

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

Robert Boon
being duly sworn,

deposes and says:
That he is the *Editor* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

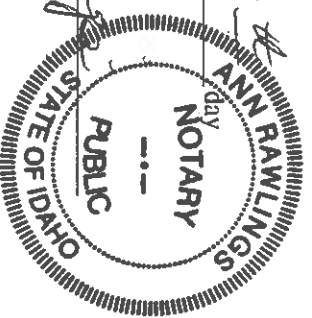
Such notice was published in the issue beginning with

with the issue of *Oct. 27, 2010*, and ending *Nov. 3, 2010*

Fee \$ *125.00*

Subscribed and sworn to before me this *4th* day of *Nov*, 20*10*.
Ann Rawlings
Notary Public, Residing at Preston, Idaho

My Commission Expires *10/26*, 20*12*



NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 75705

PRESTON WHITNEY IRRIGATION CO., PO BOX 311, PRESTON, ID 83263 has filed Application No. 75705 for changes to the following water rights within FRANKLIN County(s): Right No(s). 13-2, 13-3, 13-2104; 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 and change their points of diversion to combine them. The points of diversion are in the NWNE1/4 Sec8 T15S R41E and NWNWSE Sec24 T15S R40E for 80 cfs. With injections into Worm Creek in the SWNESE Sec10 T15S R40E and NESWSW Sec8 T15S R40E and injection into unnamed branch of Spring Creek in the SENESW Sec30 T15S R40E. With rediversions from Worm Creek in the NESWSW Sec8 T15S R40E and the SENWSE Sec10 T15S R40E and the NENESE Sec13 T15S R39E and the NWNESEW Sec24 T15S R39E and the NWNESEW Sec25 T15S R39E and rediversion from Spring Creek in the SESENE Sec36 T15S R39E. The place of use will be within the service area of the Preston Whitney Irrigation Company.

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 Drive A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before November 15, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN
INTERIM DIRECTOR

Legal No. 6985 - Publish Oct. 27 and Nov. 3, 2010.

RECEIVED

NOV 15 2010

Department of Water Resources
Eastern Region

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: 11/04/2010 INVOICE NO. 28136
Account No. 446600
Description 28136 NOTICE OF
Times 2 Lines 71
Tab. lines
\$ 106.50
PO# 75705

RECEIVED

NOV 08 2010

Department of Water Resources
Eastern Region

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.

28136
NOTICE OF PROPOSED
CHANGE OF WATER RIGHT

TRANSFER NO. 75705

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GARY SPACKMAN,
Interim Director

Published on October 28 and
November 4, 2010

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 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 28136 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 10/28, or once a ~~WEEK~~ WEEK for 2 consecutive ~~WEEKS~~ WEEKS the first publication thereof being on the 10/28/2010, and the last publication thereof being on the 11/04/2010, and said 28136 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

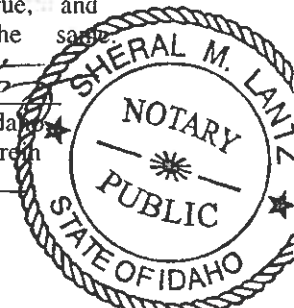
State of Idaho

S.S.

County of Nez Perce

On this 5th 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, thereon
Commission Expires 6/04/15



RECEIVED

NOV 05 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 28th day of October, 2010 and ending with the issue dated 4th 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.

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 4th day of November, 2010, before me,

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 75705**

PRESTON WHITNEY IRRIGATION CO, PO BOX 311, PRESTON, ID 83263 has filed Application No. 75705 for changes to the following water rights within FRANKLIN County (s): Right No(s). 13-2, 13-3, 13-2104; 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 and change their points of diversion to combine them. The points of diversion are in the NWNENW Sec8 T15S R41E and NWNWSE Sec24 T15S R40E for 80 cfs. With injections into Worm Creek in the SWNESE Sec10 T15S R40E and NESWSW Sec8 T15S R40E and injection into unnamed branch of Spring Creek in the SENESW Sec30 T15S R40E. With rediversions from Worm Creek in the NESWSW Sec8 T15S R40E and the SENWSE Sec10 T15S R40E and the NENESE Sec13 T15S R39E and the NWNESW Sec24 T15S R39E and the NWNENW Sec25 T15S R39E and rediversion from Spring Creek in the SESENE Sec36 T15S R39E. The place of use will be within the service area of the Preston Whitney Irrigation Company.

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 November 15, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on October 28 and November 4, 2010

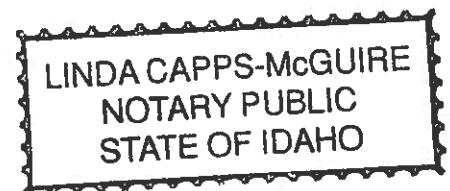
y Aufderheide,

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

Linda Capps-McGuire
y Public for Idaho

ing at Twin Falls, Idaho.

ommission expires: 5-19-15



Proof of Publication
The Post Register

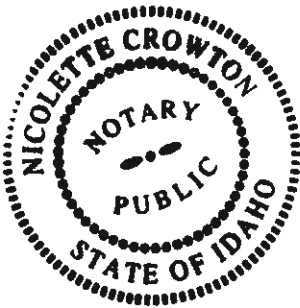
State of Idaho
Bonneville County:

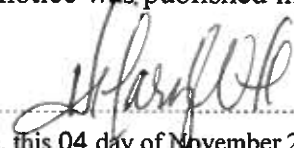
RECEIVED
NOV 05 2010
Department of Water Resources
Eastern Region

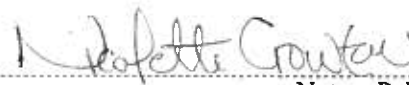
I, Hilary Witt or ~~Joanna Hibbert~~, first being duly sworn, depose and say: That I am the Classifieds Manager or ~~Production Supervisor~~ of the Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily 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: 337755, for 2 consecutive (days) weeks, between 10/28/2010 and 11/04/2010,

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 04 day of November 2010


Notary Public

My Commission expires January 10, 2015

May 25, 2013

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

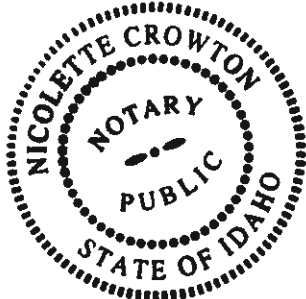
STATE OF IDAHO

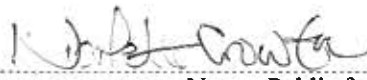
ss.

COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 04 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. 75705

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GARY SPACKMAN, Interim Director

Published: October 28 and November 4, 2010

(337755)

