

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

In Re SRBA

)

**Water Rights:** 29-13584, 29-13591,  
29-13597, 29-13603, 29-13609, 29-  
13615, 29-13621

Case No. 39576

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**NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ I.C. § 42-222 transfer

- |                                               |                                              |
|-----------------------------------------------|----------------------------------------------|
| <input type="checkbox"/> point of diversion   | <input type="checkbox"/> place of use        |
| <input type="checkbox"/> period of use        | <input type="checkbox"/> nature of use       |
| <input type="checkbox"/> split of water right | <input type="checkbox"/> change in ownership |

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: June 17, 2005

Ernest Cullen  
Signature of IDWR Representative

### CERTIFICATE OF MAILING

I certify that on JUNE 17, 2005, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
PO Box 2707  
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:  
LARRY NAEF  
5812 E OLD OREGON TRAIL RD  
LAVA HOT SPRINGS, ID 83246

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:  
MARK J MADSEN  
5812 E OLD OREGON TRAIL RD  
LAVA HOT SPRINGS, ID 83246

4. One copy to:

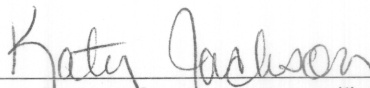
Each party in the subcase, or attorney of record  
RANDY BUDGE  
RACINE OLSEN NYE BUDGE & BAILEY  
PO BOX 1391  
POCATELLO, ID 83204

5. One copy each to:

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

6. One Copy to:

United States Dept of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724



Signature of person or attorney mailing the form

06/17/2005

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13621

NAME AND ADDRESS: LANA NAEF  
5812 E OLD OREGON TL RD  
LAVA HOT SPRINGS ID 83246

MARK J MADSEN  
5812 E OLD OREGON TRAIL RD  
LAVA HOT SPRINGS ID 83246

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.039 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 0.079 CFS. COMBINED RIGHT NOS.:  
29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615,  
29-13621.

PRIORITY DATE: 07/15/1976

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY  
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS  
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN  
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,  
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF

DIVERSION: T09S R37E S15 SENENW Within BANNOCK County  
T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 10/31          | 0.039 CFS       |

PLACE OF USE: IRRIGATION Within BANNOCK County

|               |      |     |               |      |     |
|---------------|------|-----|---------------|------|-----|
| T09S R37E S22 | NENE | 3.2 | T09S R37E S22 | NWNE | 3.0 |
|---------------|------|-----|---------------|------|-----|

6.2 ACRES TOTAL

06/17/2005

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

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USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 6.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO.  
29-13603, 29-13609 AND 29-13615 PURSUANT TO SECTION 42-1426,  
IDAHO CODE.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS FOR AN ENLARGEMENT OF 2.0 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

THIS RIGHT IS A SPLIT FROM ORIGINAL RIGHT 29-13552.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.