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JAN 03 2005

Department of Water Resources
Southern Region

47573

**NOTICE OF PROPOSED
CHANGE TO
WATER RIGHTS**

Notice is hereby given that four Applications for Transfer have been filed by **RIVER GROVE INC C/O PETER L. & JANE STURDIVANT**, PO BOX 606; HAILEY ID 83333-0606 with the Idaho Department of Water Resources for changes to water rights within Gooding County: **Transfer No. 70695** filed on 3/26/2004 and Amended on 10/29/2004 proposes to change the place of use for an existing fish-propagation facility. Portions of the original facility were destroyed and replaced with other ponds in other parts of the property. The re-designed facility does not exceed the volume of the original system. The B portion of this water right used to run directly from the Talbot fish ponds into the River Grove ponds, but now runs back into Billingsley Creek before being re-diverted through 2 headgates on the River Grove property (the C portion was already diverted this way. This is the last fish-propagation facility on Billingsley Creek, and the points of re-diversion are about 1/3 mile above the creek mouth. The applicants have also filed Applications for Transfer No. 70679, Transfer No. 70994, and Transfer No. 71587 proposing changes to water rights diverted from Billingsley Creek. For specific details regarding the applications, please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us 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 10, 2005. The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director

PUBLISH: December
23 and 30, 2004

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

I, Ruby Auferheide being first duly sworn upon oath, depose and say that I am principal clerk of the TIMES-NEWS, published daily at, Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated December 23, 2004, and ending with the issue dated December 30, 2004.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 30th day of December in the year 2004, before me, a Notary Public, personally appeared Ruby Auferheide, 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.

APPS-McGUIRE
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E OF IDAHO

Donida Cappo McGuire
Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 5-19-09