

3670

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
 COUNTY OF ONEIDA)

Kristine D. Smith, being duly sworn, deposes and says: that she is the publisher of *The Idaho Enterprise*, a weekly newspaper published at Malad City, in the county of Oneida and State of Idaho; that said newspaper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad City, 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 newspaper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said newspaper 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 09/17, 2009, and ending with the issue of 09/24, 2009.

Kristine D. Smith
 STATE OF IDAHO)

COUNTY OF ONEIDA)

On this 7th day of October, in the year of 2009
 before me, Wick Larkin,

a Notary Public, personally appeared Kristine D. Smith, 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 she executed the same.

Wick Larkin
 Notary public of Idaho.

Residing at OneidaMy commission expires: September 10, 2014

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 75916

WESTERN HERITAGE HOMES INC
 21316 WEST OLD HWY 37
 HOLBROOK, ID 83423

has filed Application No. 75916 for changes to the following water right within Oneida County: Right No. 17-7063 and 17-7165. 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 change the point of diversion and to change the place of use to a permissible place of use. The new point of diversion will be in the SWNE Sec 25 T14S R25E for 0.04 cfs. The place of use will be in the SWNE and NWSE Sec 25 T14S R25E for 11.6 acres.

Protests may be submitted based on the criteria of Idaho Code § 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 5, 2009. The protestant must also send a copy of the protest to the applicant.

Published on Sept 17 and 24, 2009
 GARY SPACKMAN, Interim Director

#3670 9/17/24/09/2T

RECEIVED

OCT 08 2009

Department of Water Resources
 Eastern Region

