

Affidavit of Publication

State of Idaho

County of Power

Brett Crompton being first duly sworn on oath, states:

That he is the Publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterrupted and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 29th day of October 2008 and the date of the last publication being the 5th day of November 2008.

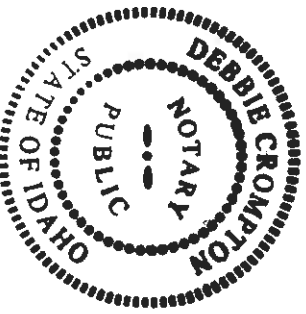
Signed

State of Idaho

Brett Crompton

County of Power

On this 5th day of November in the year of 2008, before me, a Notary Public, personally appeared Brett Crompton, known or identified to me to be the person whose name is 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.



Debbie Crompton

Notary Public for Idaho

Residing at American Falls, Idaho

My commission expires: July 19, 2010

Proposed change of water right

Published in The Power County Press
Oct. 29, Nov. 5, 2008.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 73993
FMC IDAHO LLC, PO BOX 4111,
POCATELLO ID 83205, has filed Application No. 73993 for changes to the following water rights within POWER County: Right No. 29-2255C; 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 place of use, the point of diversion and the period of use. The current place of use is no longer in operation. The point of diversion is in the NWNW Sec 13 T6S R33E for 0.64 cfs. The place of use will be within Sec 12, 13, 14 and 24 T6S R33E and in Sec 7 and 18 T6S R34E for industrial use.

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 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 November 17, 2008. The protestant must also send a copy of the protest to the applicant.
DAVID R. TUTTILL, JR., Director