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FEB 13 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, 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 two consecutive weeks, commencing with the issue dated 5th day of February, 2009 and ending with the issue dated 12th day of February, 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 uninterrupted.

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 February, 2009, before me,

a Notary Public, personally appeared Ruby Aufdeheide, Ruby Aufdeheide 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.

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

My commision expires: 5-29-09

OK MB 2/13/09

LINDA CAPPS-McGUIRE
NOTARY PUBLIC
STATE OF IDAHO

(See Reverse Side)

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that two applications have been filed with the Idaho Department of Water Resources for changes to water rights within Twin Falls County by **HIGH PLAINS DAIRY LLC, PO BOX 760; CASTLEFORD ID 83321. Transfer No. 75085** proposes converting a 10 acre portion (0.2 CFS) of two irrigation rights to stockwater use associated with a proposed heifer facility. The 10 acre portion is being moved from a farm located approximately 11.6-12.2 mi. west and 0.75-1.5 mi. south of the center of Buhl to the proposed heifer facility located approximately 10.6-10.9 mi. west and 2.8-3.0 mi. north of the center of Buhl . A new well to be drilled at the Proposed site will provide water for the new heifer facility. **Transfer No. 75087** proposes moving a 1.08 cfs and 54.2 acre portion of two irrigation rights from a farm located approximately 11.6-12.2 mi. west and 0.75-1.5 mi. south of the center of Buhl to a new authorized place of use at another farm located approximately 10.25-11.25 mi. west and 2.5-3.0 mi. north of the center of Buhl. The 1.08 cfs and 54.2 acre portion of the two rights will be combined with an existing right that currently allows for the diversion of 1.34 cfs for the irrigation of 280 acres forming a new 225.1 acre permissible place of use at the new authorized place of use. Note that the 1.34 cfs and 280 acre right at the new authorized place of use will be consolidated onto 225.1 acres. An existing well will provide the 2.42 cfs to irrigate 225.1 acres at the new authorized place of use. 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/WR-Filing.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 February 23, 2009. The protestant must also send a copy of the protest to the applicant.

David R. Tuthill, JR., Director

Published in the Times News on 2/5 & 2/12/09

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