

AFFIDAVIT OF PUBLICATION

I, Vickie Christensen
of The Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for

2 consecutive weeks, commencing with the issue dated January 6, 2005 and ending with the issue dated _____

January 13, 2005

STATE OF IDAHO }

COUNTY OF BUTTE }

On this 13th day of January in the year of 2005, before me, a Notary

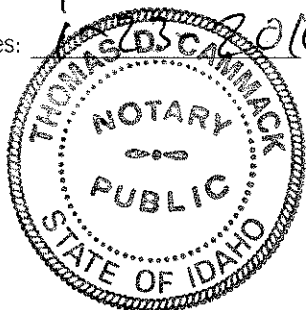
Public, personally appeared

Vickie Christensen
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.

Thomas D. Lund
Notary Public for Idaho

Residing at Arco, Id

My commission expires: 12/20/2010



LEGAL NOTICE

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NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 71254

MICKELSEN PROPERTIES LLC, C/O HOLDEN KIDWELL, HAHN & CRAPO PLLC, PO BOX 50130, IDAHO FALLS, ID 83405, has filed Application No. 71254 for changes to the following water rights within BUTTE County:

Right No. 34-7080B
Priority 9/23/1974
Source GROUND WATER
Use IRRIGATION (2025 acres) 5.33 CFS

Right No. 34-618
Priority 9/1/1884
Source BIG LOST RIVER
Use IRRIGATION (139 acres) 3.20 CFS

Right No. 34-2330B
Priority 6/1/1977
Source GROUND WATER
Use IRRIGATION (2025 acres) 1.75 CFS

Right No. 34-7121B
Priority 1/9/1976
Source GROUND WATER
Use IRRIGATION (2025 acres) 3.74 CFS

Right No. 34-7179
Priority 4/6/1982
Source GROUND WATER
Use IRRIGATION (2214 acres) 2.78 CFS

Right No. 34-12376
Priority 6/1/1977
Source GROUND WATER
Use IRRIGATION (2025 acres) 1.25 CFS

Right No. 34-13663
Priority 4/6/1982
Source GROUND WATER
Use IRRIGATION (2138 acres) 1.93 CFS
381.5 AFA

Right No. 34-7120
Priority 12/17/1975
Source GROUND WATER
Use IRRIGATION (2025 acres) 2.00 CFS

Right No. 34-13659
Priority 6/1/1889
Source BIG LOST RIVER
Use IRRIGATION (43 acres) 0.97 CFS

Right No. 34-13661
Priority 6/1/1896
Source BIG LOST RIVER
Use IRRIGATION (43 acres) 1.00 CFS

Right No. 34-7092
Priority 1/14/1975
Source GROUND WATER
Use IRRIGATION (635 acres) 12.00 CFS

Right No. 34-7121A
Priority 1/9/1976
Source GROUND WATER
Use IRRIGATION (286 acres) 0.46 CFS

Right No. 34-7077
Priority 9/5/1974
Source GROUND WATER
Use IRRIGATION (2025 acres) 8.00 CFS

Right No. 34-692C
Priority 7/15/1884
Source BIG LOST RIVER
Use IRRIGATION (70 acres) 1.60 CFS

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

The applicant proposes to combine various water rights place of use into a permissible place of use and use (6) six wells and the Big Lost River to irrigate the place of use. The points of diversions are in the NWSESE Sec 4, SENWSE Sec 29, SWSENE Sec 32, SESWNE Sec 32, SW NESE Sec 32, SWNWNW Sec 21 T5N R26E and Lot 3 NENENW Sec 5 and Lot 2 NENWNE Sec 4 T4N R26E. The place of use is within Sec 12 T3N R25E, Sec 17 and 18 T3N R26E and Sec 35 and 36 T4N R26E.

Protests may be submitted based on the criteria of Sec 523-222, 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 January 24, 2005. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published on January 6 and 13, 2005

RECEIVED

JAN 31 2005

Department of Water Resources
Eastern Region