

AFFIDAVIT OF PUBLICATION

RECEIVED

SEP 02 2009

IDWR / NORTH

STATE OF IDAHO)

) ss.

County of Bonner)

Stirling Barkley being first duly sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached Legal Application. My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the Proprietor of the Bonner County Daily Bee, a newspaper of general publication in Bonner County, Idaho;

3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

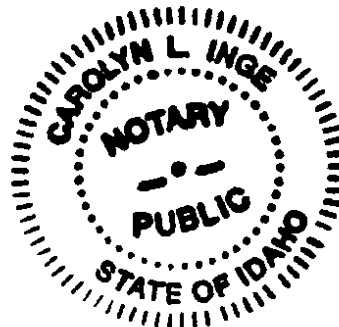
4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 2 consecutive weeks, commencing on the 20 day of August 2009 and ending on the 27 day of August 2009.

Stirling Barkley

State of Idaho, county of Bonner ss.

On this 27 day of Aug., in the year of 2009, before me, Carolyn Inge, Notary Public, personally appeared Stirling Barkley, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (or they) executed the same.

Carolyn L Inge
Notary Public
Residing at: Sandpoint
Comm. Exp.: 8-7-12



*See reverse
for legal*

10924

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

95-10939

TIMOTHY TOPE

BEVERLY JOAN TOPE

132 SUNSET RD

ATHOL, ID 83801

Point of Diversion SESW S18 T54N R02W BONNER CO

Source CAREYWOOD CREEK tributary to SINKS

Point of Diversion(2) SWSE S18 T54N R02W BONNER CO

Source CAREYWOOD CREEK tributary to SINKS

Use: IRRIGATION 04/01 to 10/31 0.5 CFS

Use: IRRIGATION STORAGE 01/01 to 12/31 81.2 AF

Use: IRRIGATION FROM STORAGE 04/01 to 10/31 75 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 6.2 AF

Use: RECREATION STORAGE 01/01 to 12/31 6.2 AF

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 6.2 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 1 CFS

Total Diversion: 1 CFS 81.2 AF

Date Filed: 8/3/2009

Place Of Use: DIVERSION TO STORAGE

T54N R02W S18 SWSE SESW

Place Of Use: IRRIGATION T54N R02W S18 SWSE SESW

Place Of Use: All other uses same as IRRIGATION

Total acres 25

96-9436

LIAM THOMAS FITZGERALD

PAMELA HANSEN

PO BOX 920049

SNOWBIRD, UT 84092

Point of Diversion SWNW S8 T56N R01E BONNER CO

Source PEND OREILLE LK tributary to PEND OREILLE RVR

Use: DOMESTIC 01/01 to 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 6/30/2009

Place Of Use: DOMESTIC T56N R01E S8 SWNW

Domestic use is for 1 home.

96-9437

JAMES FISHBACK

ANNETTE FISHBACK

PO BOX 2163

SANDPOINT, ID 83864

Point of Diversion NWSW S25 T58N R01W BONNER CO

Source LOST LAKE tributary to UNNAMED STREAM

Use: IRRIGATION 04/01 to 10/31 0.15 CFS

Use: IRRIGATION STORAGE 01/01 to 12/31 20 AF

Use: IRRIGATION FROM STORAGE 04/01 to 10/31 15 AF

Use: FIRE PROTECTION 01/01 to 12/31 0.15 CFS

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 5 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.15 CFS

Total Diversion: 0.15 CF 20 AF

Date Filed: 7/21/2009

Place Of Use: DIVERSION TO STORAGE

T58N R01W S25 NWSW

Place Of Use: IRRIGATION

T58N R01W S25 NWSW

Place Of Use: All other uses same as IRRIGATION

Total acres 5

96-9438

JAMES W AKERS

5046 EUREKA RD

SAGLE, ID 83860-8839

Point of Diversion NENE S34 T57N R01W BONNER CO

Source UNNAMED STREAM tributary to LK PEND

OREILLE

Use: POWER STORAGE 01/01 to 12/31 8.6 AF

Use: POWER FROM STORAGE 01/01 to 12/31 5 AF

Total Diversion 8.6 AF

Date Filed: 6/5/2009

Place Of Use: POWER STORAGE T57N R01W S34 NENE

Place Of Use: POWER FROM STORAGE

T57N R01W S34 NENE

Small hydropower system for domestic use in off-grid home.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 9/8/2009. The protestant must also send a copy of the protest to the applicant.

SNP Legal 10964

August 20, 27, 2009

KRY SPACKMAN, Interim Director

RECEIVED

SEP 02 2009

IDWR / NORTH

See reverse for affidavit