

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

RIGHT NUMBER: 29-188

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

Tributary:

PORTNEUF RIVER

QUANTITY:

0.800 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:

07/01/1902

POINT OF DIVERSION:

T09S R37E S12 NESESW

Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

4/15 9/15

0.800 CFS

PLACE OF USE:

IRRIGATION

within BANNOCK County

T09S R37E S12 SWSW 3.2

~~T09S R37E S12 SWSW 3.1~~

T09S R37E S12 SWSW 5.5

~~T09S R37E S12 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

Sm^c
gmc

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

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 40 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

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: 29-187, 29-188, 29-191, 29-193, 29-11678,
29-11681.

Smc
Ene

12/09/2002

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

RIGHT NUMBER: 29-188

NAME AND ADDRESS: 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

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

SOURCE: EAST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.800 CFS

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: 07/01/1902

POINT OF DIVERSION:

T09S R37E S12 NESESW 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	0.800 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

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 40 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

12/09/2002

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

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: Decreed

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: 29-187, 29-188, 29-191, 29-193, 29-11678,
29-11681.

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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, 00191. 00193

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): [Signature] Date: 24 Apr - 1990

Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of April 19 90
[Signature]
Notary Public

Seal

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



Copies Of These Maps
At Bonneville Blue P

THIS MAP COMPLIES WITH NATIONAL
FOR SALE BY U. S. GEOLOGICAL SURV

Produced by the Geological Survey
in cooperation with the Forest Service
Orthophotograph prepared from 1:78 000-scale
aerial photographs taken August 7, 1976
Projection and 10,000 foot grid ticks; Idaho coordinate
system, east zone and Transverse Mercator
1000-meter Universal Transverse Mercator grid ticks,
zone 12. 1927 North American datum
Photom imagery transformed by scanning techniques
which may produce double or mismatched images;
use the mean of image positions for map point.

This map has been prepared by the Idaho Department of Water Resources pursuant to Idaho Code §42-1310 to assist landowners, landowners' attorneys, and others in the Snake River Basin Aquifer. It warrants neither express or implied warranty, made and sold, held, or conveyed, by IDWR, its employees, its agents, contractors, and representatives, including the Idaho Department of Water Resources, to the accuracy, completeness, or usefulness of any information contained on the map.

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29-00188 DEEROB

APPEARS CLAIMED AS DEEROB (SEE DEEROB EXCERPT)
W/ THE FOLLOWING EXCEPTIONS & QUESTIONS:

I. DEEROB W/ 4 POD's: 1 IN SEC. 12 SEEW (AS CLAIMED)
3 IN SEC. 13 (UNCLAIMED)

CØ3 ⇒
WHEN?

II. CLAIMS SOURCE(S) AS: E. BOB SMITH/CK AND
SPRINGS - ? OR BY DEEROB

Q: ⇒

SPRINGS DIVERSION

BU CLAIM RTO'D?
(MEASURES?)

a.) DEEROB FROM E. BS CK NOT SPRINGS

1.) SPGS ABOVE POD, BELOW POD, SEPARATE POD
AND DITCH -- WHAT? BELOW-POD's

III. POU: DEEROB AS PPU W/ 29-189, 190, 192
(AS 29-11678); 188, 191, 193 = SO CLAIMED W/ 187.
TO BG SO RECOMMENDED W/ LIMITS OF AC
BASED ON §42-202(3) IC @ 0.02 cfs/AC.

Q: ⇒
CØ5

a. CLAIMS 348[±] AC AS PPU (29-00187 COVERS
SOME ADDITIONAL AC) ⇒ CFS FOR ALL IF OTHER RTS
COVER 187'S POU ALSO; AND VICE VERSA...

FIELD EXAM POU

BOUNDARY & VISIT
POD's.

IV. DO FIELD EXAM/RECOMMEND W/ 187, 188,
191, 193 AND 11678 (PIS OF RTS).

SCANNED

JUN 29 2004

Water Right Number - 29-00188 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - - + Address - - - - -

*** C - CURRENT OWNER ***
MARTIN

D. A. M.

- 1 -
- 2 -
- 3 -

State- Zip-

City- Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/01/1902 *OK* 15 EASTERN *DECREED*

+ - - Source - - - - - + + - - Tributary - - - - - +
EAST BOB SMITH CREEK *OK* PORTNEUF RIVER
also, claims Springs => Liberty Hot

+ - - - - - Point of Diversion - - - - - Diversion Name Diversion Rate Diversion No.
Twn Rng Sec Tract Lot Rflg County (5) BANNOCK
09S 37E 12 SE SW *OK* (5) BANNOCK
 13 NW NW (5) BANNOCK
 NW SW (5) BANNOCK
 SW SW (5) BANNOCK

+ - - - - - Water Use - - - - - Diversion Rate Diversion Volume
Code Description Period From Period To 04/15 *OK* 0.800 *OK*
01 - IRRIGATION *OK*

+ - - Total Div. Rate - - + + - - Total Div. Volume - - + + - - Total Div. Capacity - - + + - - KW Usage - - +
0.800 0.800

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
09S	37E	12	SE SW			01	IRRIGATION	(5) BANNOCK	
09S	37E	13	NW NW			01	IRRIGATION	(5) BANNOCK	
09S	37E	13	SW NW			01	IRRIGATION	(5) BANNOCK	
09S	37E	13	SE NW			01	IRRIGATION	(5) BANNOCK	
09S	37E	13	NE SW			01	IRRIGATION	(5) BANNOCK	
09S	37E	13	NW SW			01	IRRIGATION	(5) BANNOCK	
09S	37E	13	SW SW			01	IRRIGATION	(5) BANNOCK	
09S	37E	14	NE NE			01	IRRIGATION	(5) BANNOCK	
09S	37E	14	NW NE			01	IRRIGATION	(5) BANNOCK	
09S	37E	14	SW NE			01	IRRIGATION	(5) BANNOCK	
09S	37E	14	SE NE			01	IRRIGATION	(5) BANNOCK	
09S	37E	14	NW SE			01	IRRIGATION	(5) BANNOCK	
09S	37E	14	SE SE			01	IRRIGATION	(5) BANNOCK	
09S	37E	23	NE NE			01	IRRIGATION	(5) BANNOCK	
09S	37E	23	NW NE			01	IRRIGATION	(5) BANNOCK	
09S	37E	23	SW NE	2		01	IRRIGATION	(5) BANNOCK	
09S	37E	23	SE NE	1		01	IRRIGATION	(5) BANNOCK	

WATER RIGHT

Remarks
ACRES UNSPECIFIED BY DEEDS - PPL SEEMS AS DETERMINED. CLAIMS 346 AC AS PPL WITH  29-187,191,193 & 1678 AC Limits per 42-202(3) IC

P/U INCOMPLETE.

Old Water Right Numbers - -
ld Water Right Numbers found.

Conditions of Approval - -
Conditions of Approval found.

+ - Decree Date - +

08/06/1932

+
+
+
+
+
+
+
+
+
+

02/06/98 CLEARFLD

Field Exam Fee	-
Swan Falls	-
Temporary Right	P
DLE/Carey Act	-
Water District	- 29
Transfer/Amended	-
POU Ownership Flag	-

Lava Hot Springs, Idaho
April 9, 1990

Idaho State Water
Resources Board:

I am writing this as a member
of The Lava Irrigation Co., or 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
Huggenson, 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

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Taken away some of our lands
there was plenty of water, for
every one 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

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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 lifetime. Nobody has ever tried to stop me, and I feel that

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
Tara Hot Springs
Idaho, 83246

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STATE OF IDAHO, COUNTY OF BANNOCK

On this 9th day of APRIL, 1928, 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~~ executed the same.

Robert Bergendoff
NOTARY PUBLIC

Residing at LAWA HOT SPRINGS, Idaho

Commission Expires LIFETIME

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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 Jinnyside 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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NOV 13 1992

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

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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SCANNED

MAY 18 2001

Log for claim A29-00188

Spatial Dynamics AMH

8/8/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s37e	12	SWSW	10	0.2	Indiscernible
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	

140. Martin, D. A. M. 29-11678
 -0188- 1902 July 1 .80 c.f.s.
 -0189- 1903 Mar. 1 1.1 c.f.s.
 -0190- 1903 Mar. 1 .36 c.f.s.
 -0191- 1903 Nov. 1 2.06 c.f.s.
 -0192- 1903 Mar. 1 1.54 c.f.s.
 -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



State of Idaho

Department of Water Resources

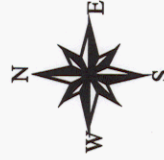
Eastern Region



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 NESES (E.B.S.C.)
Sec. 13 NWSWNW, SESWNW (spgs)

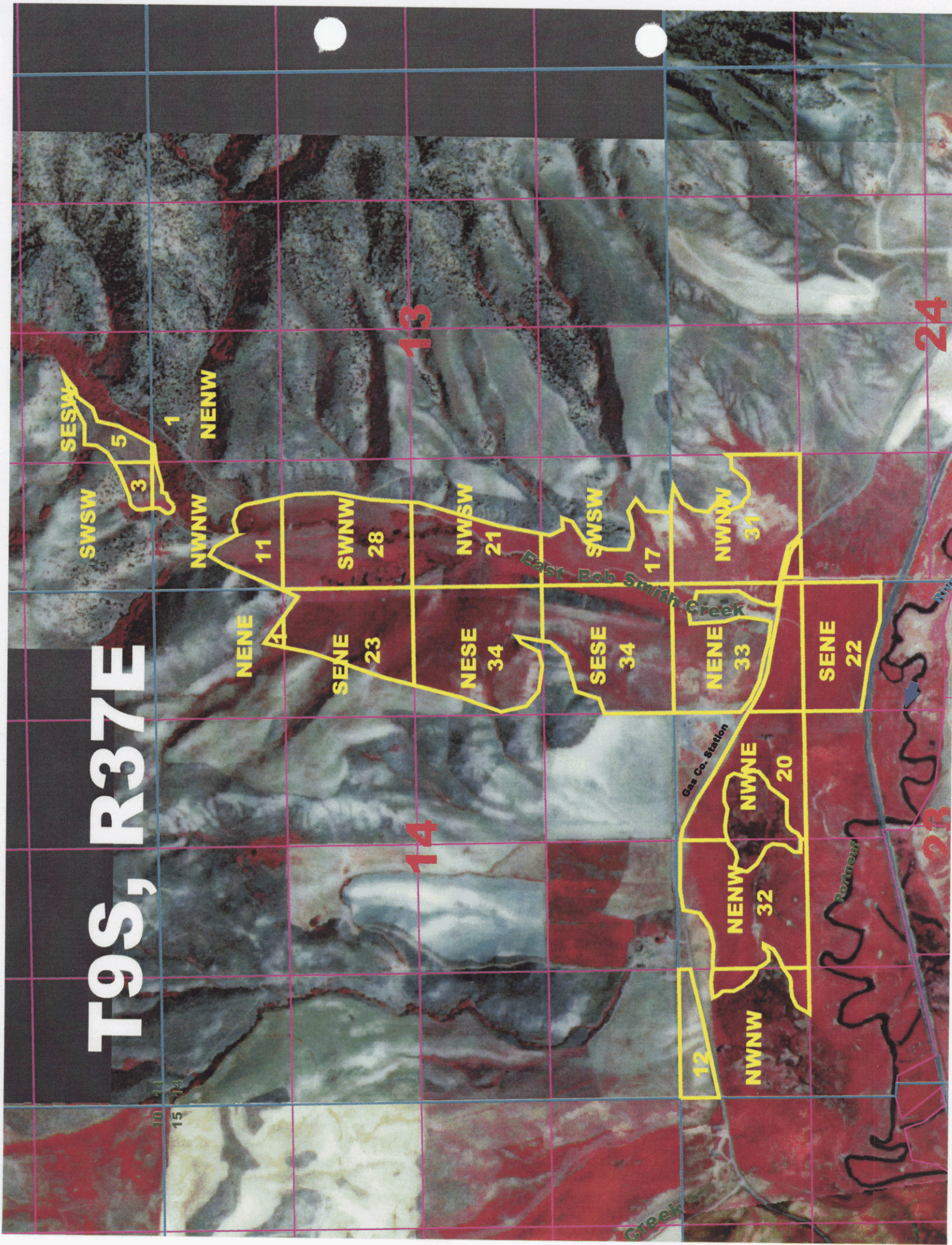


LEGEND

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



T9S, R37E



Arkansas Ranches, Inc.

T9S, R37E

Source: Springs ???

East Bob Smith Creek

Portneuf River

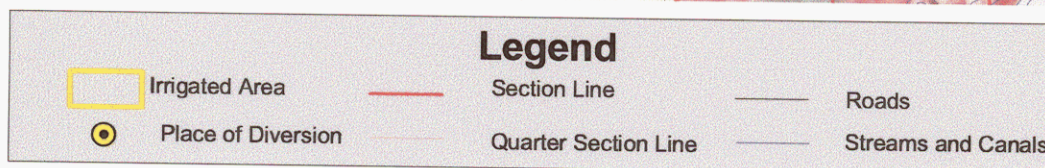
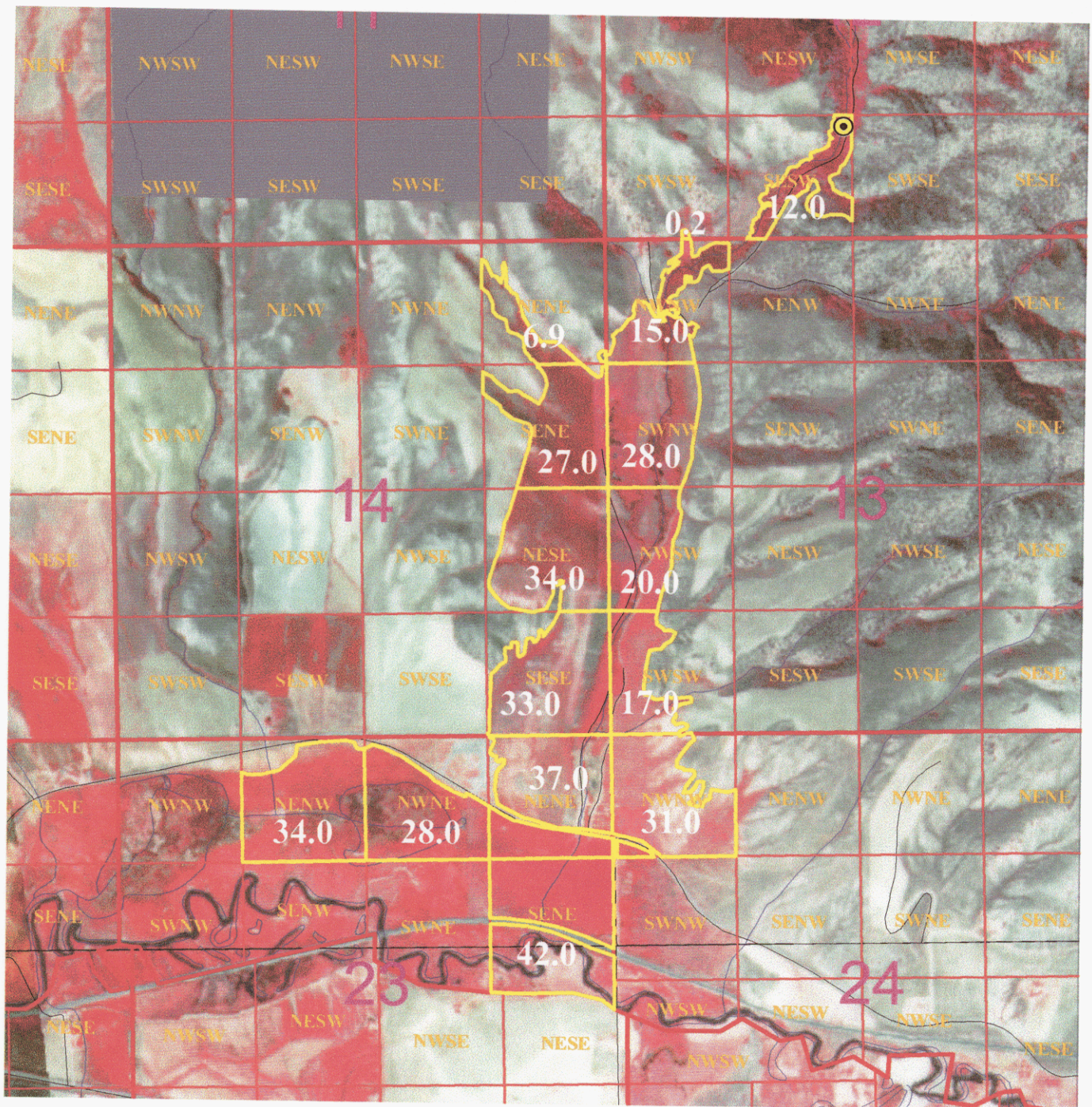
**ANDRUS
29-00187, 188, 191,
193, and 11678.
Claims 348 ac. as PPU**

23 24
26 25

Water Right Claim Number A29-00188

08/08/2000

Township , 9S37E





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



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