

CERTIFICATE OF MAILING

I certify that on 12-15, 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:
COLLEEN, KENNETH & JIM ANDRUS
6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

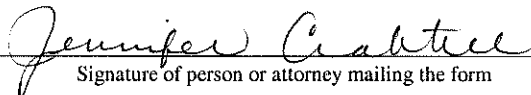
Each party in the subcase, or attorney of record
MARSH VALLEY DEVELOPMENT
C/O RANDY BUDGE
OLSON NYE BUDGE & BAILEY CHARTERED
PO BOX 1391
POCATELLO ID 83201-1391

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

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

RIGHT NUMBER: 29-11681

NAME AND ADDRESS: COLLEEN L ANDRUS
6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

KENNETH D ANDRUS
6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

JIM ANDRUS
6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

SOURCE: EAST BOB SMITH CREEK
SPRINGS

TRIBUTARY: PORTNEUF RIVER
TRIBUTARY: EAST BOB SMITH CREEK

QUANTITY: 6.550 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.55 CFS. COMBINED RIGHT NOS.: 29-187, 29-188, 29-191(part), 29-193, 29-11678, 29-11681(part), 29-13399 and 29-13401.

~~USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.55 CFS. COMBINED RIGHT NOS.: 29-187, 29-188, 29-191, 29-193, 29-11678, 29-11681, 29-13399 and 29-13401 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.~~

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-187, 29-188, 29-191, 29-193, 29-11678, 29-11681, 29-13399 and 29-13401 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

~~THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-187, 29-188, 29-191, 29-193, 29-11678, 29-11681, SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.~~

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION:

T09S R37E S12 NESESW Within BANNOCK County

T09S R37E S13 NWSWNW Within BANNOCK County

T09S R37E S13 SESWNW 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	6.550 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R37E S12	SWSW	3.2	T09S R37E S12	SESW	5.5
T09S R37E S13	NWNW	11.0	T09S R37E S13	SWNW	28.0

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

T09S R37E S13	NWSW	21.0	T09S R37E S13	SWSW	17.0
T09S R37E S14	NENE	0.7	T09S R37E S14	SENE	23.0
T09S R37E S14	NESE	34.0	T09S R37E S14	SESE	34.0
T09S R37E S23	NENE	33.0	T09S R37E S23	NWNE	20.0
T09S R37E S23 Lot 1	SENE	22.0	T09S R37E S23	NENW	32.0
T09S R37E S23	NWNW	12.0	T09S R37E S24	NWNW	31.0

327.4 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 327.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-187, 29-188, 29-191(part), 29-193, 29-11678, 29-11681(part), 29-13399 and 29-13401.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 327.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-187, 29-188, 29-191, 29-193, 29-11678, 29-11681.

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

Prior to diversion of water under Transfer 71892, the right holder shall place the portion of water rights 29-191 and 29-11681 equivalent to 44.0 acres and appurtenant to the place of use authorized for Rights 29-13399 and 29-13401 under this transfer in the water bank operated by the Idaho Water Resource Board

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

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

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE SPRINGS: 29-193, 29-11681.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE FOR EAST BOB SMISTH CREEK: 29-187, 29-188, 29-191, 29-11678, 29-11681.