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APR 29 2008

WATER RESOURCES
WESTERN REGION

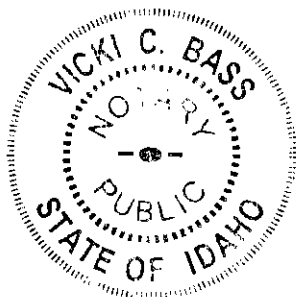
e0100285 07550328
1 Idaho Dept. of Water Resource
2735 Airport Way
BOISE ID 83705

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 05/05/2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

April 17, 24, 2008

07550328



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

Katherine Holmquist
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.
4. That said notice was published the following:
04/17/2008, 04/24/2008

STATE OF IDAHO)
County of Canyon)

On the 21 day of April in the year of 2008
before me, a Notary Public, personally appeared
Katherine Holmquist,
known or identified to me to be the person
whose name is subscribed to the within
instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledge to me that he/she executed the same.

Vicki C. Bass
Notary Public for Idaho
Residing at Nampa
My commission expires April 19, 2014

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
63-32238

STEVEN L. STOUT
CHRIS L. STOUT
4017 N LA MESTRA WAY
BOISE ID 83702
Point(s) of Diversion: L1 (SENE) S32 T05N R04W CANYON County Source BOISE RIVER
Tributary To SNAKE RIVER
Use: WILDLIFE 01/01 To 12/31 30 CFS
Use: RECREATION 01/01 To 12/31 30 CFS
Total Diversion: 30 CFS
Date Filed: 06/09/2005
Place Of Use: RECREATION
T05N R04W S31 NENE Lot 1 NWNE Lot 10 SWNE Lot 10 SENE Lot 1
Place Of Use: WILDLIFE
T05N R04W S31 NENE Lot 1 NWNE Lot 10 SWNE Lot 10 SENE Lot 1

Remark: Baxter Ditch will be used for year around additional wildlife habitat project, although primary diversion will be in non-irrigation season. Expansion of ditch system is not proposed. Return flows to river will be via existing method on downstream end of project. Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

✓ OK

DB 5/7/08