

The Jefferson Star
Rigby, Idaho

AFFIDAVIT OF PUBLICATION

RECEIVED

State of Idaho)

) ss APR 01 2005

County of Jefferson)

) Department of Water Resources
Eastern Region

I, Terry Carr of The Jefferson Star,
published weekly at Rigby, Jefferson
County, Idaho, do solemnly swear that the

Notice of Proposed Change of Water Right

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in
any supplement issue thereof for 2
consecutive issues, the first publication
having been made on march 24
and the last publication having been made
on march 31

Further, that said newspaper is one of gen-
eral circulation in said county; that it is a
legal newspaper, conforming to legal
specifications under the Idaho Statutes;
that it has at least two hundred bona fide
subscribers living within the county of
publication; and that it has been continu-
ously and uninterruptedly published in
said county during a period of seventy
eight consecutive weeks prior to the first
publication of the said notice.

Terry Carr

On this 31 day of march
in the year of 2004, before me, a Notary
Public, personally appeared

Terry Carr,

known or identified to me to be the person
whose name is subscribed to the within
instrument, and being by me first duly
sworn, declared that the statements there-
in are true, and acknowledged to me that
she executed the same.

Cynthia Foster

Notary Public for Idaho
Residing at 1025 N. 10th, Shelley, ID
My commission expires March 8, 2005

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 71045

MONTEVIEW CANAL COMPANY, INC.
648 E 2800 N
MONTEVIEW ID 83435, has filed Application No. 71045 for changes to the
following water rights within JEFFERSON County:

Right No. 31-11818	
Priority 8/10/1938	
Source GROUND WATER	
Use IRRIGATION (5295 acres)	12.37 CFS 2,164.4 AFA
Total Amount	12.37 CFS 2,164.4 AFA
Right No. 31-11822	
Priority 8/26/1946	
Source GROUND WATER	
Use IRRIGATION (5295 acres)	5.05 CFS 1,082.2 AFA
Total Amount	5.05 CFS 1,082.2 AFA
Right No. 31-11826	
Priority 10/6/1949	
Source GROUND WATER	
Use IRRIGATION (5295 acres)	15.46 CFS 2,705.5 AFA
Total Amount	15.46 CFS 2,705.5 AFA
Right No. 31-11830	
Priority 5/14/1953	
Source GROUND WATER	
Use IRRIGATION (5295 acres)	12.66 CFS 3,239.6 AFA
Total Amount	12.66 CFS 3,239.6 AFA
Right No. 31-11760	
Priority 11/29/1956	
Source GROUND WATER	
Use IRRIGATION (5295 acres)	19.42 CFS 7,086.2 AFA
Total Amount	19.42 CFS 7,086.2 AFA
Right No. 31-11764	
Priority 8/26/1954	
Source GROUND WATER	
Use IRRIGATION (5295 acres)	19.42 CFS 7,086.2 AFA
Total Amount	19.42 CFS 7,086.2 AFA
Right No. 31-11814	
Priority 2/12/1925	
Source GROUND WATER	
Use IRRIGATION (5295 acres)	9.28 CFS 1,623.3 AFA
Total Amount	9.28 CFS 1,623.3 AFA
Right No. 31-11816	
Priority 6/10/1940	
Source GROUND WATER	
Use IRRIGATION (5295 acres)	8.22 CFS 1,623.3 AFA
Total Amount	8.22 CFS 1,623.3 AFA
Right No. 31-11820	
Priority 3/6/1944	
Source GROUND WATER	
Use IRRIGATION (5295 acres)	3.86 CFS 676.5 AFA
Total Amount	3.86 CFS 676.5 AFA
Right No. 31-11824	
Priority 7/21/1948	
Source GROUND WATER	
Use IRRIGATION (5295 acres)	18.55 CFS 3,246.8 AFA
Total Amount	18.55 CFS 3,246.8 AFA
Right No. 31-11828	
Priority 10/20/1949	
Source GROUND WATER	
Use IRRIGATION (5295 acres)	9.28 CFS 1,623.3 AFA
Total Amount	9.28 CFS 1,623.3 AFA
Right No. 31-11832	
Priority 8/22/1955	
Source GROUND WATER	
Use IRRIGATION (5295 acres)	17.20 CFS 6,297.6 AFA
Total Amount	17.20 CFS 6,297.6 AFA
Right No. 31-11762	
Priority 7/15/1960	
Source GROUND WATER	
Use IRRIGATION (5295 acres)	19.42 CFS 7,086.2 AFA
Total Amount	19.42 CFS 7,086.2 AFA
Right No. 31-11766	
Priority 10/31/1962	
Source GROUND WATER	
Use IRRIGATION (5295 acres)	45.05 CFS 16,439.6 AFA
Total Amount	45.05 CFS 16,439.6 AFA

The point of diversion and place of use is the same for all the above
rights:

Point(s) of Diversion

NWNESE S14 T07N R33E
NENESE S21 T08N R34E
NWNESE S21 T08N R34E
SWSWSE S21 T08N R34E
SWSWNW S26 T08N R34E
NENWSW S26 T08N R34E
NWSWSW S26 T08N R34E
SWSWSW S26 T08N R34E
SESENE S27 T08N R34E
SWSWSW S27 T08N R34E
NENWSE S27 T08N R34E
NESWSE S27 T08N R34E
SESESE S27 T08N R34E
NWSWNE S28 T08N R34E
SENWSW S28 T08N R34E
SESWSW S28 T08N R34E
NESESE S28 T08N R34E
NESWSW S29 T08N R34E
SENENW S33 T08N R34E
NWNENE S34 T08N R34E
NENWNW S34 T08N R34E

having been made on March 31
and the last publication having been made
on March 31

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterrupted published in said county during a period of seventy eight consecutive weeks prior to the first publication of the said notice.

Terry Carr

On this 31 day of March
in the year of 2004, before me, a Notary Public, personally appeared

Terry Carr,

known or identified to me to be the person whose name subscribed the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Cristal Foster
Notary Public for Idaho
Residing at 1005 N. H. Shelley, ID
My commission expires March 8, 2005

Use	IRRIGATION (5295 acres)	9.28 CFS 1,623.3 AFA
Total Amount		9.28 CFS 1,623.3 AFA
Right No.	31-11816	
Priority	6/10/1940	
Source	GROUND WATER	
Use	IRRIGATION (5295 acres)	8.22 CFS 1,623.3 AFA
Total Amount		8.22 CFS 1,623.3 AFA
Right No.	31-11820	
Priority	3/6/1944	
Source	GROUND WATER	
Use	IRRIGATION (5295 acres)	3.86 CFS 676.5 AFA
Total Amount		3.86 CFS 676.5 AFA
Right No.	31-11824	
Priority	7/21/1948	
Source	GROUND WATER	
Use	IRRIGATION (5295 acres)	18.55 CFS 3,246.6 AFA
Total Amount		18.55 CFS 3,246.6 AFA
Right No.	31-11828	
Priority	10/20/1949	
Source	GROUND WATER	
Use	IRRIGATION (5295 acres)	9.28 CFS 1,623.3 AFA
Total Amount		9.28 CFS 1,623.3 AFA
Right No.	31-11832	
Priority	8/22/1955	
Source	GROUND WATER	
Use	IRRIGATION (5295 acres)	17.20 CFS 6,297.6 AFA
Total Amount		17.20 CFS 6,297.6 AFA
Right No.	31-11762	
Priority	7/15/1960	
Source	GROUND WATER	
Use	IRRIGATION (5295 acres)	19.42 CFS 7,086.2 AFA
Total Amount		19.42 CFS 7,086.2 AFA
Right No.	31-11766	
Priority	10/31/1962	
Source	GROUND WATER	
Use	IRRIGATION (5295 acres)	45.05 CFS 16,439.6 AFA
Total Amount		45.05 CFS 16,439.6 AFA

The point of diversion and place of use is the same for all the above rights.

Point(s) of Diversion

NWNENE S14 T07N R33E
NENESE S21 T08N R34E
NWNENE S21 T08N R34E
SWSWSE S21 T08N R34E
SWSWNW S26 T08N R34E
NENWSW S26 T08N R34E
NWSWSW S26 T08N R34E
SWSWSW S26 T08N R34E
SESENE S27 T08N R34E
SWSWSW S27 T08N R34E
NENWSE S27 T08N R34E
NESWSE S27 T08N R34E
SESESE S27 T08N R34E
NWSWNE S28 T08N R34E
SENWSW S28 T08N R34E
SESWSW S28 T08N R34E
NESESE S28 T08N R34E
NESWSW S29 T08N R34E
SENENW S33 T08N R34E
NWNENE S34 T08N R34E
NENWNW S34 T08N R34E

Place of Use

S10 T07N R33E
S11 T07N R33E
S14 T07N R33E
S15 T07N R33E
S2 T07N R33E
S23 T08N R33E
S25 T08N R33E
S26 T08N R33E
S27 T08N R33E
S28 T08N R33E
S3 T07N R33E
S33 T08N R33E
S34 T08N R33E
S35 T08N R33E
S36 T08N R33E
S4 T07N R33E

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

The applicant wishes to add two new wells at the place of use. The two new wells are located in the SESW Sec 23 T8N R33E and NENW Sec 27 T8N R33E. The change in the place of use of 40 acres from the original place of use, is based on historical use.

Protests may be submitted based on the criteria of Section 42-222, Idaho Code.

Any protests 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 April 12, 2004. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published in the Jefferson Star, Rigby, Idaho, March 24 and 31, 2004.