

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.

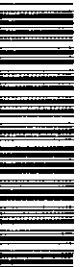
CIVIL CASE NUMBER: 39576

Ident. Number: A29-10332
Date Received: 2/15/1990
Receipt No: E012966
Received By: [Signature]

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

A2910332



2. Date of Priority: JUL 06, 1868

3. Source: UNNAMED STREAM Trib. to: TOPONCE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	38E	35	NW	NE	NE		CARIBOU
		36	SE	NE	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	9.000		

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

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

9. Non-irrigation uses:

A29-10332

Page 1

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,00091,00123,10327-10331

14. Remarks:
APPROXIMATELY 3 SPRINGS FEED THIS NATURAL DRAINAGE (UNNAMED STREAM). THIS WATER IS USED TO SUPPLEMENT THE DECREED TOPONCE CREEK WATER RIGHTS.

15. Basis of Claim: BENEFICIAL USE

(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 wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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729-10320

Unarmed
SP 1517000

UNIT OF WATER RESOURCES

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

R38E

112°00' 419000m. E.



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Log for claim A29-10332

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	Permissible place of use?
06s38e	35	NENW	30	41	Indiscernible
06s38e	35	NWNW	30	40	Indiscernible
06s38e	36	NENE	30	31	
06s38e	36	NENE	0	6.6	
06s38e	36	NWNE	40	41	
06s38e	36	NENW	40	41	
06s38e	36	NWNW	40	41	
Totals:			450	518.6	

AJ5809NP
No. A29-10332

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 168

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KENNETH D ANDRUS	07/06/1868	IRRIGATION	04-01 11-01	9.000 CFS	
C	COLLEEN LLOYD ANDRUS					
C	JIM ANDRUS					
	6948 E OLD OREGON TRAIL RD			TOTAL DIVERSION:	9.000 CFS	1125.00 AFA
	LAVA HOT SPRINGS ID 83246			CONSUMPTIVE USE:		
	(208) 776-5380					

Water Source: UNNAMED STREAM

Tributary to: TOPONCE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T06S R38E S35
S36

NWNENE
SENENW

CARIBOU County
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,00091,00123,10327-10331

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	A29-10331							

Remarks: GEN APPROXIMATELY 3 SPRINGS FEED THIS NATURAL DRAINAGE (UNNAMED
STREAM). THIS WATER IS USED TO SUPPLEMENT THE DECREED TOPONCE
CREEK WATER RIGHTS.

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

AJ 5809NP
No. A29-10332

Lava Hot Springs, Idaho
28 March 1995

These springs arise on the property described herewith. They have historically, since this ground was first irrigated, been used to supplement the Toponce Creek water right of this property. This is a generally known practice and accepted fact and no other person attempts to use this water except the owner of the property as described. *Kenneth Andrus* Lava Hot Springs, Idaho Ph. 208 776-5380

I owned this property for approximately fifteen years and used the water from these springs to supplement my irrigation rights from Toponce Creek. This was an established right as far as I understand, going back to 1868.
Russell A. Hebdon

Kenneth Andrus

KENNETH ANDRUS

Russell A. Hebdon

RUSSELL A. HEBDON

STATE OF IDAHO, COUNTY OF BANNOCK

On this 28th day of March, 1995,
before me, a Notary Public in and
for said State, personally appeared

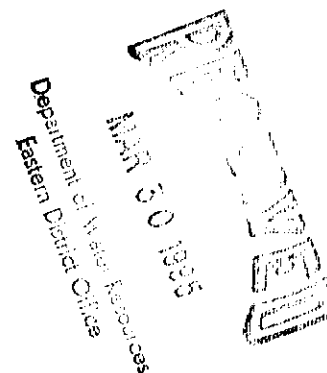
KENNETH ANDRUS and RUSSELL A. HEBDON

known to me to be the persons whose
names are subscribed to the within
instrument and acknowledged to me
that they executed the same.

Geri Wellard

GERRI WELLARD, NOTARY PUBLIC

Residing at Lava Hot Springs, Idaho
Commission Expires December, 1995



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NOV 13 1990

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Water Source: UNNAMED STREAM

Tributary to: TOPONCE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T06S R38E S35
S36

NWNE
SENEW

CARIBOU County
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	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	

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NOV 13 1990