N R41E DIVERSION #2; NWSWSW SEC 1 T3N R40E DIVERSION #3; NENESW SEC 2 T3N R40E DIVERSION #4.

MICROFILMED
APR 15 1998

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due

\$85.08

Account Number/Trans. #		Identification	
100564		NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 5141	
Ordered By	P.O. Number	Rate	Run Dates
RITA BODELL		TT	OCTOBER 2, 9, 1997
STATE OF IDAHO DEPARTMENT OF WATER RESOURCES 900 N SKYLINE DRIVE IDAHO FALLS, ID 83402-1718		Estimated Inches	Real Inches
		# Affidavits	Legal Number
		1	8711

LEGAL NOTICE NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. 5141

Notice is hereby given that Poplar Irrigation District c/o Jay Wheeler, 13150 N 160 E, Ririe, ID 83443, has applied to the Department of Water Resources to change point of diversion and source of the waters of the Snake River. The rights sought to be changed are evidenced by decrees and recorded as follows:

Decree No.: 01-00156
Source: S.F. Snake River
Amount: 24.00 cfs
Priority: 06/01/1902
Point(s) of Diversion: NENW (LOT 4) SEC 16 T03N R41E, BONNEVILLE COUNTY
The water is used for irrigation. The place of use was not listed in the decree.

Decree No.: 01-00202
Source: Snake River
Amount: 12.00 cfs
Priority: 01/22/1916
Point(s) of Diversion: NENW SEC 16 T03N R41E, BONNEVILLE COUNTY
The water is used for irrigation within the S1/2NE S1/2NW S1/2 SEC 1; SENE SW1/4 S1/2SE SEC 2; NWNE N1/2NW1/4 SEC 12 T03N R40E; NWNE S1/2NE NW1/4 N1/2SW SWSW SEC 6 T03N R41E, BONNEVILLE COUNTY

TO BE CHANGED AS FOLLOWS:

The applicant intends to stop diverting water directly out of the flow of the Snake River/ South Fork and instead drill four wells with mainlines and ditches to irrigate 869.8 acres in SEC 1, 2; & 12 T03N, R40E; SEC 6 T03N R41E AND SEC 31 T04N R41E. The locations of the proposed 4 wells are in the SENENW SEC 6 T3N R41E DIVERSION #1; SESWNW SEC 6 T3N R41E DIVERSION #2; NWSWSW SEC 1 T3N R40E DIVERSION #3; NENESW SEC 2 T3N R40E DIVERSION #4.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, together with a protest fee of \$250 on or before October 20, 1997. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
Pub. October 2 & 9, 1997

8711

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 with the issue of

OCTOBER 2

1997

and ending with the issue of

OCTOBER 9

1997

RECEIVED

OCT 16 1997

Department of Water Resources
Eastern Region

Janice Hildreth

STATE OF IDAHO)

SS.

COUNTY OF ADA)

On this 9TH day of OCTOBER in the year of 1997, before me, a Notary Public, personally appeared 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:

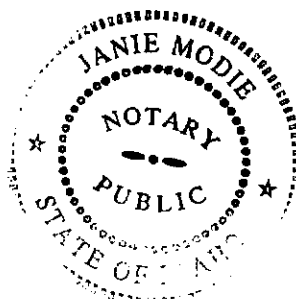
Boise, Idaho

My commission expires:

MICROFILMED

5703

APR 15 1998



**MUD LAKE AND MONTEVIEW WATER USERS GROUPS
C/O GARTH SODERQUIST
P.O. BOX 68
TERRETON, IDAHO 83450**

RECEIVED

NOV 10 1997

*Department of Water Resources
Eastern Region*

NOV. 4, 1997

**MR. HAROLD JONES
IDAHO DEPARTMENT OF WATER RESOURCES
900 N. SKYLINE
IDAHO FALLS, IDAHO 83402-1718**

RE: APPLICATION FOR A PROPOSED CHANGE OF A WATER RIGHT #5141.

DEAR MR. JONE;

I RECEIVED YOUR LETTER ON THE 10/29/97. ASKING FOR A CLARIFICATION OF OUR REASONING FOR PROTEST.

IN THE LAST PARAGRAPH OF YOUR LETTER YOU STATED AS FOLLOWS.

I NEED YOU TO REPLY IN WRITING WITHIN 15 DAYS AND SPECIFY WHICH OF THE FOUR (4) ISSUES UNDER IDAHO CODE SECTION 42-22 AFFECT YOUR WATER RIGHTS IF TRANSFER #5141 IS APPROVED.

AS YOU WILL NOTICE IN PARAGRAPH TWO OF THE PROTEST WE SPECIFICALLY LISTED INJURY TO THE WATER RIGHTS OF THE PROTESTANTS, AND STATED THE PROPOSED CHANGE IS NOT IN THE LOCAL PUBLIC INTEREST. THESE ISSUES WERE IDENTIFIED IN THE ORIGINAL PROTEST AND SHOULD NOT NEED FURTHER COMMENT OR EXPLANATION.

MICROFILMED

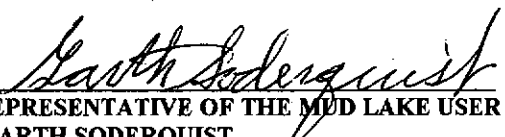
APR 15 1998

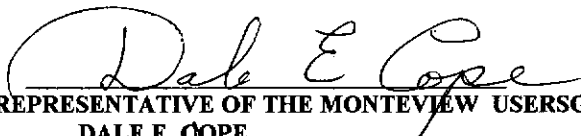
WE WOULD HOPE THIS IS NOT AN ATTEMPT ON YOUR PART TO SELECTIVELY DECIDE WHO CAN PROTEST AN APPLICATION WHICH HAS BEEN ADVERTISED STATE WIDE.

THIS RIGHT TO PROTEST IS CLEARLY DEFINED BY STATUTE AND THE INJURY BY THIS DECISION COULD BE VERY INJURIOUS TO OUR WATER RIGHT STRUCTURE AND OTHERS IN THE LOCAL PUBLIC INTEREST.

OUR PROTEST IS TO REMAIN INTACT UNTIL A HEARING PROCESS DETERMINES OTHER WISE.

SINCERELY


REPRESENTATIVE OF THE MUD LAKE USER GROUPS
GARTH SODERQUIST.


REPRESENTATIVE OF THE MONTEVIEW USERSGROUPS
DALE E. COPE.


REPRESENTATIVE OF THE INDEPENDENT WATET USERS
(PRESIDENT) ANDY DOBSON.

MICROFILMED
APR 15 1998

1
2 Norman M. Semanko
3 ROSHOLT, ROBERTSON & TUCKER
4 P. O. Box 1906
5 Twin Falls, Idaho 83703-1906
6 Telephone: (208) 734-0700
7 10069702.NMS/bh

RECEIVED

OCT 08 1997

Department of Water Resources
Southern Region

8
9 BEFORE THE DEPARTMENT OF WATER RESOURCES
10 OF THE STATE OF IDAHO
11

12
13 IN THE MATTER OF)

14 APPLICATION FOR TRANSFER)
15 NUMBER 5141;)
16 APPLICANT:)
17 POPLAR IRRIGATION DISTRICT)
18

NOTICE OF PROTEST

19 TWIN FALLS CANAL COMPANY and NORTH SIDE CANAL COMPANY
20 (hereinafter the "Companies"), by and through their attorneys, Rosholt, Robertson & Tucker,
21 file their Notice of Protest to the approval of the above-numbered Application for Transfer filed
22 by Poplar Irrigation District. The basis for the Protestants' protest is as follows:
23

24 1. The application filed by the applicant seeks to divert non-trust groundwaters that
25 are tributary to the flow of the Snake River above Milner Dam; and
26

2. The proposed diversion and use of the waters described in the aforesaid application may violate all or portions of the criteria set forth in Idaho Code Sections 42-108, 42-203A(5) and 42-222(1); and

3. For such other and further reasons as may be set forth at the hearing on this matter.

DATED this 6 day of October 1997.

ROSHOLT, ROBERTSON & TUCKER

By: Norman M. Semanko

CERTIFICATE OF MAILING

I hereby certify that on this 6 day of October, 1997, I served a copy of the foregoing NOTICE OF PROTEST, by hand delivery or by depositing same in the United States mail, postage prepaid, in an envelope, addressed to the following:

**Idaho Department of Water Resources
Eastern Regional Office
900 N. Skyline
Idaho Falls, ID 83401-3653**

by U.S. Mail

Poplar Irrigation District
c/o Jay Wheeler
13150 N 160 E
Ririe, ID 83443

by U.S. Mail

Norman M. Semanko

MICROFILMED

APR 15 1998

F A X

To: IDWR ~~Twin Falls~~ *Idaho Falls*
Company:
Fax number: +1 (208) 525-7177
Business phone:

From: Beeman & Hofstetter, P.C.
Fax number: +1 (208) 388-8400
Business phone:
Home phone:

Date & Time: 10/7/97 3:41:43 PM
Pages: 2
Re: Proposed Change of a Water Right No. 5141

Jo Beeman was wondering how we can obtain information about the final decision, including all conditions and written decisions, on the transfer in Proposed Change No. 5141 affecting decrees 01-00156 and 01-00202.

According to the Weekly Water Right Listing, the deadline to file protests is October 20, 1997.

Can you put us on the mailing list for the decision, etc.? If not, what do we need to do to get this stuff?

Thanks for your help:

Joyce Angell
Secretary
Beeman & Hofstetter, P.C.
608 West Franklin Street
Boise, Idaho 83702-5509
208-388-8900

MICROFILMED
APR 15 1998

Fax 208-388-8400
beehof@micron.net

MICROFILMED
APR 15 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

SEPTEMBER 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

POPLAR IRRIGATION DISTRICT
C/O JAY WHEELER
13150 N 160 E
RIRIE ID 83443

RE: TRANSFER APPLICATION #5141

Dear Applicant:

In order for the department to consider approval of your application, even if it is not protested, the following specific information will be needed:

1. Clearly demonstrate with facts and evidence that the surface and groundwater to be taken from wells is directly connected. An intuitive showing that there is interconnection between the surface and groundwater will not be considered as sufficient. Testing or a study of some nature should be required.
2. The applicant must clearly show evidence of past water availability from the surface water source in order to prevent enlargement in water use.

Sincerely,

Harold W Jones
Water Resources Supervisor

HWJ:sc

MICROFILMED
APR 15 1998

MEMORANDUM

RECEIVED

SEP 29 1997

Department of Water Resources
Eastern Region

TO: GLEN
FROM: NORM *NCY*
RE: TRANSFER 5141 (POPLAR IRRIGATION)
DATE: September 24, 1997

Your comments are well taken. Ron and I had discussed the possibility of requiring the Irrigation District to divert their water right and use it for recharge as a condition of approval. This is contrary to the published notice and may be difficult for the irrigation district to accomplish with a washed-out canal. However, it has the advantage of keeping the resource whole and letting the Irrigation District show a continued diversion and use of its water right from Snake River. This should help to prevent forfeiture of the right. Would be better if we had an exchange procedure, perhaps.

Ron indicated that the priority dates of these rights are rather junior and do not supply a full right for the lands. The District has or rents storage to supplement. The transfer approval would need to be conditioned to require that the wells only be pumped when the surface sources were providing flow-- under my scenario as recharge to the aquifer from which the new wells are diverting water.

c. Ron Carlson ✓

MICROFILMED
APR 15 1998

RECEIVED

SEP 26 1997

Department of Water Resources
Eastern Region

Water Resources
David Jones

Poplar Irrigation Meeting Sept 12, 1997

Attending: Jay Wheeler, Roger Luthy,
Kim Ferguson, Bob Adams, Brett
Luthy, Scott Anderson, Gary Graham
Paul Amberger.

Discussed the possibility of setting
pumps to use for water.
Flood damage to ditch has to
be repaired.

Questions discussed needing answers
and further discussion are

1. Restrictions on ground water pumping
2. Check on pump size + H.P.
3. What we owe against storage
water. Whats involved
4. Check amounts paid by FEMA.
Matters to be checked in to and
discussed again

All Three Board Members were present
Bob Adams President
Jay Wheeler Vice Chairman
Kim Ferguson Board Member

MICROFILMED

APR 15 1998

From: DWR01::GSAXTON 26-SEP-1997 15:36:07.46
To: DWR70::HJONES
CC:
Subj:

The above referenced application proposes to change the source of the water right from the Snake River to four (4) new wells in the area.

Since the proposal is unusual, I think the department should advise the applicant in writing early in the application processing that at a minimum the applicant needs to do the following in order for the department to consider approval of the application even if it is not protested:

1. Clearly demonstrate with facts and evidence that the surface and groundwater to be taken from wells is directly connected. An intuitive showing that there is interconnection between the surface and groundwater will not be considered as sufficient. Testing or a study of some nature should be required.

2. The applicant must clearly show evidence of past water availability from the surface water source in order to prevent enlargement in water use.

I have discussed this matter with Norm Young who agrees with early notification of the applicant. Please put the applicant on notice now rather than have the applicant advised by the state office for the first time further down the application processing road.

If you have questions, please feel free to contact me or Norm.

MICROFILMED
APR 15 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

September 24, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

POST REGISTER
CLASSIFIED ADS
PO BOX 1800
IDAHO FALLS ID 83403

Dear Publisher:

Enclosed you will find a legal notice which we wish to have on the dates indicated in your newspaper. 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.

Please send the affidavit of publication and publication billing to this office before October 20, 1997.

Yours truly,

Rita Bodell
Rita Bodell
Secretary

Enc.

MICROFILMED

APR 15 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

September 24, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JEFFERSTON STAR
CLASSIFIED ADS
PO BOX 37
RIGBY ID 83442

Dear Publisher:

Enclosed you will find a legal notice which we wish to have on the dates indicated in your newspaper. 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.

Please send the affidavit of publication and publication billing to this office before October 20, 1997.

Yours truly,

A handwritten signature in cursive script that reads 'Rita Bodell'.

Rita Bodell
Secretary

Enc.

MICROFILMED

APR 15 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

September 24, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

IDAHO STATESMAN
CLASSIFIED ADS
PO BOX 40
BOISE ID 83707

Dear Publisher:

Enclosed you will find a legal notice which we wish to have on the dates indicated in your newspaper. 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.

Please send the affidavit of publication and publication billing to this office before October 20, 1997.

Yours truly,

Rita Bodell
Secretary

Enc.

MICROFILMED

APR 15 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

September 24, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LEWISTON MORNING TRIBUNE
CLASSIFIED ADS
PO BOX 957
LEWISTON ID 83501

Dear Publisher:

Enclosed you will find a legal notice which we wish to have on the dates indicated in your newspaper. 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.

Please send the affidavit of publication and publication billing to this office before October 20, 1997.

Yours truly,

Rita Bodell
Secretary

Enc.

MICROFILMED

APR 15 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

September 24, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

TIMES NEWS
CLASSIFIED ADS
PO BOX 548
TWIN FALLS ID 83303

Dear Publisher:

Enclosed you will find a legal notice which we wish to have on the dates indicated in your newspaper. 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.

Please send the affidavit of publication and publication billing to this office before October 20, 1997.

Yours truly,

A handwritten signature in cursive script that reads 'Rita Bodell'.

Rita Bodell
Secretary

Enc.

MICROFILMED

APR 15 1998

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. 5141

Notice is hereby given that Poplar Irrigation District c/o Jay Wheeler, 13150 N 160 E, Ririe, ID 83443, has applied to the Department of Water Resources to change point of diversion and source of the waters of the Snake River. The rights sought to be changed are evidenced by decrees and recorded as follows:

Decree No.: 01-00156 Source: S.F. Snake River
Amount: 24.00 cfs Priority: 06/01/1902
Point(s) of Diversion: NENW(LOT 4) SEC 16 T03N R41E, BONNEVILLE COUNTY

The water is used for irrigation. The place of use was not listed in the decree.

Decree No.: 01-00202 Source: Snake River
Amount: 12.00 cfs Priority: 01/22/1916
Point(s) of Diversion: NENW SEC 16 T03N R41E, BONNEVILLE COUNTY

The water is used for irrigation within the S1/2NE S1/2NW S1/2 SEC 1; SENE SW1/4 S1/2SE SEC 2; NWNE N1/2NW1/4 SEC 12 T03N R40E; NWNE S1/2NE NW1/4 N1/2SW SWSW SEC 6 T03N R41E, BONNEVILLE COUNTY

TO BE CHANGED AS FOLLOWS:

The applicant intends to stop diverting water directly out of the flow of the Snake River, South Fork and instead drill four wells with mainlines and ditches to irrigate 869.8 acres in SEC 1, 2, & 12 T03N, R40E; SEC 6 T03N R41E AND SEC 31 T04N R41E. The locations of the proposed 4 wells are in the SENENW SEC 6 T3N R41E DIVERSION #1; SESWNW SEC 6 T3N R41E DIVERSION #2; NWSWSW SEC 1 T3N R40E DIVERSION #3; NENESW SEC 2 T3N R40E DIVERSION #4.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, together with a protest fee of \$25 on or before October 20, 1997. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published statewide on October 2 and 9, 1997.

MICROFILMED

APR 15 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 24, 1997

POPLAR IRRIGATION DISTRICT
JAY WHEELER
13150 N 160 E
RIRIE ID 83443

RE: Notice of Application for Transfer No. T5141

Dear Applicant:

This office is currently in the process of advertising the application in statewide and the Post Register on Oct. 2 & 9, 1997. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the 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.

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

Sincerely,

Harold W. Jones
Harold W. Jones
Water Right Supervisor

HWJ/rb

MICROFILMED

APR 15 1998

INTER-DEPARTMENT MEMO

TO: B Poplar Irrig TrustSUBJECT: Adv. LanguageFROM: HCW.JDATE: 9-17-97

To be changed as follows: The applicant intends to ~~abandon~~ stop diverting water directly out of the flow of the Snake River, South fork and instead drill four wells with mainlines and ditches to irrigate 869.8 acres in Sect 1, 2 + 12 T3N R40E, Sect 6 T3N R41E and Sect 31 T4N R41E. The locations of the proposed 4 wells are NRNE, SWNW Sect 6 T3N R41E and SWSW Sect 1, N3SW Sect T3N R40E.

MICROFILMED

APR 15 1998

() For your information

() Response required

signature

November 13, 1969

Re: Application for change in Point
of Diversion

Earl E. Spaulding, Chairman
Poplar Irrigation District
Route #2, Box 270-A
Rigby, Idaho 83442

Dear Mr. Spaulding:

We have received your application for change in point of diversion, but are returning it and ask that it be made on the new form we are now using. We now use this completed application rather than issuing a certificate when the transfer is completed.

We also will have to have a \$20.00 filing fee before we can process your application. This fee pays for the publication and recording costs.

I have talked with Art Larsen, Watermaster, about this change, and we see no reason why it should be protested. It probably will take five or six weeks to complete the transfer.

Very truly yours,

Robert W. Hamilton, Supervisor
of Water Distribution

RWH:mh

Enclosure

MICROFILMED

Nov. 10, 1969

RECEIVED
NOV 17 1969
Department of Reclamation

R. Kieth Higginson

Dear Sir.

We are sending in an application to change point of diversion of decreed water Right.

Our Canal is the first canal out of the S. Fork of the Snake River. It was a costly canal to build and maintain.

By changing the point of diversion we could eliminate 2 miles of canal which has been very hard to maintain. Also this canal has been a problem to get water into when the River is low.

We are anxious to get this project underway if this diversion is approved.

We would like to get this construction in while the river is low this fall and winter.

Therefore it is imperative that we have an answer as soon as possible.

Thank you

Poolar Irrigation District

Chairman *Earl E. Spaulding*

MICROFILMED

December 23, 1969

C
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P
Y

Arthur L. Larson, Watermaster
Water District No. 36
P. O. Box 697
Idaho Falls, Idaho 83401

Dear Mr. Larson:

We are enclosing herewith a copy of the approved transfer of water right No. 1619, in the name of Poplar Irrigation District, in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

Robert W. Hamilton, Supervisor
of Water Distribution

RWH:MH

Enclosure

MICROFILMED

December 23, 1969

Poplar Irrigation District
Route #2, Box 270-A
Rigby, Idaho 83442

Gentlemen:

We are enclosing herewith a copy of your approved transfer of water right No. 1619, in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Also enclosed is Departmental Receipt No. 3893 for \$20.00 covering the fees.

Very truly yours,

Robert W. Hamilton, Supervisor
of Water Distribution

RWH:mh

Enclosures

MICROFILMED

C
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P
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Proof of Publication
The Post-Register

RECEIVED
DEC 15 1969
Department of Reclamation

State of Idaho,
County of Bonneville } ss.

I, E. F. McDermott, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, 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 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks 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 two consecutive weeks, first publication having been made on the 4th day of December, 19 69, last publication having been made on the 11th day of December, 19 69, and that 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.

Subscribed and sworn to before me, this 12th day of December, 19 69

Karel Schae
Notary Public

My commission expires April 5, 19 71

B10, 1M, 10-63

NOTICE OF PROPOSED TRANSFER
OF WATER RIGHT
Notice is hereby given that Poplar
Irrigation District of Rigby, Idaho has
applied to the State Reclamation Engineer
of the State of Idaho for a certificate
authorizing them to change the point of
diversion of the waters of Snake River
as follows:
Amount: 24.0 cubic feet per second.
Priority: June 1, 1902.
Point of Diversion: NE 1/4 NW 1/4, Section
16, Township 3N, Range 41E, B.M.
Place of Use: Not Given.
TO BE TRANSFERRED TO
Point of Diversion: SE 1/4 SW 1/4, Section
5, Township 3N, Range 41E, B.M.
Place of Use: No Change.
Any protests against this proposed
transfer of water right must be filed
with the Department of Reclamation
within ten days from the last date of
this notice.
Published: December 4, 11, 1969.
R. KEITH HIGGINSON
State Reclamation Engineer

MICROFILMED

**NOTICE OF PROPOSED TRANSFER
OF WATER RIGHT**

(corrected)

Notice is hereby given that Poplar Irrigation District of Rigby, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the point of diversion of the waters of Snake River as follows:

Amount: 240 cubic feet per second.

Priority: June 1, 1902.

Point of Diversion: NE 1/4 NW 1/4, Section 16, Township 3N, Range 41E, E.M.

Place of Use: Not Given.

TO BE TRANSFERRED TO

Point of Diversion: SE 1/4 SW 1/4, Section 5, Township 3N, Range 41E, E.M.

Place of Use: No Change.

Any protests against this proposed transfer of water right must be filed with the Department of Reclamation within ten days from the last date of this notice.

Published: December 4, 11, 1969.

R. KEITH HIGGINSON
State Reclamation Engineer

Galley proof. The Post-
Register, Idaho Falls, Ida.
11/28/69.

MICROFILMED

**NOTICE OF PROPOSED TRANSFER
OF WATER RIGHT**

Notice is hereby given that Poplar Irrigation District of Rigby, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the point of diversion of the waters of Snake River as follows:

Amount: 24.0 cubic feet per second.
Priority: June 1, 1902.
Point of Diversion: NE 1/4 NW 1/4 Section 16, Township 3N, Range 41E, B.M.

Place of Use: Not Given.

TO BE TRANSFERRED TO
Point of Diversion: SE 1/4 SW 1/4 Section 5, Township 3N, Range 41E, B.M.
Place of Use: No Change.

Any protests against this proposed transfer of water right must be filed with the Department of Reclamation within ten days from the last date of this notice.

Published: December 4, 11, 1969.
R. KEITH HIGGINSON
State Reclamation Engineer

RECEIVED

Department of Reclamation

MICROFILMED

RECEIVED

Department of Reclamation

Identification No. 01-003

Transfer No. 1619

APPLICATION FOR TRANSFER OF WATER RIGHT

RECOMMENDATION OF WATERMASTER

I, Arthur L. Larson, watermaster of Upper Snake River,
of Water District No. 36, County of Bonneville, State of Idaho,
whose address is P.O. Box 697, Idaho Falls, Idaho,
have read the attached copy of the application for transfer of water right for
POPLAR IRRIGATION DISTRICT, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse Application for Transfer and recommend that the State
Reclamation Engineer approve the Transfer subject to the following conditions:

That the pump site selected does not interfere
with the Anderson Canal diversion or the U.S.G.S.
gaging station Snake River near Heise.

OR

B. I do not endorse approval of this Application for Transfer as requested
for the following reasons: _____

Dated at Idaho Falls, Idaho, this 26th day of November, 1969.

Arthur L. Larson
(Signature)

MICROFILMED

November 25, 1969

Re: Transfer of Water Right

Arthur L. Larson, Watermaster
Water District No. 36
785 Sonja
Idaho Falls, Idaho 83401

Dear Mr. Larson:

We are enclosing herewith a copy of the Application for transfer of water right for the Poplar Irrigation District.

Also enclosed is the form for the recommendation of the watermaster for you to fill out and return to this office.

Very truly yours,

Robert W. Hamilton, Supervisor
of Water Distribution

RWH:MH

Enclosures - 2

MICROFILMED

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NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Poplar Irrigation District
of Rigby, Idaho has applied to the State
Reclamation Engineer of the State of Idaho for a certificate
authorizing them to change the point of diversion ~~and~~ and
~~of the waters of~~ Snake River
as follows:

Amount: 24.0 cubic feet per second. Priority: June 1, 1902
Point of Diversion: NE ¼ NW ¼, Section 16, Township 3N,
Range 41E, B.M.
Place of Use: not given

To Be Transferred To

Point of Diversion: SE ¼ SW ¼, Section 5, Township 3N,
Range 41E, B.M.
Place of Use: no change

Any protests against this proposed transfer of water right
must be filed with the Department of Reclamation within ten days
from the last date of this notice.

Published on December 4, 1969 and December 11, 1969.

R. KEITH HIGGINSON
State Reclamation Engineer

MICROFILMED

November 25, 1969

Post Register
333 Northgate Mile
Idaho Falls, Idaho 83401

Gentlemen:

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 publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(Signature of the claimant)

Very truly yours,

Robert W. Hamilton, Supervisor
of Water Distribution

RWH:mh

Enclosure

MICROFILMED

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707
November 13, 1969

RECEIVED
NOV 14 1969
Department of Reclamation

Re: Application for change in Point
of Diversion

Earl E. Spaulding, Chairman
Poplar Irrigation District
Route #2, Box 270-A
Rigby, Idaho 83442

Dear Mr. Spaulding:

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Very truly yours,

Robert W. Hamilton

Robert W. Hamilton, Supervisor
of Water Distribution

RWH:mh

Enclosure

MICROFILMED