

AFFIDAVIT of PUBLICATION

RECEIVED

JAN 04 2005

State of Idaho } ss.
County of Gooding

Department of Water Resources
Southern Region

Norma DeVoe, being first duly sworn, deposes and says that he/she is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, 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 23rd day of December, 2004, and the date of the last publication was on the 30th day of December, 2004.

Norma DeVoe
On this 30th day of December, in the year of 2004, 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

#8997/53262
GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2x

Lines tabular at _____ 8.0¢/Pica
993.26 Lines straight at 69.53 7.0¢/Pica
993.26 Subsequent lines at 59.60 6.0¢/Pica

Affidavit Fee: 2.50

TOTAL COST 131.63

COPY OF NOTICE

(Paste Here)

River Grove Inc.
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

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. 70679 filed on 11/25/2002 and Amended on 10/29/2004 proposes to reconfigure to the place of use on this farm due to the conversion from gravity to sprinkler irrigation. Existing water rights will be tied together in a permissible place of use. The property is located west of Billingsley Creek near its confluence with the Snake River. Transfer No. 70994 filed on 11/25/2002 seeks to remove all aesthetic use from the original place of use and point of diversion (the Barlogi Ditch) in favor of new point of diversion and place of use on another portion of the applicant property. In addition, a portion of the flow rate decreed for irrigation is being converted to aesthetic use at the new site to allow more water to be diverted for this purpose during the irrigation season. The new point of diversion is an existing headgate and measuring device located several hundred feet downstream from the Barlogi Ditch. The new place of use is located close to the old place of use but on the west side of Billingsley Creek near its confluence with the Snake River. Transfer No. 71587 was filed on 10/15/2004. The applicant has purchased 0.34 cfs of water that has been delivered to the Ellston property in Hagerman via the Buckeye Ditch. The proposed transfer will move this water to land between the mouth of Billingsley Creek and Lower Salmon Falls Dam; water will be diverted at an existing diversion on the Sturdivant property and will irrigate the previously un-irrigated land along the Snake River. 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 Grover 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. 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

PUB: 12/23 - 12/30

G53262