

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, Twin 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 20th day of September, 2007 and ending with the issue dated 27th day of September, 2007

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.

STATE OF IDAHO
COUNTY OF TWIN FALLS

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 72904

THE BOYD CHARLES SMITH & JILL JOHNSON SMITH TRUST, C/O HOLDEN KIDWELL HAHN & CRAPO, PO BOX 50130, IDAHO FALLS ID 83405, has filed Application No. 72904 for changes to the following water rights within TETON County: Right No. 22-312; Right No. 22-487C; Right No. 22-13016; Right No. 22-481A; Right No. 22-482A; Right No. 22-483A; Right No. 22-2029D; Right No. 22-130D; Right No. 22-136C; Right No. 22-515B; Right No. 22-516B; Right No. 22-517B; Right No. 22-130B; 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 create a permissible place of use with all their surface water rights from South Leigh Creek and North Leigh Creek. The points of diversion remain the same for 20.93 cfs. the place of use is within Sec 25 and 36 T6N R45E and Sec 30, 31 and 32 T6N R46E for a total of 1006.9 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 09, 2007. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

September, 2007, before me,

ally appeared Ruby Aufderheide,
me to be the person whose name subscribed to the within instrument, and being by me first duly
statements therein are true, and acknowledged to me that he executed the same.

Joseph A. Eplerman
Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 6/8/13

PUBLISHED on September 20 and 27, 2007

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OCT 01 2007

Department of Water Resources
Eastern Region