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MAR 07 2011

Department of Water Resources
Eastern Region

132878 387786

IDAHO DEPT OF WATER RESOURCES

**AFFIDAVIT OF PUBLICATION
STATE OF IDAHO**

County of Teton

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)SS.
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STE A
900 N SKYLINE DR
IDAHO FALLS ID 83402

I, Roan Eastman, being first duly sworn, depose and say that I am the Advertiser of the Teton Valley News, a newspaper as defined by Idaho Codes Annotated, Section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at Driggs, in Teton County, Idaho, having a general circulation in said County, and that said newspaper has been printed in said County for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement, or publication of

And affiant further says that said attached notice, advertisement, or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof and not in any supplement issue thereof, for 2 consecutive issues thereof; first publication having been made on the 02/03/2011. And affiant further says that at the times herein mentioned said newspaper was made up of at least eight pages of at least five columns each, printed from typed matter, of at least sixteen inches deep.

Signature

STATE OF IDAHO

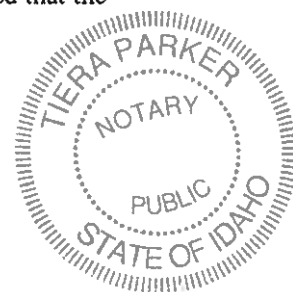
County of Teton

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)SS.
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On this 3rd day of March 2011 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/she executed the same.



Notary Public for Idaho Residing in Teton County
Residing at _____ Commission Expires on 06/08/2013
My Commission expires _____



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NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 77012

BC PROPERTIES LLC, PO BOX 28, DRIGGS, ID 83422 ROCKY MOUNTAIN ENVIRONMENTAL ASSOCIATES, 482 CONSTITUTION WAY STE 303, IDAHO FALLS, ID 83402 has filed Application No. 77012 for changes to the following water rights within TETON County(s): Right No(s). 22-13956; 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 point of diversion, to change the place of use, to change the nature of use and to change the period of use. The point of diversion is in the NWNW Sec 29 T6N R46E for .04 cfs. The place of use is in the NWNW Sec 29 T6N R46E for irrigation, aesthetic storage, wildlife storage, and fire protection storage for 1.2 acres. The period of use for irrigation will be 4/15 to 10/15 and for aesthetic storage, wildlife storage and fire protection storage will be 1/01 to 12/31.

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 February 22, 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:

22-13996
DENNIS H LOWE FAMILY TRUST
C/O DENNIS H LOWE
PO BOX 1185
DRIGGS, ID 83422

Point of Diversion NWNW S29 T06N R46E TETON County
Source GROUND WATER Tributary
Use: WILDLIFE STORAGE 01/01 to 12/31 5.6 AF
Use: FIRE PROTECTION STORAGE 01/01 to 12/31 5.6 AF
Use: AESTHETIC STORAGE 01/01 to 12/31 5.6 AF
Total Diversion: 5.6 AF
Date Filed: 1/13/2011
Place Of Use: AESTHETIC STORAGE, WILDLIFE STORAGE AND FIRE PROTECTION STORAGE
T06N R46E S29 NWNW

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 February 22, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director Published on February 3 and 10, 2011