

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Susan Callahan, representing the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated 3/23 2006 and ending with the issue dated 3/30 2006

Susan Callahan

STATE OF IDAHO

COUNTY OF CUSTER

On this 30th day of MARCH in the year of 2006, before me, a Notary Public

personally appeared Susan Callahan 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.

Ethel M. Peck

Notary Public for Idaho

Residing at Challis

My commission expires: 3-19-10

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that three Applications for Transfer have been filed with the Idaho Department of Water Resources for changes to water rights within Custer County. CHALLIS CREEK CATTLE CO. LLC, PO BOX 10; CHALLIS ID 83226 filed Application No. 70680 on 8/15/05 and Application No. 72526 on 9/30/05. Application No. 70680 was filed to create a 244.7-acre permissible place of use on a farm located approximately 0.35 miles west - 0.50 miles east and 2.5 - 3.1 miles north of the Highway 93 and Garden Creek Road intersection in Challis. A total of 4.38 cfs diverted from Challis Creek through the Highline Canal (approximately 3.85 miles north and 2.5 miles west of the Highway 93 and Garden Creek Road intersection) and then rediverted from the Highline Canal at an existing diversion (located approximately 2.85 miles north and 0.90 miles west of the Highway 93 and Garden Creek Road intersection) will be used to irrigate up to 213 acres within the proposed permissible place of use. Application No. 72526 was filed to change the authorized place of use of a 176 acre-foot storage right from Mosquito Flat Reservoir (located on Challis Creek approximately 10.5 miles west and 1.1 miles north of the Highway 93 and Garden Creek Road intersection in Challis) to irrigate 701.7 acres located on lands approximately 1.6 - 4.1 miles north and 1.0 miles west - 0.5 miles east of the Highway 93 and Garden Creek Road intersection. The application proposes to allow for the rediversion of storage water from the

Highline Canal and further rediverted from any of four points along the Highline Canal or from a diversion directly from Challis Creek located approximately 3.9 miles north and 0.95 miles west of the Highway 93 and Garden Creek Road intersection. ROBIN J. WEGNER, HC 63 BOX 1576; CHALLIS ID 83226 filed Application No. 72607 on 1/23/06. Transfer application was filed to change the point of diversion from an existing point of diversion located on Bear Creek approximately 4.7 miles north and 5.3 miles west of the Highway 93 and Garden Creek Road intersection in Challis to a new point of diversion located just upstream of the existing diversion. The rights involved with the transfer total 1.15 cfs and are used to irrigate 12 acres of land located approximately 4.7 miles north and 4.4 miles west of the Highway 93 and Garden Creek Road intersection in Challis. For specific details regarding an application, please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.idaho.gov with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before April 10, 2006. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Publish: March 23 & 30, 2006

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APR 05 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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4/5/06

ETHEL M. PECK
NOTARY PUBLIC
STATE OF IDAHO