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NOV 13 2009

Department of Water Resources
Eastern Region

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Affidavit of Publication

STATE OF IDAHO)
COUNTY OF TWIN FALLS) SS.

I, Ruby Aufderheide, being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily at, Twins Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated 5th day of November, 2009 and ending with the issue dated 12th day of November, 2009

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issued thereof Thursday is announced as the day on which said legal will be published.

Ruby Aufderheide
Ruby Aufderheide, Legal Clerk

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 12th day of November, 2009, before me,

LEGAL NOTICE

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

1-10565

COUNTY OF JEFFERSON

PO BOX 567

RIGBY, ID 83442

Point of Diversion SESW S5 T04N R39E JEFFERSON County

Source SNAKE RIVER

Use: IRRIGATION 04/01 to 10/31 1 CFS

Use: RECREATION 04/01 to 10/31 12 CFS

Total Diversion: 12 CFS

Date Filed: 10/1/2009

Place of Use: RECREATION

T04N R39E S5 SWSW

T04N R39E S6 SESE

T04N R39E S7 NENE

T04N R39E S8 NWNW

Place of Use: IRRIGATION

T04N R39E S5 SWSW SESW

T04N R39E S6 SESE

T04N R39E S8 NWNW

Total Acres: 15

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 November 23, 2009. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN; Interim Director P

PUBLISH: November 5 and 12, 2009

by Aufderheide,

in whose name subscribed to the within instrument, and being by me first duly sworn, depose and say that the contents of the foregoing are true, and acknowledged to me that he executed the same.

Linda Capps-McGuire
Notary Public for Idaho
Residing at Twin Falls, Idaho.

Commission expires:

5-19-15

LINDA CAPPS-McGUIRE
NOTARY PUBLIC
STATE OF IDAHO