

Proof of Publication The Post Register

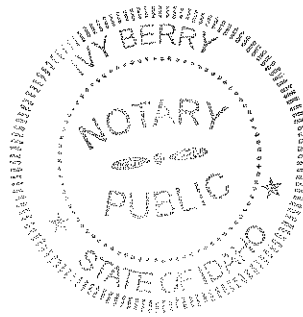
State of Idaho
County of Bonneville

I, ~~Dan Moore~~, or James Smith, first being duly sworn, depose and say: That I am the ~~Production Manager~~, or Production Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 consecutive (days) weeks, first publication having been made on the 15TH day of SEPTEMBER 2005, last publication having been made on the 22ND day of SEPTEMBER 2005 at the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

James B. Smith

Subscribed and sworn to before me, this 28TH day of SEPTEMBER 2005



[Signature]
Notary Public

My commission expires January 10, 2009

RECEIVED
SEP 30 2005

Department of Water Resources
Eastern Region

**NOTICE OF
PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 72204**

BIRCH CREEK RANCHES LLC, 5203
S 11TH E, IDAHO FALLS ID 83404,
has filed Application No. 72204 for
changes to the following water rights
within CLARK County:

Right No. 32-7025

Priority 12/26/1973

Source GROUND WATER

Use STOCKWATER (0 acres)

3.76 CFS 1,102.5 AFA

DOMESTIC (0 acres)

IRRIGATION (405 acres)

Total Amount

3.92 CFS 1,102.5 AFA

Point(s) of Diversion

SWNWSW S36 T09N R32E

L4 (SWSWSW) S36 T09N R32E

Place of Use

S1 T08N R32E

S36 T09N R32E

Right No. 32-10127

Priority 12/26/1973

Source GROUND WATER

Use IRRIGATION (405 acres)

0.84 CFS 315.0 AFA

Total Amount

0.84 CFS 315.0 AFA

Point(s) of Diversion

SWNWSW S36 T09N R32E

Place of Use

S1 T08N R32E

S36 T09N R32E

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

The applicant proposes to add two
existing wells to the system to
ensure they receive enough cfs. The
existing irrigation well collapsed,
they will repair it, but needs the
backup wells. This is the points of
diversion, SWNWSW Sec 36 T9N
R32E (old well), SWNWSE Sec 31
T9N R33E, NWSWNE Sec 32 T9N
R33E, and Lot 4 SWSWSW Sec 36
T9N R32E (existing well). Protests
may be submitted based on the cri-
teria 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 03,
2005. The protestant must also send
a copy of the protest to the appli-
cant.

KARL J DREHER, Director

Published: September 15, 22, 2005