

# AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Susan Colahan, 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 9/28 2006 and ending with the issue dated 10/5 2006

Susan Colahan

STATE OF IDAHO

COUNTY OF CUSTER

On this 19th day of OCT in the year of 2006, before me, a Notary Public,

personally appeared Susan Colahan, 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 Clayton, ID  
My commission expires: 12-12-09

RECEIVED  
OCT 26 2006  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

## NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that two Applications have been filed with the Idaho Department of Water Resources for changes to water rights within Custer County. PERCY F. APGAR, PO BOX 9879; MOSCOW ID 83843 filed an Amendment of Permit No. 72-16698 on 8/21/2006. Amendment proposes changing the authorized point of diversion for an existing permit allowing for the diversion of 0.04 cfs of water from Lime Creek for domestic use. The amendment proposes changing the authorized point of diversion location to a new location a few hundred feet further downstream than the current permitted location. The general location of the point of diversion is approximately 4.9 miles south and 8.0 miles east of the Highway 75

and Highway 93 intersection south of Challis. Protests may be submitted based on the criteria of Sec 42-211, Idaho Code. PAUL W. & RUTH N. MATUSKY, HC 63 BOX 1519; CHALLIS ID 83226 filed Application No. 72198 on 8/30/2006. This transfer proposes to establish a new re-diversion point on the High Line Canal to serve 4 acres of land purchased by the applicants. The land has historically been irrigated from a re-diversion point about 360 feet downstream from the proposed point, but it is not practical for the applicants to use the existing diversion now that the land has been split. The new point will be on their own property, whereas the old point is not. The proposed re-diversion point is located about 1 mile north of Challis. Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. For specific details regarding an application, please contact IDWR Southern Regional Office at 208-736-3033 or visit [www.idwr.idaho.gov](http://www.idwr.idaho.gov) with detail provided under "New Water Right Applications". 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 October 16, 2006. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published: September 28 & October 5, 2006

OK MB  
10/27/06

LURA H. BAKER  
NOTARY PUBLIC  
STATE OF IDAHO