

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 Aug. 18 2005 and ending with the issue dated Aug. 25 2005

Susan Callahan

RECEIVED

STATE OF IDAHO

SEP 06 2005

COUNTY OF CUSTER

Department of Water Resources
Southern Region

On this 1st day of Sep. in the year of 2005, 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.

Ethel M. Peck
ETHEL M. PECK
NOTARY PUBLIC
STATE OF IDAHO

Notary Public for Idaho

Residing at Challis

My commission expires: 3-19-10

NOTICE OF PROPOSED CHANGE WATER RIGHTS

Notice is hereby given that two Applications for Transfer have been filed with the Idaho Department of Water Resources for changes to water rights within Custer County. Essentially the two applications propose eliminating two Morgan Creek diversions and replacing the two diversions with a single shared diversion from Morgan Creek to eliminate fish barriers. NYLE J. & SHIRLEY ANN THORNOCK, PO BOX 570; CHALLIS ID 83226 filed Application No. 72021 on 6/2/05. Transfer application filed to change the point of diversion for three water rights currently diverted from Morgan Creek and used to irrigate land located along the east side of Highway 93 approximately 7.25 miles north and 2.6 miles east of Challis. The application proposes moving the point of diversion from Morgan Creek approximately 310 feet upstream. DELBERT M. & DONNA LENOR HUGHES, HC 61 BOX 3054; CHALLIS ID 83226 filed Application No. 72127 on 7/7/05. Transfer application filed to change the point of diversion for three water rights currently diverted from Morgan Creek and used to irrigate land along the east side of Highway 93 approximately 7.7 miles north and 3.0 miles east of Challis. The application proposes moving an authorized point of diversion from Morgan Creek approximately 0.5 mile downstream. For specific details regarding an application, please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.idaho.gov with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, 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 September 6, 2005. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Publish: August 18 & 25, 2005

OK MB
9/7/05