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DEC 07 2011

Department of Water Resources
Eastern Region

STANDARD JOURNAL
Rexburg, Idaho
St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

Madison and Fremont Counties

I, Jeremy Cooley, being first duly sworn, depose and say, that I am the circulation director of the STANDARD JOURNAL, a 3 times a week newspaper published 3 times a week in Madison and Fremont Counties, Idaho; and I do solemnly swear that the Notice of Proposed Change of Water Right Transfer No. 77586, 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, once each week thereof for two successive issues, the first publication having been made on November 17, 2011 and the last publication having been made on November 24, 2011.

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 been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

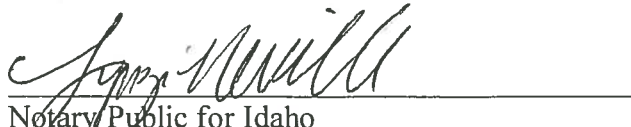


STATE OF IDAHO)

)

COUNTY OF MADISON)

On this 28 day of November in the year of 2011 before me, a Notary Public, personally appeared Jeremy Cooley, 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 statement therein are true, and acknowledged to me that he executed the same.



Notary Public for Idaho

Residing at Rexburg, Idaho

My commission expires: February 2, 2015.

Lynzi Neville
Notary Public
State of Idaho

LEGALS

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT
TRANSFER NO. 77586

WALTERS READY MIX, PO BOX 390, REXBURG, ID 83440 has filed Application No. 77586 for changes to the following water rights within MADISON County(s): Right No(s). 25-14360; to see a full description of these rights and the proposed transfer, please see 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, to add a point of diversion, to change the place of use, to change the nature of use and to change the period of use. The points of diversion are in the SWNE and NWSE Sec 14 T5N R39E from groundwater for 0.13 cfs. The place of use is in the SWNE and NWSE Sec 14 T5N R39E for industrial use from 01/01 to 12/31. The industrial use is to mitigate for the evaporation losses of a 6.7 acre pond.

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 to gether with a protest fee of \$25.00 for each application on or before December 5, 2011. 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:

22-14019
WALTERS READY MIX
PO BOX 390
REXBURG, ID 83440
Point of Diversion
SWNE S14 T05N R39E
NWSE S14 T05N R39E
MADISON County
Source GROUND WATER Tributary
Use: INDUSTRIAL
01/01 to 12/31 4.99 CFS
Use: INDUSTRIAL STORAGE
01/01 to 12/31 67 AF
Total Diversion: 4.99 CFS 67 AF

Date Filed: 9/19/2011
Place Of Use: INDUSTRIAL
T05N R39E S14 SWNE NWSE
Place Of Use: INDUSTRIAL STORAGE
T05N R39E S14 SWNE NWSE

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 to gether with a protest fee of \$25.00 for each application on or before December 5, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on November 17 and 24, 2011

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