

Affidavit of Publication

State of Idaho

County of Power

Brett Crompton being first duly sworn on oath, states:

That he is the Publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

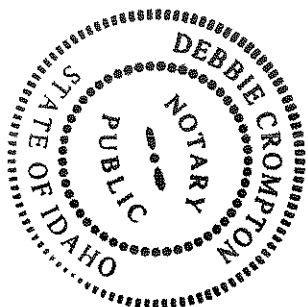
That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 12th day of October 2005 and the date of the last publication being the 19th day of October 2005

Signed

State of Idaho

County of Power

On this 19th day of October in the year of 2005, before me, a Notary Public, personally appeared Brett Crompton, known or identified to me to be the person whose name is 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.



Debbie Crompton
Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: July 19, 2010

Notice of change to water rights

Published in The Power County Press Oct. 12, 19, 2005.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 72288

J R SIMPLOT COMPANY, PO BOX 27, BOISE, ID 83707, has filed Application No. 72288 for changes to the following water rights within POWER County:

Right No. 29-2501

Priority 4/12/1965

Source GROUND WATER

Use INDUSTRIAL (0 acres) 5.57 CFS

Total Amount 5.57 CFS

Right No. 29-2502

Priority 4/12/1965

Source GROUND WATER

Use INDUSTRIAL (0 acres) 6.66 CFS

Total Amount 6.66 CFS

Right No. 29-2375

Priority 3/13/1956

Source GROUND WATER

Use INDUSTRIAL (0 acres) 6.68 CFS

Total Amount 6.68 CFS

Right No. 29-7763

Priority 1/17/1984

Source GROUND WATER

Use INDUSTRIAL (0 acres) 0.10 CFS

72.4 AFA

Total Amount 0.10 CFS 72.4 AFA

For all of the above rights:

Point(s) of Diversion S7 T06S R34E

S7 T06S R34E

S7 T06S R34E

S17 T06S R34E

S25 T05S R34E

S30 T05S R34E

S31 T05S R34E

S36 T05S R34E

S7 T06S R34E

S8 T06S R34E

Place of Use

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant proposes to drill two new wells and use the existing wells to provide water for the industrial plant. The new points of diversion are in the SENE Sec 7 T6S R34E.

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 31, 2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

RECEIVED

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Department of Water Resources
Eastern Region