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APR 24 2009

DEPT. OF WATER RESOURCES
SOUTHERN 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, Twin 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 16th day of April, 2009 and ending with the issue dated 23rd day of April, 2009

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
Ruby Aufderheide, Legal Clerk

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 23rd day of April, 2009, before me,

a Notary Public, personally appeared Ruby Aufderheide, *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.

*OK
nub
5/7/09*

Linda Capps McGuire
Notary Public for Idaho
Residing at Twin Falls, Idaho.

My commission expires: 5-19-09

LINDA CAPPS-McGUIRE
NOTARY PUBLIC
STATE OF IDAHO

(See Reverse Side)

NOTICE OF PROPOSED CHANGES TO WATER RIGHTS

Notice is hereby given that several applications have been filed with the Idaho Department of Water Resources concerning water rights within Minidoka County, Cassia County, Jerome County and Gooding County.*******Transfer No. 75364** filed by **ADTD FARMS LLC, 246 E 300 S; BURLEY ID 83318** proposes to dry up land outside of pivot sprinklers so new pivots can be installed on another farm about 2 miles south of the present place of use. The new pivots will use waste water from the nearby Ida-Gold Farms dairy. An existing irrigation well will also provide water for the new pivots; no new wells will be drilled. The pivots will be located about 11 miles north and 1 mile east of Malta.*******Transfer No. 74314** filed by **BIG SKY DAIRY, PO BOX 407; JEROME ID 83338** proposes to tie several existing farms and 6 existing wells together in a common irrigation system. No new wells will be drilled. The property is located about 5-6 miles south and from 1 1/2 miles west to 1 1/2 miles east of Burley Butte.***** **Transfer No. 75332** filed by **CORY S. THAIN, PO BOX 1024; BURLEY ID 83318** proposes moving a 43 acre (0.61 cfs & 172 afa) portion of a groundwater right from pivot corners on a farm located approximately 14.0 - 15.0 miles north and 2.5 - 3.0 miles east of Rupert to a farm located approximately 6.5 - 6.75 miles north and 5.3 - 6.0 miles east of Rupert. An existing well located approximately 0.25 mile north of the farm located approximately 6.5 - 6.75 miles north and 5.3 - 6.0 miles east of Rupert will serve as the point of diversion for the transferred portion of the right.*******Transfer No. 75334** filed by **GREG S. THAIN, 580 E 700 N; RUPERT ID 83350** proposes moving a 43 acre (0.86 cfs & 172 afa) portion of a groundwater right from a farm located approximately 6.5 - 6.75 miles north and 5.3 - 6.0 miles east of Rupert to pivot corners on a farm located approximately 14.0 - 15.0 miles north and 2.5 - 3.0 miles east of Rupert. The transfer also proposes modifying the recorded place of use for a 260 acre (3.71 cfs and 1040 afa) portion of a groundwater right currently appurtenant to the farm located approximately 14.0 - 15.0 miles north and 2.5 - 3.0 miles east of Rupert to reflect acres irrigated by two pivot sprinkler systems. An existing well on the farm located approximately 14.0 - 15.0 miles north and 2.5 - 3.0 miles east of Rupert will serve as the point of diversion for the transferred portion of the rights.*******Transfer No. 75438** filed by **WEBB BROTHERS LAND & LIVESTOCK LLC, 22 N YALE RD; DECLO ID 83323** proposes to move a 40 acre portion of two groundwater rights from a farm located approximately 8.2 to 9.2 miles east and 5.8 to 6.3 miles south of the Interstate 84 and 86 junction, to two separate 20 acre pivots. One 20 acre pivot is located approximately 13.2 to 13.4 miles east and 3.5 to 3.8 miles south of the Interstate 84 and 86 junction. The other 20 acre pivot is located approximately 13.5 to 13.7 miles east and 6.1 to 6.3 miles south of the Interstate 84 and 86 junction. The application proposes to divert the water (0.78 cfs) for the two new pivots from a system of five interconnected existing wells located approximately five miles to the east of the currently authorized diversion location.***** **Transfer No. 75439** filed by **GARNER LAND LLC, 22 NORTH YALE; DECLO ID 83323** proposes to move a 36 acre portion of two groundwater rights from a farm located approximately 8.2 to 9.2 miles east and 5.8 to 6.3 miles south of the Interstate 84 and 86 junction to a farm located approximately 11.5 to 11.7 miles east and 5.6 to 5.8 miles south of the Interstate 84 and 86 junction. The application proposes to divert the water (0.71 cfs) from two existing wells located approximately three miles to the east of the currently authorized diversion location.***** **Transfer No. 75339** filed by **A & B IRRIGATION DISTRICT, PO BOX 675; RUPERT ID 83350-0675** proposes adding seven new wells to be drilled within the A & B Irrigation District system. Currently 12 water rights allow for the diversion of up to 1100.0 cfs from 188 wells located in Jerome and Minidoka Counties for the irrigation of up to 66,686.2 acres within the system. The seven new wells will be

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located approximately 14.25 miles west and 4.1 miles north of Rupert, approximately 12.15 miles west and 2.25 miles north of Rupert, approximately 12.15 miles west and 3.25 miles north of Rupert, approximately 2.0 miles west and 5.75 miles north of Rupert, approximately 0.6 miles west and 6.35 miles north of Rupert, approximately 0.6 miles west and 7.25 miles north of Rupert, and approximately 3.25 miles east and 7.85 miles north of Rupert. The seven new wells are being added to allow for the diversion of water from any of 195 authorized points of diversion, to maintain the overall production capacity of the A & B Irrigation District system.*******Transfer No. 73548** filed by **PETE & JANE REITSMA LIVING TRUST, 3453 S 1950 E; WENDELL ID 83355** proposes to dry up nearby irrigated land to provide water for a dairy expansion. It also ties 3 existing wells together, and ties the existing dairy and a small feedlot together under a common water system. No new wells will be drilled. The dairy is located 5 miles south and 1/2 mile west of the Wendell city center.*****For specific details regarding an application, please contact IDWR Southern Regional Office at 208-736-3033 or visit the website for the Department at <http://www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp> Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before May 4, 2009. The protestant must also send a copy of the protest to the applicant.
David R. Tuthill, JR., Director

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