

☒ I have read **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996).

My name is Raymond E. Bailey

My address is Mayor, City of Lava Hot Springs, P.O. Box 187,
Lava Hot Springs, ID 83246

My phone number is: Work _____ Home _____

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☒ I did not file a Notice of claim to the use of water in the SRBA because:

of conflicting information on the City's ability to
hold rights for future development and misrepresentation
that only water users with proof of beneficial use were
accepted.

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☒ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

Agreement with Fish Creek Irrigation Company regarding
transportation of water (historically & present).

Affidavit documenting leased water use since 1987.
1996 Comprehensive Plan documenting future water needs.

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 549.00.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on July 20, 2004 @ 1:30 p.m.
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

(NOTE: Bonneville Courthouse, Idaho Falls)

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☐ I must amend my Notice of Claim to the use of water in the SRBA because:

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

- ☐ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

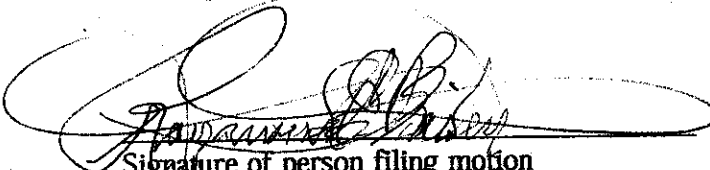
VERIFICATION (Must be completed)

State of Idaho

County of Bannock

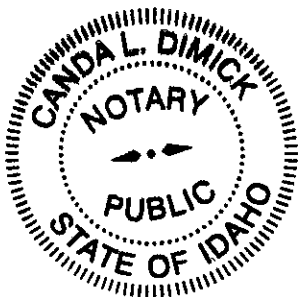
Raymond E. Bailey, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.


Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on March 30, 2004
(Insert Date)




Notary Public for Idaho
Residing at: Lava Hot Springs
My Commission expires: 5/27/09

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on April 1, ~~200~~²⁰⁰⁴, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)

Canda L. Dimick, City Clerk/Treasurer
Signature of person or attorney mailing the form

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) City of Lava Hot Springs Phone (208) 776-5820
Mailing Address P.O. Box 187, Lava Hot Springs, ID Zip 83246

2. Date of Priority (Only one (1) per claim) March 1, 1889

3. Source of water supply (a) Fish Creek
which is tributary to (b) Portneuf River

4. a. Location of existing point of diversion is: Township 9S Range 38 EBM Section 26,
NW 1/4 of NW 1/4 of 1/4, Govt. Lot, B.M., County of Bannock

Additional points of diversion if any: N/A

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section , 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section , 1/4 of 1/4 of
 1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Cement box across Fish Creek
that is controlled with boards to regulate and divert the flow
of water into the Dempsey Canal.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/15 to 10/15 amount 1.63 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.63 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1.123 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) N/A

10. 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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9	38	21									Lots 1, 2, 3, 4, 6, 7 & 8								232.15
9	38	22							40	Lots 4, 5, 6, 9 & 10									137.05
9	38	28		40			40												80
			PLACE OF USE WITHIN CITY OF LAVA HOT SPRINGS																

Total number of acres irrigated 449.2

11. In which county (ies) are lands listed above as place of use located? Bannock

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Municipal Use Rights #29-4229, 29-4230, 29-7346, 29-8056 & 29-13297 or None ()

14. Remarks: Governing Body Municipality

Last Name Lava Hot Springs Ident No. _____

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T9S R38E N12

21

22

23



X Point of Diversion

28

26

Last Name Lava Hot Springs Ident No. _____

15. Basis of Claim (check one) - Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 117
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 4

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Mayor _____ Title _____

of _____ CITY OF LAVA HOT SPRINGS _____, that I have signed the foregoing
Organization

document in the space below as _____ Mayor _____ of _____ CITY OF LAVA HOT SPRINGS
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Mayor, City of Lava Hot Springs Date 3/30/04

State of Idaho/or _____)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 30th day of March 2004

Notary Public _____

Residing at Lava Hot Springs, Idaho

My Commission Expires 5/27/09

Please Print Name

17. Notice of Appearance.
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

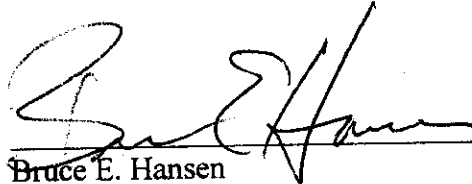
Address _____

Date _____

Last Name Lava Hot Springs Ident. Number _____

AFFIDAVIT

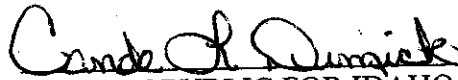
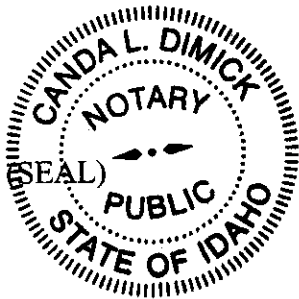
I, **Bruce E. Hansen**, hereby acknowledge that by a verbal agreement with the City of Lava Hot Springs, Idaho, I have cash leased and used the City of Lava Hot Springs Fish Creek water on property that I owned or leased since the 1987 irrigation season to the present.



Bruce E. Hansen
12233 East Fish Creek Rd.
Lava Hot Springs, ID 83246

STATE OF IDAHO)
) ss.
COUNTY OF BANNOCK)

Subscribed and sworn (or affirmed) before me this 1st day of April, 2004



NOTARY PUBLIC FOR IDAHO
Residing at Lava Hot Springs
My Commission Expires: 5/27/2009

AGREEMENT

The Fish Creek Irrigation Company hereby formally agrees to continue transporting the City of Lava Hot Springs, Idaho, Fish Creek water. The water has been transported through the system in the past and any excess has been used by the users in the Fish Creek Irrigation system. The City of Lava Hot Springs hereby formally grants Fish Creek Irrigation Company the privilege to continue using any excess water that is not being leased or used by the city for transporting services.

Signed: Dean Day
Dean Day, President
Fish Creek Irrigation Company

Signed: Raymond E. Bailey
Raymond E. Bailey, Mayor
City of Lava Hot Springs

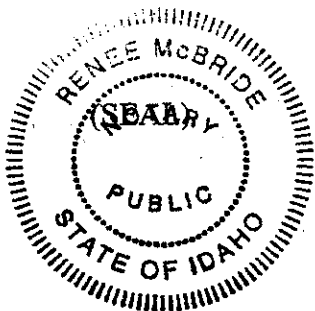
ATTEST:

Canda L. Dimick
Canda L. Dimick, City Clerk

STATE OF IDAHO)
 : ss
COUNTY OF BANNOCK)

On this 1st day of April, 2004, before me, the undersigned Notary Public. Personally appeared Raymond E. Bailey and Canda Dimick, known to me to be the Mayor and Clerk of the City of Lava Hot Springs, Idaho, and acknowledged to me that they executed the foregoing instrument on behalf of the City.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

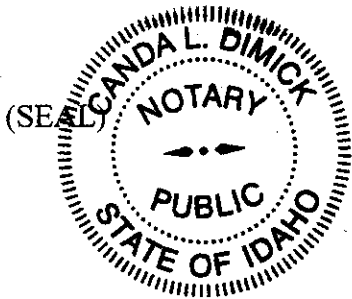


Renee McBride
NOTARY PUBLIC FOR IDAHO
Residing at Lava Hot Springs
Commission Expires: May 31, 2006

STATE OF IDAHO)
)
 :SS
COUNTY OF BANNOCK)

On this 1st day of April, 2004, before me, the undersigned Notary Public, personally appeared Dean Day, known to me to be the President of the Fish Creek Irrigation Company, and acknowledged to me that he executed the foregoing instrument on behalf of the Fish Creek Irrigation Company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Candace L. Dimick
NOTARY PUBLIC FOR IDAHO
Residing at Law Hot Springs
Commission Expires: 5/27/2009



City of Lava Hot Springs

1996 Comprehensive Plan



Prepared in consultation with
Bannock Planning Organization and the
Southeast Idaho Council of Governments
280 South Arthur Avenue
Pocatello, ID 83204
(208)233-4032

Version Date January 3, 1996

- b. To draft and adopt amendments to the zoning ordinance that enables the city to influence the location of building envelopes in aesthetically sensitive areas so as to preserve views.
- c. See Community Design.
- 4. To encourage conservation of energy through efficient use of present resources and consider any new types of energy conservation in the future.
 - a. To draft and adopt an energy resource code.
 - b. To promote the development of geothermal energy technology to increase energy efficiency and decrease dependency on petroleum based energy sources.
 - c. To educate people at the time of building permit application about the energy benefits of properly siting a building on the lot and appropriately landscaping the lot.
- 5. To maintain a high quality environment where urban development is compatible with the natural and built environment and takes special notice of the unique environmental qualities of the rivers and streams within and around the city.

Public Services, Facilities and Utilities

The Local Land Use Planning Act intends for this element to show general plans for sewage, drainage, utility corridors, fire stations, schools, and other facilities. The critical issues in Lava Hot Springs are water capacity and police services. The **sewer system** uses aeration lagoon treatment with permitted discharge into the Portneuf and, additionally in the summer, spray onto adjacent fields. Its design capacity of 343,000 gallons per day (gpd) discharge in the winter will support a population of 3,430 persons (assuming 230 gpd per household and 2.3 persons per household). Summer field applications permit 9 million gallons between May and October. This supports an additional 213 households averaged daily, however, the usage is likely to peak on mid-summer weekends. The spray discharge rate of .71 cubic feet per second can discharge 458,853 cubic feet of water in a 24 hour period. This volume will service 1,995 households or approximately 4,588 people. Each system will sustain projected population growth and a healthy tourism population. The **water system** in Lava consists of 11 springs and two wells. Several of the springs may be surface water impacted and need to be taken off line. The wells produce a total of 150 gallons per minute. Assuming daily household use at 349 gallons, the wells alone can service 620 households or approximately 1,423 people. With the springs and 410,000 gallon storage reservoir Lava can service its existing and tourist populations. However, moderate population growth combined with strong tourism growth will push the system beyond capacity within the next five to ten years. Lava Hot Spring's **police services** are provided under contract by the Bannock County Sheriff's Office. The sheriff provides 80 hours per week with additional service on the Fourth of July holiday. During the summer, when tourists increase the population above 3,000, law enforcement capacity may be stretched to the thin. A 24-hour police presence would be more effective, at least during the summer months.

Goals and objectives

General policy statement: *To provide community services and facilities in an orderly, efficient and equitable manner, according to the city's needs and ability to finance.*

1. Minimize the costs of providing public services through the use of intergovernmental cooperation, privatization or other cost saving methods appropriate to Lava Hot Springs.
2. Sanitation: To maintain current sanitation services at present or better levels and prices.
3. Recycling: To cooperate with and encourage the service provider to provide a centralized pickup point for recyclables.
4. Fire Protection: To keep fire protection consistent with the growth of the community and encourage cooperation with other entities in the area to establish and maintain joint protection agreements with McCammon and Inkom for all community citizens.
 - a. To consider special development and building requirements in heavily wooded areas where wildfire is a continuing threat.
5. Police Protection: To improve and maintain relations with the Bannock County Sheriff's Department to increase the efficiency of police protection within the Lava Hot Spring's community.
 - a. To explore the possibility of training local reserve officers to assist with patrols in town.
 - b. To explore the possibility of implementing a business watch program similar to Pocatello's to improve watchfulness in town.
6. Water: To maintain and protect water quality at present quantities that are consistent with the growth of the community as well as encourage an ongoing program to maintain clean water as described by the Clean Water Act of 1992 and any subsequent amendments. (see Water and Sewer Map)
 - a. To plan for additional well capacity of 150 to 200 gallons per minute within the five years.
7. Roads: To maintain a roadway system that encourages the best and most efficient use for traffic flow patterns in the city.
 - a. To explore various finance options for installing Curb, Gutter, and Sidewalk including subdivision and building code requirements in certain areas.
8. Sewer:
 - a. To maintain sanitary sewer capacity at present quantities that are consistent with the growth of the community.
 - b. To require state and federal requirements be upheld. (see Water and Sewer Map).
 - c. To work with developers and property owners to extend sewer lines to development areas south and west of the current city limits. (see Development Map).

RESOLUTION 1996-1

WHEREAS, the City of Lava Hot Springs has undertaken the research and commissioned analyses to constitute a new comprehensive plan; and,

WHEREAS, the City of Lava Hot Springs Comprehensive Advisory Committee and consulting planner guided the development of the plan; and,

WHEREAS, the Lava Hot Springs City Council held a public hearing, March 14, 1996 at the Lava City Hall, heard testimony, and responded to input from the public; and,

NOW, THEREFORE, BE IT RESOLVED, in a motion made by Councilman, F.L. Duke Walden and seconded by Councilman, Leon Gates, that the City of Lava Hot Springs Comprehensive Plan of 1996 be adopted.

PASSED by the Council and APPROVED by the Mayor this 14th day of March, 1996.


Mayor, City of Lava Hot Springs

ATTEST:


City Clerk

1982-2
ORDINANCE # 1982-2

AN ORDINANCE ALTERING THE LEGAL DESCRIPTION OF THE CITY OF LAVA HOT SPRINGS TO CONFORM TO THE ACTUAL CORPORATE BOUNDARIES OF THE CITY; MADE PURSUANT TO IDAHO CODE SECTION 50-223, PROVIDING FOR REPEAL OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

PREAMBLE

WHEREAS, the ^{Village} City of Lava Hot Springs, Idaho was duly incorporated under the laws of the State of Idaho on the 24th day of July, 1915; and,

WHEREAS, the legal description contained in the Incorporation Petition of said date, Book #3, Page 350 of the Bannock County Commissioner's records was and is unclear and incorrect; and,

WHEREAS, the City Council of the City of Lava Hot Springs wishes to correct said incorrect legal description.

THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Lava Hot Springs, Idaho:

SECTION 1: That the legal description contained in the Bannock County Commissioner's Records, Book #3, Page 350 be and hereby is altered to conform to the actual boundaries of the City of Lava Hot Springs; to wit:

(SEE LEGAL DESCRIPTION AND MAP ATTACHED HERETO
AS EXHIBITS A & B)

SECTION 2: The map or plat attached to this Ordinance is an accurate map of the re-defined boundaries of the City of Lava Hot Springs as set out in Section 1 above. The map is hereby adopted as the official map and plat of the territory hereby annexed.

SECTION 3: The Mayor of the City of Lava Hot Springs is hereby authorized and directed to certify that the map is an accurate map under the provisions of this Ordinance.

SECTION 4: This Ordinance with a certified copy of the official map attached hereto, shall be recorded in the office of the County Recorder of the County of Bannock, State of Idaho, and make all other necessary recordings pursuant to Idaho Code §63-2215.

SECTION 5: If any provision of this Ordinance shall be held invalid, its invalidity shall not effect any other provisions of this Ordinance that can be given effect without the invalid provision. For this purpose the provisions of this Ordinance are hereby declared to be severable.

SECTION 6: Since the immediate operation of the provisions of the Ordinance is necessary for the preservation of public peace, health, and safety, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the City Council, approved by the Mayor, and publication and posting as required by law.

SECTION 7: That all Ordinances or parts thereof which are inconsistent with this Ordinance are hereby repealed.

PASSED UNDER SUSPENSION OF THE RULES BY THE CITY COUNSEL THIS 21 DAY OF July, 1982.

Dean Ware
MAYOR DEAN WARE

ATTEST:

Susan Jagnant
CITY CLERK

APPROVED AS TO FORM BY THE CITY
ATTORNEY:

James E. Harward
JAMES E. HARWARD

LAVA HOT SPRINGS
CORPORATE LIMIT DESCRIPTION
AS CLARIFIED 7/28/82

BEGINNING AT THE CENTER 1/4 CORNER OF SECTION 21, T. 9 S.,
R. 38 E., B.M. ;

THENCE SOUTH ALONG THE MERIDIONAL CENTERLINE TO THE SE
CORNER OF LOT 6, SECTION 21, SAID CORNER LYING ON THE NORTH
BANK OF THE PORTNEUF RIVER;

THENCE WESTERLY ACROSS AND ALONG THE PORTNEUF RIVER TO
THE NW CORNER OF LOT 3, SECTION 21, SAID CORNER LYING ON THE
SOUTH BANK OF THE PORTNEUF RIVER;

THENCE SOUTH ALONG THE 1/16 LINE TO THE SW CORNER OF THE
NE 1/4, NW 1/4, SECTION 28, T. 9 S., R. 38 E., B.M.;

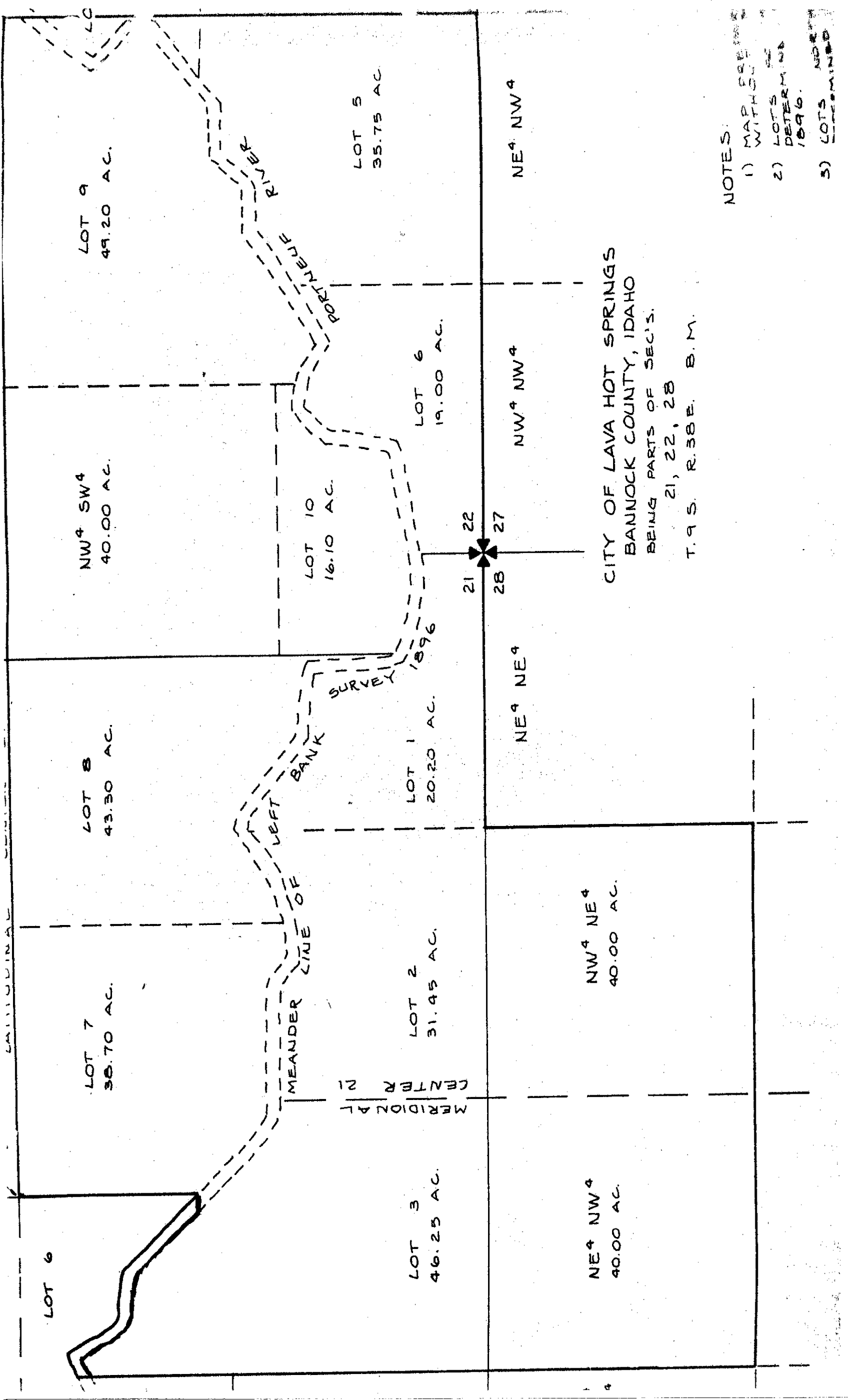
THENCE EAST ALONG THE 1/16 LINE TO THE SE CORNER OF THE
NW 1/4, NE 1/4, SECTION 28;

THENCE NORTH ALONG THE 1/16 LINE TO THE SW CORNER OF LOT 1,
SECTION 21, T. 9 S., R. 38 E., B.M.:

THENCE EAST ALONG THE SECTION LINE TO THE SE CORNER OF LOT 5,
SECTION 22, T. 9 S., R. 38 E., B.M., SAID CORNER, ALSO, BEING THE
S 1/4 CORNER OF SECTION 22;

THENCE NORTH ALONG THE PROJECTED MERIDIONAL CENTERLINE TO
THE NE CORNER OF LOT 9, SECTION 22, SAID CORNER, ALSO, LYING ON
THE WEST BANK OF THE PORTNEUF RIVER;

THENCE WEST ALONG THE LATITUDINAL CENTERLINE TO THE CENTER 1/4
CORNER OF SECTION 21, T. 9 S., R. 38 E., B.M., SAID CORNER BEING
THE POINT OF BEGINNING; CONTAINING APPROXIMATELY 420 ACRES ACCORDING
TO ACCEPTED SURVEY GENERALS OFFICE PLATS DATED 1896 AND 1901.



AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF LAVA HOT SPRINGS; DESCRIBING SAID LANDS AND DECLARING THE SAME A PART OF THE CITY OF LAVA HOT SPRINGS, BANNOCK COUNTY, IDAHO.

WHEREAS, the land hereinafter described is continuous and adjacent to the City of Lava Hot Springs and is subject to annexation to the City of Lava Hot Springs under and pursuant to the provisions of Section 50-222, Idaho Code, as amended, and

WHEREAS, it appears to the Mayor and City Council of the City of Lava Hot Springs, that said land should be annexed to, and become a part of the City of Lava Hot Springs;

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAVA HOT SPRINGS, AS FOLLOWS:

SECTION 1. That the following described land situated in Bannock County, Idaho, to wit:

Parcel #1

All of government Lot 6 Section 21, T.9S, R.38E, B.M., and that portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, T9S, R.38E, B.M. being South of the Union Pacific Railroad right-of-way. Property owners included in the above description are as shown on record in the Bannock County Courthouse, Pocatello, Idaho and are listed as follows:

TAX #	INSTR. #	OWNER
45	464153	Harlin Jensen & Marshall Burgin
46	480312	Marshall Burgin
58	480312	Marshall Burgin
70	480312	Marshall Burgin
69	464152	Marshall Burgin
16	480312	Marshall Burgin
28	615835	Francis Brown
17	238864	State of Idaho
53 & 59	529846	Fern Byington
79 & 80	641610	William G. Katsilometes
67	654995	John D. & William G. Katsilometes

Parcel #2

A parcel of land located in the SW $\frac{1}{4}$ of Section 21, T.9S, R.38E, B.M., more particularly described as follows: beginning at the intersection of the Southerly right-of-way of Maughn Road and the Westerly right-of-way of 6th Street, the true point of beginning; Thence West along South right-of-way of Maughn Road 858 feet more or less to the NW corner of the Peyron, Zaccardi, Barnes property (Inst. # 636162); Thence South along the West line of said property 330 feet more or less to the SW corner of said property; Thence East 858 feet more or less to the West line of 6th Street; Thence North along the West right-of-way of 6th Street 330 feet more or less to the true point of beginning. It is the intention of this description to include the following parcels of land as on record at the Bannock County Courthouse, Pocatello, Idaho.

TAX #	INSTR. #	OWNER
75	636162	Robert Peyron, Orie Zaccardi & Michael Barnes
95	727044	Utah Power & Light
81	727096	Utah Power & Light
73	524095	Utah Power & Light
96	570471	Kenneth & Sharon Knowles

(SEE MAP ATTACHED HERETO AS EXHIBIT A)

shall be, and the same hereby, is, annexed to the City of Lava Hot Springs and shall be, and hereby declared to be, a part of the City of Lava Hot Springs, Idaho.

SECTION 2. The rule requiring Ordinances to be read on three (3) separate occasions is hereby dispensed with and this Ordinance shall be in full force and effect from and after its passage, approval, due publication, and filing of a certified copy thereof with the County Recorder of Bannock County, Idaho as provided by law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF LAVA HOT SPRINGS, IDAHO, THIS 10th DAY OF July, 1985.



Leno D. Seppi

LENO D. SEPPI, MAYOR

ATTEST:

Janet Anderson
JANET ANDERSON, CITY CLERK

