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DISTRICT COURT - SRBA  
TWIN FALLS CO. IDAHO  
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DEPARTMENT OF  
WATER RESOURCES

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

Case No. 39576

Water Rights: 67-348D, 67-355D,  
67-363F, 67-4158, 67-11430

NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING

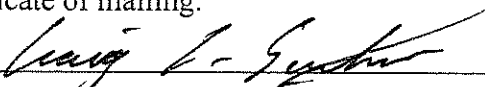
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ IC § 42-222
- ☐ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- ☐ Split of water right ☐ Change in ownership
- ☐ Other:

IDWR certifies that it has completed its investigation into the changes to the elements of the water right(s) listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water right(s) 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: 2-8-07

  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on February 9, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

### 1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
P.O. Box 2707  
Twin Falls, ID 83303-2707

### 2. Copies to:

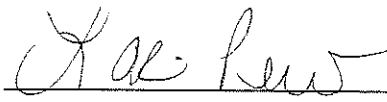
Clive Strong  
Off ice of the Attorney General  
P.O. Box 44449  
Boise, ID 83711-4449

United States Dept of Justice  
Environment & Natural Resource Div  
550 W. Fort St. MSC 033  
Boise, ID 83724

### 3. Copies to all parties to the subcase:

Kurt B. Smith  
2483 Orchard  
Council, ID 83612

Diane Smith  
11877 Goldenrod Ave.  
Boise, ID 83713

  
\_\_\_\_\_  
Signature of person mailing this document

02/05/2007

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

RIGHT NUMBER: 67-348D  
NAME AND ADDRESS: KURT SMITH  
2483 ORCHARD  
COUNCIL ID 83612

SOURCE: MILL CREEK TRIBUTARY: WEISER RIVER  
QUANTITY: 0.130 CFS

The rights listed below are limited to a total combined diversion rate of 0.52 cfs. Combined Right Nos.: 67-348D, 67-355D, 67-363F, and 67-4158.

PRIORITY DATE: 05/01/1878  
POINT OF  
DIVERSION: T17N R01W S36 NESW Within ADAMS County  
PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/15 11/15          | 0.130 CFS       |

PLACE OF USE: IRRIGATION in ADAMS County  
T17N R01W S36 NWSW 26.00

26 ACRES TOTAL

This right is limited to the irrigation of 10.4 acres within the place of use described above in a single irrigation season.

26.0 The rights listed below are limited to the irrigation of a combined total of  
acres in a single irrigation season. Combined Right Nos.: 67-348D, 67-355D,  
67-363F, and 67-4158.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

02/05/2007

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

RIGHT NUMBER: 67-355D  
NAME AND ADDRESS: KURT SMITH  
2483 ORCHARD  
COUNCIL ID 83612

SOURCE: MILL CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.110 CFS

The rights listed below are limited to a total combined diversion rate of 0.52 cfs. Combined Right Nos.: 67-348D, 67-355D, 67-363F, and 67-4158.

PRIORITY DATE: 05/01/1884

POINT OF  
DIVERSION: T17N R01W S36 NESW Within ADAMS County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 07/01 11/15          | 0.110 CFS       |

PLACE OF USE: IRRIGATION in ADAMS County

T17N R01W S36 NWSW 26.00

26 ACRES TOTAL

26.0

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 67-348D, 67-355D, 67-363F, and 67-4158.

This right is limited to the irrigation of 8.8 acres within the place of use described above in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

02/05/2007

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

RIGHT NUMBER: 67-363F  
NAME AND ADDRESS: KURT SMITH  
2483 ORCHARD  
COUNCIL ID 83612

SOURCE: MILL CREEK TRIBUTARY: WEISER RIVER  
QUANTITY: 0.095 CFS

The rights listed below are limited to a total combined diversion rate of 0.52 cfs. Combined Right Nos.: 67-348D, 67-355D, 67-363F, and 67-4158.

PRIORITY DATE: 05/01/1889

POINT OF  
DIVERSION: T17N R01W S36 NESW Within ADAMS County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 07/01 11/15          | 0.095 CFS       |

PLACE OF USE: IRRIGATION in ADAMS County

T17N R01W S36 NWSW 26.00  
26 ACRES TOTAL

This right is limited to the irrigation of 7.6 acres within the place of use described above in a single irrigation season.

26.0 The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 67-348D, 67-355D, 67-363F, and 67-4158.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

02/05/2007

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

RIGHT NUMBER: 67-4158  
NAME AND ADDRESS: KURT SMITH  
2483 ORCHARD  
COUNCIL ID 83612

SOURCE: MILL CREEK TRIBUTARY: WEISER RIVER  
QUANTITY: 0.200 CFS

The rights listed below are limited to a total combined diversion rate of 0.52 cfs. Combined Right Nos.: 67-348D, 67-355D, 67-363F, and 67-4158.

PRIORITY DATE: 05/10/1918  
POINT OF  
DIVERSION: T17N R01W S36 NESW Within ADAMS County  
PURPOSE AND  
PERIOD OF USE:

|               | <u>PURPOSE OF USE</u>             | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|---------------|-----------------------------------|----------------------|-----------------|
|               | IRRIGATION                        | 03/15 11/15          | 0.200 CFS       |
| PLACE OF USE: | <u>IRRIGATION in ADAMS County</u> |                      |                 |
|               | T17N R01W S36                     | NWSW 26.00           |                 |
|               | 26 ACRES TOTAL                    |                      |                 |

26.0 The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 67-348D, 67-355D, 67-363F, and 67-4158.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

02/05/2007

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

RIGHT NUMBER: 67-11430  
NAME AND ADDRESS: KURT SMITH  
2483 ORCHARD  
COUNCIL ID 83612

SOURCE: MILL CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.095 CFS

PRIORITY DATE: 05/01/1889

POINT OF  
DIVERSION: T17N R01W S36 NWNESW Within ADAMS County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 3/15 11/15           | 0.095 CFS       |

PLACE OF USE: IRRIGATION in ADAMS County

T17N R01W S36 NWSW 27.00

27 ACRES TOTAL

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

Ownership changed by DH 7/31/2003

Recommended as Right No. 67-363F.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

Recommended as Right No. 67-363F: This is included for a claim that is proposed to be disallowed because the right claimed is recommended pursuant to another right. The remark indicates the water right number of the other right that is proposed to be recommended. If you are not mailed a notice of the recommendation of the other right, then the other right is recommended in another claimants name.