

AFFIDAVIT of PUBLICATION

State of Idaho } ss.
County of Lincoln

Norma DeVoe, being first duly sworn, deposes and says that he/she is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, County of Lincoln, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 13th day of January, 2005, and the date of the last publication was on the 20th day of January, 2005.

On this 20th day of January, in the year of 2005, before me, a Notary Public, personally appeared Norma DeVoe, 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/she executed the same.

SHELLEY STURGEON
Notary Public
State of Idaho

Shelley Sturgeon
Notary Public for Idaho

Residing at Jerome

My commission expires: 12/3/05

7779/52340
LINCOLN COUNTY JOURNAL
Shoshone, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

_____ Lines tabular at _____ 8.0¢/Pica

453.71 Lines straight at 31.76 7.0¢/Pica

453.71 Subsequent lines at 27.22 6.0¢/Pica

Affidavit Fee: 2.50

TOTAL COST 61.48

COPY OF NOTICE

(Paste Here)

Fitzgerald
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS
Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Lincoln County: **4 BROS DAIRY INC., C/O ANDREW FITZGERALD, 427 N 250 W; SHOSHONE ID 83352** filed **Application No. 71607** on 4/19/2004. This transfer proposes to convert all of water right 37-20613 (1.12 cfs used to irrigate 77.4 acres) to a right to provide water for stockwater and commercial needs at a new dairy. The right currently irrigates lands from a well located approximately 4 miles south and 3.5 miles east of Shoshone. The right is proposed to be moved to the site of the new dairy located 5 miles north and 3 miles west of Shoshone. Two new wells are proposed to be drilled at the site of the dairy. For specific details regarding the application(s), 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 January 31, 2005. The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director
PUB: 1/13 - 1/20 L52340

RECEIVED

JAN 26 2005

Department of Water Resources
Southern Region