

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, SUSAN CALLAHAN, representing  
the Challis Messenger, a weekly newspaper,  
published at Challis, Idaho, do solemnly swear  
that the notice hereto attached and made a part  
hereof, was published in the regular and entire  
issue of the Challis Messenger for 2  
consecutive weeks, commencing with the issue  
dated 8/21 2008 and ending with the  
issue dated 8/28 2008

OK  
MB  
9/10/08

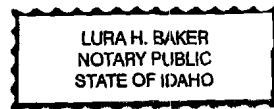
STATE OF IDAHO

COUNTY OF CUSTER

On this 28<sup>th</sup> day of Aug. in  
the year of 2008, before me, a Notary Public,

personally appeared SUSAN CALLAHAN,  
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.

Lura H Baker  
Notary Public for Idaho  
Residing at Clayton, ID  
My commission expires: 12-12-09



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SEP 02 2008

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

*See Reverse Side*

#### NOTICE OF APPLICATIONS

The following numbered applications have been filed to appropriate the public waters of the State of Idaho, Custer County by the **IDAHO DEPT FISH AND GAME, 600 S WALNUT, BOISE ID 83707**. These applications propose the diversion and use of water tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & 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 these applications will benefit from the subordination provision because it is for non consumptive purposes.

##### 71-10909

Point of Diversion: SESWSW, S9, T08N, R14E  
Source: FOURTH OF JULY CREEK Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: SWSW, S9, T08N, R14E

Remark: Application proposes the diversion of 0.80 cfs from Fourth of July Creek for the installation of a fish screen located approximately 13.0 miles south and 5.25 miles east of Stanley.

##### 71-10910

Point of Diversion: SWNE, S12, T08N, R14E  
Source: FOURTH OF JULY CREEK Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: NENE, S12, T08N, R14E

Remark: Application proposes the diversion of 0.80 cfs from Fourth of July Creek for the installation of a fish screen located approximately 12.25 miles south and 9.0 miles east of Stanley.

##### 71-10911

Point of Diversion: SESWSE, S10, T08N, R14E  
Source: FOURTH OF JULY CREEK Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: SWSE, S10, T08N, R14E

Remark: Application proposes the diversion of 0.80 cfs from Fourth of July Creek for the installation of a fish screen located approximately 13.0 miles south and 6.5 miles east of Stanley.

##### 71-10912

Point of Diversion: NESWSE, S5, T10N, R13E  
Source: IRON CREEK Tributary To VALLEY CREEK  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: SWSE, S5, T10N, R13E

Remark: Application proposes the diversion of 0.80 cfs from Iron Creek for the installation of a fish screen located approximately 5.25 miles West and 1.0 miles North of Stanley.

##### 71-10913

Point of Diversion: SENWNW, S8, T10N, R13E  
Source: IRON CREEK Tributary To VALLEY CREEK  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: NWNW, S8, T10N, R13E

Remark: Application proposes the diversion of 0.80 cfs from Iron Creek for the installation of a fish screen located approximately 1.75 miles west and 0.1 miles south of Stanley.

##### 71-10914

Point of Diversion: SWSWSW, S15, T08N, R14E  
Source: CHAMPION CREEK Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: SWSW, S15, T08N, R14E

##### 71-10915

Point of Diversion: NENWNW, S23, T08N, R14E  
Source: CHAMPION CREEK Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: NWNW, S23, T08N, R14E

Remark: Application proposes the diversion of 0.80 cfs from Champion Creek for the installation of a fish screen located approximately 14.5 miles south and 7.25 miles east of Stanley.

##### 71-10916

Point of Diversion: NWNENE, S23, T08N, R14E  
Source: CHAMPION CREEK Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: NENE, S23, T08N, R14E

Remark: Application proposes the diversion of 0.80 cfs from Champion Creek for the installation of a fish screen located approximately 14.5 miles south and 8.5 miles east of Stanley.

##### 71-10917

Point of Diversion: SWSENE, S7, T10N, R13E  
Source: IRON CREEK Tributary To VALLEY CREEK  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: SENE, S7, T10N, R13E

Remark: Application proposes the diversion of 0.80 cfs from Iron Creek for the installation of a fish screen located approximately 2.2 miles west and 0.4 miles south of Stanley.

##### 71-10920

Point of Diversion: NESENE, S7, T10N, R13E  
Source: IRON CREEK Tributary To VALLEY CREEK  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: SENE, S7, T10N, R13E

Remark: Application proposes the diversion of 0.80 cfs from Iron Creek for the installation of a fish screen located approximately 2.0 miles west and 0.25 miles south of Stanley.

##### 72-16745

Point of Diversion: SWNE, S28, T11N, R17E  
Source: SQUAW CREEK Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: NENE, S28, T11N, R17E

Remark: Application proposes the diversion of 0.80 cfs from Squaw Creek for installation of a fish screen located 2.8 miles due West of Clayton.

##### 72-16746

Point of Diversion: SWNESW, S16, T11N, R17E  
Source: SQUAW CREEK Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: NESW, S16, T11N, R17E

Remark: Application proposes the diversion of 0.80 cfs from Squaw Creek for installation of a fish screen located approximately 3.3 miles West and 1.5 miles North of Clayton.

##### 72-16747

Point of Diversion: NENWNE, S28, T11N, R17E  
Source: SQUAW CREEK Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: NWNE, S28, T11N, R17E

Remark: Application proposes the diversion of 0.80 cfs from Squaw Creek for installation of a fish screen located approximately 2.9 miles West and 0.1 miles North of Clayton.

##### 72-16748

Point of Diversion: SESENE, S8, T11N, R17E  
Source: SQUAW CREEK Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: SENE, S8, T11N, R17E

Remark: Application proposes the diversion of 0.80 cfs from Squaw Creek for installation of a fish screen located approximately 3.6 miles west and 2.7 miles north of Clayton.

##### 72-16750

Point of Diversion: NENESE, S8, T11N, R17E  
Source: SQUAW CREEK Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: NESE, S8, T11N, R17E

Remark: Application proposes the diversion of 0.80 cfs from Squaw Creek for installation of a fish screen located approximately 3.6 miles west and 2.5 miles north of Clayton.

##### 72-16751

Point of Diversion: SWNWSE, S22, T09N, R17E  
Source: EAST FORK SALMON RIVER Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: NWSE, S22, T09N, R17E

Remark: Application proposes the diversion of 0.80 cfs from the East Fork of the Salmon River for installation of a fish screen located approximately 11.5 miles south and 2.0 miles west of Clayton.

##### 72-16752

Point of Diversion: L9 (SWSWNW), S4, T14N, R18E  
Source: CHALLIS CREEK Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: SWNW, S4, T14N, R18E

Remark: Application proposes the diversion of 0.8 cfs from Challis Creek for installation of a fish screen located approximately 5 miles north and 5.75 miles west of Challis.

##### 72-16753

Point of Diversion: SENWSW, S14, T15N, R19E  
Source: MORGAN CREEK Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: NWSW, S14, T15N, R19E

Remark: Application proposes the diversion of 0.8 cfs from Morgan Creek for installation of a fish screen located approximately 9 miles north and 2 miles east of Challis.

##### 72-16754

Point of Diversion: SWNWNE, S23, T15N, R19E  
Source: MORGAN CREEK Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: NWNE, S23, T15N, R19E

Remark: Application proposes the diversion of 0.8 cfs from Morgan Creek for installation of a fish screen located approximately 8 miles north and 2.4 miles east of Challis.

##### 72-16755

Point of Diversion: NENESE, S23, T15N, R19E  
Source: MORGAN CREEK Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: NESE, S23, T15N, R19E

#### R19E

Remark: Application proposes the diversion of 0.8 cfs from Morgan Creek for installation of a fish screen located approximately 7.5 miles north and 2.75 miles east of Challis.

##### 72-16756

Point of Diversion: NWNENW, S9, T14N, R19E  
Source: CHALLIS CREEK Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: NENW, S9, T14N, R19E

Remark: Application proposes the diversion of 0.8 cfs from Challis Creek for installation of a fish screen located approximately 4 miles north of Challis.

##### 72-16757

Point of Diversion: SWNWNW, S7, T14N, R19E  
Source: CHALLIS CREEK Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: NWNW, S7, T14N, R19E

Remark: Application proposes the diversion of 0.8 cfs from Challis Creek for installation of a fish screen located approximately 3.8 miles north and 2 miles west of Challis.

##### 72-16758

Point of Diversion: SWSWSE, S3, T14N, R19E  
Source: CHALLIS CREEK Tributary To SALMON RIVER  
Use: 04/01 To 11/01  
FISH PROPAGATION (0.8 CFS)  
Total Diversion: 0.8 CFS  
Date Filed: 12/20/2007  
Place Of Use: SWSE, S3, T14N, R19E

Remark: Application proposes the diversion of 0.8 cfs from Challis Creek for installation of a fish screen located approximately 4.1 miles north and 1.3 miles east of Challis.

\*\*\*\*\*The following numbered application has also been filed to appropriate the public waters of the State of Idaho, Custer County. This application proposes the diversion and use of water tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & 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 it is for domestic purposes.

##### 72-16744

DAVID and JOANNE TEFER-TILLER  
286 N 700 E  
KAYSVILLE UT 84037  
Point of Diversion: L1 (SWNENW), S19, T12N, R19E  
Source: SALMON RIVER Tributary To SNAKE RIVER  
Use: 04/01 To 10/31  
DOMESTIC (0.02 CFS)  
Total Diversion: 0.02 CFS  
Date Filed: 12/06/2007  
Place Of Use: NENW Lot 1, S19, T12N, R19E

Remark: Application proposes to divert 0.02 cfs from the Salmon River for domestic use to irrigate up to 1/2 acre, Lot 6 Blk 1, Tunnel Rock Acres, approximately 7 miles North and 7 miles east of the city of Clayton.

\*\*\*\*\*Permits will be subject to all prior water rights. Protests against an above listed application may be submitted based on the criteria of Sec 42-203A, Idaho Code.

#### NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Custer County. **Application No. 74777 filed by ROGER A. and KATHERINE A. BROWNING, 360 N**

#### BEDFORD DR STE 204; BEVERLY HILLS CA 90210-5157

proposes to add two points of diversion from Goat Creek to two existing water Rights that authorize the diversion of 0.28 cfs for the irrigation of 7.1 acres on land located approximately 0.7-0.8 mi. south and 1.5-1.7 mi. west of the HWY 75 and HWY 21 junction at Stanley. In total, three diversions (one existing and the two new) located approximately 0.7-0.8 mi. south and 1.5-1.7 mi. west of the HWY 75 and HWY 21 junction will be used after the transfer. Protests against the proposed change may be submitted based on the criteria of Sec 42-222, Idaho Code.

\*\*\*\*\*For specific details regarding an application, please contact IDWR Southern Regional Office at 208-736-3033 or visit the website for the Department at <http://www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp>. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before September 8, 2008. The protestant must also send a copy of the protest to the applicant.

David R. Tuhill, J.R., Director  
Published: August 21 & 28, 2008.

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