

# AFFIDAVIT of PUBLICATION

State of Idaho  
County of Blaine

Pam Morris, being the first duly sworn, deposes and says that she is the printer (publisher) of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior 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 2 day of March, 20 11, and the date of the last publication was on the 9 day of March, 20 11

Pam Morris  
Subscribed and sworn to before me this 9 day of March, 20 11.

Connie N. Johnson  
NOTARY PUBLIC



IDAHO MOUNTAIN EXPRESS  
P.O. Box 1013  
Ketchum, Idaho 83340

## COST OF PUBLICATION

Number of Picas per Line 11.5  
Number of Lines in Notice 80  
Number of Insertions 2

80 Lines tabular at 73.60 9.0 cents/pica  
80 Lines straight at 64.40 8.0 cents/pica  
80 Subsequent lines at 7.0 cents/pica

RECEIVED TOTAL COST \$138.00

MAR 10 2011

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

## COPY OF NOTICE

Notice of Applications  
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR  
BY TC

(See Reverse Side)

OK  
MB  
3/18/11

## NOTICE OF APPLICATIONS

Notice is hereby given that two applications have been filed with the Idaho Department of Water Resources concerning water rights within Blaine

County. The OLIVER FAMILY TRUST, C/O OLIVER MCMILLAN, 733 8TH AVE; SAN DIEGO CA 92101 has filed Application for Transfer No. 77076 which proposes changing the point of diversion to an existing well for a 0.35 cfs Big Wood River right, used to irrigate 7.9 acres of land located just north of Hailey, along the west side of Highway 75 on lot 7 of the River Ranch Grove Subdivision. The application proposes a change in source from the Big Wood River to groundwater (tributary to Big Wood River). The well is located 150 feet from the Big Wood River.\*\*\*\*Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.\*\*\*\*BRIAN L. SMITH & DIANE STEFFEY SMITH, PO BOX 5326; KETCHUM ID 83340 have filed an Amended Application for Permit No. 37-20743 to be recorded as follows:

Point of Diversion: NESWNW S36 T02N R18E

Source: BIG WOOD RIVER Tributary MALAD RIVER

Point of Diversion: NWSESW S7 T01N R19E

Source: GROUND WATER

Use: FIRE PROTECTION STORAGE, 01/01 to 12/31 (1.6 AF)

Use: AESTHETIC STORAGE, 01/01 to 12/31 (1.6 AF)

Use: DIVERSION TO STORAGE, 04/15 to 10/31 (0.2 CFS)

Total Diversion: (0.2 CFS, 1.6 AF)

Date Filed: 2/17/2011

Place Of Use: SWSE S7 T01N R19E

Application proposes the diversion of 0.2 cfs and 1.6 AF of existing Big Wood River rights through the District 45 Canal and/or groundwater diverted from an existing well to a pond for aesthetic and fire protection uses. The existing pond is located approximately 1.9 mi. south and 1.0 mi. east of the Gannett-Picabo and Highway 75 intersection in the Lookout Circle Subdivision Lot 2. A mitigation plan proposing to dry up 1.0 acre of existing irrigation rights to offset consumptive uses associated with the pond has been included with the application.\*\*\*\*Permit will be subject to all prior water rights.\*\*\*\*Protests may be submitted based on the criteria of Idaho Code § 42-203A.\*\*\*\*To see a full description of these applications, please see [www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp](http://www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp).\*\*\*\*Any protest against an application must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before March 21, 2011. The protestant must also send a copy of the protest to the applicant.

Gary Spackman, Interim Director

OK  
MB  
3/18/11

PUBLISH:

IDAHO MOUNTAIN EXPRESS

Mar. 2 & 9, 2011