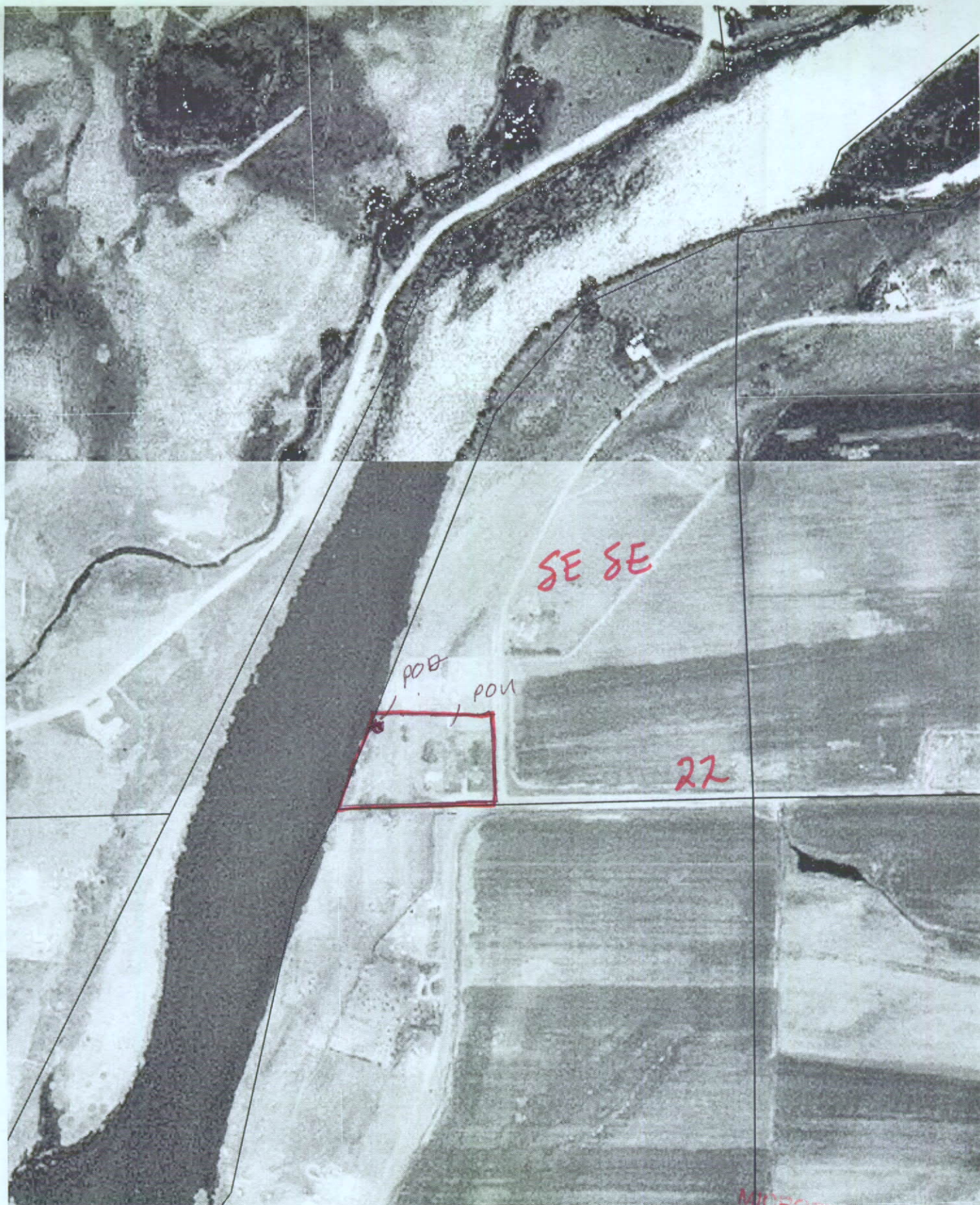


21-12866



MICROFILMED
MAR 10 2004

STANDARD JOURNAL
Rexburg, Idaho
St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

Madison and Fremont Counties

I, Jeff Rydalch, being first duly sworn, depose and say, that I am the business manager of the STANDARD JOURNAL, a 3 times a week newspaper published 3 times a week in Madison and Fremont Counties, Idaho; and I do solemnly swear that the Water rights - Steve Lookabaugh, a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue, once each week thereof for two successive issues, the first publication having been made on September 3, 2003 and the last publication having been made on September 10, 2003.

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

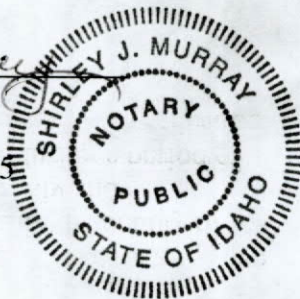
STATE OF IDAHO)

COUNTY OF MADISON)

On this 11th day of September in the year of 2003 before me, a Notary Public, personally appeared Jeff Rydalch, 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 statement therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho
Residing at Rexburg, Idaho

My commission expires: April 29, 2005



LEGAL NOTICE

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

21-12866

STEVE LOOKABAUGH
2781 E 800 N
St. Anthony, ID 83445

Point(s) of Diversion: L1 (SESE)
S22 T08N R41E, Fremont County.

Source: Henry's Fork, Tributary
to Snake River.

Use: Irrigation 04/01 to 10/31
0.09 CFS

Total Diversion: 0.09 CFS.

Date Filed: 08/20/2003

Place of Use: Irrigation.
T08N R41E S22 SESE Lot 1

Number of Acres: 3.

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 for each application on or before September 22, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER
Director

Publ. Sept. 3 and 10, 2003.

MICROFILMED

MAR 10 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 21-12866

Priority: August 20, 2003

Maximum Diversion Rate: 0.09 CFS

This is to certify, that STEVE LOOKABAUGH
2781 E 800 N
ST ANTHONY ID 83445

has applied for a permit to appropriate water from:

Source: HENRYS FORK

Tributary: SNAKE RIVER

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/01 to 10/31

RATE OF DIVERSION

0.09 CFS

LOCATION OF POINT OF DIVERSION:

HENRYS FORK L1 (SE $\frac{1}{4}$ SE $\frac{1}{4}$) Sec. 22, Twp 08N, Rge 41E, B.M., FREMONT County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	41E	22																3.0	3.0
																			L 1

Total Acres: 3

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2004**.
2. Subject to all prior water rights.
3. Each year the right holder shall rent storage water from the Fremont-Madison Irrigation District or shall otherwise mitigate the depletion of water caused by this water use.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
5. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 24th day of October, 2003.

MICROFILMED

MAR 10 2004



KARL J DREHER, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

OCT 14 2003

Department of Water Resources

1. Name of Applicant Steve Lookabaugh Phone 208 624 1281
 Mailing address 2781 EAST 800 NORTH, ST. ANTHONY ID. 83445
2. Source of water supply Henry's Fork which is a tributary of Snake River
3. Location of point of diversion is Township 8N Range 4E Sec. 22, in the SE 1/4, SE 1/4, Govt. Lot 1, B.M., Fremont County;
 additional points of diversion if any: _____
4. Water will be used for the following purposes:
 Amount 0.09 cfs for IRRIGATION purposes from 4/1 to 10/31 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.09 cfs and/or (b) _____
 cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source 5hp electrical pump
to sprinklers and handlines
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
 reservoir capacity _____ acre-feet
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____
 Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in kW.
 - b. Stockwatering; list number and kind of livestock.
 - c. Municipal; show name of municipality.
 - d. Domestic; show number of households.
 - e. Other; describe fully. _____

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MAR 10 2004

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8N	41E	22																3	3
																		2-1	

Total number of acres to be irrigated 3

10. Describe any other water rights used for the same purposes as described above. 10 inches Curr
Canal

11. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

12. Remarks: Will Rent storage from Freemont-Madison or
the Rental Pool.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Steve Prokhorov
Signature of Applicant (and title, if applicable)

MICROFILMED
MAR 10 2004

Received by DC Date 8/20/2003 Time 2:45 Preliminary check by De
Fee \$ 100 Received by DC # E029123 Date 8/20/2003
Publication prepared by Se Date 9/3 & 9/10/03 Published in Herald Chronicle
Publication approved Se Date 10/7/03

21-12866



UNCLASSIFIED
MAR 10 2004

ALLIANCE TITLE & ESCROW
P.O. BOX 732
REXBURG, ID 83440

WARRANTY DEED

Order No. 3040121318-B

FOR VALUE RECEIVED

Anbild, L.L.C.

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Steve C. Lookabaugh and Jorrie C. Lookabaugh, Husband and Wife, this property is taken as joint tenancy with right of survivorship
whose current address is

~~3732 East 900 North Rexburg, ID 83440~~
~~P.O. Box 489 Sugar City, Idaho 83448~~ P.O. Box 179
the grantee(s), the following described premises, in Fremont County, Idaho, TO WIT: CHESTER, 83421

Tract 1: Beginning at a point that is North 89°54'16" West along the Section line 993.74 feet from the Southeast corner of Section 22, Township 8 North, Range 41 East of the Boise Meridian, Fremont County, Idaho, running thence North 04°01'21" East 327.88 feet; thence West 210.24 feet more or less to the East Bank of the Henry's Fork of the Snake River, thence more or less along said East Bank the following four (4) courses; South 12°45'41" West 10.47 feet; thence South 20°42'27" West 118.13 feet; thence South 23°55'29" West 91.32 feet; thence South 17°21'01" West 128.21 feet to a Meander Corner on the South line of said Section 22; thence South 89°54'16" East along said South line 306.59 feet to the point of beginning.

Tract 2: Beginning at a point that is North 89°54'16" West along the Section line 825.98 feet from the Southeast corner of Section 22, Township 8 North, Range 41 East of the Boise Meridian, Fremont County, Idaho, said point being on the West right of way line of a public street as platted in Hidden Estates Subdivision, Division No. 1, Fremont County, Idaho; running thence North along said West right of way line 327.07 feet; thence West 144.78 feet; thence South 04°01'21" West 327.60 feet to the South line of said Section 22; thence South 89°54'16" East along said South line 167.76 feet to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 9/28/2001

Anbild, L.L.C.

By: Margo Page, Agent

MARGO PAGE

State of Nevada

County of Douglas

On this 28th day of September, 2001, before me, a Notary Public in and for said state, personally appeared Margo Page known or identified to me to be the Registered Agent in the Limited Liability Company known as Anbild, L.L.C. who executed the foregoing instrument, and acknowledged to me that she executed the same in said LLC name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Barbara A. Smith
Notary Public for the State of
Residing at:
Commission Expires:

Microfilm No. 470836
At _____ Day _____ 20 01
_____ O'clock _____ P M
ABBE MACE
FREMONT CO. RECORDER
3- _____ Deputy
Recorded at Request of
ALLIANCE TITLE & ESCROW

MICROFILMED

MAR 10 2004

455481

EXHIBIT "A"

LEGAL DESCRIPTION

The Land referred is described as follows:

Beginning at a point that is North 89°54'16" West along the Section line 993.74 feet from the Southeast Corner of Section 22, Township 8 North, Range 41 East of the Boise Meridian, Fremont County, Idaho, running thence North 04°01'21" East 327.88 feet; thence West 210.24 feet more or less to the East Bank of the Henry's Fork of the Snake River; thence more or less along said East Bank the following four (4) courses; South 12°45'41" West 10.47 feet; thence South 20°42'27" West 118.13 feet; thence South 23°55'29" West 91.32 feet; thence South 17°21'01" West 128.21 feet to a Meander Corner on the South line of said Section 22; thence South 89°54'16" East along said South line 306.59 feet to the point of beginning.

SUBJECT TO existing easements of record.

TOGETHER WITH TEN (10) INCHES OF WATER IN THE CURR CANAL.

River Front

MSP

525-7172 IDWR

9-25-01

5 PM

MICROFILMED

4. The land referred to in this policy is described as follows:

Beginning at a point that is N89°54'16" West along the Section line 825.98 feet from the Southeast corner of Section 22, Township 8 North, Range 41 East of the Boise Meridian, Fremont County, Idaho, said point being on the West Right-of-Way line of a public street as platted in Hidden Estates Subdivision, Division No. 1, Fremont County, Idaho; running thence North along said West Right-of-Way line 327.07 feet; thence West 144.78 feet; thence South 04°01'21" West 327.60 feet to the South line of said Section 22; thence South 89°54'16" East along said South line 167.76 feet to the POINT OF BEGINNING.

SUBJECT TO existing County Road Right-of-Way and easements of record.

*Easements on
Title Commitment. CABIN*

*MJP
8-25-01
5PM*

5899

EXCEPTIONS
sure ac
vs.

SCHEDULE

MICROFILMED

MAR 10 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 27, 2003

STEVE LOOKABAUGH
2781 E 800 N
ST ANTHONY ID 83445

RE: Permit No. 21-12866

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

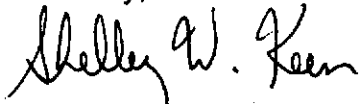
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

MICROFILMED

MAR 10 2004

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
MAR 10 2004

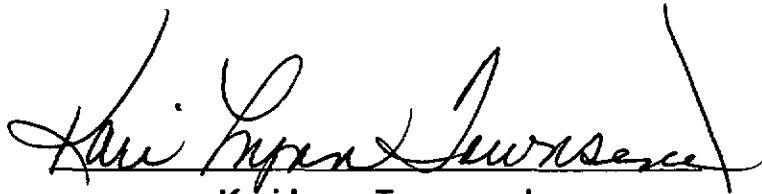
CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

21-12866

STEVE LOOKABAUGH
2781 E 800 N
ST ANTHONY ID 83445

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

Kari Lynn Townsend
Secretary

MICROFILMED
MAR 10 2004

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
MAR 10 2004

RECEIVED

OCT 14 2003

Department of Water Resources

Dist for Staffing _____
Submitted for advertising _____STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT ANALYSIS PERMITINITIAL REVIEW BY DC DATE 8/20/2003 APPLICATION NO. 21-12866

REQUIRED INFORMATION:

- ☐ Name (if applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☐ Address
- ☐ Source (See USGS Quad for names of water sources)
- ☐ Point of Diversion (10 acres for spring, lot & block descriptions for subdivision, local name, flow and/or volume)
- ☐ County
- ☐ Quantity (flow and/or volume)
- ☐ Period of Use
- ☐ Nature of proposed use (Include description of use.)
- ☐ Description of diverting works
- ☐ Time required for beneficial use of water
- ☐ Place of use or acres irrigated
- ☐ Map
- ☐ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☐ Fee
- ☐ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION:

- ☐ Overlapping place of use (Describe source & relationship to present application on the back)
- ☐ Overlapping point of diversion
- ☐ Yes ☐ No Critical groundwater area
- ☐ Yes ☐ No Groundwater management area
- ☐ Yes ☐ No Send dam safety information
- ☐ Yes ☐ No Send fish farm requirement letter
- ☐ Yes ☐ No Power residency affidavit
- ☐ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet)
- ☐ Yes ☐ No Public Water System
- ☐ Yes ☐ No Planning section review
- ☐ Yes ☐ No Moratorium Hold file
- See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____

PROCESSING:

- ☒ Yes ☐ No In form for advertising
- ☐ Yes ☒ No Statewide advertising
- ☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO:

- ☐ Id Dept of Environmental Quality
- ☐ Id Dept of Fish & Game
- ☐ Id Dept of Lands
- ☐ Adjudication Bureau Unit

- ☐ U.S. BLM
- ☐ U.S. Forest Service
- ☒ Water District 01
- ☐ Other _____

☒	Yes	☐ No	Affidavit of publication received
☒	Yes	☐ No	Application published correctly. If not, record action taken
☒	Yes	☐ No	Publication dates & paper, recorded on application
☐	Yes	☒ No	Protests received
			Final date for protest
☐	Yes	☐ No	Protests, dates, resolution of protest, recorded on application
☐	Yes	☐ No	Recommendations attached
☐	Yes	☐ No	Measuring device required
☐	Yes	☐ No	Access port required
☐	Yes	☐ No	Will water be delivered by watermaster? If yes, what District
☐	Yes	☐ No	Special conditions of approval or cover letter below.

Date of priority recommend 8-20-2003
By: WJW Date: 10/7/03
STATE OFFICE REVIEW:

By: _____ Date: _____
 ADDITIONAL INFORMATION: _____

Comments received from:

_____ City _____ Id Fish & Game _____ Irrigation District
 _____ County _____ Id Health & Welfare _____ Canal Company
 _____ Reservations _____ Div. Of Environment _____ Other _____

Project impacts/implications report

COMMENTS

STANDARD JOURNAL
Rexburg, Idaho
St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
Madison and Fremont Counties

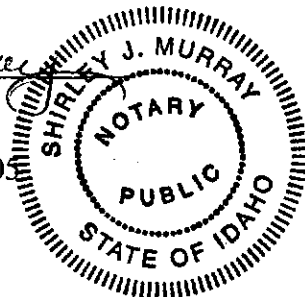
I, Jeff Rydalch, being first duly sworn, depose and say, that I am the business manager of the STANDARD JOURNAL, a 3 times a week newspaper published 3 times a week in Madison and Fremont Counties, Idaho; and I do solemnly swear that the Water rights - Steve Lookabaugh, a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue, once each week thereof for two successive issues, the first publication having been made on September 3, 2003 and the last publication having been made on September 10, 2003.

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

STATE OF IDAHO)
COUNTY OF MADISON)

On this 11th day of September in the year of 2003 before me, a Notary Public, personally appeared Jeff Rydalch, 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 statement therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: April 29, 2005



LEGAL NOTICE

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

21-12866

STEVE LOOKABAUGH
2781 E 800 N
St. Anthony, ID 83445

Point(s) of Diversion: L1 (SESE)
S22 T08N R41E, Fremont County.

Source: Henry's Fork, Tributary
to Snake River.

Use: Irrigation 04/01 to 10/31
0.09 CFS

Total Diversion: 0.09 CFS.

Date Filed: 08/20/2003

Place of Use: Irrigation.
T08N R41E S22 SESE Lot 1

Number of Acres: 3.

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 for each application on or before September 22, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER
Director

Publ. Sept. 3 and 10, 2003.

MICROFILMED

MAR 10 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION
August 27, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

STEVE LOOKABAUGH
2781 E 800 N
ST ANTHONY ID 83445

RE: Application for Permit No 21-12866

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Herald Chronicle on September 3 and 10, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

Please feel free to contact this office if you have any questions.

Sincerely,

W Roger Warner
Water Right Supervisor

MICROFILMED
MAR 10 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

August 27, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RON CARLSON
WATERMASTER
IDAHO FALLS, ID 83402

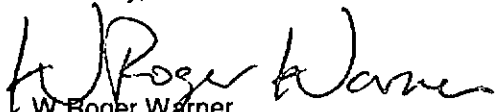
RE: Application for Permit No 21-12866

Dear RON CARLSON:

Enclosed is a copy of the above referenced application. Please review the application, complete the enclosed recommendation form, and submit it to this office by September 10, 2003.

Please feel free to contact this office if you have any questions regarding the application.

Sincerely,


W. Roger Warner
Water Right Supervisor

Enclosure(s)

WRW:sc

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MAR 10 2004



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August 27, 2003

Legal Notice Department

HERALD CHRONICLE

PO BOX 10

REXBURG ID 83440

RE: Application for Permit No. 21-12866

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before September 22, 2003. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*Mailed
8/27/03
sc*

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MAR 10 2004

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

21-12866

STEVE LOOKABAUGH
2781 E 800 N
ST ANTHONY ID 83445

Point(s) of Diversion: L1 (SESE) S22 T08N R41E, FREMONT County
Source HENRYS FORK, Tributary To SNAKE RIVER

Use: IRRIGATION 04/01 To 10/31 0.09 CFS

Total Diversion: 0.09 CFS

Date Filed: 08/20/2003

Place Of Use: IRRIGATION

T08N R41E S22 SESE Lot 1

Number of Acres 3

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 22, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on September 3 and 10, 2003

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