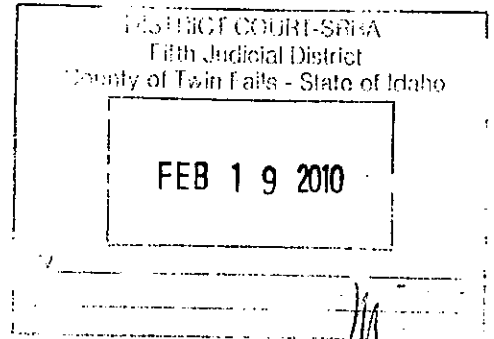




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA  
Case No. 39576

**Water Rights: 63-8782 (Split)  
63-33283 & 63-33284  
NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING**

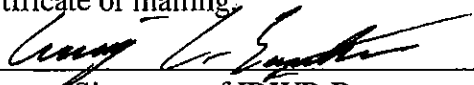
IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX Substitution of Party
- ☐ IC § 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 |
| <input type="checkbox"/> Other                |                                              |
- ☐ IC § 42-219 license

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 Report(s)* for said water right(s). 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:

 2-17-10  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on February 18, 2010, 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    | <input type="checkbox"/> overnight mail          |
| Snake River Basin Adjudication | <input checked="" type="checkbox"/> regular mail |
| P.O. Box 2707                  | <input type="checkbox"/> hand-delivered          |
| Twin Falls, ID 83303-2707      | <input type="checkbox"/> facsimile               |

### 2. Copies to:

|                                 |                                                  |
|---------------------------------|--------------------------------------------------|
| Clive Strong                    | <input type="checkbox"/> overnight mail          |
| Off ice of the Attorney General | <input checked="" type="checkbox"/> regular mail |
| P.O. Box 44449                  | <input type="checkbox"/> hand-delivered          |
| Boise, ID 83711-4449            | <input type="checkbox"/> facsimile               |

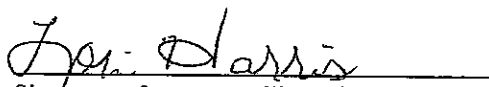
|                                    |                                                  |
|------------------------------------|--------------------------------------------------|
| United States Dept of Justice      | <input type="checkbox"/> overnight mail          |
| Environment & Natural Resource Div | <input checked="" type="checkbox"/> regular mail |
| 550 West Fort Street MSC 033       | <input type="checkbox"/> hand-delivered          |
| Boise ID 83724                     | <input type="checkbox"/> facsimile               |

|                  |                                                    |
|------------------|----------------------------------------------------|
| Director of IDWR | <input checked="" type="checkbox"/> hand-delivered |
| PO Box 83720     |                                                    |
| Boise ID 83720   |                                                    |

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

|                   |                                                  |
|-------------------|--------------------------------------------------|
| Wayne L. Tuft LLC | <input type="checkbox"/> overnight mail          |
| c/o Candy Simpson | <input checked="" type="checkbox"/> regular mail |
| 17851 Madison Rd  | <input type="checkbox"/> hand-delivered          |
| Nampa ID 83687    | <input type="checkbox"/> facsimile               |

|                                  |                                                  |
|----------------------------------|--------------------------------------------------|
| Shirley T. Johnson Family Trust  | <input type="checkbox"/> overnight mail          |
| c/o Debra Bedont & David Johnson | <input checked="" type="checkbox"/> regular mail |
| 11481 Spring Stone Dr.           | <input type="checkbox"/> hand-delivered          |
| South Jordan UT 84095            | <input type="checkbox"/> facsimile               |

  
Signature of person mailing this document

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

RIGHT NUMBER: 63-33283

NAME AND ADDRESS: WAYNE L TUFT LLC  
C/O CANDY SIMPSON  
17851 MADISON RD  
NAMPA ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.900 CFS

This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the authorized place of use.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 216.0 af at the field headgate.

PRIORITY DATE: 05/04/1977

POINT OF DIVERSION:

T03N R02W S4 NESE Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/01 11/15          | 0.900 CFS       |

PLACE OF USE: IRRIGATION in CANYON County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T03N R02W S04 | SWNE | 14.50 | T03N R02W S04 | NESE | 12.50 |
| T03N R02W S04 | NWSE | 21.00 |               |      |       |

48 ACRES TOTAL

Right Nos. 63-32481 and 63-33283 are limited to the irrigation of a combined total of 59 acres in a single irrigation season.

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

If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this 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 - License

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

RIGHT NUMBER: 63-33284

NAME AND ADDRESS: SHIRLEY T JOHNSON FAMILY TRUST  
C/O DEBRA BEDONT  
C/O DAVID JOHNSON  
11481 SPRING STONE DR  
SOUTH JORDAN UT 84095

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.100 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 270.0 af at the field headgate.

This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation.

Right Nos. 63-32482 and 63-33284 are limited to a total combined diversion rate of 1.2 cfs.

PRIORITY DATE: 05/04/1977

POINT OF DIVERSION:

T03N R02W S4 NESE Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/01 11/15          | 1.100 CFS       |

PLACE OF USE: IRRIGATION in CANYON County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T03N R02W S04 | SWNE | 23.50 | T03N R02W S04 | SENE | 18.00 |
| T03N R02W S04 | NESE | 18.50 |               |      |       |

60 ACRES TOTAL

Right Nos. 63-32482 and 63-33284 are limited to the irrigation of a combined total of 60 acres 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.

If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                                  | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                                   |
|--------------------|----------------------------------------------------------|--------------------------|-------------------------------------------------|
| 63-8782            | CLAYONE O TUFT<br>17293 NORTHSIDE BLVD<br>NAMPA ID 83687 | Disallowed               | Recommended As Right No.<br>63-33283 & 63-33284 |
|                    | COURTNEY TUFT<br>17501 NORTHSIDE BLVD<br>NAMPA ID 83687  |                          |                                                 |
|                    | WAYNE L TUFT<br>17699 NORTHSIDE BLVD<br>NAMPA ID 83687   |                          |                                                 |