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MAR 16 2009

WATER RESOURCES
WESTERN 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, Twins 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 2 consecutive weeks, commencing with the issue dated 5th day of March, 2009 and ending with the issue dated 12th day of March, 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 12th day of March, 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.

PROPOSED CHANGE OF WATER RIGHTS

Montour Farmers Ditch Co c/o Lon McConnel of 10040 Gatfield Rd, Emmett ID 83617 filed Application No. 74823 to transfer 2 water rights with 1884 priority dates from the Payette River totaling 21.63 cfs. The purpose of the transfer is to add a point of diversion on the Payette River and to change the 1339.9-acre service area boundary to exclude land condemned by the US bureau of Reclamation and include land to the east. Water will be used in the Montour Valley south and adjacent to the Payette River.

For specific details regarding the application, please contact the Idaho Department of Water Resources (IDWR) Western Region at 208-334-2190 or visit www.idwr.idaho.gov with detail provided under "new water right applications." Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Any protest against the proposed change must be filed with the Director, IDWR Western Region, and 2735 Airport Way, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application on or before March 23, 2009. The protestant must also send a copy of the protest to the applicant.
DAVID R. TUTHILL, JR., Director

PUBLISH: March 5 and 12, 2009

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

My commission expires: 5-19-09

✓ OK DB 3/26/09

