

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Susan Callahan, representing the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated 8/5 2010 and ending with the issue dated 8/12 2010

Susan Callahan

STATE OF IDAHO)

COUNTY OF CUSTER)

On this 16th day of Aug. in the year of 2010, before me, a Notary Public,

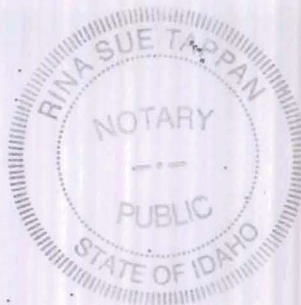
personally appeared Susan Callahan, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Rina Sue Tappan

Notary Public for Idaho

Residing at Challis ID

My commission expires: 12-8-14



RECEIVED
SEP 07 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

OK
MB
9/7/10

NOTICE OF APPLICATIONS

The following applications have been filed by the UNITED STATES OF AMERICA ACTING THROUGH USDI - FISH AND WILDLIFE SERVICE, DIVISION OF ENGINEERING, 911 N E 11TH AVE; PORTLAND OR 97232-4181 concerning the public waters of the State of Idaho, Custer County:

Application for Permit No. 71-10934

Two Points of Diversion within NENE, S01, T09N, R13E

Four Points of Diversion within L5 (NWSE), S36, T10N, R13E

Two Points of Diversion within L8 (SESE), S36, T10N, R13E

Source: GROUND WATER

Use: FISH PROPAGATION, 01/01 to 12/31 (2.5 CFS)

Total Diversion: 2.5 CFS

Date Filed: 7/14/2010

Place Of Use: L4 (SWNE) & L5 (NWSE), S36, T10N, R13E

Application seeks to appropriate 2.5 cfs of groundwater from four existing wells and up to four new wells for fish propagation use associated with the Sawtooth Fish Hatchery located approximately 4.6 miles south and 2.5 miles east of Stanley. This application proposes the diversion and use of water tributary to the federally designated Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for a United States right.***Permit will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-203A.***Application for Transfer No. 76669 proposes adding up to four new wells as authorized points of diversion for right 71-7078 which currently authorizes the diversion of up to 9.3 cfs from a system of five existing wells utilized for irrigation, domestic, and fish propagation uses. The well locations and property associated with the application is located at the Sawtooth Fish Hatchery approximately 4.6 miles south and 2.5 miles east of Stanley.***Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.***

To see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRfiling.asp. Any protest 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 August 23, 2010. The protestant must also send a copy of the protest to the applicant.

Gary Spackman, Interim Director

Published: August 5 and 12, 2010