

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

RIGHT NUMBER: 29-193

NAME AND ADDRESS:

COLLEEN L ANDRUS
6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

JIM ANDRUS
6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

KENNETH D ANDRUS
6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

SOURCE:

Source:

EAST BOB SMITH CREEK
SPRINGS

Tributary:

PORTNEUF RIVER
EAST BOB SMITH CREEK

QUANTITY:

1.000 CFS

0.000 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 6.55 CFS. COMBINED RIGHT NOS.: 29-187,
29-188, 29-191, 29-193, 29-11678, 29-11681.
THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-187, 29-188, 29-191, 29-193,
29-11678, AND 29-11681 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE:

07/02/1902

POINT OF DIVERSION:

T09S R37E S12 NESESW Within BANNOCK County
T09S R37E S13 NWSWNW Within BANNOCK County
T09S R37E S13 SESWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

4/15 9/15

1.000 CFS

PLACE OF USE:

IRRIGATION

within BANNOCK County

T09S R37E S12 SWSW 3.2

~~T09S R37E S12 SWSW 3.1~~

T09S R37E S12 SESW 5.5

~~T09S R37E S13 NENW 0.1~~

T09S R37E S13 NWNW 11.0

T09S R37E S13 SWNW 28.0

T09S R37E S13 NWSW 21.0

T09S R37E S13 SWSW 17.0

T09S R37E S14 NENE 0.7

*Sm^c
EMC*

IDAH0 DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

T09S R37E S14 SENE 23.0
T09S R37E S14 NESE 34.0
T09S R37E S14 SESE 34.0
T09S R37E S23 NENE 33.0
T09S R37E S23 NWNE 20.0
T09S R37E S23 SENE Lot 1 22.0
T09S R37E S23 NENW 32.0
T09S R37E S23 NWNW 12.0
T09S R37E S24 NWNW 31.0

327.4 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 327.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-187, 29-188, 29-191, 29-193, 29-11678, 29-11681.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50 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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE FOR EAST BOB SMITH CREEK: 29-187, 29-188, 29-191, 29-193, 29-11678, 29-11681.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE FOR SPRINGS: 29-193, 29-11681.

8m^c
Emc

12/09/2002

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

RIGHT NUMBER: 29-193

NAME AND ADDRESS: JIM ANDRUS
6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

KENNETH D ANDRUS
6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

COLLEEN L ANDRUS
6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

SOURCE: EAST BOB SMITH CREEK
SPRINGS

TRIBUTARY: PORTNEUF RIVER
TRIBUTARY: EAST BOB SMITH CREEK

QUANTITY: 1.000 CFS

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COMBINED DIVERSION RATE OF 6.55 CFS. COMBINED RIGHT NOS.: 29-187, 29-188,
29-191, 29-193, 29-11678, 29-11681.

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PRIORITY DATE: 07/02/1902

POINT OF DIVERSION:

T09S R37E S12 NESESW Within BANNOCK County
T09S R37E S13 NWSWNW Within BANNOCK County
T09S R37E S13 SESWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 9/15	1.000 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R37E S12	SWSW	3.1	T09S R37E S12	SESW	5.5
T09S R37E S13	NENW	0.1	T09S R37E S13	NWNW	11.0
T09S R37E S13	SWNW	28.0	T09S R37E S13	NWSW	21.0
T09S R37E S13	SWSW	17.0	T09S R37E S14	NENE	0.7
T09S R37E S14	SENE	23.0	T09S R37E S14	NESE	34.0
T09S R37E S14	SESE	34.0	T09S R37E S23	NENE	33.0
T09S R37E S23	NWNE	20.0	T09S R37E S23 Lot 1	SENE	22.0
T09S R37E S23	NENW	32.0	T09S R37E S23	NWNW	12.0
T09S R37E S24	NWNW	31.0			

327.4 ACRES TOTAL

12/09/2002

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

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EXPLANATORY MATERIAL: Decreed

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RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-187, 29-188, 29-191, 29-193, 29-11678, 29-11681.

SCANNED
MAY 18 2001

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.

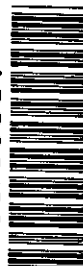
CIVIL CASE NUMBER: 39576

Ident. Number: A29-00193
Date Received: 4/24/1990
Receipt No: E013584
Received By: JAF

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

A2900193



2. Date of Priority: JUL 02, 1902

3. Source: EAST BOB SMITH CREEK Trib. to: PORTNEUF RIVER
Springs East Bob Smith Creek

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	37E	12	NE	SE	SW		BANNOCK

5. Description of diverting works:

DITCH; ALSO, PORTABLE PUMP INTO SPRINKLER SYSTEM AT VARIOUS PTS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	1.000		

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

A.F.A.

8. Total consumptive use is 870.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-00193

Page 1

Date: 04/24/90

MICROFILMED

NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	37E	12	SW	SW		IRR	10.0
			SE	SW		IRR	10.0
						Section Acres	20.0
		13	NW	NW		IRR	30.0
			SW	NW		IRR	30.0
			NW	SW		IRR	30.0
			SW	SW		IRR	30.0
						Section Acres	120.0
		14	NE	NE		IRR	13.0
			SE	NE		IRR	30.0
			NE	SE		IRR	35.0
			SE	SE		IRR	35.0
						Section Acres	113.0
		23	NE	NE		IRR	20.0
			NW	NE		IRR	20.0
			SE	NE		IRR	30.0
			NE	NW		IRR	15.0
						Section Acres	85.0
		24	NW	NW		IRR	10.0
						Section Acres	10.0
						Total Acres	348.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

SPRINGS USED ON ACRES IN SEC. 23, 29-11678, 00188, 00191

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

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

Number of attachments: 9

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): Kenneth Andrew Date: 24 Apr. 1990

Date: _____

State of Idaho)
County of Bonnerille) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of April 19 90

Helen Harrington
Notary Public

Seal

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



SC.	1000	2000	3000	4000	5000	6000	7000	8000	9000	10000	11000	12000	13000	14000	15000	16000	17000	18000	19000	20000	21000	22000	23000	24000	25000	26000	27000	28000	29000	30000	31000	32000	33000	34000	35000	36000	37000	38000	39000	40000	41000	42000	43000	44000	45000	46000	47000	48000	49000	50000	51000	52000	53000	54000	55000	56000	57000	58000	59000	60000	61000	62000	63000	64000	65000	66000	67000	68000	69000	70000	71000	72000	73000	74000	75000	76000	77000	78000	79000	80000	81000	82000	83000	84000	85000	86000	87000	88000	89000	90000	91000	92000	93000	94000	95000	96000	97000	98000	99000	100000	101000	102000	103000	104000	105000	106000	107000	108000	109000	110000	111000	112000	113000	114000	115000	116000	117000	118000	119000	120000	121000	122000	123000	124000	125000	126000	127000	128000	129000	130000	131000	132000	133000	134000	135000	136000	137000	138000	139000	140000	141000	142000	143000	144000	145000	146000	147000	148000	149000	150000	151000	152000	153000	154000	155000	156000	157000	158000	159000	160000	161000	162000	163000	164000	165000	166000	167000	168000	169000	170000	171000	172000	173000	174000	175000	176000	177000	178000	179000	180000	181000	182000	183000	184000	185000	186000	187000	188000	189000	190000	191000	192000	193000	194000	195000	196000	197000	198000	199000	200000	201000	202000	203000	204000	205000	206000	207000	208000	209000	210000	211000	212000	213000	214000	215000	216000	217000	218000	219000	220000	221000	222000	223000	224000	225000	226000	227000	228000	229000	230000	231000	232000	233000	234000	235000	236000	237000	238000	239000	240000	241000	242000	243000	244000	245000	246000	247000	248000	249000	250000	251000	252000	253000	254000	255000	256000	257000	258000	259000	260000	261000	262000	263000	264000	265000	266000	267000	268000	269000	270000	271000	272000	273000	274000	275000	276000	277000	278000	279000	280000	281000	282000	283000	284000	285000	286000	287000	288000	289000	290000	291000	292000	293000	294000	295000	296000	297000	298000	299000	300000	301000	302000	303000	304000	305000	306000	307000	308000	309000	310000	311000	312000	313000	314000	315000	316000	317000	318000	319000	320000	321000	322000	323000	324000	325000	326000	327000	328000	329000	330000	331000	332000	333000	334000	335000	336000	337000	338000	339000	340000	341000	342000	343000	344000	345000	346000	347000	348000	349000	350000	351000	352000	353000	354000	355000	356000	357000	358000	359000	360000	361000	362000	363000	364000	365000	366000	367000	368000	369000	370000	371000	372000	373000	374000	375000	376000	377000	378000	379000	380000	381000	382000	383000	384000	385000	386000	387000	388000	389000	390000	391000	392000	393000	394000	395000	396000	397000	398000	399000	400000	401000	402000	403000	404000	405000	406000	407000	408000	409000	410000	411000	412000	413000	414000	415000	416000	417000	418000	419000	420000	421000	422000	423000	424000	425000	426000	427000	428000	429000	430000	431000	432000	433000	434000	435000	436000	437000	438000	439000	440000	441000	442000	443000	444000	445000	446000	447000	448000	449000	450000	451000	452000	453000	454000	455000	456000	457000	458000	459000	460000	461000	462000	463000	464000	465000	466000	467000	468000	469000	470000	471000	472000	473000	474000	475000	476000	477000	478000	479000	480000	481000	482000	483000	484000	485000	486000	487000	488000	489000	490000	491000	492000	493000	494000	495000	496000	497000	498000	499000	500000	501000	502000	503000	504000	505000	506000	507000	508000	509000	510000	511000	512000	513000	514000	515000	516000	517000	518000	519000	520000	521000	522000	523000	524000	525000	526000	527000	528000	529000	530000	531000	532000	533000	534000	535000	536000	537000	538000	539000	540000	541000	542000	543000	544000	545000	546000	547000	548000	549000	550000	551000	552000	553000	554000	555000	556000	557000	558000	559000	560000	561000	562000	563000	564000	565000	566000	567000	568000	569000	570000	571000	572000	573000	574000	575000	576000	577000	578000	579000	580000	581000	582000	583000	584000	585000	586000	587000	588000	589000	590000	591000	592000	593000	594000	595000	596000	597000	598000	599000	600000	601000	602000	603000	604000	605000	606000	607000	608000	609000	610000	611000	612000	613000	614000	615000	616000	617000	618000	619000	620000	621000	622000	623000	624000	625000	626000	627000	628000	629000	630000	631000	632000	633000	634000	635000	636000	637000	638000	639000	640000	641000	642000	643000	644000	645000	646000	647000	648000	649000	650000	651000	652000	653000	654000	655000	656000	657000	658000	659000	660000	661000	662000	663000	664000	665000	666000	667000	668000	669000	670000	671000	672000	673000	674000	675000	676000	677000	678000	679000	680000	681000	682000	683000	684000	685000	686000	687000	688000	689000	690000	691000	692000	693000	694000	695000	696000	697000	698000	699000	700000	701000	702000	703000	704000	705000	706000	707000	708000	709000	710000	711000	712000	713000	714000	715000	716000	717000	718000	719000	720000	721000	722000	723000	724000	725000	726000	727000	728000	729000	7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Ruberry, Allen

To: McHugh, Candice
Subject: RE: UG&E DECREE

I did wonder if you knew what we were talking about.....

-----Original Message-----

From: McHugh, Candice
Sent: Tuesday, December 10, 2002 12:20 PM
To: Ruberry, Allen
Subject: RE: UG&E DECREE

I would say spring only, and only for 193. You and I are on the same page but my prior email was too cryptic. Sorry.

-----Original Message-----

From: Ruberry, Allen
Sent: Tuesday, December 10, 2002 12:12 PM
To: McHugh, Candice
Subject: RE: UG&E DECREE

I can read the description.... I wanna know what it says..... is it a spring alone or a spring and E Bob Ck? Does the reference cite all the water rights having the same spring or only 193 as I read it?

-----Original Message-----

From: McHugh, Candice
Sent: Tuesday, December 10, 2002 10:59 AM
To: Ruberry, Allen
Subject: RE: UG&E DECREE

Spring that is more specifically described underneath the right in the decree (700 feet E of the W 1/4 corner, Section 13, T9S, R38E.

-----Original Message-----

From: Ruberry, Allen
Sent: Friday, December 06, 2002 10:11 AM
To: McHugh, Candice
Subject: UG&E DECREE

CAN YOU PLEASE LOOK AT 29-00193 AND GIVE ME A READ ON THE SOURCE. EAST BOB SMITH CREEK OR SPRINGS.

<< OLE Object: PBrush >> AL

140. Martin, D. A. M.
 1-0188 ✓ 1902 July 1 .80 c.f.s.
 1-0189 ✓ 1903 Mar. 1 1.1 c.f.s.
 1-0190 ✓ 1903 Mar. 1 .36 c.f.s.
 1-0191 ✓ 1903 Nov. 1 2.06 c.f.s.
 1-0192 ✓ 1903 Mar. 1 1.54 c.f.s.
 1-0193 ✓ 1902 July 2 1.0 c.f.s.

(50 miner's inches)
 source being that
 certain spring which
 rises 700 feet East
 of the West quarter
 corner, Section 13,
 Township 9 South,
 Range 38 East.

Said waters to be diverted through the following described ditches:

Through a ditch having its intake North 15 degrees West 1090 feet from the South quarter corner of Section 12, Township 9 South, Range 37 E.R.M. Through a ditch having its intake South 86 degrees 30 minutes East 127 feet from the Northwest corner of Section 13, same Township and Range. Through a ditch having its intake South 34 degrees 30 minutes East 330 feet from the West quarter corner of said Section 13, same Township and Range.

Through a ditch having its intake South 25 degrees East 770 feet from the West quarter corner, Section 13, same Township and Range. Through a ditch having its intake North 2 degrees East 960 feet from the Southwest corner of Section 13, same Township and Range.

Through a ditch having its intake 700 feet East of the West quarter corner of Section 13, same Township and Range.

For the irrigation of two parcels of land described as follows: Beginning at the South 1/16 Section corner on the Section line between Sections 13 and 14, thence South along Section line of Section 13 and 14, 262.5 feet, thence North 20 degrees and 34 minutes East 260.5 feet to the South 1/16 Section line of said Section 13, thence West along the 1/16 Section line of said Section 13, 98.5 feet to the place of beginning; also the Northeast quarter, the North half of the Southeast quarter, the Southeast quarter of the Southeast quarter, Section 14, Township 9 South, Range 37 East; Lots 1, 2, 3 and 4, the North half of the Northwest quarter, the North half of the Northeast quarter, Section 23, Township 9 South, Range 37 East; also that portion of the Northwest quarter Section 24, same Township and Range, described as follows: Beginning at the point on the Section line between Sections 23 and 24, Township 9 South, Range 37 East, at the intersection of the South line of the right of way of the State Highway, thence South along the Section line of Sections 23 and 24, 172 feet, more or less, to the North 1/16 corner on the said section line, thence East on the North 1/16 section line of Section 24, 397 feet to the South line of the Right of way of the State Highway, thence following the South line on right of way 440 feet, more or less, to the point of beginning, also the Southeast quarter of the Southwest quarter, Section 12, the Northwest quarter of the Northwest quarter, the South half of the Northwest quarter, and that portion of Section 13, Township 9 South, Range 37 East, described as follows: Beginning at a point on the meridianal center line of said Section 13, 620 feet South to the center of said Section 13, thence due West 1450 feet, thence due South 700 feet, thence due West 1190 feet to the West boundary line of said Section, thence due North 1320 feet to the Northwest corner of said Section, thence due East 2640 feet to the center of said Section, thence due South 620 feet to the

29-00193 DECEASED

I SOB NOTES IN 29-187,188

II. This Right was DECEASED for Springs NOT
E.B.S.C. But they HAVE ALWAYS used LBSC
AS A SOURCE $\Rightarrow$ CP2

MAY 18 2001

Log for claim A29-00193

Spatial Dynamics AMH

8/8/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s37e	12	SWSW	10	0.2	
09s37e	12	SESW	10	12	
09s37e	13	NWNW	30	15	
09s37e	13	SWNW	30	28	
09s37e	13	NWSW	30	20	
09s37e	13	SWSW	30	17	
09s37e	14	NENE	13	6.9	
09s37e	14	SENE	30	27	
09s37e	14	NESE	35	34	
09s37e	14	SESE	35	33	
09s37e	23	NENE	20	37	
09s37e	23	NWNE	20	28	
09s37e	23	SENE	30	42	
09s37e	23	NENW	15	34	
09s37e	24	NWNW	10	31	
Totals:			348	365.1	

Audit:	04/24/90	ESRBA	04/04/94	THOMPSON	03/29/95	POST-STD	04/12/00	CVANDERM
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Lava Hot Springs, Idaho
April 9, 1990

Idaho State Water
Resources Board:

I am writing this as a member
of The Lava Irrigation Co., on the
Sunny Side Ditch as it is commonly
known; and also as a member of
the Kidd family. We are the only
family to still own our original
homesteads. All the rest have changed
ownership times without number.
I am the oldest living person to have
known constantly about the
irrigation situation in this
community.

I went to college with Elmo
Hjggenson, in Pocatello in 1929 and
1930. He was your hydrologist
and I believe his son is your
hydrologist now.

Our project is small, only slightly
more than a thousand acres in
the beginning. Highway 30 has

MICROFILMED

NOV 13 1992

Taken away some of our land.
There was plenty of water, for
everyone in the beginning. They
turned what water they needed
into our canal and turned it
back into the river when they were
through using it. They always tried
to keep some water in the canal
through the winters for livestock.
Sheep men would buy hay from the
farmers and feed the sheep in the
fields and have canal water
for the sheep to drink.

They built the reservoir at
Chesterfield, they tried turning the
stored water down the Portneuf
River, which would not carry the
extra water. They paid damages
for several years to farmers
downstream for flooding the fields.
They then built the long outlet canal
to bypass the farms. In the beginning,
the canal would not carry the

water, but the canal eroded until we have the bad situation we have today.

The McCammon Mill sued to get its water, and they won the lawsuit, and a decree was handed down about the various water rights. Since then, the McCammon Mill sold its water right, I believe to either the McCammon Canal Co., or to some of its members.

Ever since, our project has had less and less water, so we have tried to get water into our canal before the irrigation season began, and also after the irrigation season had ended, to soak up our fields for the next season. I personally have watered fields when several inches of snow were on the ground. I have done this all through my life time. Nobody has ever tried to stop me, and I feel that

MICROFILMED

NOV 13 1992

we have established a right to do this.

Now, companies have planned to build hydropower plants in the river, and they intend to demand the entire river flow when the irrigation season ends until the spring when the season begins again. The way things are shaping up, we will have scarcely any water at all. They should not be allowed to do this to us. The plants are not needed at all, and the Federal Government should never have approved their building.

Sincerely,

P.O. Box 137 William Kidd
Lava Hot Springs
Idaho, 83246

MICROFILMED

NOV 13 1992

STATE OF IDAHO, COUNTY OF BANNOCK

On this 9th day of APRIL, 1990, before me, a notary public in
and for said State, personally appeared

WILLIAM KIDD

known to me to be the person whose name ~~is~~ subscribed to the within
instrument, and acknowledged to me that ~~he~~ ^{HE} executed the same.

Robert Bergendoff
NOTARY PUBLIC

Residing at LAWA HOT SPRINGS, Idaho

Commission Expires LIFETIME

TO WHOM IT MAY CONCERN:

I, Fred G. Walker, would like to say, I was born and raised on the Walker Ranch located near Lava Hot Springs, Idaho, and lived there until February 1953. I was also the Ditch Checker for one summer while living there. There was plenty of water for all of the ranches in the area before the Chesterfield Dam was constructed, no one in the area had any water problem until after the construction of that Dam. Then the situation seemed to change a very great deal. The Gunnyside Ditch Company had plenty of water for all users at the beginning as well as at the ending of the season. They all irrigated and used the water all season until it froze up in the winter. We had all the water for all the ranchers in the area all season long. Everyone had all the water needed to irrigate their land from early in the spring until it all froze up with the winter. My folks before me had plenty and I had plenty for the same acres and the same farm from early spring until it froze up with the winter.

Signed Fred G. Walker
Fred G. Walker

Subscribed and sworn to before me this 4th day of April 1990, at
Cokeville, Lincoln County, State of Wyoming.

My Commission expires: Dec. 1, 1993

Marcel D. Reed
Notary Public

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APPENDAGE TO THE FILING OF WATER OF Kenneth, Colleen, & Jim Andrus

Our present decreed water rights are jeopardized by

1. Illegal loss free transportation of storage water in the river channel. We ask the adjudication process to correct this situation by requiring the users of the storage water to stand the loss or require all the water users in the river district to share in the loss on a percentage basis according to the cubic feet of water they have decreed to them.
2. Many years after established use rights and decreed rights numerous wells have been allowed in the upper basin area, draining the aquifer. We ask an in depth study be made to determine the affect on the river flow before a decision is made.

Historically the amount of our water has been cut down during the irrigation season because there is not enough water to fill all the rights. Of necessity we have used the water at any time during the non irrigating season in any amount needed first come first serve down the river. We request this use right recognized and established as a legitimate water right.

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NAME OF CLAIMANT and
DATE OF PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

140. *Martin, D. A. M.*

1902—July 1

.80 c.f.s.

1903—March 1

1.1 c.f.s.

1903—March 1

.36 c.f.s.

1903—Nov. 1

2.06 c.f.s.

1903—March 1

1.54 c.f.s.

1902—July 2

1.0 c.f.s.

(50 miners inches)
source being that cer-
tain Spring which rises
700 feet East of the
West quarter corner of
Section 13, Township
9 South, Range 38 East

portions of the South half of the South-
west quarter, Section 13, and the North
half of the Northwest quarter, Section 24,
Township 9 South, Range 37 E. B. M., not
hereinafter described as belonging to D. A.
M. Martin.

Said waters to be diverted through the fol-
lowing described ditches:

Through a ditch having its intake North
15 degrees West, 1090 feet from the
South quarter corner of Section 12, Town-
ship 9 South, Range 37 E. B. M.

Through a ditch having its intake South
86 degrees and 30 minutes East, 1275 feet
from the Northwest corner of Section 13,
same Township and Range.

Through a ditch having its intake South
34 degrees and 30 minutes East, 330 feet
from the West quarter corner of said Sec-
tion 13, same Township and Range.

Through a ditch having its intake South
25 degrees East, 770 feet from the West
quarter corner of Section 13, same Town-
ship and Range.

Through a ditch having its intake North
2 degrees East, 960 feet from the South-
west corner of Section 13, same Township
and Range.

Through a ditch having its intake 700 feet
East of the West quarter corner of Sec-
tion 13, same Township and Range.

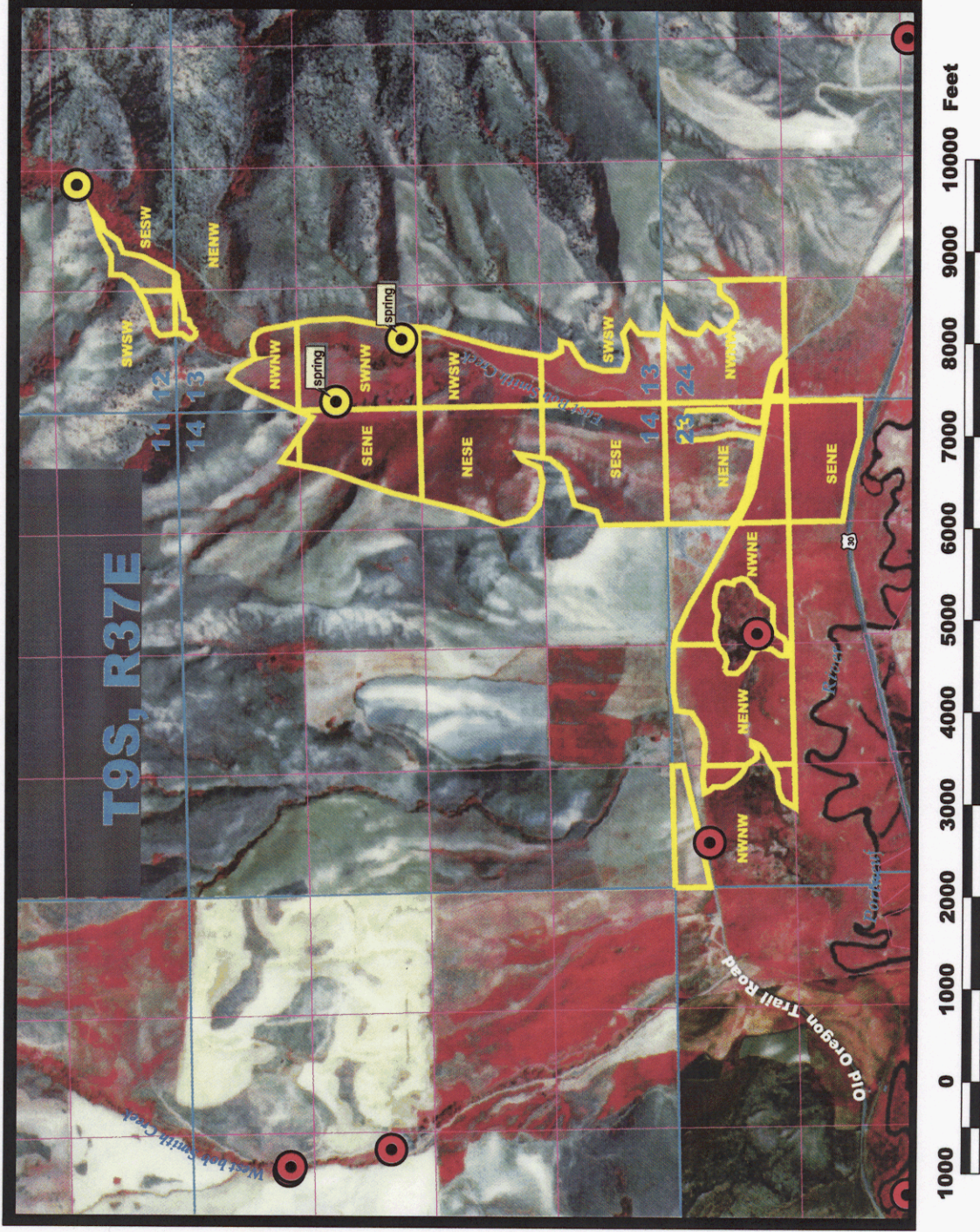
For the irrigation of two parcels of land
described as follows: Beginning at the
South 1-16 section corner on the section
line between Sections 13 and 14, thence
South along section line of Sections 13
and 14, 262.5 feet, thence North 20 degrees
and 34 minutes East, 280.5 feet to the
South 1-16 Section line of said Section 13,
thence West along the 1-16 section line of
said Section 13, 98.5 feet to the place of
beginning; Also, the Northeast quarter,
the North half of the Southeast quarter,
the Southeast quarter of the Southeast



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
29-00187, 29-00188,
29-00191, 29-00193,
29-11678, 29-11681

Place of Use: (parts of) T9S, R37E
Sec. 12 S2SW, Sec. 13 W2W2, NENW,
Sec. 14 E2E2, Sec. 23 N2N2, SENE,
Sec. 24 NWNW

Point(s) of Diversion: T9S, R37E
Sec. 12 NESEW (E.B.S.C.)
Sec. 13 NWSWNW, SESWNW (spgs)



LEGEND

- Point of Diversion
- SESE
- Place of Use
- Section
- Quarter-Quarter



ANDRUS DIVERSION
OFF E. BOB SMITH CK
UPPER DIVERSION -
PRIOR TO GOING
INTO THE PIPELINE,



OLD LOWER DIV,
NOT USED SINCE
SPRINKLER SYSTEM
WAS INSTALLED.

Arkansas Ranches, Inc.

T9S, R37E

Source: Springs ???

East Bob Smith Creek

Portneuf River

Portneuf

**ANDRUS
29-00187, 188, 191,
193, and 11678.
Claims 348 ac. as PPU**

23 24
26 25

Water Right Claim Number A29-00193

08/08/2000

Township , 9S37E

