

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 11/19 2009 and ending with the issue dated 11/25 2009

Susan Callahan

STATE OF IDAHO)

COUNTY OF CUSTER)

On this 30th day of Nov. in the year of 2009, 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

Idaho Department of Water Resources

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

73-12167

BLM CHALLIS FIELD OFFICE
1151 BLUE MOUNTAIN ROAD
CHALLIS, ID 83226

Point of Diversion NWSW S11
T10N R23E CUSTER County
Source MAHOGANY CREEK
Tributary PAHSIMEROI RIVER

Use: STOCKWATER

01/01 to 12/31 0.02 CFS

Use: WILDLIFE

01/01 to 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date filed: 11/6/2009

Place of Use: STOCKWATER

T10N R23E S2 SWSE

T11N R23E S12 SESE

T11N R23E S24 SWNE

T11N R23E S36 NWNW

Place of Use: WILDLIFE

T10N R23E S2 SWSE

T11N R23E S12 SESE

T11N R23E S24 SWNE

T11N R23E S36 NWNW

This application proposes the diversion and use of water from Mahogany Creek tributary to the Pahsimeroi River tributary of the 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 stock-water purposes.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code §42-211. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before December 7, 2009. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published: November 19 and 25, 2009

RECEIVED

DEC 4 2009

Department of Water Resources
Eastern Region

