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APR 14 2004

AFFIDAVIT OF PUBLICATION

Department of Water Resources
Eastern Region

State of Idaho, County of Custer, ss:

I, Ruth E. Burchill, representing the
Challis Messenger, a weekly newspaper, pub-
lished at Challis, Idaho, do solemnly swear that
the notice hereto attached and made a part here-
of, was published in the regular and entire issue
of the Challis Messenger for 2
consecutive weeks, commencing with the issue
dated April 1 2004 and ending with
the issue dated April 8 2004.

Ruth E Burchill

STATE OF IDAHO

COUNTY OF CUSTER

On this 12 day of April in the
year of 2004 before me, a Notary Public,
personally appeared Ruth E. Burchill
known or identified to me to be the person
whose name subscribed to the within instru-
ment, and being by me first duly sworn, declared
that the statements therein are true, and ac-
knowledgeed to me that he executed the same.

Notary Public for Idaho

Residing at Challis, ID

My commission expires: 8/21/04

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 71051

CLINTON BITTON, 6344 TRAIL
CREEK RD. MACKAY ID 83251,
has filed Application No. 71051 for
changes to the following water
rights within CUSTER County:

Right No. 34-772

Priority: 10/14/1904

Source: BIG LOST RIVER

Use: IRRIGATION (320 acres)

1.60 CFS

Total Amount: 1.60 CFS

Point(s) of Diversion: NENESE

S1 T08N R21 E

Place of Use: S21 T09N R22E

S28 T09N R22E

Right No. 34-770

Priority: 6/20/1904

Source: BIG LOST RIVER

Use: IRRIGATION (320 acres)

1.60 CFS

Total Amount: 1.60 CFS

Point(s) of Diversion: NENESE

S1 T08N R21 E

Place of Use: S21 T09N R22E

S28 T09N R22E

Right No. 34-771

Priority: 12/4/1912

Source: BIG LOST RIVER

Use: IRRIGATION (320 acres)

3.22 CFS

Total Amount: 3.22 CFS

Point(s) of Diversion: NENESE

S1 T08N R21 E

Place of Use: S21 T09N R22E

S28 T09N R22E

The purpose of the transfer is to

change a portion of the above

rights as follows:

The applicant wishes to add a

point of diversion in the Chilly Ca-

nal. The old point of diversion is

hard to maintain, but will still use

to some degree. The new point of

diversion is in the NENWNW Sec

12 T8N R21 E.

Protests may be submitted

based on the criteria of Sec 42-

222, Idaho Code.

Any protest against the pro-

posed change must be filed with

the Department of Water Resour-

ces, Eastern Region, 900 N. Skyline

Dr. Ste. A, Idaho Falls, ID 83402

together with a protest fee of \$25

for each application on or before

April 19, 2004. The protestant

must also send a copy of the

protest to the applicant.

KARL J DREYER, Director

Publish: April 1 & 8, 2004.