

3165

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
 COUNTY OF ONEIDA)

Kristine D. Smith, being duly sworn, deposes and says: that she is the publisher of *The Idaho Enterprise*, a weekly newspaper published at Malad City, in the county of Oneida and State of Idaho; that said newspaper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad City, that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 27 consecutive weeks in the regular and entire issue of said newspaper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said newspaper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

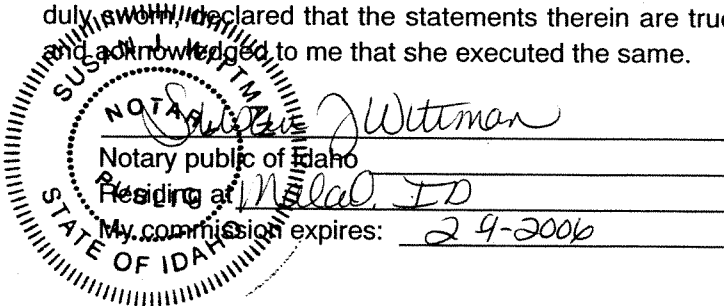
9-2, 2004, and ending with the issue of
9-9, 2004.

Kristine D. Smith

STATE OF IDAHO)

COUNTY OF ONEIDA)

On this 1 day of October in the year of 2004
 before me, Susan J. Wittman,
 a Notary Public, personally appeared Kristine D. Smith,
 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.



NOTICE

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

15-7261

BRETT ROSE
 CHARLENE ROSE
 3400 WEST 2800 NORTH
 MALAD ID 83252
 Point(s) of Diversion: NWSE
 SW S20 T14S R35E, ONEIDA
 County
 Source GROUND WATER
 Use: IRRIGATION 4/15 To 10/
 31 2.58 CFS
 Use: STOCKWATER 01/01 To
 12/31 0.04 CFS
 Use: DOMESTIC 01/01 To 12/
 31 0.04 CFS

Total Diversion: 2.58 CPS
 Date Filed: 06/17/2004
 Place Of Use: IRRIGATION
 T14S R35E S20 SWNE SENW
 NESW NWSW SESE
 Number of Acres 129
 Place Of Use: DOMESTIC
 T14S R35E S20 SESW
 Place Of Use: STOCKWATER
 T14S R35E S20 NESW SESW
 NWSE

15-7264

SETH SEAMONS
 2223 S 5400 W
 MALAD CITY ID 83252
 Point(s) of Diversion SWNW S2
 T15S R35E, ONEIDA County
 Source GROUND WATER
 Use: IRRIGATION 04/15 To 10/
 31 1.2 CFS
 Total Diversion: 1.2 CFS
 Date Filed: 08/16/2004
 Place Of Use: IRRIGATION
 T15S R35E S2 SWNW
 T15S R35E S3 SENE
 Number of Acres 60

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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before September 20, 2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director
 Published on September 2 and 9, 2004

L. #3165 9/2/9/04/2T