

The Owyhee Avalanche

P.O. Box 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

RECEIVED

JUN 04 2008

WATER RESOURCES
WESTERN REGION

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper, in TWO (2) (consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

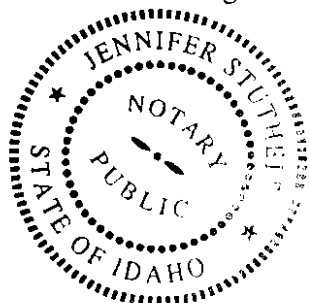
MAY 7, 14, 2008

SIGNED: _____

STATE OF IDAHO }
COUNTY OF OWYHEE }

On this 14th day of May in the year of 2008 before me, a

Notary Public, personally appeared JOE E. AMAN known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Jennifer Stutheit
Notary Public of Idaho

Residing at HOMEDALE, IDAHO
My commission expires: JANUARY 3, 2009

PROPOSED CHANGE OF WATER RIGHT

DeRuyter Dairy of PO Box 580, Marsing, ID 83639-0580 filed application no. 74630 with IDWR to transfer three water rights with 1961 to 1971 priority dates from groundwater totaling 5.32 cfs. The purpose of the transfer is to retire 40 acres from irrigation and divert the appurtenant ground water from five existing wells for additional stockwater to be used year around at an existing dairy. Another 3000 milking cows, 600 dry cows and 3600 replacement heifers are proposed, which will double the dairy size. The transfer will also adjust the remaining place of use to reflect current irrigation and dairy practices. The site, also known as De Ruyter Dairy, is located about 2.5 miles west of Marsing and 1.5 miles north of Highway 95.

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 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 IDWR Western Region, 2735 Airport Wy, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application on or before May 27, 2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR.,
Director
5/7,14/08

✓ ok DB
6-5-08