

RECEIVED

MAR 12 2009

WATER RESOURCES  
WESTERN REGION

04103032 06561045

1 Idaho Department of  
Water Resources  
Emmett Legal Account  
2735 Airport Way  
Boise, ID 83705

**PROPOSED CHANGE OF  
WATER RIGHTS**

Montour Farmers Ditch Co  
c/o Lon McConnel of 10040  
Gatfield Rd, Emmett ID 83617  
filed Application No. 74823 to  
transfer 2 water rights with  
1884 priority dates from the  
Payette River totaling 21.63  
cfs. The purpose of the transfer  
is to add a point of diversion on  
the Payette River and to  
change the 1339.9-acre serv-  
ice area boundary to exclude  
land condemned by the US bu-  
reau of Reclamation and in-  
clude land to the east. Water  
will be used in the Montour Val-  
ley south and adjacent to the  
Payette River.

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](http://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 West-  
ern Region, and 2735 Airport  
Way, Boise ID 83705-5082 to-  
gether with a protest fee of  
\$25.00 for each application on  
or before

March 23, 2009. The protes-  
tant must also send a copy of  
the protest to the applicant.

DAVID R. TUTHILL, JR.,  
Director

March 4, 11, 2009 06561045

**AFFIDAVIT OF PUBLICATION  
STATE OF IDAHO )**

) SS.

**County of Canyon )**

Marissa McNeal

of Nampa, Canyon County, Idaho,  
being first duly sworn, deposes and says:

1. That I am a citizen of the United States,  
and at all times hereinafter mentioned  
was over the age of eighteen years, and  
not a party to the above entitled action.
2. That I am the Principle Clerk of the  
Emmett Messenger-Index, a weekly  
newspaper published in the City of  
Emmett, in the County of Gem, State of  
Idaho; that the said newspaper is in  
general circulation in the said County of  
Gem, and in the vicinity of Emmett, and  
has been uninterruptedly published in  
said County during a period of seventy-  
eight consecutive weeks prior to the  
first publication of this notice, a copy of  
which is hereto attached.
3. That the notice, of which the annexed is  
a printed copy, was published in said  
newspaper 2 time(s) in the regular and  
entire issue of said paper, and was  
printed in the newspaper proper, and not  
in a supplement.
4. That said notice was published the  
following:

3/4/09, 3/11/09

STATE OF IDAHO )

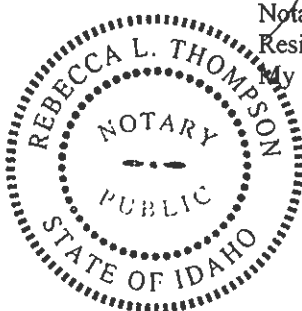
County of Canyon )

On this 11<sup>th</sup> day of March in the year of  
2009 before me a Notary Public, personally  
appeared. Marissa McNeal, known or identified  
to me to be the person whose name is subscribed  
to the within instrument, and being by me first  
duly sworn, declared that the statements therein  
are true, and acknowledge to me that he/she  
executed the same.

Notary Public for Idaho

Residing at Nampa

My Commission expires April 19, 2014



✓ OK DB  
3/26/09