

AFFIDAVIT OF PUBLICATION

I, Loni Brewer
of The Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for

2 consecutive weeks, commencing with the issue dated June 19, 2008 and ending with the issue dated

June 26, 2008

STATE OF IDAHO }

COUNTY OF BUTTE }

On this 26th day of June
in the year of 2008, before me, a Notary

Public, personally appeared

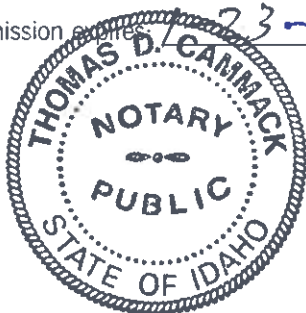
Loni Brewer

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.

Thomas D. Cannack
Notary Public for Idaho

Residing at Arco, Id

My commission expires 7-23-2010



LEGAL NOTICE

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 73303**

BIRCH CREEK RANCHES LLC, 5203 S 11TH E, IDAHO FALLS, ID 83404, has filed Application No. 73303 for changes to the following water rights within BUTTE County: Right No. 33-87, Right No. 33-2034, Right No. 33-7179, Right No. 33-2141, Right No. 33-14875, Right No. 33-14873; 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 transfer water and acres off the original place of use and to move a 193.1 acres downstream on the Little Lost River. The points of diversion (see IDWR web page for details of points of diversion and sources) and sources remain the same, water will be injected into the Little Lost River to be re-diverted downstream for a total of 5.44 cfs. The place of use is within sec. 3, 10 and 11, T8N R27E and Sec 9 T9N R27E for 193.1 acres. 90.5 of a groundwater right will remain at the current place of use of 114 acres.

TRANSFER NO. 74214

BIRCH CREEK RANCHES LLC, 5203 S 11TH E, IDAHO FALLS, ID 83404, has filed Application No. 74214 for changes to the following water rights within BUTTE County: Right No. 33-14874 and Right No. 33-14872; 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 point of diversion from one water right and changing the place of use to combine and move 23.5 acres into an adjacent ground water right. The point of diversion in the NWSE Sec 19 T10N R27E for .75 cfs. The place of use is within Sec 19, 20, 29 and 30 T10N R27E for 114 acres.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protests 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 applicant on or before July 07, 2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director
Published on June 19 and 26, 2008

RECEIVED

JUL 10 2008

Department of Water Resources
Eastern Region