

The Jefferson Star
Rigby, Idaho

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Jefferson)

I, Audrey DeRoche of The Jefferson Star, published weekly at Rigby, Jefferson County, Idaho, do solemnly swear that the

Notice of Proposed Change
of Water Right Transfer No. 94369

a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for 2 consecutive issues, the first publication having been made on 1-23-08 and the last publication having been made on 1-30-08

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy eight consecutive weeks prior to the first publication of the said notice.

Audrey DeRoche

On this 30 day of January
in the year of 2008, before me, a Notary Public, personally appeared

Audrey DeRoche,

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 she executed the same.

Crystal Loto
Notary Public of Idaho
Residing at Shelley, Idaho
My commission expires March 8, 2011

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 74369

KYM FERGUSON and ANNE FERGUSON, 15533 E RIRIE HWY, RIRIE ID 83443, has filed Application No. 74369 for changes to the following water rights within JEFFERSON County: Right No. 1-223; Right No. 1-258; 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 to the Butler Island Canal. The point of diversion will be in the NENW Sec 35 T4N R40E for 9.0 cfs. The place of use is within Sec 26 and 27 T4N R40E for 165 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 February 11, 2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director
Published in the Jefferson Star,
Rigby, Idaho, Jan. 23 and 30, 2008.

RECEIVED

FEB 01 2008

Department of Water Resources
Eastern Region