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SEP 13 2010

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1 IDAHO DEPT. OF WATER RESOURCES

WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)

WATER RESOURCES
WESTERN REGION

County of Canyon)

)SS.

Barbara Spencer
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 times(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

That said notice was published the following:
09/02/2010 09/09/2010

Barbara Spencer
STATE OF IDAHO)

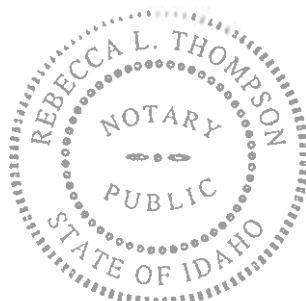
County of Canyon)

On this 9th day of September in the year of 2010 before me a Notary Public, personally appeared. Barbara Spencer, 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 therein are true, and acknowledge to me that he/she executed the same.

Rebecca L. Thompson
Notary Public for Idaho

Residing at Nampa

My Commission expires April 19, 2014



LEGAL NOTICE

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

✓
63-33381
THOMAS J WILKE
JENINE M WILKE
6420 JOHNSTONE RD
HOMEDALE, ID 83628
Point of Diversion SESW S29 T03N R03W CANYON County Source GROUND WATER Tributary
Point of Diversion NWNE S32 T03N R03W CANYON County Source GROUND WATER
Tributary
Point of Diversion SENW S32 T03N R03W CANYON County Source GROUND WATER
Tributary
Point of Diversion NWSW S32 T03N R03W CANYON County Source GROUND WATER
Tributary
Use: IRRIGATION 03/01 to 11/15 4 CFS
Total Diversion: 4 CFS
Date Filed: 5/10/2010
Place Of Use: IRRIGATION
T03N R03W S29 SW (ALL) NWSE SWSE SESE
T03N R03W S30 L12(NESE)
T03N R03W S32 NE (ALL) NW (ALL) NESW NWSW NESE NWSE

Total Acres: 526.2

Applicants have also submitted Application for Transfer 76542.

Water bearing zone to be appropriated is from 100 to 400 feet.

PROPOSED CHANGE OF WATER RIGHTS

✓
Thomas J. &/or Jenine M. Wilke of 6420 Johnstone Rd., Homedale, ID, 83628 filed Application No. 76542 to transfer 3 entire rights and a portion of another right with 1950 through 1960 priority dates from ground water totaling 6.52 cfs. The purpose of the transfer is to create a permissible place of use and irrigate 518.2 acres from 4 existing wells. The applicants have also filed Application for Permit 63-33381 for an additional 8 acres of irrigation. Water will be used at the current place of use south of Lake Shore Drive and north of Marsing Road.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-211 / § 42-222.

For specific details regarding the application, please contact the Idaho Department of Water Resources (IDWR) Western Region at 208-334-2190 or visit www.idwr.idaho.gov with details provided under (Enew water right applications.) Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before September 20, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

September 2, 9, 2010

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✓ oic DB 9/22/2010