

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-10331
Date Received: 2/15/1990
Receipt No: E012066
Received By: RLH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH D. ANDRUS 208-776-5380
Address: 6948 EAST OLD OREGON TRAIL RD.
LAVA HOT SPRINGS, ID 83246
AND/OR
Name: COLLEEN LLOYD ANDRUS 208-776-5380
Address: 6948 EAST OLD OREGON TRAIL RD.
LAVA HOT SPRINGS, ID 83246
AND/OR
Name: JIM ANDRUS 208-776-5380
Address: 6948 EAST OLD OREGON TRAIL RD.
LAVA HOT SPRINGS, ID 83246

A2910331



2. Date of Priority: JUL 06, 1868

3. Source: TOPONCE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	38E	35	SW	SE	NW		CARIBOU

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.144		

7. Total Quantity Appropriated is:
3.144 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1125.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-10331

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Date: 02/15/90

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	38E	26	SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	20.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			Section Acres 180.0					
		35	NE		NE		IRR	30.0
			NW		NE		IRR	30.0
			NE		NW		IRR	30.0
			NW		NW		IRR	30.0
			Section Acres 120.0					
		36	NE		NE		IRR	30.0
			NW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			Section Acres 150.0					
			Total Acres 450.0					

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A29-00107B,00091,00123,10327-10332

14. Remarks:
THIS CLAIM IS FOR COMBINED RIGHTS 29-00252 & 29-00234. BOTH RIGHTS ARE CLAIMED IN ENTIRETY.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MCCAMMON DITCH CO. ET AL
Decree Defendant

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Date: 02/15/90

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NOV 16 1992

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Samuel Anderson* Date: 15 Feb - 1990

Date: _____

State of Idaho)
County of Bonner) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of February 19 90
Edith Starck
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

A29-10331

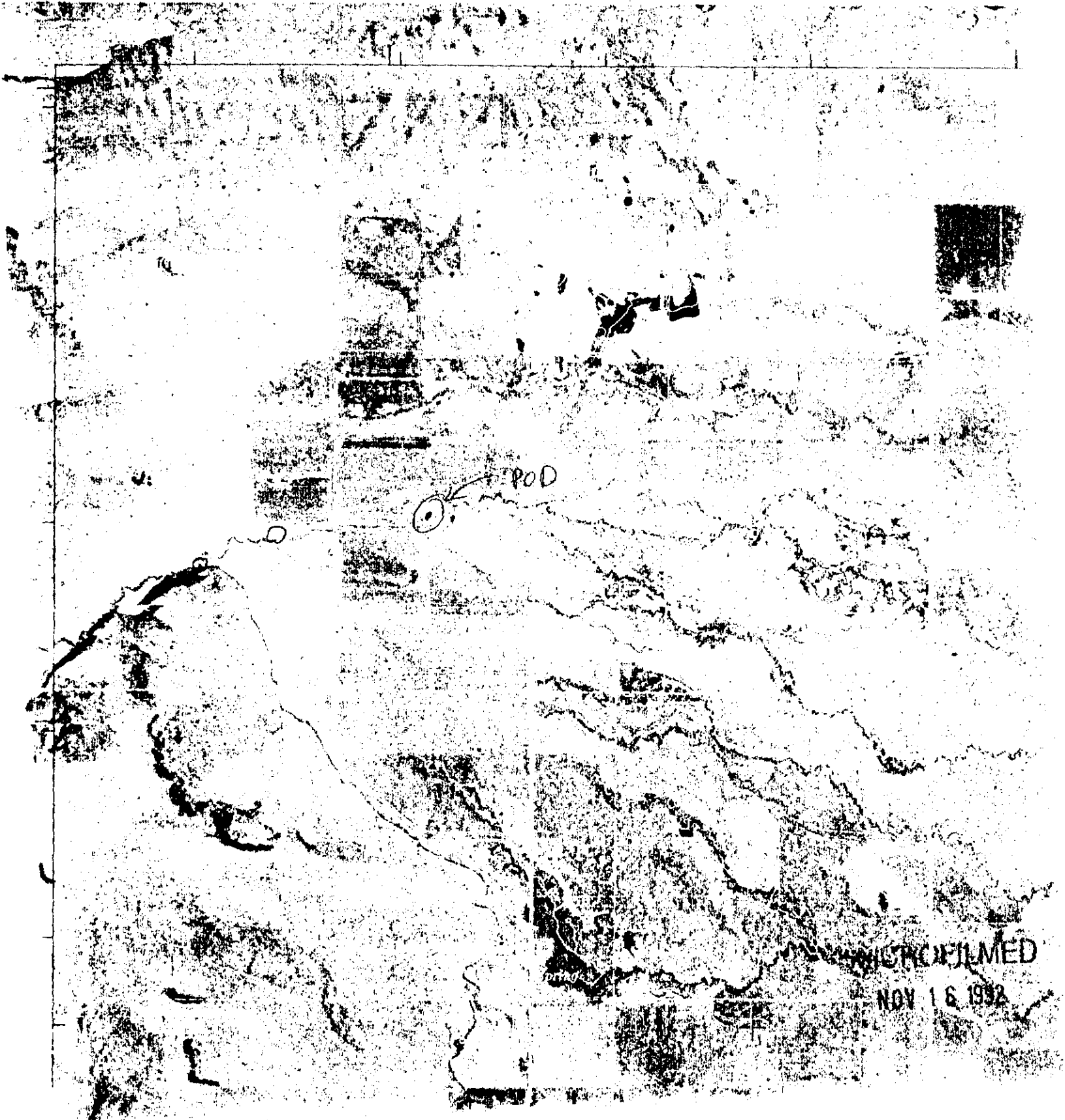
UNIT OF WATER RESOURCES

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

112°00'

19000m.E.

R38E



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NOV 16 1992

Log for claim A29-10331

Spatial Dynamics BTD

6/20/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s38e	26	SWNW	40	38	
06s38e	26	SEnw	40	39	
06s38e	26	NESW	20	41	Indiscernible
06s38e	26	NWSW	40	39	
06s38e	26	SWSW	40	39	
06s38e	35	NENE	30	40	Indiscernible
06s38e	35	NWNE	30	41	Indiscernible
06s38e	35	NENW	30	41	Indiscernible
06s38e	35	NWNW	30	40	Indiscernible
06s38e	36	NENE	0	6.6	
06s38e	36	NENE	30	31	
06s38e	36	NWNE	40	41	
06s38e	36	NENW	40	41	
06s38e	36	NWNW	40	41	
Totals:			450	518.6	

AJ5809NP
No. A29-10331

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 167

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JIM ANDRUS	07/06/1868	IRRIGATION	04-01 11-01	3.144 CFS	
C	KENNETH D ANDRUS					
C	COLLEEN LLOYD ANDRUS					
	6948 E OLD OREGON TRAIL RD			TOTAL DIVERSION:	3.144 CFS	1125.00 AFA
	LAVA HOT SPRINGS ID 83246			CONSUMPTIVE USE:		
	(208) 776-5380					

Water Source: TOPONCE CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion:

T06S R38E S35

SWSNW

CARIBOU County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE					
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
06S	38E	26	:								40	40	:	20	40	40	:		180.0	
06S	38E	35	:	30	30	:	30	30	:				:				:		120.0	
06S	38E	36	:	30	40	:	40	40	:				:				:		150.0	
																			TOTAL ACRES	450.0

POU County: CARIBOU

Other Rights: A29-00107B,00091,00123,10327-10332

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00091 A29-00093 A29-00107B A29-00123C A29-10327 A29-10328 A29-10329 A29-10330

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00087 A29-00088 A29-00089 A29-00090 A29-00090A A29-00091 A29-00091A A29-00092 A29-00092A A29-00093
A29-00093A A29-00102 A29-00107B A29-00123C A29-00234 A29-00252 A29-04346 A29-10248 A29-10327 A29-10328
A29-10329 A29-10330 A29-10332

Remarks: GEN THIS CLAIM IS FOR COMBINED RIGHTS 29-00252 & 29-00234. BOTH
RIGHTS ARE CLAIMED IN ENTIRETY.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 02/15/90 ESRBA 08/01/94 THOMPSON 03/29/95 POST-STD



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 4, 1999

Arlin Olson
Watermaster #29
PO Box 644
Lava Hot Springs ID 83246

Mr. Olson:

Based on your inquiry I have researched claim #A29-10278 in the name of Michael or Eileen Chambers. This involves portions of four decreed "Indian Rights" with a July 6, 1868 priority. Those four decrees are numbered 29-00234, 29-00238, 29-00239 and 29-00240.

Starting with decree 29-00238 please note in the remarks of claim A29-00238 that the Shoshone Bannock Tribes have this right via the Fort Hall Indian Water Rights Agreement of 1990. This decree is also claimed by CV Cattle Company under claim A29-10320. This right should only be delivered for use to the SENW and SWNE SEC 36 T06S R38E to irrigate 86.67 acres of Tribal ground. (see attached page 34 of the Ft Hall Indian Water Rights Agreement).

Decree #29-00234 is appurtenant to the NWNE and NENW of SEC 36 T06S R38E. This ground appears to be owned or operated by Jim Andrus and is so claimed under claim A29-10331 (enclosed copy). The Caribou County assessor confirms this in Andrus' ground.

Decree 29-00239 appears to be appurtenant to either Indian ground or ground owned by CV Cattle Company and indeed is claimed by CV Cattle under claim A29-10320.

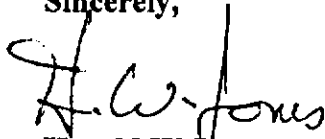
Decree 29-00240 is appurtenant to the SESW and SWSE SEC 36 T06S R38E. This ground is owned by CV Cattle Company.

In final review, none of these original decrees are on ground owned by Michael or Eileen Chambers. Decree 29-00238 is already in Tribal hands and all the other decrees are claimed by owners of the original place of use.

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Arlin Olson

You should therefore stop any delivery of 1868 water to the Chambers/Caldwell point of diversion for use on the Chambers property until evidence is provided of ownership of those listed decrees.

Sincerely,

A handwritten signature in black ink, appearing to read "H. W. Jones". The signature is written in a cursive style with a large, looped initial "H".

Harold W Jones
Water Right Supervisor

cc: Jared Caldwell
Steve Hebdon