

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

RECEIVED

MAY 12 2008

Date 05/08/2008

INVOICE NO. 488261

Account No. 964760

Description 488261APPLICATION FORN

Times 2

Lines 75

LEGAL ADVERTISING
INVOICE

WATER RESOURCES
WESTERN REGION

Tab. Lines _____

SOLD TO: DEPT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE ID 83705

\$ 120.75

PO# 63-32573

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

✓ OK DB
5-20-08

AFFIDAVIT OF PUBLICATION

APPLICATION FOR
NEW WATER RIGHT

488261

M3 Eagle LLC of 533 E Riverside DR, STE 110, Eagle ID 83616 filed the following application to appropriate the public waters of the State of Idaho in the Eagle Foot-hills north of Eagle between Hwy 16 and Hwy 55, Ada County:

Application 63-32573 filed on 11/21/2006 for 23.18 cfs and 1836 af of storage from ground water for year around municipal use for a planned community. Ground water will be provided from 12 existing wells and up to 15 proposed wells with a water bearing zone from 200 to 650 feet. Major storage will include mostly excavated ponds (no dams) not seeking to capture surface water. Minor storage will involve storage tanks. The applicant seeks a municipal right for reasonably anticipated future needs within its service area for a 30 year planning horizon defined in Sec 42-202B, Idaho Code. The project will include about 7,100 dwelling units, plus parks, businesses, schools, golf courses, community amenities, open spaces and so forth. Water conservation, water treatment and water re-use features are anticipated. The applicant anticipates the property will eventually be annexed by the City of Eagle. The area includes some existing water rights to be held and used by the applicant (existing irrigation etc.). The site covers about 6,000 acres within T5N, R1E, Sections 7, 15, 17-22 and T5N, R1W, Sections 10-15, 21-24, 26-28, 33.

The permit will be subject to all prior water rights. For specific details regarding the applications, please contact the Idaho Department of Water Resources (IDWR) Western Region at 208-334-2190 or visit www.idwr.idaho.gov with detail provided under "new water right applications". Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against approval of the application(s) must be filed with IDWR Western Region, 2735 Airport Way, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application on or before May 19, 2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR.
Director

Published on May 1st & 8th, 2008
In the Idaho Statesman, Post Register, Lewiston Morning Tribune and Times News

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, paper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 105 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 488261APPLICATION attached hereto and which is made a part of this affidavit was published in the said Lewiston Tribune, 2 time(s). Publication being on 05/01, or once a ~~WEEK~~ WEEK for 2 consecutive ~~WEEKS~~ WEEKS, the first publication thereof being on the 05/01/2008, and the last publication thereof being on the 05/08/2008, and said 488261APPLICATION was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

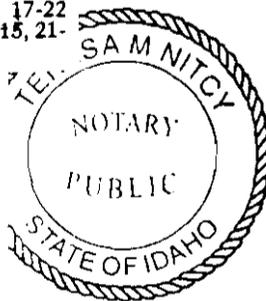
Karen J Lewis

State of Idaho

S.S.

County of Nez Perce

On this 8 day of May in the year of 2008, before me, a Notary Public, personally appeared Karen Lewis, 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.



Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 1/23/2010

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State of Idaho

S.S.

County of Nez Perce

On this _____ day of _____ in the year of _____, before me, a Notary Public, personally appeared _____, 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.

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires _____