

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Madison

I, Terry T. Weatherston, being first duly sworn, depose and say, that I am the printer of THE STANDARD JOURNAL, a 3 times a week newspaper printed and published 3 times a week in Rexburg, Madison County, Idaho; and I do solemnly swear that the Water Right -- Seth Wood Farms, a copy of which notice appears attached hereto, was published in the regular and entire issue of supplement issue thereof for Two consecutive issues, the first publication having been made on October 2, 2002 and the last publication having been made on October 9, 2002. 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.

Terry T. Weatherston

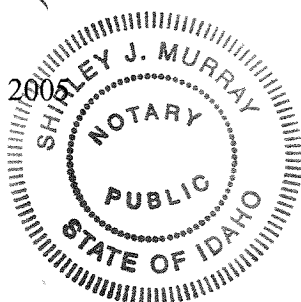
STATE OF IDAHO)
)
COUNTY OF MADISON)

On this 10th day of October in the year of 2002 before me, a Notary Public, personally appeared Terry Weatherston, 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.

Shirley J. Murray

Notary Public for Idaho
Residing at Rexburg, Idaho

My commission expires: April 29, 2005



RECEIVED

NOV 07 2002

Department of Water Resources
Southern Region

NOTICE OF
PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 70177

SETH WOOD FARMS INC., 280 SHOSHONE AVE., REXBURG, ID 83440, has filed Application No. 70177 for changes to the following water rights within Madison County:

Right No. 22-7518

Priority: 8/21/1985

Source: Ground Water.

Use: Irrigation (266 acres) 5.32

CFS 931.0 AFA

Total Amount: 5.32 CFS 931.0

AFA

Point(s) of Diversion: SWSE S33 T06N R41E.

Place of Use: S4 T05N R41E

S5 T05N R41E

S8 T05N R41E

S9 T05N R41E

Right No. 22-7060

Priority: 7/31/1972.

Source: Ground Water.

Use: Irrigation (853 acres) 6.27

CFS

Total Amount: 6.27 CFS.

Point(s) of Diversion: SWSWSE S33 T06N R41E.

Place of Use: S3 T05N R41E

S33 T06N R41E

S34 T06N R41E

S4 T05N R41E

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

The applicant is adding a well in the NWSE SEC 4 T5N R41E to make irrigating this property more efficient.

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

Any protests 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 for each application on or before October 21, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER
Director

Publ. Oct. 2 and 9, 2002SJ.