

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Bear Lake } ss.

Rosa S. Moosman

being duly sworn,

deposes and says:

That s/he is the editor
of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with September 17, 2008, and ending with the issue of September 24, 2008.
Rosa S. Moosman

Fees, \$159.00

Subscribed and sworn to before me this 24th
day of September, 2008.

Sherry Wells Brown
Notary Public, Residing at Bear Lake County, Idaho

My Commission Expires August 28, 2009

Sherry Wells Brown
Notary Public
State of Idaho

RECEIVED
SEP 29 2008

Department of Water Resources
Eastern Region

WATER NOTICE

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

11-7582

THE RETREAT AT
BEAR LAKE, LLC
DBA BLACK BEAR RESORT
507 CYNTHIA WAY
NORTH SALT LAKE UT
84054

Point(s) of Diversion:

SWSW S29 T14S R43E,
NWSW S32 T14S R43E,
SWSW S32 T14S R43E and
SESE S33 T14S R43E

BEAR LAKE County

Source GROUND WATER

Use: MUNICIPAL

01/01 To 12/31 5 CFS

Total Diversion: 5 CFS

Date Filed: 08/14/2008

Place Of Use: MUNICIPAL

T14S R43E S28 SWSW

SESW

T14S R43E S29

NESW NWSW SWSW

SESW NESE SWSE SESE

T14S R43E S30

SWSW Lot 4 SESW SWSE

SESE

T14S R43E S32

NENE NWNE SWNE SENE

NENW NWNW SWNW

SESW NESW NWSW

SWSW SESW

NESE NWSE SWSE SESE

T14S R43E S33 NWNW

SWNW NWSW SWSW

SESW SWSE SESE

T14S R43E S34 SWSW

T15S R43E S3 NWNW

Lot 4

T15S R43E S4 NENE Lot 1

NWNE Lot 2 SWNE NENW

Lot 3 NWNW Lot 4 SWNW

SESW NESW NWSW

SWSW SESW NESE NWSE

SWSE SESE

T15S R43E S9 NENW

NWNW

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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before October 6, 2008. The protestant must also send a copy of the protest to the applicant.

The following claim(s) have been filed based on diversion and beneficial use of water:
11-7615

PHILLIP D BARTSCHI

8555 NOUNAN RD

MONTPELIER ID 83254

Point(s) of Diversion:

SENESE S6 T11S R43E,

BEAR LAKE County

Source SPRING

Use: STOCKWATER

01/01 To 12/31 0.01 CFS

Use: DOMESTIC

01/01 To 12/31 0.04 CFS

Total Diversion: 0.05 CFS

Priority Date: 5/1/1910

Place Of Use: DOMESTIC

T11S R43E S5 SWNW

Place Of Use: STOCKWATER

TER

T11S R43E S5 NWSW

Exceptions to a claim may be filed with the Department of Water Resource, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with an exception fee of \$25.00.

DAVID R. TUTHILL, JR.,

Director

Publish September 17 and
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