

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

) SS.

County of Canyon

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Corina L. Engelhart
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

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 Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, 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:
11/04/2004, 11/11/2004

Corina L. Engelhart
STATE OF IDAHO)
County of Canyon)

On the 11th day of November the year of 2004
before me, a Notary Public, personally appeared.
Corina L. Engelhart,
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.

Rebecca L. Thompson
Notary Public for Idaho
Residing at Nampa
My commission expires April 19, 2008

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1 Idaho Dept. of Water Resourc
2735 Airport Way
BOISE ID 83705

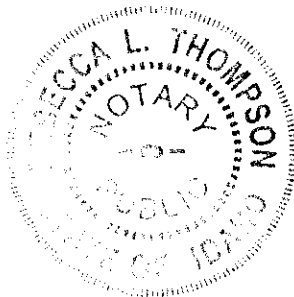
PROPOSED CHANGE OF WATER RIGHT

High Plains LLC c/o Frank Ficken of 2724 Lavender Drive, Walnut Creek CA 94596 filed application nos. 71325 through 71346 with IDWR to transfer one water right with a 1971 priority date from ground water totaling 3.68 cfs. The transfers propose to split the right into 22 separate portions, each with its own well for irrigation of a specific lot within High Plains Estates Subdivision. The existing right includes one well for 184 acres, while the proposed rights will include 22 wells (the existing well plus 21 new wells). Most lots range from 3.7 to 10 acres, although one lot covers about 57 acres. Water will be used at the current place of use near West Hartley Gulch in northeast Canyon County about 1 mile south of Gem County.

For specific details regarding the applications, please contact IDWR Western Region at 208-334-2190 or visit www.idwr.state.id.us with detail provided under "new water right applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against any of the proposed changes must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application being protested on or before November 22, 2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

November 4, 11, 2004 04519590



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WATER RESOURCES
WESTERN REGION