

Idaho Statesman

The Newspaper of the Treasure Valley
IDAHOSTATESMAN.COM

PO Box 40, Boise, ID 83707-0040

RECEIVED

NOV 29 2010

Department of Water Resources
Eastern Region

LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
100564	0000528829	LEGAL NOTICE	CityofPocatello	\$153.60	1	77

Attention: Sharla Cox

IDAHO DEPT WATER RESOURCE / LEGAL

900 N SKYLINE DR STE A

IDAHO FALLS ID 83402

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 76779

CITY OF POCATELLO, PO BOX 4169, POCATELLO, ID 83205 has filed Application No. 76779 for changes to the following water rights within BANNOCK, CARIBOU, POWER County(s): Right Nots. 29-53, 29-589; 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 add points of re-diversion, change the place of use, change the period of use and change the nature of use for 3,100 acre-feet of the storage authorized under these water rights. The added points of re-diversion are located in the NWNENW Sec 21 T7S R35E, SESESE and NENWSE Sec 1 T7S R34E, SWSWSW Sec 36, NWSESE, NWNWSE, NWNWSE and SESENW Sec 35, NENENE and NENENE Sec 34, NWNWSE, NWNWSE, SESENW and NWNENW Sec 27, NESWSW Sec 22, NWSENE Sec 21, NWSWSW Sec 16, SESENE Sec 7, SESWNW Sec 6 all in T6S R34E, all located on the Portneuf River within the service boundary of the City of Pocatello. Also, river reach points of re-diversion are located at SESENW Sec 22 T7S R35E and SWSWSW Sec 6 T6S R34E. The nature of use will be changed from irrigation from storage to municipal from storage, ground water recharge from storage, recreation from storage, aesthetic from storage, wildlife from storage, fish propagation from storage and irrigation from storage. The period of use for the uses from storage will be changed to 1/1 to 12/31. The place of use for municipal from storage, irrigation from storage and ground water recharge from storage is within the current and future service boundary of the City of Pocatello. The place of use for recreation from storage, aesthetic from storage, wildlife from storage and fish propagation from storage is the Portneuf River located within the service boundary of the City of Pocatello.

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 December 6, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director
Pub. Nov. 18, 25, 2010

0000528829-01

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: 11/18/2010

Ending issue of: 11/25/2010

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)

SS

COUNTY OF ADA)

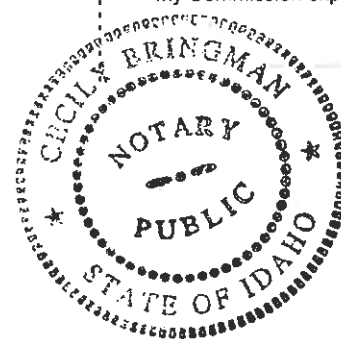
On this 25 day of November in the year of 2010 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Cecily Bringman

Notary Public for Idaho
Residing at: Boise, Idaho

My Commission expires:

8-27-



RECEIVED

NOV 29 2010

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 18th day of November, 2010 and ending with the issue dated 25th day of November, 2010

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.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 76779**

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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 December 6, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

PUBLISH: November 18 and 25, 2010

Section 60-108 Idaho Code, Thursday of each week has been designated as the day of any court of competent jurisdiction within the state of Idaho to be issued thereof which said legal will be published.

Ruby Aufderheide
Ruby Aufderheide, Legal Clerk

before me,

Ruby Aufderheide,

son whose name subscribed to the within instrument, and being by me first duly rein are true, and acknowledged to me that he executed the same.

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

commission expires: 5-19-15

LINDA CAPPS-McGUIRE
NOTARY PUBLIC
STATE OF IDAHO

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:	11/25/2010	INVOICE NO.	29411
Account No.	446600		
Description	29411 NOTICE OF		
Times	2	Lines	95
		Tab. lines	
		\$	142.50
	PO#	NO. 76779	

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.

RECEIVED
NOV 29 2010

Department of Water Resource
Eastern Region

AFFIDAVIT OF PUBLICATION

29411
NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 76779

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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 newspaper 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 29411 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 11/18, or once a week for 2 consecutive weeks, the first publication thereof being on the 11/18/2010, and the last publication thereof being on the 11/25/2010, and said 29411 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

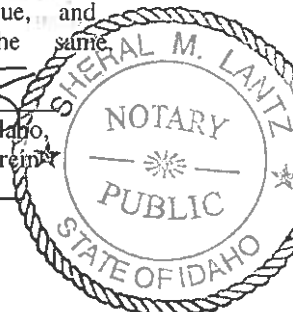
State of Idaho

S.S.

County of Nez Perce

On this 26th day of Nov in the year of 2010, 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.

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



The place of use for municipal from storage, irrigation from storage and ground water recharge from storage is within the current and future service boundary of the City of Pocatello. The place of use for recreation from storage, aesthetic from storage, wildlife from storage and fish propagation from storage is the Portneuf River located within the service boundary of the City of Pocatello.

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 December 6, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN,
Interim Director
Published on November 18 and
25, 2010

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NOV 29 2010

Department of Water Resources
Eastern Region

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

LN18201

KAREN MASON

being first duly sworn on oath deposes and says:
that SHE was at all times herein mention a citizen
of the United States of America more than 21
years of age, and the Principal Clerk of the Idaho
State Journal, a daily newspaper, printed and
published at Pocatello, Bannock County Idaho and
having a general circulation therein.

That the document or notice, a true copy of which
is attached, was published in the said IDAHO
STATE JOURNAL, on the following dates, to-
wit:

<u>Nov. 18</u>	<u>2010</u>	<u>2010</u>
<u>Nov. 25</u>	<u>2010</u>	<u>2010</u>
<u>2010</u>	<u>2010</u>	<u>2010</u>
<u>2010</u>	<u>2010</u>	<u>2010</u>

That said paper has been continuously and
uninterruptedly published in said County for a
period of seventy-eight weeks prior to the
publication of said notice of advertisement and is a
newspaper within the meaning of the laws of
Idaho.

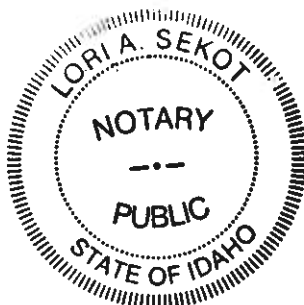
K. Mason

STATE OF IDAHO
COUNTY OF BANNOCK

On this 26th of Nov. in the year of 2010, before me, a
Notary Public, personally appeared KAREN MASON
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 acknowledge to me that he executed the same.

Notary of Public

Lori A. Sekot
Residing at Arimo exp. 2/2015



**NOTICE OF PROPOSED CHANGE OF
WATER RIGHT**

TRANSFER NO. 76779

CITY OF POCATELLO, PO BOX 4169,
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cation No. 76779 for changes to the fol-
lowing water rights within BANNOCK,
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Protests may be submitted based on the
criteria of Idaho Code Sec. 42-222.

Any protest against the proposed change
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also send a copy of the protest to the
applicant.

GARY SPACKMAN, Interim Director

November 18, 25, 2010
LN18201



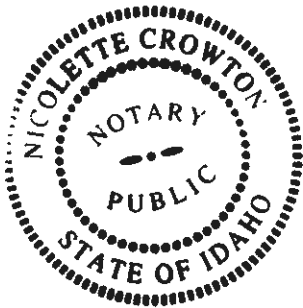
Proof of Publication The Post Register

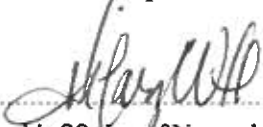
State of Idaho
Bonneville County:

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 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 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: 343267, for 2 consecutive (days) weeks, between 11/18/2010 and 11/25/2010,

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 29 day of November 2010


Notary Public

My Commission expires ~~January 10, 2015~~

May 25, 2013

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

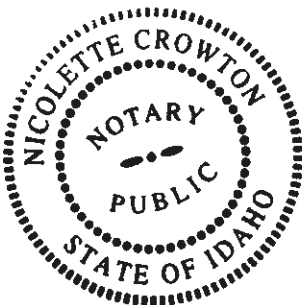
STATE OF IDAHO

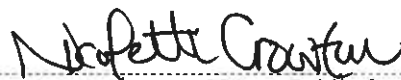
ss.

COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 29 day of November 2010, 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: ~~January 10, 2015~~

May 25, 2013

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 76779

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from storage, aesthetic from storage, wildlife from
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GARY SPACKMAN, Interim Director

Published: November 18 and 25, 2010 (343267)

