

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai: } ss.

MAR 17 2009

IDWR / NORTH

upon oath deposes and says: Katie Hay being first duly sworn

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.

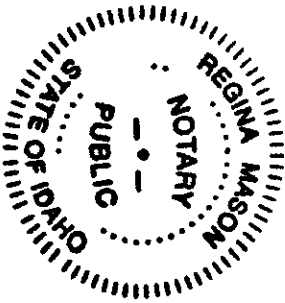
2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

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 5 day of March 2009, and ending on the 12 day of March 2009, and such publication was made as often during said period as said 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. Katie Hay On this 12 day of March in the year of 2009, before me, a Notary Public, personally appeared Katie Hay, 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 6/18/09

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
95-10140

LUBERTUS VANDERBILT
MARY VANDERBILT
20742 E HADEN LAKE RD
HAYDEN ID 83835

Point(s) of Diversion SWSWNE S2 T5IN R03W KOOTENAI CO
Source UNNAMED STREAM tributary to SKINNER CREEK
Point(s) of Diversion SWSWNE S2 T5IN R03W KOOTENAI CO
Source SPRING tributary to SKINNER CREEK

Use: IRRIGATION	03/15 To 11/15	0.03 CFS
Use: IRRIGATION STORAGE	01/01 To 12/31	4.6 AFA
Use: IRRIGATION FROM STORAGE	03/15 To 11/15	3 AFA
Use: STOCKWATER	01/01 To 12/31	0.02 CFS
Use: STOCKWATER FROM STORAGE	01/01 To 12/31	2 AFA
Use: STOCKWATER FROM STORAGE	01/01 To 12/31	0.4 AFA
Use: FIRE PROTECTION	01/01 To 12/31	0.05 CFS
Use: FIRE PROTECTION STORAGE	01/01 To 12/31	1.6 AFA
Total Diversion:		5.8 AFA

Date Filed: 02/13/2009
Place Of Use: IRRIGATION
T5IN R03W S2 NWSW
Place Of Use: IRRIGATION FROM STORAGE
T5IN R03W S2 NWSW

Number of Acres: 1
Place Of Use: IRRIGATION STORAGE
T5IN R03W S2 SWNE
Place Of Use: STOCKWATER
T5IN R03W S2 NWNE Lot 2 SWNE NESW NWSW SWSW SESW
Place Of Use: STOCKWATER STORAGE
T5IN R03W S2 SWNE

Place Of Use: STOCKWATER FROM STORAGE same as STOCKWATER
Remark: Stockwater use is for 30 head of mixed stock.
Place Of Use: FIRE PROTECTION same as STOCKWATER
Place Of Use: FIRE PROTECTION STORAGE
T5IN R03W S2 SWNE

95-10162
FRANK N TOMLINSON
PO BOX 739
BREDA CA 92822-0739
Point(s) of Diversion SWNE S6 T5IN R03W KOOTENAI CO
Source UNNAMED STREAM tributary to SINKS

Use: IRRIGATION	03/15 To 11/15	0.2 CFS
Use: IRRIGATION STORAGE	01/01 To 12/31	36.1 AFA
Use: IRRIGATION FROM STORAGE	03/15 To 11/15	30 AFA
Use: STOCKWATER	01/01 To 12/31	0.02 CFS
Use: STOCKWATER FROM STORAGE	01/01 To 12/31	6.5 AFA
Use: STOCKWATER FROM STORAGE	01/01 To 12/31	0.4 AFA
Total Diversion:		36.5 AFA

Date Filed: 02/24/2009
Place Of Use: IRRIGATION
T5IN R03W S6 SWNE
Number of Acres: 10
Place Of Use: STOCKWATER
T5IN R03W S6 SWNE

Place Of Use: ALL OTHER USES same as STOCKWATER
Remark: Stockwater use is for 25 head of mixed stock.
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 Resource, 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 03/23/2009. The protestant must also send a copy of the protest to the applicant.
DAVID R TUTTILL, JR., Director
Legal 5868
March 5, 12, 2009