

## AFFIDAVIT OF PUBLICATION

RECEIVED

OCT 02 2009

Department of Water Resources  
Eastern RegionSTATE OF IDAHO, }  
County of Franklin } ss.Rodney Boam  
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 saidnewspaper 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

Sept. 23, 2009, and ending  
with the issue of Sept. 30, 2009R. Boam  
Fee \$ 113.00Subscribed and sworn to before me this 30<sup>th</sup>  
of Sept., 2009.  
Ann Rawlings

Notary Public, Residing at Preston, Idaho

My Commission Expires 10/26, 2010NOTICE OF PROPOSED  
CHANGE OF WATER  
RIGHT  
TRANSFER NO. 75705PRESTON-WHITNEY IRRIGATION COMPANY  
PO BOX 311  
PRESTON, ID 83263  
has filed Application No. 75705 for changes to the following water right within Franklin County: Right No. 13-2, 13-3 and 13-2104. to see a full description of these rights and the proposed transfer, please see: [www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp](http://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 changing their points of diversion to combine them. The points of diversion are in the NWNENW Sec 8 T15S R41E and NWNWSE Sec 24 T15S R40E for 80 cfs. With the injections into Worm Creek as the SWNESE Sec 10 and NESWSW Sec 8 T15S R40E and the rediversions from Worm Creek as the NESWSW Sec 8, SENWSE Sec 10 T15S R40E and the NENESE Sec 13, NWNESW Sec 24 and the NWNENW Sec 25 T15S R39E. The place of use will be within the service area of the Preston Whitney Irrigation Company.

Protests may be  
mitted based on the c  
of Idaho Code § 42-22  
Any protest again  
proposed change mu  
filed with the Departm  
Water Resources, Ea  
Region, 900 N Skylin  
Ste A, Idaho Falls ID 8  
together with a protes  
of \$25.00 for each ap  
tion on or before Oc  
12, 2009. The prote  
must also send a co  
the protest to the appliGARY SPACKMAN  
Interim DirectorLegal No. 6758 -  
lish Sept. 23 and 30, 2