

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICAT

County of Cassia)
STATE OF IDAHO) ss

Amy Cantrell, being first duly sworn, deposes and is the Legals clerk of the South Idaho Press, a da published at Burley, Idaho, in the county aforesaid paper is of general circulation therein. Deponent f that the printed notice attached hereto was d according to law in the regular editions of the Press for two consecutive week(s), commen issue dated June 16 1997, and ending with th

June 23 1997

Amy Cantrell

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 23rd day of June in the year of 1997, me, a Notary Public, personally appeared Amy Cant identified to me to be the person whose name is sub within instrument, and being by me first duly sworn, the statements therein are true, and acknowledged executed the same.

Notary Public for Ida

Residing at: Rupert,

My commission expires

Cost of Publication 90.30

Affidavit Fee 2.00

Total Cost 92.30

RECEIVED

JUN 30 1997

Department of Water Resources
Southern Region

97-237
NOTICE OF PROPOSED CHANGES
OF WATER RIGHT

Notice is hereby given that two transfers have been filed with the Department of Water Resources for changes to two Decreed water rights. **PRESENTLY**, Decreed Water Right 45-00294A (1.6 cfs) with a priority date of 03/31/1888 is diverted from Lake Cleveland tributary to Marsh Creek within SW1/4NW1/4, S03, T13S, R24E; Cassia County and re-diverted within NW1/4NE1/4, S12, T12S, R24E for irrigation within parts of S01, T12S, R24E; Cassia County. **PRESENTLY**, Decreed Water Right 45-00294B (3.2 cfs) with a priority date of 03/31/1888 is diverted from Lake Cleveland tributary to Marsh Creek within SW1/4NW1/4, S03, T13S, R24E; Cassia County for irrigation within parts of Sections 01 and 12, T12S, R24E and within parts of S06, T12S, R25E; Cassia County.

Transfer No. 5089 filed by George A. &/or Gwen Montgomery, Star Rt. Box 13; Albion, ID 83311 proposes to add re-diversion points, split off 1.6 cfs of 45-00294B and record an accomplished change in place of use. The transfer proposes to divert 1.6 cfs from Lake Cleveland within SW1/4NW1/4, S03, T13S, R24E. Proposed point of injection into Marsh Creek is within NW1/4NW1/4, S27, T12S, R24E. Proposed re-diversions from Marsh Creek are within NW1/4SW1/4 and SE1/4NW1/4, S12, T12S, R24E. Irrigation of 71 acres will be within parts of S12, T12S, R24E; Cassia County. These changes will create Water Right No. 45-00294 Part D. The unchanged portion of Right 45-00296B (1.6 cfs) will continue to irrigate parts of the original place of use.

Transfer No. 5090 filed by A.W. &/or S.J. Anderson, HC 36 Box 14; Albion, ID 83311 proposes to add re-diversion points, split off 1.70 cfs of 45-00294B and record an accomplished change in place of use. The transfer proposes to transfer a total of 3.3 cfs of water. Water Right 45-00294A (1.6 cfs) and Water Right 45-00294B (1.7 cfs) will be diverted from Lake Cleveland within SW1/4NW1/4, S03, T13S, R24E. Proposed point of injection into Marsh Creek is within NW1/4NW1/4, S27, T12S, R24E. Proposed re-diversions from Marsh Creek are within NE1/4NE1/4, SW1/4NE1/4, NE1/4SW1/4, S14, T12S, R24E; and NE1/4SW1/4, (two points within NW1/4SW1/4), S12, T12S, R24E; Cassia County for irrigation of 192.3 acres within parts of S12, T12S, R24E; Cassia County. The unchanged portion of Right No. 45-00294B will continue to be used on the original place of use.

***Note:** These transfer applications conflict with each other. A protest against approval of any particular transfer must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before July 3, 1997. (Each transfer requires a separate protest). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director