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WATER RESOURCES
WESTERN REGION

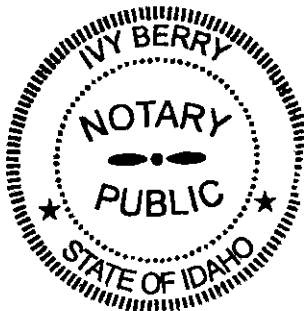
State of Idaho
County of Bonneville

I, Dan Moore, or Joanna Hibbert, first being duly sworn, depose and say: That I am the Operations Manager, or Production Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 consecutive (days) weeks, first publication having been made on the 1ST day of MAY 2008, last publication having been made on the 8TH day of MAY 2008 at the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Joanna Hibbert

Subscribed and sworn to before me, this 14TH day of MAY 2008



Ivy Berry

Notary Public

My commission expires January 10, 2009

Credit

**APPLICATION FOR NEW
WATER RIGHT**

M3 Eagle LLC of 533 E Riverside DR, STE 110, Eagle ID 83616 filed the following application to appropriate the public waters of the State of Idaho in the Eagle Foothills north of Eagle between Hwy 16 and Hwy 55, Ada County:

Application 63-32573 filed on 11/21/2006 for 23.18 cfs and 1836 af of storage from ground water for year around municipal use for a planned community. Ground water will be provided from 12 existing wells and up to 15 proposed wells with a water bearing zone from 200 to 650 feet. Major storage will include mostly excavated ponds (no dams) not seeking to capture surface water. Minor storage will involve storage tanks. The applicant seeks a municipal right for reasonably anticipated future needs within its service area for a 30 year planning horizon defined in Sec 42-202B, Idaho Code. The project will include about 7,100 dwelling units, plus parks, businesses, schools, golf courses, community amenities, open spaces and so forth. Water conservation, water treatment and water re-use features are anticipated. The applicant anticipates the property will eventually be annexed by the City of Eagle. The area includes some existing water rights to be held and used by the applicant (existing irrigation etc.). The site covers about 6,000 acres within T5N, R1E, Sections 7, 15, 17-22 and T5N, R1W, Sections 10-15, 21-24, 26-28, 33.

The permit will be subject to all prior water rights. For specific details regarding the applications, please contact the Idaho Department of Water Resources (IDWR) Western Region at 208-334-2190 or visit www.idwr.idaho.gov with detail pro-

vided under "new water right applications". Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against approval of the application(s) must be filed with IDWR Western Region, 2735 Airport Way, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application on or before May 19, 2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR.,
Director
Published: May 1, 8, 2008

✓ OK DB 5-20-08