

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 2nd day of October, 2008 and ending with the issue dated 9th day of October, 2008

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 9th day of October, 2008, 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
t the statements therein are true, and acknowledged to me that he executed the same.

**NOTICE OF PROPOSED CHANGE OF
WATER RIGHT**

TRANSFER NO. 74916

THE RETREAT AT BEAR LAKE LLC, C/O BRAD AUGER, 507 CYNTHIA WAY, NORTH SALT LAKE UT 84054, has filed Application No. 74916 for changes to the following water rights within BEAR LAKE County: Right No. 11-7597 and Right No. 11-7601, 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 to create a shared place of use. The point of diversion remains the same in the NWNE Lot 2 Sec 6 T15S R46E for 11.85 cfs. The place of use is within Sec 2, 11 and 12, T15S R45E for 322.5 acres.

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 October 20, 2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

PUBLISH: October 2 and 9, 2008

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

My commission expires: 5-19-09

RECEIVED

OCT 10 2008

Department of Water Resources
Eastern Region

