

RECEIVED

AUG 28 2008

IDWR/North

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

Cynthia Ann Hammes, being first duly sworn on oath, deposes and says that she is vice president of The Corporation, owner of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah County, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of notice of advertisement herein.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of two issues, the first publication being on the 30 day of August, 2008, and the last on the 31 day of August, 2008.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

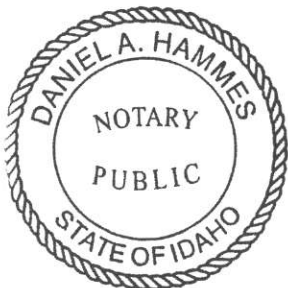
Dated this 31 day of August, 2008

Cynthia Ann Hammes

STATE OF IDAHO)

COUNTY OF BENEWAH)

On this 27 day of August, in the year of 2008 before me, a Notary Public, personally appeared Cynthia Ann Hammes, known or identified to me to be the person whose name subscribed to 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.



Daniel A. Hammes

Notary Public for Idaho
Residing at St. Maries, Idaho
My commission expires:

0743-2013

Water use application

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

95-9509
ELMOR EVANS
6776 BENEWAH CK RD
ST. MARIES ID 83861
Point of Diversion NESWSW S4 T45N R03W BENEWAH CO
Source SPRING tributary to BENEWAH CREEK
Point of Diversion NWSESW S4 T45N R03W BENEWAH CO
Source SPRING tributary to BENEWAH CREEK
Use: IRRIGATION 01/01 To 12/31 0.15 CFS
Use: IRRIGATION FROM STORAGE 01/01 To 12/31 5 AFA
Use: STOCKWATER 01/01 To 12/31 004 CFS
Use: STOCKWATER STORAGE 01/01 To 12/31 5 AFA
Use: STOCKWATER FROM STORAGE 01/01 To 12/31 0.04 CFS
Use: WILDLIFE STORAGE 01/01 To 12/31 5 AFA
Use: DIVERSION TO STORAGE 01/01 To 12/31 0.04 CFS
Total Diversion: 0.15 CFS

Date Filed: 07/31/2008
Place Of Use: DIVERSION TO STORAGE
T45N R03W S4 SWSW SESW
Place Of Use: IRRIGATION T45N R03W S4 SWSW SESW
Place Of Use: ALL OTHER USES SAME AS IRRIGATION
Number of Acres 10
Remark: Stockwater use is for 20 head of range cattle.
95-9510

ELMOR EVANS
6776 BENEWAH CK RD
ST. MARIES ID 83861
Point of Diversion SWSW S4 T45N R03W BENEWAH CO
Source UNNAMED STREAM tributary to BENEWAH CREEK
Use: IRRIGATION 04/01 To 10/31 0.08 CFS
Total Diversion: 0.08 CFS

Date Filed: 07/31/2008
Place Of Use: IRRIGATION T45N R03W S4 SWSW
Number of Acres 4
95-9511
ELMOR EVANS
6776 BENEWAH CK RD
ST. MARIES ID 83861
Point of Diversion NESW S4 T45N R03W BENEWAH CO
Source UNNAMED STREAM tributary to BENEWAH CREEK
Use: IRRIGATION 04/01 To 10/31 0.18 CFS
Total Diversion: 0.18 CFS

Date Filed: 07/31/2008
Place Of Use: IRRIGATION T45N R03W S4 NESW
Number of Acres 5
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 09/08/2008. The protestant must also send a copy of the protest to the applicant.
DAVID R. TUTHILL, JR., Director
7090 Aug. 20-Aug. 27