

RECEIVED

JUN 28 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 Principle 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:
06/17/2010 06/24/2010

Barbara Spencer
STATE OF IDAHO)

County of Canyon)

On this 24th day of June 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



✓ OK

LEGAL NOTICE

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

✓ 63-32644

STAR SEWER & WATER DISTRICT

PO BOX 400

STAR, ID 83669

Point of Diversion NWNW S16 T04N R01W ADA County Source GROUND WATER Tributary

Point of Diversion SESW S8 T04N R01W ADA County Source GROUND WATER Tributary

Point of Diversion SESW S5 T04N R01W ADA County Source GROUND WATER Tributary

Point of Diversion SWNW S8 T04N R01W ADA County Source GROUND WATER Tributary

Point of Diversion SWNW S11 T04N R02W CANYON County

Source GROUND WATER Tributary

Use: MUNICIPAL 01/01 to 12/31 5 CFS

Total Diversion: 5 CFS

Date Filed: 4/11/2007

Place Of Use: MUNICIPAL

Municipal use is for the district service area in Ada and Canyon Counties. Water bearing zone to be appropriated is 150-190 ft. for 1 existing well and 450-650 ft. for 2 existing plus 2 proposed wells. Proposed wells will be near Hwy 44/Plummer Road and Hwy 44/Kingsbury Road. Proposed use is for reasonably anticipated future needs in a 20 year planning horizon based on 1996 Municipal Water Rights Act (IC 42-202B etc.).

Published in the Idaho Statesman and Press Tribune on June 17th & 24th, 2010

PROPOSED CHANGE OF WATER RIGHT AND AMENDMENT OF PERMIT

✓ Mark S. Tracy of 2422 12th Ave Rd Box 377 Nampa, ID 83686 filed Application No. 76041 to transfer one water right with a 1967 priority date from ground water totaling 0.8 cfs for irrigation use. The purpose of the transfer is to add a new point of diversion for the right. Mark S. Tracy and/or Susan Tracy also filed Application No. 76042 to amend a water permit with a 1992 priority from ground water totaling 1.18 cfs for irrigation and domestic use. The purpose of the amendment is to change the point of diversion and add an additional point of diversion to the permit. Water will be used at the current place of use generally located east of Farmer Rd approximately 0.25 miles south of the intersection of Locust Ln (Marsing Rd) and Farmer Rd approximately 7 miles southwest of downtown Nampa.

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 "new 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 July 6, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

June 17, 24, 2010

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✓ OK DB 7/8/2010