

Idaho Statesman

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

Account # 047628	DT# 270322	Identification LEGAL NOTICE	Amount \$138.00
Attention: DENISE BUFFINGTON		P.O. #	Run Dates SEPTEMBER 20, 27, 2007
IDAHO DEPT. WATER RESOURCES WEST 2735 AIRPORT WY. BOISE, ID 83705		Number of Lines 2 X 38	Affidavit 1
		Legal #	

LEGAL NOTICE

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

63-32423
JMM DRY CREEK LLC
C/O LAND BARON INVESTMENTS
 5275 S DURANGO DR
 LAS VEGAS NV 89113
 Point(s) of Diversion NENE S36 T05N R01E ADA County
 Source GROUND WATER
 Point(s) of Diversion NENE S36 T05N R01E ADA County
 Source GROUND WATER
 Use: MUNICIPAL 01/01 To 12/31 5 CFS
 Total Diversion: 5 CFS
 Date Filed: 08/22/2006
 Place Of Use: MUNICIPAL
 T04N R01E S1 NWNW Lot 4
 T04N R01E S2 NENE Lot 1 NENE Lot 2 NENE Lot 3
 T05N R01E S2 SWNE SENE NESW NWSW SWSW SESW NESE
 NWSE SWSE SESE
 T05N R01E S35 NENE NENE SWNE SENE NESW SESW NESE
 NWSE SWSE SESE
 T05N R01E S36 NENE NENE SWNE SENE NENE NWNW SWNW
 SENW NESW NESE NWSE SWSE SESE
 SWSW Lot 4
 T05N R02E S30
 Remark: Water bearing zone to be appropriated is from 100 to 300 feet.

Municipal use is for applicants service area known as Dry Creek Ranch Planned Community.

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 10/09/2007. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Pub. Sept. 20,27, 2007

0000270322-01

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended, for:

TWO

consecutive weekly single
 consecutive daily odd skip
 insertion(s)

beginning issue of: SEPTEMBER 20, 2007

ending issue of: SEPTEMBER 27, 2007

Janice Hildreth

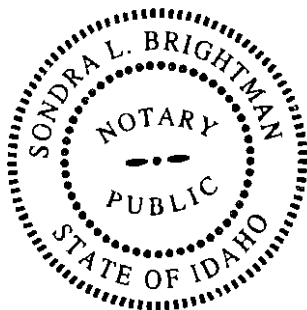
STATE OF IDAHO)

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COUNTY OF ADA)

On this 27 day of SEPTEMBER in the year of 2007 before me, a Notary Public, personally appeared before me Janice Hildreth 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 she executed the same.

Notary Public for Idaho
 Residing at: Boise, Idaho
 My Commission expires: 7/7/12



RECEIVED

SEP 28 2007

WATER RESOURCES
 WESTERN REGION

✓ DB
 OK 10/9/07