

The Owyhee Avalanche

P.O. Box 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

RECEIVED

AUG 31 2009

WATER RESOURCES
WESTERN REGION

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper, in TWO (2)
(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

AUGUST 19, 26, 2009

SIGNED: _____

STATE OF IDAHO }
COUNTY OF OWYHEE }

On this 26th day of Aug. in the year of 2009 before me, a

Notary Public, personally appeared JOE E. AMAN
known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Jennifer Stutheit
Notary Public of Idaho

Residing at HOMEDALE, IDAHO

My commission expires: JANUARY 3, 2015

PROPOSED CHANGE OF WATER RIGHTS

Darrel Agenbroad of 27161 Dairy Road, Grand View ID 83624 filed two applications as follows.

Application No. 73748 to transfer a water right with a 1979 priority date from the Snake River totaling 3.82 cfs. The purpose of the transfer is to split the irrigation right and relocate most it (2.92 cfs) to existing pivots adjacent to the current place of use of the right. No change in diversion point from the river (Bybee Canal). The balance of the

right (0.90 cfs) will remain in its current place of use.

Application No. 73749 to transfer a water right with a 1961 priority date from ground water totaling 1.42 cfs. The purpose of the transfer is to move the irrigation right from existing pivots described in the above application to land currently served by river water. The two applications more or less swap places of use for the rights. The site for both applications is near Twentymile Flat about 4 to 5 miles south of Grand View and about 2.5 miles west of Mud Flat Road. The proposed changes have already occurred, and the applicant seeks to correct the water right records.

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 detail provided under "new water right applications." Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Any protest against the proposed change must be filed with the Director, IDWR Western Region, 2735 Airport Way, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application on or before September 8, 2009. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim
Director
8/19/26/09

✓ OK DB 9-10-09

