

RECEIVED
MAR 07 2011
Department of Water Resources
Eastern Region

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the **APPLICATION 75-14646**, a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for **TWO (2)** consecutive issue(s), commencing with the issue dated **2-17-2011** and ending with the issue dated **2-24-2011**.

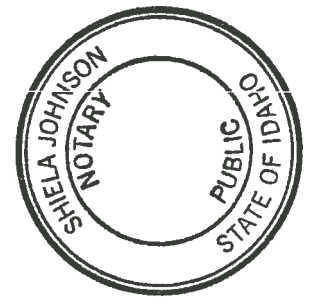
STATE OF IDAHO }
County of Lemhi } ss.

On this **25th day of February** in this year of 2011 before me, A Notary Public, personally appeared **RICKY G. HODGES**, 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.

Sheila Johnson
Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 01-16-2013



Publication Fee \$221.40

The following application(s) have been filed to appropriate the public waters of the State of Idaho: 75-14646

MARK OLSON
KIMBERLY OLSON
74 DEMICK LN
SALMON, ID 83467
Point of Diversion NENESW S17
T21N R22E LEMHI County Source
SPRING Tributary KIDS CREEK
Use: IRRIGATION
04/01 to 10/31 0.7 CFS
Use: IRRIGATION STORAGE
01/01 to 12/31 10 AF
Use: IRRIGATION FROM STORAGE
04/01 to 10/31 10 AF
Use: WILDLIFE STORAGE
01/01 to 12/31 10 AF
Total Diversion 0.7 CFS 10 AF
Date Filed: 9/14/2010
Place Of Use: IRRIGATION,
IRRIGATION FROM STORAGE
T21N R22E S17 SWNE SENW
NESW
Place Of Use: IRRIGATION
STORAGE, WILDLIFE STORAGE
T21N R22E S17
SENW
Total Acres: 34.7

This application proposes the diversion and use of water from Kids Creek tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate of .70 cfs and 34.7 acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

Permits will be subject to all prior water rights. 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 March 7, 2011. The protestant must also send a copy of the protest to the applicant.

SCANNED
MAY 03 2011

TRANSFER NO. 77009

BEYELER RANCHES LLC, C/O MERRILL AND SHARAL BEYELER, PO BOX 62, LEADORE, ID 83464 has filed Application No. 77009 for changes to the following water rights within LEMHI County(s): Right No(s). 74-158, 74-159, 74-160, 74-2326, 74-2289, 74-7185, 74-31, 74-871; to see a full description of these rights and the proposed transfer, please see 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 points of diversion, add points of diversion and to change the place of use. The points of diversion are in the SESE, SWSE Sec 22, NENW (re-diversion), SWNW (injection), SENW (injection) Sec 28, NENE Sec 34, NESW Sec 27, SWNW Sec 35 T16N 26E for 13.3 cfs. The place of use is within Sec 21, 27 and 28 T16N R26E for 573.3 acres.

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 March 7, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director
2-17-21c

Idaho Statesman

The Newspaper of the Treasure Valley
IDAHOSTATESMAN.COM

PO Box 40, Boise, ID 83707-0040

RECEIVED

FEB 27 2011

Department of Water Resources
Eastern Region

LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
100564	0000539786	LEGAL NOTICE	BEYELER RANCHES	\$96.00	1	45

Attention: Sharla Cox

IDAHO DEPT WATER RESOURCE / LEGAL
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402

LEGAL NOTICE NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 77009

BEYELER RANCHES LLC, C/O MERRILL AND SHARAL BEYELER, PO BOX 62, LEADORE, ID 83464 has filed Application No. 77009 for changes to the following water rights within LEMHI County(s): Right No(s). 74-158, 74-159, 74-160, 74-2326, 74-2289, 74-7185, 74-31, 74-871; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp.

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GARY SPACKMAN, Interim Director
Pub. Feb. 17, 24, 2011

0000539786-01

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:

2 Insertions

Beginning issue of: 02/17/2011

Ending issue of: 02/24/2011

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)

.SS

COUNTY OF ADA)

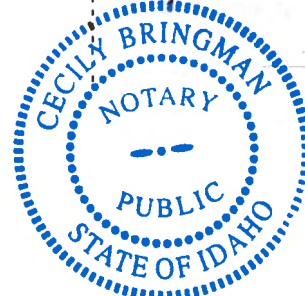
On this 24 day of February in the year of 2011 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Cecily Bringham

Notary Public for Idaho
Residing at: Boise, Idaho

My Commission expires:

8-27-15



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

LEGAL ADVERTISING
INVOICE

Date: 02/24/2011 INVOICE NO. 34138
Account No. 446600
Description 34138 NOTICE OF
Times 2 Lines 61
Tab. lines
\$ 91.50

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

RECEIVED

FEB 27 2011

Department of Water Resources
Eastern Region

PO#

77009

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.

34138
NOTICE OF PROPOSED
CHANGE OF WATER RIGHT

TRANSFER NO. 77009

BEYELER RANCHES LLC,
C/O MERRILL AND SH-
ARAL BEYELER, PO BOX
62, LEADORE, ID 83464 has
filed Application No. 77009
for changes to the following
water rights within LEMHI
County(s): Right No(s). 74-
158, 74-159, 74-160, 74-2326,
74-2289, 74-7185, 74-31, 74-
871; 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 points of diversion,
add points of diversion and to
change the place of use. The
points of diversion are in the
SESE, SWSE Sec 22, NENW
(re-diversion), SWNW (injec-
tion), SENW (injection) Sec
28, NENE Sec 34, NESW Sec
27, SWNW Sec 35 T16N 26E
for 13.3 cfs. The place of use is
within Sec 21, 27 and 28 T16N
R26E for 573.3 acres.

Protests may be submitted
based on the criteria of Idaho
Code Sec. 42-222.

Any protest against the pro-
posed 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 March
7, 2011. The protestant must
also send a copy of the protest
to the applicant.

GARY SPACKMAN,
Interim Director

Published on February 17 and
24, 2011

AFFIDAVIT OF PUBLICATION

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 34138 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
02/17, or once a WEEK
for 2 consecutive WEEK
the first publication thereof being on the 02/17/2011,
and the last publication thereof being on the 02/24/2011,
and said 34138 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

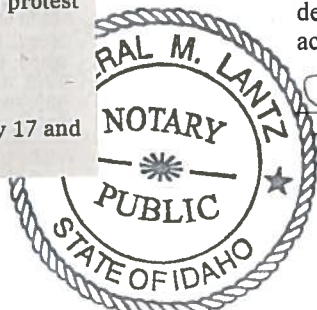
State of Idaho

S.S.

County of Nez Perce

On this 24th day of Feb in the year
of 2011, 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.

Sheryl M. Lantz
Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 6/04/15



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

RECEIVED
FEB 25 2011
Department of Water Resources
Eastern Region

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 17th day of February, 2011 and ending with the issue dated 24th day of February, 2011

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 24th day of February, 2011, before me,

a Notary Public, personally appeared Ruby Aufderheide,
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.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 77009**

BEYELER RANCHES LLC, C/O MERRILL AND SHARAL BEYELER, PO BOX 62, LEADORE, ID 83464 has filed Application No. 77009 for changes to the following water rights within LEMHI County(s): Right No(s). 74-158, 74-159, 74-160, 74-2326, 74-2289, 74-7185, 74-31, 74-871; to see a full description of these rights and the proposed transfer, please see 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 points of diversion, add points of diversion and to change the place of use. The points of diversion are in the SESE, SWSE Sec 22, NENW (re-diversion), SWNW (injection), SENW (injection) Sec 28, NENE Sec 34, NESW Sec 27, SWNW Sec 35 T16N 26E for 13.3 cfs. The place of use is within Sec 21, 27 and 28 T16N R26E for 573.3 acres.

Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

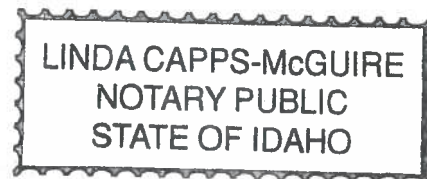
Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before March 7, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director Published on February 17 and 24, 2011

PUBLISH: February 17 and 24, 2011

Linda Capps McGuire
Notary Public for Idaho
Residing at Twin Falls, Idaho.

My commission expires: 5-29-15



Proof of Publication
The Post Register

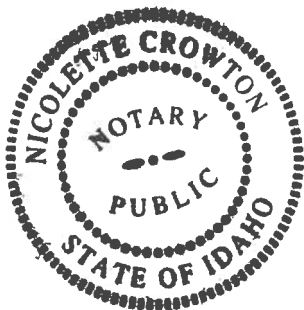
State of Idaho
Bonneville County:

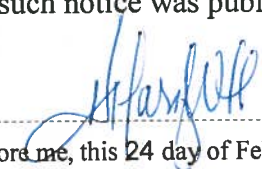
RECEIVED
FEB 25 2011
Department of Water Resources
Eastern Region

I, Hilary Witt or Joanna Hibbert, first being duly sworn, depose and say: That I am the Classifieds Manager or ~~Production Supervisor~~ 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: **362708**, for **2** consecutive (days) weeks, between **02/17/2011** and **02/24/2011**,

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 24 day of February 2011


Notary Public

My Commission expires: 5/25/2013

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

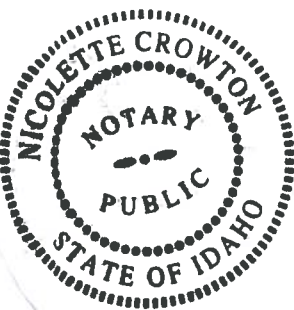
STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 24 day of February 2011, before me, the undersigned, a Notary public for said state, personally appeared Hilary Witt or ~~Joanna Hibbert~~, 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.




Notary Public for The Post Company
Residing at: Idaho Falls
My Commission expires: 5/25/2013

RECEIVED
FEB 25 2011
Department of Water Resources
Eastern Region

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 77009**

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GARY SPACKMAN, INTERIM DIRECTOR

Published: February 17 and 24, 2011 (362708)

