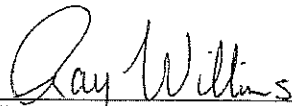


CERTIFICATE OF MAILING

I certify that on January 9, 2006, 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 RANDALL BUDGE
OLSON, NYE, BUDGE & BAILEY CHARTERED
PO BOX 1391
POCATELLO, ID 83201-1391
5. One copy 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 RECOMMENDED
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

JIM 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

SOURCE:

Source:

EAST BOB SMITH CREEK

Tributary:

PORTNEUF RIVER

Source:

SPRINGS

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.

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

~~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.~~

~~THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-187, 29-188, 29-191, 29-193,
29-11678, AND 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:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

6.550 CFS

PLACE OF USE:

IRRIGATION

within BANNOCK County

T09S R37E S12 SWSW 3.2

~~T09S R37E S12 SWSW 3.1~~

T09S R37E S12 SESW 5.5

~~T09S R37E S13 NENW 0.1~~

T09S R37E S13 NWNW 11.0

T09S R37E S13 SWNW 28.0

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
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 NWNW 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 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,
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:

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.

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 described above in the water bank operated by the Idaho Water Resource Board.

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 SMITH CREEK: 29-187, 29-188, 29-191, 29-11678, 29-11681.