

SEP 10 2014

Department of Water Resources  
Eastern Region

## LEGAL PROOF OF PUBLICATION

| Account # | Ad Number  | Identification                    | PO                 | Amount   | Cols | Lines |
|-----------|------------|-----------------------------------|--------------------|----------|------|-------|
| 263963    | 0001216306 | LEGAL NOTICE NOTICE OF PROPOSED C | MONTEVIEW CANAL CO | \$116.90 | 1    | 68    |

Attention: SHARLA COX

IDAHO DEPT WATER RESOURCE / EAST  
900 N SKYLINE DR STE A  
IDAHO FALLS, ID 834021700LEGAL NOTICE  
NOTICE OF PROPOSED  
CHANGE OF WATER RIGHT  
TRANSFER NO. 79495

MONTEVIEW CANAL CO INC,  
C/O DON PARKER, 2521 N 800  
E, MONTEVIEW, ID 83435; has  
filed Application No. 79495 for  
changes to the following water  
rights within JEFFERSON  
County(s): Right No(s). 31-11760,  
31-11762, 31-11764, 31-11766,  
31-11889, 31-11891, 31-11893,  
31-11895, 31-11897, 31-11899,  
31-11901, 31-11903, 31-11905,  
31-11907; to see a full descrip-  
tion of these rights and the pro-  
posed transfer, please see [www.idwr.idaho.gov/apps/ExtSearch/WR\\_Filing.asp](http://www.idwr.idaho.gov/apps/ExtSearch/WR_Filing.asp). The purpose of the  
transfer is to change a portion of  
the above rights as follows: The  
applicant proposes to change the  
point of diversion. The points of  
diversion are in the NENESE,  
NWNENE and SWSWSE Sec 21,  
SWSWNW, NENWSW, NWSWSW  
and SWSWSW Sec 26, SESENE,  
NENWSE, SESESE, NESWSE and  
SWSWSW Sec 27, NESESE,  
NESW, SENWSW and SESWSW  
Sec 28, NESWSW Sec 29,  
SENENW Sec 33, and NWNENE  
and NENWNW Sec 34 T8N R34E  
for 134,150 cfs from ground wa-  
ter. The point of diversion in the  
NESW Sec 28 T8N R34E is the  
new well and is replacing well num-  
ber 12, which is located in the  
NWSWNE Sec 28 T8N R34E. The  
new well will be limited to 12.0  
cfs. The place of use remains the  
same for the service area of  
Monteview Canal Company.

For additional information con-  
cerning the property location, con-  
tact Eastern Region office at (208)  
525-7161. Protests may be sub-  
mitted based on the criteria of Ida-  
ho Code Sec. 42-222.

Any protest against the proposed  
change must be filed with the De-  
partment of Water Resources,  
Eastern Region, 900 N Skyline Dr  
Ste A, Idaho Falls ID 83402 to-  
gether with a protest fee of  
\$25.00 for each application on or  
before September 8, 2014. The  
protestant must also send a copy  
of the protest to the applicant.

GARY SPACKMAN, Director

Pub. Aug. 21, 28, 2014

0001216306-01

JANICE HILDRETH, being duly  
sworn, deposes and says: That she is  
the Principal Clerk of The Idaho  
Statesman, a daily newspaper printer  
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 conformit  
with Section 60-108, Idaho Code, as  
amended, for:

2 InsertionsBeginning issue of: 08/21/2014Ending issue of: 08/28/2014

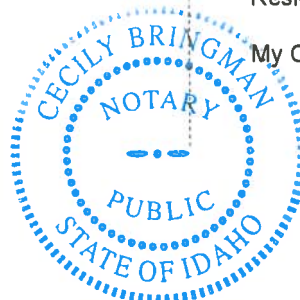
*Janice Hildreth*  
(Legals Clerk)

STATE OF IDAHO )  
SS

COUNTY OF ADA )

On this 28th day of August in the yea  
of 2014 before me, a Notary Public,  
personally appeared before me Janic  
Hildreth known or identified to me to  
be the person whose name subscribe  
to the within instrument, and being by  
first duly sworn, declared that the  
statements therein are true, and  
acknowledged to me that she  
executed the same.

*Cecily Bringham*  
Notary Public FOR Idaho  
Residing at: Boise, Idaho

My Commission expires: 8-27-15

RECEIVED

SEP 02 2014

Department of Water Resources  
Eastern Region

**Affidavit of Publication**  
STATE OF IDAHO )  
COUNTY OF TWIN FALLS) SS.

I, Ruby Aufderheide, being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily at, Twins 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 21st day of August, 2014 and ending with the issue dated 28th day of August, 2014

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 issued thereof Thursday is announced as the day on which said legal will be published.

*Ruby Aufderheide*  
Ruby Aufderheide, Legal Clerk

STATE OF IDAHO  
COUNTY OF TWIN FALLS

On this 28th day of August, 2014, before me,

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 79495**

**MONTEVIEW CANAL CO INC, C/O DON PARKER, 2521 N 800 E, MONTEVIEW, ID 83435;** has filed Application No. 79495 for changes to the following water rights within JEFFERSON County(s): Right No(s). 31-11760, 31-11762, 31-11764, 31-11766, 31-11889, 31-11891, 31-11893, 31-11895, 31-11897, 31-11899, 31-11901, 31-11903, 31-11905, 31-11907; to see a full description of these rights and the proposed transfer, please see [www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp](http://www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp). The purpose of the transfer is to change a portion of the above rights as follows:

The applicant proposes to change the point of diversion. The points of diversion are in the NENESE, NWNESE and SWSWSE Sec 21, SWSWNW, NENWSW, NWSWSW and SWSWSW Sec 26, SESENE, NENWSE, SESESE, NESWSE and SWSWSW Sec 27, NESESE, NESW, SENWSW and SESWSW Sec 28, NESWSW Sec 29, SENENW Sec 33, and NWNENE and NENWNW Sec 34 T8N R34E for 134,150 cfs from ground water. The point of diversion in the NESW Sec 28 T8N R34E is the new well and is replacing well number 12, which is located in the NWSWNE Sec 28 T8N R34E. The new well will be limited to 12.0 cfs. The place of use remains the same for the service area of Montevue Canal Company.

For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before September 8, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on August 21 and 28, 2014

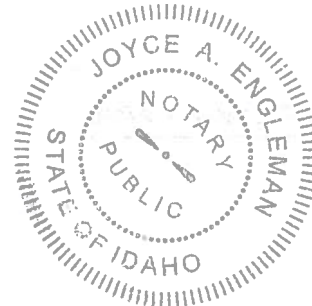
by Aufdeheide,

on whose name subscribed to the within instrument, and being by me first duly sworn, depose and say that the contents of the foregoing are true, and acknowledged to me that he executed the same.

*Joyce A. Engleman*  
Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 6/28/15



The Jefferson Star  
Rigby, Idaho

# AFFIDAVIT OF PUBLICATION

State of Idaho )  
County of Jefferson ) ss

I, Gerri McMinn of The Jefferson Star, published weekly at Rigby, Jefferson County, Idaho, do solemnly swear that the

Change of  
Water Right

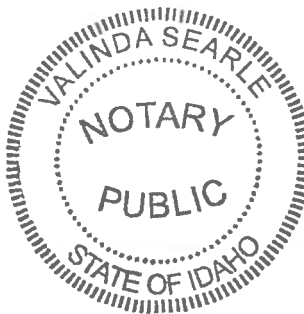
a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for 2 consecutive issues, the first publication having been made on 8/20/14 and the last publication having been made on 8/27/14. Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has continuously and uninterruptedly published in said county during a period of seventy eight consecutive weeks prior to the first publication of the said notice.

Gerri McMinn  
On this 27<sup>th</sup> day of August  
in the year of 2014, before me, a Notary Public,  
personally appeared

Gerri McMinn

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.

Valinda Searle  
Notary Public of Idaho  
Residing at Idaho Falls  
My commission expires 11-10-2017



NOTICE OF PROPOSED  
CHANGE OF WATER RIGHT  
TRANSFER NO. 79495  
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Sec 34 T8N R34E for 134,150 cfs  
from ground water. The point of  
diversion in the NESW Sec 28 T8N  
R34E is the new well and is re-  
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located in the NWSWNE Sec 28  
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limited to 12.0 cfs. The place of  
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service area of Montevue Canal  
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For additional information con-  
cerning the property location,  
contact Eastern Region office at  
(208) 525-7161. Protests may  
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Any protest against the pro-  
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the Department of Water Re-  
sources, Eastern Region, 900 N  
Skyline Dr Ste A, Idaho Falls ID  
83402 together with a protest  
fee of \$25.00 for each application  
on or before September 8, 2014.  
The protestant must also send a  
copy of the protest to the appli-  
cant.

GARY SPACKMAN, Director  
Published in the Jefferson Star,  
Rigby, Idaho, August 20 and 27,  
2014.

RECEIVED

AUG 29 2014

Department of Water Resources  
Eastern Region

Proof of Publication  
The Post Register

State of Idaho  
Bonneville County:

RECEIVED  
AUG 29 2014  
Department of Water Resources  
Eastern Region

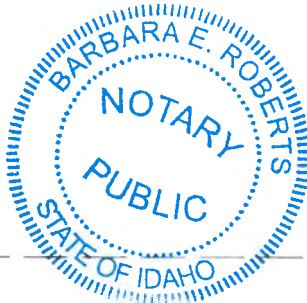
I, ~~Hilary Witt~~ or Staci Dockery, first being duly sworn, depose and say: That I am the ~~Classifieds Manager~~ or Legal Notice Representative of the Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published Tuesday through Sunday 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 consolidations 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 under this ad number: **674080**, for **2** consecutive (days) weeks, between **08/21/2014** and **08/28/2014**,

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.

*Staci Dockery*

Subscribed and sworn to before me, this 28 day of August 2014



*Barbara E. Roberts*  
Notary Public

My Commission expires: 5/9/2019

----- attached jurat -----

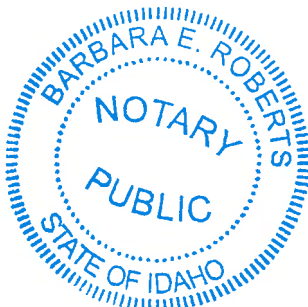
STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 28 day of August 2014, before me, the undersigned, a Notary public for said state, personally appeared ~~Hilary Witt~~ or Staci Dockery, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

IN WITNESS WHEREOF, I have herunto set my hand and affixed my official seal the day and year in this certificate first above written.



*Barbara E. Roberts*  
Notary Public for The Post Company  
Residing at: Idaho Falls  
My Commission expires: 5/9/2019

**NOTICE OF PROPOSED CHANGE  
OF WATER RIGHT  
TRANSFER NO. 79495**

MONTEVIEW CANAL CO INC, C/O DON PARKER, 2521 N 800 E, MONTEVIEW, ID 83435; has filed Application No. 79495 for changes to the following water rights within JEFFERSON County(s): Right No(s). 31-11760, 31-11762, 31-11764, 31-11766, 31-11889, 31-11891, 31-11893, 31-11895, 31-11897, 31-11899, 31-11901, 31-11903, 31-11905, 31-11907; to see a full description of these rights and the proposed transfer, please see

[www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp](http://www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp). The purpose of the transfer is to change a portion of the above rights as follows: The applicant proposes to change the point of diversion. The points of diversion are in the NENESE, NWNESE and SWSWSE Sec 21, SWSWNW, NENWSW, NWSWSW and SWSWSW Sec 26, SESENE, NENWSE, SESESE, NESWSE and SWSWSW Sec 27, NESESE, NESW, SENWSW and SESWSW Sec 28, NESWSW Sec 29, SENENW Sec 33, and NWNENE and NENWNW Sec 34 T8N R34E for 134,150 cfs from ground water. The point of diversion in the NESW Sec 28 T8N R34E is the new well and is replacing well number 12, which is located in the NWSWNE Sec 28 T8N R34E. The new well will be limited to 12.0 cfs. The place of use remains the same for the service area of Montevue Canal Company.

For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before September 8, 2014. The protestant must also send a copy of the protest to the applicant.

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

31-12339  
UNITED STATES OF AMERICA  
CARIBOU-TARGHEE NATIONAL FOREST  
1405 HOLLIPARK DR  
IDAHO FALLS, ID 83401  
Point of Diversion  
SENE S10 T13N R36E  
CLARK County  
Source GROUND WATER Tributary  
Use: STOCKWATER  
06/01 to 10/31 0.02 CFS  
Total Diversion: 0.02 CFS  
3.5 AF  
Date Filed: 8/4/2014  
Place Of Use: STOCKWATER  
T13N R36E S10 NESE SWSE  
T13N R36E S15 NENW NESE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before 9/8/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director  
Published: August 21 and 28, 2014 (674080)

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

LEGAL ADVERTISING  
INVOICE

Sold To: IDAHO DEPT/ WATER RESOURCES  
900 N. SKYLINE DR, STE A  
IDAHO FALLS ID 83402

Date: 08/28/2014 INVOICE NO. 99855  
Account No. 446600  
Description 99855 NOTICE OF  
Times 2 Lines 75  
Tab. lines  
\$ 106.88

RECEIVED  
SEP 02 2014

Department of Water Resources  
Eastern Region

PO# No. 79495

NOTICE: This is a 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

99855  
NOTICE OF PROPOSED  
CHANGE OF WATER  
RIGHT  
TRANSFER NO. 79495

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Sec 34 T8N R34E for 134,150  
cfs from ground water. The  
point of diversion in the

Karen J. Lewis, being duly sworn, deposes and  
says, I am the Legal Clerk of the Tribune  
Publishing Company, a corporation organized and existing  
under and by virtue of the laws of the State of Idaho  
and under and by virtue of the laws of the State of Washington,  
publishers of the Lewiston Tribune, a news-  
paper of general circulation published at Lewiston, Nez Perce  
County, Idaho; That the said Lewiston Tribune is  
an established newspaper and has been published regularly  
and issued regularly at least once a day for more than 105  
consecutive years next immediately preceding the first  
publication of this notice, and has been so published  
uninterrupted for said period; that the 99855 NOTICE OF  
attached hereto and which is made a part of this affidavit  
was published in the said Lewiston Tribune,

2 time(s). Publication being on  
08/21, or once a Week  
for 2 consecutive Week,  
the first publication thereof being on the 08/21/2014,  
and the last publication thereof being on the 08/28/2014,  
and said 99855 NOTICE OF was so published in the  
regular and entire issue of said newspaper and was not in a  
supplement thereof and was so published in every issue and  
number of the said paper, during the period and times of  
publication as set forth above.

Karen J. Lewis

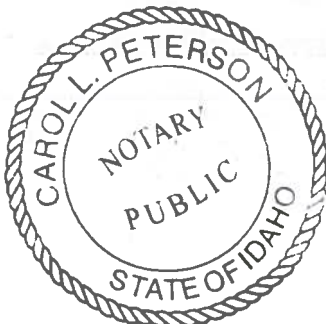
State of Idaho

S.S.

County of Nez Perce

On this 29th day of August in the year  
of 2014, before me, a Notary Public, personally  
appeared Karen J. Lewis, known or identified  
to me to be the person whose name subscribed to the  
within instrument, and being by me first duly sworn,  
declared that the statements therein are true, and  
acknowledged to me that he executed the same.

Carol Peterson  
Notary Public in and for the State of Idaho,  
residing at Lewiston, therein  
Commission Expires 9-1-2017



NESW Sec 28 T8N R34E is the new well and is replacing well number 12, which is located in the NWSWNE Sec 28 T8N R34E. The new well will be limited to 12.0 cfs. The place of use remains the same for the service area of Montevieu Canal Company. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

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GARY SPACKMAN,  
Director  
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