

Idaho Statesman

The Newspaper of the Treasure Valley
IDAHOSTATESMAN.COM

PO Box 40, Boise, ID 83707-0040

RECEIVED

OCT 18 2010

Department of Water Resources
Eastern Region

LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
100564	0000522615	LEGAL NOTICE		\$94.20	1	44

Attention:

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. 76375

CITY OF REXBURG, PO BOX 280, REXBURG, ID 83440 has filed Application No. 76375 for changes to the following water rights within MADISON County(s): Right No(s). 22-7754, 22-7074, 22-7175, 22-7176, 22-7617; 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 three points of diversion and combine them to the existing system. The points of diversion are in the SENE Sec 35, SWSW and SWSW Sec 17, SWSW Sec 20, SWSW and SWSW Sec 29, SENW Sec 30, NESE and NESE Sec 31 for 16.83 cfs. The place of use is within the service area of the City of Rexburg.

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 October 25, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director
Pub. Oct. 7, 14, 2010

0000522615-01

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: 10/07/2010

Ending issue of: 10/14/2010

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)

.SS

COUNTY OF ADA)

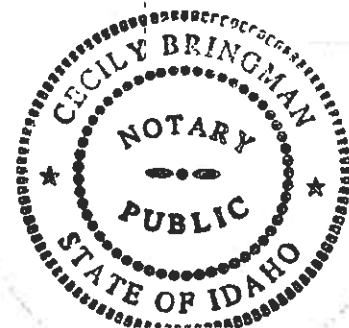
On this 14 day of October in the year of 2010 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Cecily Bringman

Notary Public for Idaho
Residing at: Boise, Idaho

My Commission expires:

8-27-15



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

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

Madison and Fremont Counties

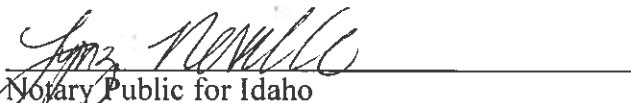
I, Jeremy Cooley, being first duly sworn, depose and say, that I am the circulation director of the STANDARD JOURNAL, a 3 times a week newspaper published 3 times a week in Madison and Fremont Counties, Idaho; and I do solemnly swear that the Notice of Proposed Change of Water Right Transfer No. 76375, 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 October 7, 2010 and the last publication having been made on October 14, 2010. 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 14 day of October in the year of 2010 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

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 76375

CITY OF REXBURG, PO BOX 280, REXBURG, ID 83440 has filed Application No. 76375 for changes to the following water rights within MADISON County(s): Right No(s) 22-7754, 22-7074, 22-7175, 22-7176, 22-7177; 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 three points of diversion and combine them to the existing system. The points of diversion are in the SENE Sec 35, SWSW and SWSW Sec 17, SWSW Sec 20, SWSW and SWSW Sec 28, SENW Sec 30, NESE and NESE Sec 31 for 16.83 cfs. The place of use is within the service area of the City of Rexburg.

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 October 25, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director
Published on October 7 and 14, 2010
SJ4279

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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

Date: 10/14/2010 INVOICE NO. 26727
Account No. 446600
Description 26727 NOTICE OF
Times 2 Lines 55
Tab. lines
\$ 82.50

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

PO# TRANSFER NO. 7

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

OCT 18 2010

Department of Water Resource
Eastern Region

AFFIDAVIT OF PUBLICATION

26727
NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 76375

CITY OF REXBURG, PO BOX 280, REXBURG, ID 83440 has filed Application No. 76375 for changes to the following water rights within MADISON County(s): Right No(s). 22-7754, 22-7074, 22-7175, 22-7176, 22-7617; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp.

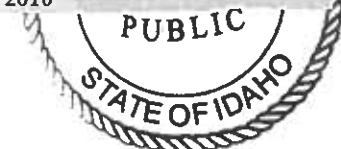
The purpose of the transfer is to change a portion of the above rights as follows:

The applicant proposes to add three points of diversion and combine them to the existing system. The points of diversion are in the SENE Sec 35, SWSW and SWSW Sec 17, SWSW Sec 20, SWSW and SWSW Sec 29, SENW Sec 30, NESE and NESE Sec 31 for 16.83 cfs. The place of use is within the service area of the City of Rexburg.

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 October 23, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN,
Interim Director
Published on October 7 and 14,
2010



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 26727 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 10/07, or once a WEEK, for 2 consecutive WEEK, the first publication thereof being on the 10/07/2010, and the last publication thereof being on the 10/14/2010, and said 26727 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 15th day of Oct 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.

Cheri W. Dutton
Notary Public in and for the State of Idaho,
residing at Lewiston therein
Commission Expires 4/20/2015

RECEIVED

OCT 15 2010

Department of Water Resources
Eastern Region

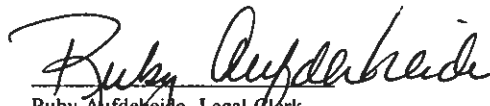
Affidavit of Publication

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 7th day of October, 2010 and ending with the issue dated 14th day of October, 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, Legal Clerk

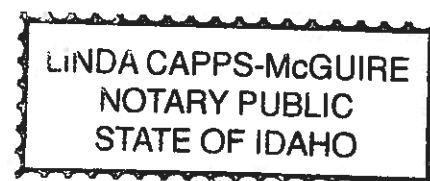
STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 14th day of October, 2010, 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.


Notary Public for Idaho
Residing at Twin Falls, Idaho.

My commission expires: 5-19-15



**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 76375**

CITY OF REXBURG, PO BOX 280, REXBURG, ID 83440 has filed Application No. 76375 for changes to the following water rights within MADISON County(s): Right No(s). 22-7754, 22-7074, 22-7175, 22-7176, 22-7617; 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 three points of diversion and combine them to the existing system. The points of diversion are in the SENE Sec 35, SWSW and SWSW Sec 17, SWSW Sec 20, SWSW and SWSW Sec 29, SENW Sec 30, NESE and NESE Sec 31 for 16.83 cfs. The place of use is within the service area of the City of Rexburg.

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 October 25, 2010. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Interim Director Published on October 7 and 14, 2010

PUBLISH: October 7 and 14, 2010

**Proof of Publication
The Post Register**

RECEIVED

OCT 15 2010

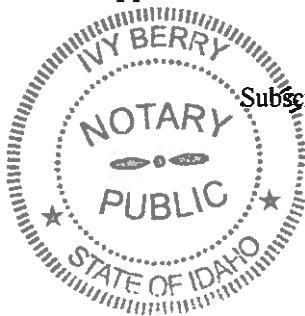
**State of Idaho
Bonneville County:**

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: **332433**, for **2** consecutive (days) weeks, between **10/07/2010** and **10/14/2010**,

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 14 day of October 2010

[Signature]
Notary Public

My Commission expires January 10, 2015

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

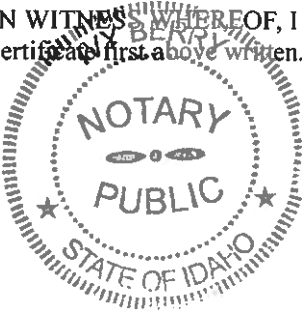
STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 14 day of October 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.



[Signature]
Notary Public for The Post Company
Residing at: Idaho Falls
My Commission expires: January 10, 2015

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT

TRANSFER NO. 76375

CITY OF REXBURG, PO BOX 280, REXBURG,
ID 83440 has filed Application No. 76375 for
changes to the following water rights within
MADISON County(s): Right No(s). 22-7754,
22-7074, 22-7175, 22-7176, 22-7617; to see a full
description of these rights and the
proposed transfer, please see
[www.idwr.idaho.gov/apps/ExtSearch](http://www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp)

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The applicant proposes to add three points of
diversion and combine them to the existing
system. The points of diversion are in the SENE
Sec 35, SWSW and SWSW Sec 17, SWSW Sec
20, SWSW and SWSW Sec 29, SENW Sec 30,
NESE and NESE Sec 31 for 16.83 cfs. The place
of use is within the service area of the City of
Rexburg.

Protests may be submitted based on the criteria
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Any protest against the proposed change must
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25, 2010. The protestant must also send a copy
of the protest to the applicant.

GARY SPACKMAN, Interim Director
Published
on October 7 and 14, 2010

Published: October 7 and 14, 2010 (332433)