

RECEIVED

MAR 14 2008

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

) SS.

County of Canyon)

Katherine Holmquist

of Nampa, Canyon County, Idaho,

being first duly sworn, deposes and says:

04103032 06556579
Denise Buffington
1 Idaho Dept. of Water Resources
Emmett Legal Acct..
2735 Airport Way
Boise, ID 83705

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 Principle Clerk of the Emmett Messenger-Index, a weekly newspaper published in the City of Emmett, in the County of Gem, State of Idaho; that the said newspaper is in general circulation in the said County of Gem, and in the vicinity of Emmett, 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:
03/05/08, 03/12/08

STATE OF IDAHO)

County of Canyon)

On this 12th day of Mar 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.

Notary Public for Idaho

Residing at Nampa

My Commission expires April 19, 2008

✓ OK
DB

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
65-23245

JAMES W SMITH
MARY B SMITH
11606 CARTWRIGHT RD
BOISE ID 83703

Point(s) of Diversion NWSE S35 T11N R01E GEM County Source GROUND WATER

Use: IRRIGATION 03/15 To 10/31 0.92 CFS
Use: STOCKWATER 01/01 To 12/31 0.05 CFS
Total Diversion: 0.97 CFS

Date Filed: 11/20/2007
Place Of Use: IRRIGATION
T10N R01E S2 NWNE Lot 2
T11N R01E S35 NWSE SWSE

Number of Acres 46
Place Of Use: STOCKWATER SAME AS IRRIGATION

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

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 03/24/2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

March 5, 12, 2008

06556579

✓ OK DB 4-2-08