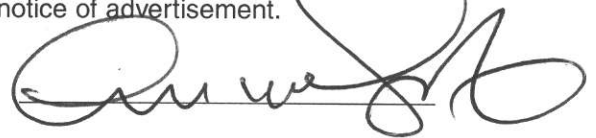


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AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

Andrew J. McNab, being first duly sworn, says he is the Publisher of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho County, State of Idaho, and is of general circulation in said county and state, that the said legal notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 2nd day of July, 2008; and the last publication on the 9th day of July, 2008; and that the said legal notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said legal notice of advertisement.



STATE OF IDAHO)
COUNTY OF IDAHO)

On this 9th day of July in the year of 2008, before me a Notary Public personally appeared Andrew J. McNab, 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.




Notary Public for Idaho
Residing at Grangeville, ID
My commission expires: 12-29-13

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

81-11994

IDAHO TRANSPORTATION
DEPARTMENT
PO BOX 837

LEWISTON ID 83501

Point(s) of Diversion SWNE S28

T37N R14E IDAHO County

Source UNNAMED STREAM tributary To LOCHSA RIVER

Use: IRRIGATION 04/15 To 10/31

0.1

CFS

Use: FIRE PROTECTION 01/01 To 12/31 1.5 CFS

Total Diversion: 1.5 CFS

Date Filed: 07/10/2007

Place Of Use: IRRIGATION

T37N R14E S28 SWNE

Number of Acres 5

Place Of Use: FIRE PROTECTION same as IRRIGATION

Remark: This application proposes the diversion and use of water from a surface water source from an unnamed stream that is a tributary of the Lochsa Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild and Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate and acres will not be applied to the subordination amounts specified in the decree for the Wild and Scenic River listed above.

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 07/21/2008.

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

DAVID R. TUTHILL, JR., Director
Published July 2 and 9, 2008

Jy2-9