

STANDARD JOURNAL
Rexburg, Idaho
St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
Madison and Fremont Counties

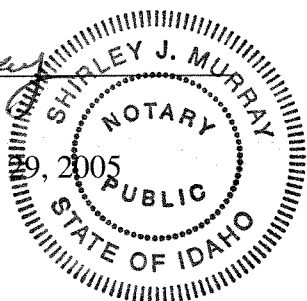
I, Jeff Rydalch, being first duly sworn, depose and say, that I am the business manager of the STANDARD JOURNAL, a 3 times a week newspaper published 3 times a week in Madison and Fremont Counties, Idaho; and I do solemnly swear that the Water Right - John L. McCulloch, a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue, once each week thereof for two successive issues, the first publication having been made on December 31, 2003 and the last publication having been made on January 7, 2004.

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 uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

STATE OF IDAHO)
COUNTY OF MADISON)

On this 8th day of January in the year of 2004 before me, a Notary Public, personally appeared Jeff Rydalch, 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 statement therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: April 29, 2005



RECEIVED

JAN 12 2004

Department of Water Resources
Eastern Region

NOTICE OF
PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 70791

JOHN L MC CULLOCH, 3168 E.
1300 N., Ashton, ID 83420, has filed
Application No. 70791 for changes
to the following water rights within
FREMONT County:

Right No. 21-102D

Priority: 6/1/1890

Source: HENRYS FORK

Use: IRRIGATION (220 acres)
1.00 CFS

Total Amount: 1.00 CFS

Point(s) of Diversion: S33 T09N
R42E

Place of Use: S32 T09N R42E

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

The applicant proposes to
change the point of diversion to
enable the system to be more
efficient. The new point of diversion
is in the SWNENW Sec 33 T9N
R42E.

Protests may be submitted
based on the criteria of Sec 42-222,
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 for each application on or
before January 20, 2004. The
protestant must also send a copy of
the protest to the applicant.

KARL J DREHER,
Director

Publ. Dec. 31, 2003 and Jan. 7,
2004.