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AFFIDAVIT OF PUBLICATION

AUG 14 2009

STATE OF IDAHO,
County of Kootenai,

SS.

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Kelli Buley being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county

3 The

Legal Notice

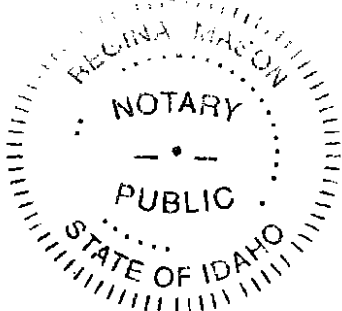
of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 16 day of August 20 09, and ending on the 13 day of August 20 09, and such publication was made as often during said period as said Daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice Kelli Buley. On this 13 day of August in the year of 2009, before me, a Notary Public, personally appeared Kelli Buley, 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.

Regina Mason

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/15



NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATIONS FOR PERMITS No.95-10671 in the name of James A & Marie P Garr, 16804 N Trails End Rd in Rathdrum, ID 83858, and No.95-10679 in the name of Fred B or Darcy K Birdsall, 27988 N Bohn Rd, Athol, ID 83801, and No.95-10687 in the name of James & Janet Allen, 17461 N Right Fork Rd, Hauser Lake, ID 83854, and No.95-101719 in the name of Michael Gurian, 417 W 32nd Ave, Spokane, WA 99203, and No.95-10725 in the name of Ted D. DePee, 9430 W Twin Lakes Rd., Rathdrum ID 83858, were incorrectly advertised on August 6 and 13, 2009.

In each case the Place of Use was incorrectly advertised.

Place of Use for Garr, Application No.95-10671 was shown as SENE whereas correctly it should be **NWSE**.

Place of Use for Birdsall, Application No.95-10679 was shown as SWNW whereas correctly it should be **NWSW**.

Place of Use for Allen, Application No.95-10687 was shown as NENW whereas correctly it should be **NWNE**.

Place of Use for Gurian, Application No.95-10719 was shown as SWSE whereas correctly it should be **SESW**.

Place of Use for DePee, Application No.95-10725 was shown as SENE whereas correctly it should be **NWSE**.

(For additional information concerning the property locations, call the Northern Regional Office at 762-2800.)

Any protests against the approval of the above-referenced corrections must be filed with the applicant and with the Director, Dept. of Water Resources, 7600 N Mineral Drive, Suite 100, Coeur d'Alene, Id. 83815, together with a protest fee of \$25.00 on or before October 5, 2009.

GARY SPACKMAN, Interim Director

Legal # _____

Published on Sept.17 & 24, 2009.

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

95-10671

JAMES A GARR

MARIE P GARR

16804 N TRAILS END RD

RATHDRUM, ID 83858

Point of Diversion NWSE S29 T52N R04W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.12 CFS

Total Diversion: 0.12 CFS

Date Filed: 6/16/2009

Place Of Use: IRRIGATION T52N R04W S29 SENE

Number of acres: 4

95-10679

FRED B BIRDSALL

DARCY K BIRDSALL

27988 N BOHN RD

ATHOL, ID 83801

Point of Diversion NWSW S24 T53N R03W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 04/01 to 10/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 6/17/2009

Place Of Use: IRRIGATION T53N R03W S24 SWNW

Number of acres 20

95-10687

JAMES ALLEN

JANET ALLEN

17461 N RIGHT FORK RD

HAUSER LAKE, ID 83854

Point of Diversion NWNE S30 T52N R05W KOOTENAI County

Source SPRING tributary to UNAMED STREAM

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 6/17/2009

Place Of Use: DOMESTIC T52N R05W S30 NENW

Domestic use is for 1 home.

95-10704

MARY F ANDERSON

24327 N FISH LAKE RD

RATHDRUM, ID 83858

Point of Diversion SESE S36 T53N R05W KOOTENAI County

Source TWIN LAKES tributary to RATHDRUM CREEK

Use: IRRIGATION 03/15 to 11/15 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 6/23/2009

Place Of Use: IRRIGATION T53N R05W S36 SESE

Number of acres .5

95-10706

BOB WILSON

7875 E HIGHWAY 54

ATHOL, ID 83801

Point of Diversion SWSW S11 T53N R03W KOOTENAI County

Source GROUND WATER

Use: COMMERCIAL 01/01 to 12/31 0.1 CFS

Total Diversion: 0.1 CFS

Date Filed: 6/23/2009

Place Of Use: COMMERCIAL T53N R03W S11 SWSW

Commercial use is for greenhouse.

95-10719

MICHAEL GURIAN

417 W 32nd AVE

SPOKANE, WA 99203

Point of Diversion SESW S18 T53N R04W KOOTENAI County

Source SPIRIT LAKE tributary to SPIRIT CREEK

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 6/19/2009

Place Of Use: DOMESTIC T53N R04W S18 SWSE

Domestic use is for 1 home.

95-10725

TED D DEPEE

9430 W TWIN LAKES RD

RATHDRUM, ID 83858

Point of Diversion NWSE S36 T53N R05W KOOTENAI County

Source TWIN LAKES tributary to RATHDRUM CREEK

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 6/29/2009

Place Of Use: DOMESTIC T53N R05W S36 SENE

Domestic use is for 1 home

95-10759

JOHN GIESEN

7124 ENGLISH PT

HAYDEN, ID 83835

Point of Diversion SWNENE S3 T52N R03W KOOTENAI County

Source SPRING tributary to SINKS

Use: IRRIGATION 04/01 to 10/31 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 6/23/2009

Place Of Use: IRRIGATION T53N R03W S34 SESE

Number of acres: 1

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 8/24/2009.

The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal 7250

August 6, 13, 2009

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