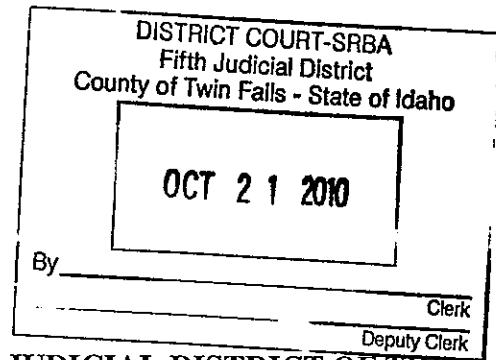


COPY



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	)	Subcase No. 37-21665, 37-21672,
	)	37-21681, 37-21690, 37-21699, 37-21708
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

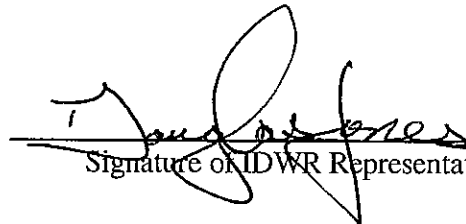
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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: 10/20/10



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10/21, 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
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

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

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

Brian Smith
Diane Steffey-Smith
PO Box 5326
Ketchum ID 83340

Craig Hobdey
Hobdey & Hobdey
PO Box 176
Gooding ID 83330

Travis Thompson
Barker Rosholt & Simpson
PO Box 485
Twin Falls ID 83303

Courtesy copy to:

James P. Speck
Speck & Aanestad
PO Box 987
Ketchum ID 83340



Signature of person or attorney mailing the form

10/20/2010

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

RIGHT NUMBER: 37-21665

NAME AND ADDRESS: BRIAN L SMITH
PO BOX 5326
KETCHUM ID 83340

DIANE STEFFEY-SMITH
PO BOX 5326
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

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.

QUANTITY: 0.160 CFS
28.35 AFY

The rights listed below shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands in the place of use. Combined Right Nos. 37-21665, 37-21672, 37-21681, 37-21690, 37-21699 and 37-21708.

PRIORITY DATE: 09/25/1954

POINT OF
DIVERSION:

T01N R19E S7 SESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.160 CFS 28.35 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S07 SWSE 8.10
8.1 ACRES TOTAL

Right Nos. 37-21665, 37-21672, 37-21681, 37-21690, 37-21699 and 37-21708 are limited to the irrigation of a combined total of 8.1 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-2557.

Property is also known as Lot 2, Lookout Circle Subdivision.

10/20/2010

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

RIGHT NUMBER: 37-21672

NAME AND ADDRESS: BRIAN L SMITH
PO BOX 5326
KETCHUM ID 83340

DIANE STEFFEY-SMITH
PO BOX 5326
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.130 CFS

The rights listed below shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands in the place of use. Combined Right Nos. 37-21665, 37-21672, 37-21681, 37-21690, 37-21699 and 37-21708.

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.130 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S07 SWSE 8.10

8.1 ACRES TOTAL

Right Nos. 37-21665, 37-21672, 37-21681, 37-21690, 37-21699 and 37-21708 are limited to the irrigation of a combined total of 8.1 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Property is also known as Lot 2, Lookout Circle Subdivision.

Point of diversion described above is the headgate for District 45 canal.

This right is a split from former right 37-577.

10/20/2010

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

RIGHT NUMBER: 37-21681

NAME AND ADDRESS: BRIAN L SMITH
PO BOX 5326
KETCHUM ID 83340

DIANE STEFFEY-SMITH
PO BOX 5326
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.008 CFS

The rights listed below shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands in the place of use. Combined Right Nos. 37-21665, 37-21672, 37-21681, 37-21690, 37-21699 and 37-21708.

PRIORITY DATE: 07/10/1884

POINT OF
DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.008 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S07 SWSE 8.10

8.1 ACRES TOTAL

Right Nos. 37-21665, 37-21672, 37-21681, 37-21690, 37-21699 and 37-21708 are limited to the irrigation of a combined total of 8.1 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-664.

Point of diversion described above is the headgate for District 45 canal.

Property is also known as Lot 2, Lookout Circle Subdivision.

10/20/2010

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

RIGHT NUMBER: 37-21690

NAME AND ADDRESS: BRIAN L SMITH
PO BOX 5326
KETCHUM ID 83340

DIANE STEFFEY-SMITH
PO BOX 5326
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.080 CFS

The rights listed below shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands in the place of use. Combined Right Nos. 37-21665, 37-21672, 37-21681, 37-21690, 37-21699 and 37-21708.

PRIORITY DATE: 09/18/1885

POINT OF
DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.080 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R19E S07 SWSE 8.10

8.1 ACRES TOTAL

Right Nos. 37-21665, 37-21672, 37-21681, 37-21690, 37-21699 and 37-21708 are limited to the irrigation of a combined total of 8.1 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Point of diversion described above is the headgate for District 45 canal.

This right is a split from former right 37-298.

Property is also known as Lot 2, Lookout Circle Subdivision.

10/20/2010

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

RIGHT NUMBER: 37-21699

NAME AND ADDRESS: BRIAN L SMITH
PO BOX 5326
KETCHUM ID 83340

DIANE STEFFEY-SMITH
PO BOX 5326
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.008 CFS

The rights listed below shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands in the place of use. Combined Right Nos. 37-21665, 37-21672, 37-21681, 37-21690, 37-21699 and 37-21708.

PRIORITY DATE: 06/12/1886

POINT OF
DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.008 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R19E S07

SWSE 8.10

8.1 ACRES TOTAL

Right Nos. 37-21665, 37-21672, 37-21681, 37-21690, 37-21699 and 37-21708 are limited to the irrigation of a combined total of 8.1 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Point of diversion described above is the headgate for District 45 canal.

This right is a split from former right 37-666.

Property is also known as Lot 2, Lookout Circle Subdivision.

10/20/2010

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

RIGHT NUMBER: 37-21708

NAME AND ADDRESS: BRIAN L SMITH
PO BOX 5326
KETCHUM ID 83340

DIANE STEFFEY-SMITH
PO BOX 5326
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.190 CFS

The rights listed below shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands in the place of use. Combined Right Nos. 37-21665, 37-21672, 37-21681, 37-21690, 37-21699 and 37-21708.

PRIORITY DATE: 06/15/1891

POINT OF
DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.190 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T01N R19E S07	SWSE 8.10	
	8.1 ACRES TOTAL		

Right Nos. 37-21665, 37-21672, 37-21681, 37-21690, 37-21699 and 37-21708 are limited to the irrigation of a combined total of 8.1 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Property is also known as Lot 2, Lookout Circle Subdivision.

This right is a split from former rights 37-480 and 37-667.

Point of diversion described above is the headgate for District 45 canal.