

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 4/3 2008 and ending with the issue dated 4/10 2008

Susan Callahan

STATE OF IDAHO

COUNTY OF CUSTER

On this 21st day of April 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 Cassion, ID
My commission expires: 12-12-09

NOTICE OF APPLICATION FOR PERMIT

The following application has been filed to appropriate the public waters of the State of Idaho, Custer County.

72-16707

JOHN & KATHY PIVA

PO BOX 1219

CHALLIS ID 83226

Point of Diversion: NWNENW, S27, T14N, R19E

Source: GROUND WATER

Use: 04/01 To 10/31

IRRIGATION (0.42 CFS)

Date Filed: 08/21/2007

Place Of Use: 21 acres within parts of Sections 22 & 27, T14N, R19E

Remark: This application proposes the drilling of a new well to irrigate dry land located about 1 mile NE of Challis; the land is just north of an existing pivot sprinkler. This application proposes the diversion and use of water from ground 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 the diversion rate and acres will be applied to the subor-

dination amounts specified in the decree for the Wild & Scenic River listed above. Permit will be subject to all prior water rights. For specific details regarding the 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 may be submitted based on the criteria of Sec 42-203A, Idaho Code. 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 April 21, 2008. The protestant must also send a copy of the protest to the applicant.

David R. Tuthill, JR., Director

Published: April 3 and 10, 2008.

RECEIVED

MAY 9 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

OK
MB
5/1/08

LURA H. BAKER
NOTARY PUBLIC
STATE OF IDAHO