

Idaho Statesman

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

RECEIVED

APR 27 2009

WATER RESOURCES
WESTERN REGION

Account #	DT#	Identification	Amount
047628	433909	PROPOSED AMENDMENT OF WATER RIGHT BALLENTYNE DITCH CO LTD	\$87.80
Attention:		P.O. #	Run Dates
DENISE BUFFINGTON			APRIL 16, 23, 2009
IDAHO DEPT. WATER RESOURCES WEST 2735 AIRPORT WY. BOISE, ID 83705		Number of Lines	46
		Affidavit	Legal #
		1	

LEGAL NOTICE PROPOSED CHANGE OF WATER RIGHT(S)

Ballentyne Ditch Co LTD of 170 N Sierra Way Eagle, ID 83616 filed Application No. 75023 to transfer one water right with an 1888 priority date from the Boise River totaling 9.67 cfs. The purpose of the transfer is to change the nature of use for a portion of the right, previously used for irrigation of 4.5 acres, to ground water recharge for mitigation of the consumptive losses associated with a pond in Eagle Island State Park located just south of Highway 44 approximately 1 mile east of the intersection of Highway 44 and Linder Rd 2 miles west of Eagle. The unchanged portion of the right will remain within the current service area of the Ballentyne Ditch Co LTD generally located north and south of Hwy 44 approximately 1.5 miles to 3.25 miles west of Eagle.

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 May 4, 2009. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTTILL, JR., Director

Pub. Apr. 16, 23, 2009

0000433909-01

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended, for:

TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning issue of: APRIL 16, 2009

ending issue of: APRIL 23, 2009

Janice Hildreth

STATE OF IDAHO)

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COUNTY OF ADA)

On this 23 day of APRIL n the year of 2009

before me, a Notary Public, personally appeared before me

Janice Hildreth 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 she executed the same.

Notary Public for Idaho

Residing at: Boise, Idaho

My Commission expires:

Janice Hildreth
NOTARY PUBLIC
STATE OF IDAHO
5/23/09

✓ OK DB 5/7/09