

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

RIGHT NUMBER: 29-11678

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:

3.000 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:

03/01/1903

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

3.000 CFS

PLACE OF USE:

IRRIGATION

within BANNOCK County

T09S R37E S12 SWSW 3.2

~~T09S R37E S12 SWSW 3.1~~

T09S R37E S12 SESEW 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

09S R37E S14 NENE 0.7

Sm^e
EMC

IDAHO 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 150 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.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-189, 190 AND 192.

SM^c
EMC

12/09/2002

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

RIGHT NUMBER: 29-11678

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

SOURCE: EAST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 3.000 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: 03/01/1903

POINT OF DIVERSION:

T09S R37E S12 NESESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

4/15 9/15

3.000 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

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

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

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

12/09/2002

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.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-189, 190 AND 192.

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: A29-11678
Date Received: 4/24/1990
Receipt No: EQ13534
Received By: JAW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A2911678

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

2. Date of Priority: MAR 01, 1903

3. Source: EAST BOB SMITH CREEK Trib. to: PORTNEUF RIVER
4. Point of Diversion: ^{Spring} East Bob Smith Creek

Township	Range	Section	1/4 of	1/4 of	1/4	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	3.000		

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

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

9. Non-irrigation uses:

A29-11678

Page 1

Date: 04/24/90

MICROFILMED

NOV 16 1992

10..Place of Use:

Township 09S	Range 37E	Section 12	1/4 SW SE	of 1/4 SW SW	Lot	Use IRR IRR	Acres 10.0 10.0
Section Acres							20.0
		13	NW SW NW SW	NW NW SW SW		IRR IRR IRR IRR	30.0 30.0 30.0 30.0
Section Acres							120.0
		14	NE SE NE SE	NE NE SE SE		IRR IRR IRR IRR	13.0 30.0 35.0 35.0
Section Acres							113.0
		23	NE NW SE NE	NE NE NE NW		IRR IRR IRR IRR	20.0 20.0 30.0 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, 29-00188, 00191. 00193

14. Remarks:

THIS CLAIM COMBINES RTS 29-00189, 00190, 00192.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

A29-11678

Page

2

Date: 04/24/90

MICROFILMED

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 _____ 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): Samuel Anderson Date: 24 Apr. 1990

Date: _____

State of Idaho)
County of Bennettville) SS.

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

Helen Harrington
Notary Public

Seal

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

Contacts Data Entry Form

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____
Current Owner Arrows Jim & Ken
Name connector: and _____, or _____, and/or _____
Current Owner _____
Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: Jim Phone Number: _____

Relationship to Claimant: Owner

Date of Field Exam: 8/29/01 Time: _____

Directions to Property (if different from above) and/or update owner information:

VISITED POD's, POE's, LOOKED AT SYSTEM.

COMBINED R: P15

29-189

190

192

Reviewer: _____

Date: _____

29-11678 P15 OF DECREED Rts. 29-189, 190, 192

I. CLAIM COMBINES THREE Rts (ABOVE). ALL HAVE THE SAME PRIORITY DATE, - NO ISSUE. P15

II. CLAIMED SOURCE(S) ARE: E. BOB SMITH CR (AS DECREED)
ALSO CLAIMS SPRINGS (ALSO AS DECREED).
[SEE QUESTION OUTLINE IN 29-189, III. a. b. & c.]

Q: =>

a.) IS A BU CLAIM NEEDED FOR THE SPRINGS
NO, BUT SPRINGS only GO ON 29-11681. BECAUSE OF NO
DECREED TEXT.

A: =>

III. a. Total Q: cfs

29-11678 (P15) 3 cfs 150 AC Limit

29-187	=	0.70
188	=	0.80
189	=	1.10
190	=	0.36
191	=	2.06
192	=	1.54
193	=	1.00

686 cfs

Comments USG
Remarks Apply
to EXAM w/
Limits

Total Q = 7.56 cfs

.02 (42-202(3) IC)

378 AC AT STATUTE

Q: =>

FIELD EXAM PER
BOUNDARY =>

b. Claims 348 AC (Probably CR - FIELD EXAM)

PPL ALL Rts (ABOVE LISTED). BY GPS = 327 AC

1. TO BE RECOMMENDED (WACH RT) w/ AC Limits

Total Q Limits.

IV. Total Q OF THIS RT = 3.0 cfs (P15 OF 189, 190)
SO RECOMMENDED.

140. Martin, D. A. M.
 7-0188 1902 July 1 .80 c.f.s.
 H-0188 1903 Mar. 1 .80 c.f.s.
 H-0188 1903 Nov. 1 2.06 c.f.s.
 H-0188 1903 Mar. 1 1.54 c.f.s.
 H-0188 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.

31

29-11678

COMBINED RIGHT OF:

29-00189 }
 29-00190 } 3² cfs on
 29-00192 } 150² Ac @
 0.02 cfs/ac.

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.B.M. Through a ditch having its intake South 86 degrees 30 minutes East 12 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 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 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

Priority Date Data Entry Form

Claim Number: _____
Water Right Priority Date: 4/01/1903 Water Right Basis: DECRUDD
Claimed Priority Date: 4/01/1903 Claimed Basis: "
Recommended Priority Date: 4/01/1903 Recommended Basis: DECRUDD

____ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

This claim compares DECRUDD Rts
29-189, 1.10 cfs, 4/1/1903
29-190, 0.36 cfs, 4/1/1903
29-192, 1.54 cfs, 4/1/1903
Eq = 3.00 cfs
As claimed ✓ OK

(P15)

Reviewer: _____

Date: _____



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



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

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____, _____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec.____, _____. County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec.____, _____. County: _____

Source: _____ Tributary: _____

☐ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	OOQ of QQ of Q	County	Source
9S	37E	12		NESWSW	BANN.	ESBS CK
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

Port. Riv.

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

Old Decoded PODs not usedSPRING CLAIM REFERENCES ARE NOT RECOMMENDED
UNDER THIS RT. SEE 29-193 FOR SPR RECOMMENDS.

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

See Attached GPS Poll

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Francis</i>	<i>4/15</i>	<i>9/15</i>	<i>30</i>	

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Ea = 30 cfs

Reviewer: _____

Date: _____

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

Water Right Number - 29-00189

05/30/01 09:33:17
Page 1

Prefix Translation: WATER RIGHT
+ - - - - Last Name - - - - + + - - - First Name - - - + Old (D) Number -
*** C - CURRENT OWNER ***
MARTIN
D. A. M.
+ - - - - Source - - - - +
EAST BOB SMITH CREEK
+ - - - - Region - - - - +
15 EASTERN
+ - - - - Stage - - - - +
D - DECREED
+ - - - - Status - - - - +
+ - - - - City- Phone -
1 -
2 -
3 -
State- Zip-
+ - - - - Address - - - - +

+ - - Priority Date - - - +
03/01/1903
+ - - - - Source - - - - +
EAST BOB SMITH CREEK
+ - - - - Tributary - - - - +
PORTNEUF RIVER
+ - - - - Point of Diversion - - - - +
+ - - - - County - - - - +
+ - - - - Rflg - - - - +
+ - - - - Lot - - - - +
+ - - - - Tract - - - - +
+ - - - - Sec - - - - +
+ - - - - Rng - - - - +
09S 37E 12 SE SW
13 NW NW
NW SW
SW SW
+ - - - - Diversion Name - - - - +
+ - - - - Diversion Rate - - - - +
+ - - - - Diversion No. - - - - +
+ - - - - Water Use - - - - +
+ - - - - Period From - - - - +
+ - - - - Period To - - - - +
+ - - - - Diversion Rate - - - - +
+ - - - - Diversion Volume - - - - +
+ - - - - Total Div. Rate - - - +
1.100
+ - - - - Total Div. Volume - - - +
1.100
+ - - - - Total Div. Capacity - - - +
0.0
+ - - - - Total Consumptive Use - - - +
0.0

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/15	09/15		1.100	
+ - - - - Total Div. Rate - - - +						
1.100						
+ - - - - Total Div. Volume - - - +						
1.100						
+ - - - - Total Div. Capacity - - - +						
0.0						
+ - - - - Total Consumptive Use - - - +						
0.0						
Twn	Rng	Sec	Tract	Lot	Acres	Place of Use
09S	37E	12	SE SW			01 IRRIGATION
09S	37E	13	NW NW			01 IRRIGATION
09S	37E	13	SW NW			01 IRRIGATION
09S	37E	13	SE NW			01 IRRIGATION
09S	37E	13	NE SW			01 IRRIGATION
09S	37E	13	NW SW			01 IRRIGATION
09S	37E	13	SW SW			01 IRRIGATION
09S	37E	14	NE NE			01 IRRIGATION
09S	37E	14	NW NE			01 IRRIGATION
09S	37E	14	SW NE			01 IRRIGATION
09S	37E	14	SE NE			01 IRRIGATION
09S	37E	14	NE SE			01 IRRIGATION
09S	37E	14	NW SE			01 IRRIGATION
09S	37E	14	SE SE			01 IRRIGATION
09S	37E	23	NE NE			01 IRRIGATION
09S	37E	23	NW NE			01 IRRIGATION
09S	37E	23	SW NE			01 IRRIGATION
09S	37E	23	SE NE			01 IRRIGATION
				2		
				1		
						County
						(5) BANNOCK
						(5) BANNOCK
						(5) BANNOCK
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						(5) BANNOCK
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WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

05/30/01 09:33:17
Page 2

Water right number - 29-00189

Prefix Translation: WATER RIGHT

Trn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
09S	37E	23	NE NW				01 IRRIGATION	(5) BANNOCK
09S	37E	23	NW NW				01 IRRIGATION	(5) BANNOCK
09S	37E	23	SW NW	4			01 IRRIGATION	(5) BANNOCK
09S	37E	23	SE NW	3			01 IRRIGATION	(5) BANNOCK
09S	37E	24	NW NW				01 IRRIGATION	(5) BANNOCK

+ - - - - - Division Means -

+ - - - - - Non-Irrigation Use -

+ - - - - - Other Rights for Same Use -

+ - - - - -

GEN P/U INCOMPLETE.

+ - - - - -

+ - - - - - Old Water Right Numbers -

+ - - - - - No Old Water Right Numbers found.

+ - - - - -

+ - - - - - Conditions of Approval -

+ - - - - - No Conditions of Approval found.

+ - - - - - Decree Plaintiff - - - +

+ - - - - - UNION GRAIN & ELEVATOR CO.

+ - - - - - + - - - - Decree Defendant - - - +

+ - - - - - MCCANNON DITCH CO. ET. AL.

+ - - - - - + - Decree Date - +

+ - - - - - 08/06/1932

+ - - - - -

+ - - - - - Comments -

+ - - - - - No Comments Found

+ - - - - -

+ - - - - - Audit Fields - 07/15/85 05/22/88 CONVERT 02/06/98 CLEARFLD

+ - - - - -

+ - - - - - Water Rights Dates and Flags Area -

| Proof Due Date | Approved/Denied | Field Exam Made | Field Exam Fee |
|-------------------|-----------------|--------------------|----------------|
| - 00/00/0000 | - 00/00/0000 | - 00/00/0000 | - |
| Proved Made Date | Protested Date | Swan Falls | - |
| Exam to S.O. Date | Hearing Date | Temporary Right | - P |
| Order Show Cause | Verified Date | DLE/Carey Act | - |
| Licensed Date | Receipt Number | Water District | - 29 |
| Presumption Flag | Appl Received | Transfer/Amended | - |
| SRBA Decreed Flag | Name Connector | POU Ownership Flag | - |

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

Water Right Number - 29-00190

05/30/01 09:33:41
Page 1

Prefix Translation: WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***

MARTIN

D. A. M.

1 -
2 -
3 -

City-
Phone -

State- Zip-

Stage - - - +
D - DECEED

Status - - - +

Region - - - +
15 EASTERN

Priority Date - - - +
03/01/1903

Source - - - - -
EAST BOB SMITH CREEK

Tributary
PORTNEUF RIVER

Point of Diversion - - - - -

| Diversion No. | Diversion Rate | Diversion Name |
|---------------|----------------|----------------|
| (5) BANNOCK | | |
| (5) BANNOCK | | |
| (5) BANNOCK | | |
| (5) BANNOCK | | |

| Code | Description | Period From | Water Use | Period To | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|-----------|----------------|------------------|
| 01 - IRRIGATION | | 04/15 | | 09/15 | 0.360 | |

0.360

0.360

0.0

0.360

0.360

0.0

| Tract | Sec | Rng | 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 | | | 01 | IRRIGATION | | (5) BANNOCK |
| 09S | 37E | 23 | SE NE | | | 01 | IRRIGATION | | (5) BANNOCK |

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05/30/01 09:33:41
Page 2

| Proof Due Date | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
|-------------------|--------------|-----------------|--------------|--------------------|------|
| Approved/Denied | - 00/00/0000 | Protested Date | - 00/00/0000 | Swan Falls | - |
| Proof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 | Temporary Right | - p |
| Exam to S.O. Date | - 00/00/0000 | Verified Date | - 07/15/1985 | DLE/Carey Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - 29 |
| Licensed Date | - 00/00/0000 | Appl Received | - 00/00/0000 | Transfer/Amended | - |
| Presumption Flag | - | Name Connector | - | POU Ownership Flag | - |
| SRBA Decreed Flag | - | | | | |

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

05/30/01 11:50:20
Page 1

Water Right Number - 29-00192

Prefix Translation: WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
MARTIN

+ - - - - Last Name - - - - +
+ - - - - First Name - - - +
+ - - - - Address - - - - - +

D. A. M.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - - - Priority Date - - - +
03/01/1903
+ - - - - Source - - - - - +
EAST BOB SMITH CREEK
+ - - - - Region - - - - +
15 EASTERN
+ - - - - Stage - - - - +
D - DECREEED
+ - - - - Tributary - - - - - +
PORTNEUF RIVER

Status - - - - +

+ - - - - Point of Diversion - - - - - +
County
(5) BANNOCK
(5) BANNOCK
(5) BANNOCK
(5) BANNOCK

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

| Code | Description | Period From | Water Use | Period To | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|-----------|----------------|------------------|
| 01 - IRRIGATION | | 04/15 | | 09/15 | 1.540 | |

+ - - - - Total Div. Rate - - +
1.540
+ - - - - Total Div. Volume - - +
+ - - - - Total Div. Capacity - - +
0.0
+ - - - - Total Consumptive Use - - +
0.0
+ - - - - KW Usage - - - +

| Tw | 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 | NE SE | | | 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 | | | 01 IRRIGATION | | | (5) BANNOCK |
| 09S | 37E | 23 | SE NE | | | 01 IRRIGATION | | | (5) BANNOCK |

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

Water right number - 29-00192

Prefix Translation:

WATER RIGHT

05/30/01 11:50:20
Page 2

| Twn | | Rng | Sec | Tract | Lot | Acres | Place of Use | Description | County |
|---------------------------------------|-----|-----|-------|-------|-----|-------|--------------|-------------|--------------|
| 09S | 37E | 23 | NE NW | | | | 01 | IRRIGATION | (5) BANNOCK |
| 09S | 37E | 23 | NW NW | | | | 01 | IRRIGATION | (5) BANNOCK |
| 09S | 37E | 23 | SW NW | 4 | | | 01 | IRRIGATION | (5) BANNOCK |
| 09S | 37E | 23 | SE NW | 3 | | | 01 | IRRIGATION | (5) BANNOCK |
| 09S | 37E | 24 | NW NW | | | | 01 | IRRIGATION | (5) BANNOCK |
| + - - - - Diversion Means - | | | | | | | | | |
| + - - - - Non-Irrigation Use - | | | | | | | | | |
| + - - - - Other Rights for Same Use - | | | | | | | | | |
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SCANNED

MAY 18 2001

Log for claim A29-11678

Spatial Dynamics PJM

9/12/00

| 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 | Indiscernible |
| 09s37e | 23 | NENW | 15 | 34 | Indiscernible |
| 09s37e | 24 | NWNW | 10 | 31 | Indiscernible |
| Totals: | | | 348 | 365.1 | |

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 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: Feb. 1, 1993
Michael D. Reed
Notary Public

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.

MICROFILMED

NOV 16 1992

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 Hyggenson, 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 16 1992

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

MICROFILMED

NOV 16 1992

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. We have done this all through my lifetime. Nobody has ever tried to stop us, and I feel that

MICROFILMED

NOV 16 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 16 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 Bergendorf
NOTARY PUBLIC

Residing at LAWA HOT SPRINGS, Idaho
Commission Expires LIFETIME

MICROFILMED

NOV 16 1992

NAME OF CLAIMANT and
DATE OF PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

portions of the South half of the Southwest 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.

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 certain Spring which rises 700 feet East of the West quarter corner of 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. 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 Section 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 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.

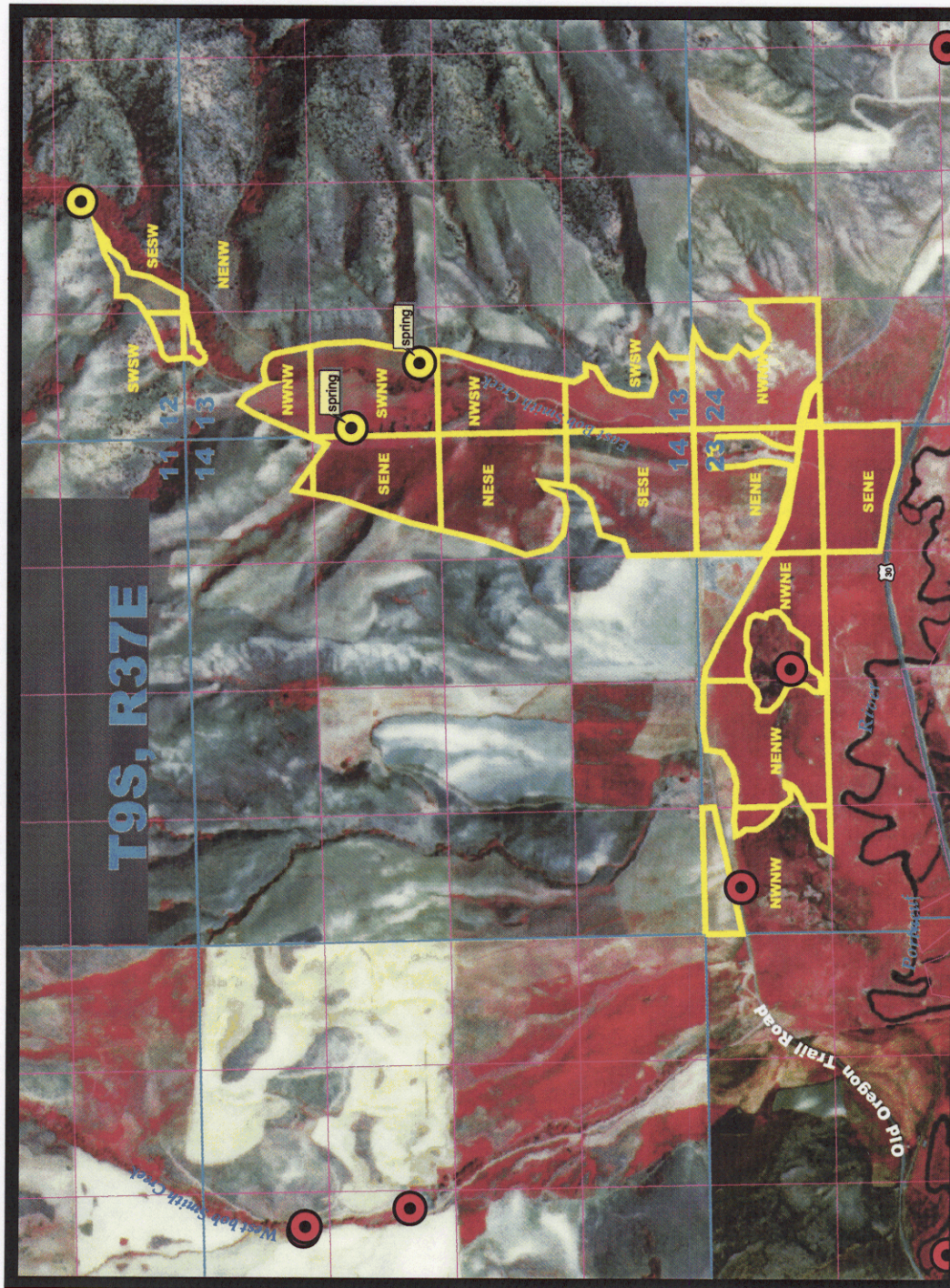
For the irrigation of two parcels of land described as follows: Beginning at the South 1-16 section corner on the section line between Sections 13 and 14, thence South along section line of Sections 13 and 14, 262.5 feet, thence North 20 degrees and 34 minutes East, 280.5 feet to the South 1-16 Section 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

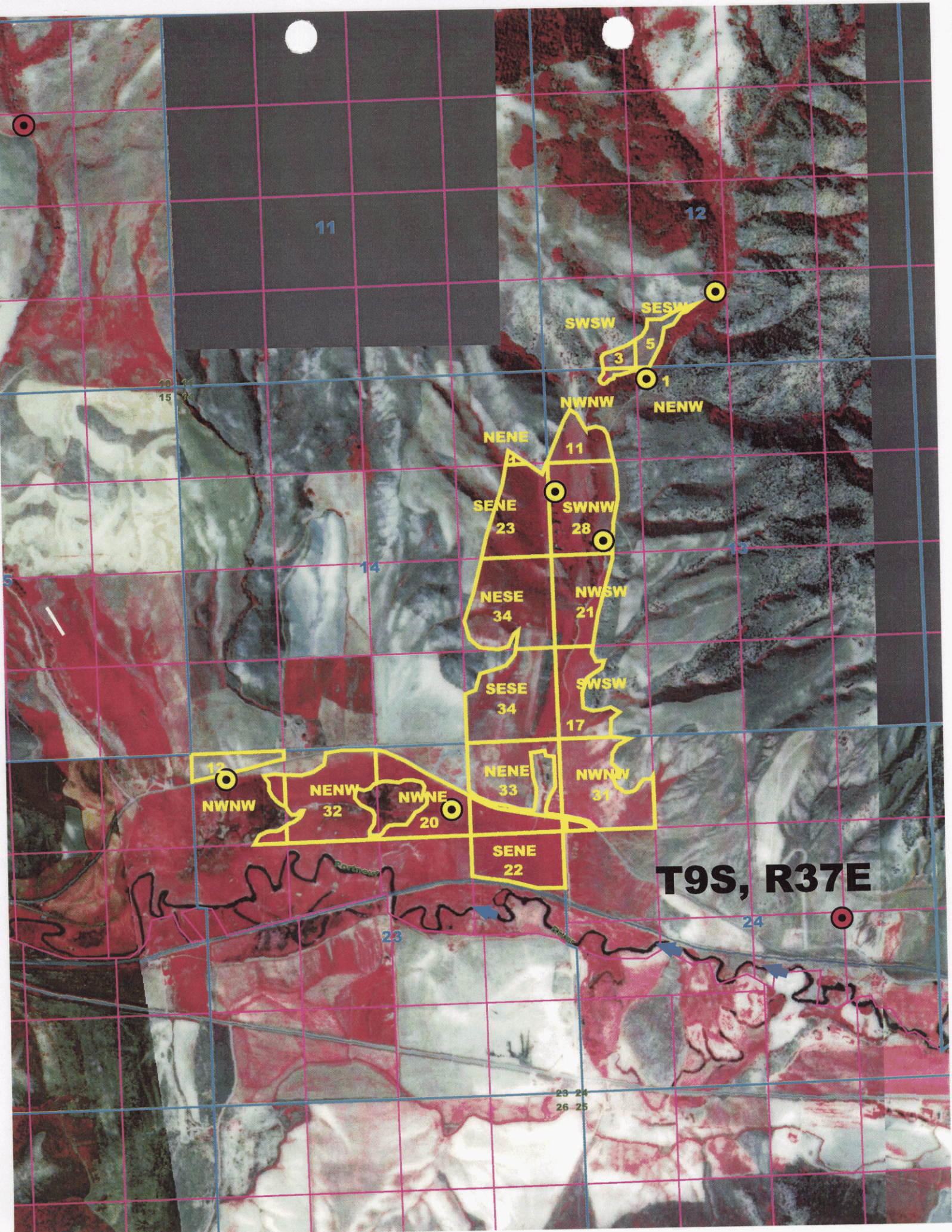
Place of Use: (parts of) T9S, R37E
Sec. 12 S2SW, Sec. 13 W2W2, NENW,
Sec. 14 E2E2, Sec. 23 N2N2, SENE,
Sec. 24 NWNW

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



LEGEND

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



Kennan Ranches, Inc.

T9S, R37E

Source: Springs ???

NO!

East Bob Smith Creek

Portneuf River

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

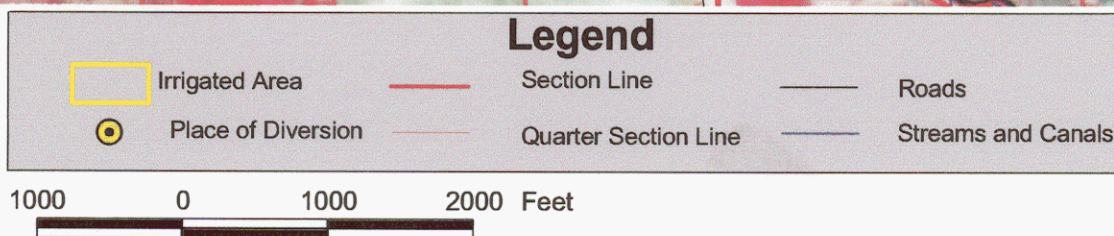
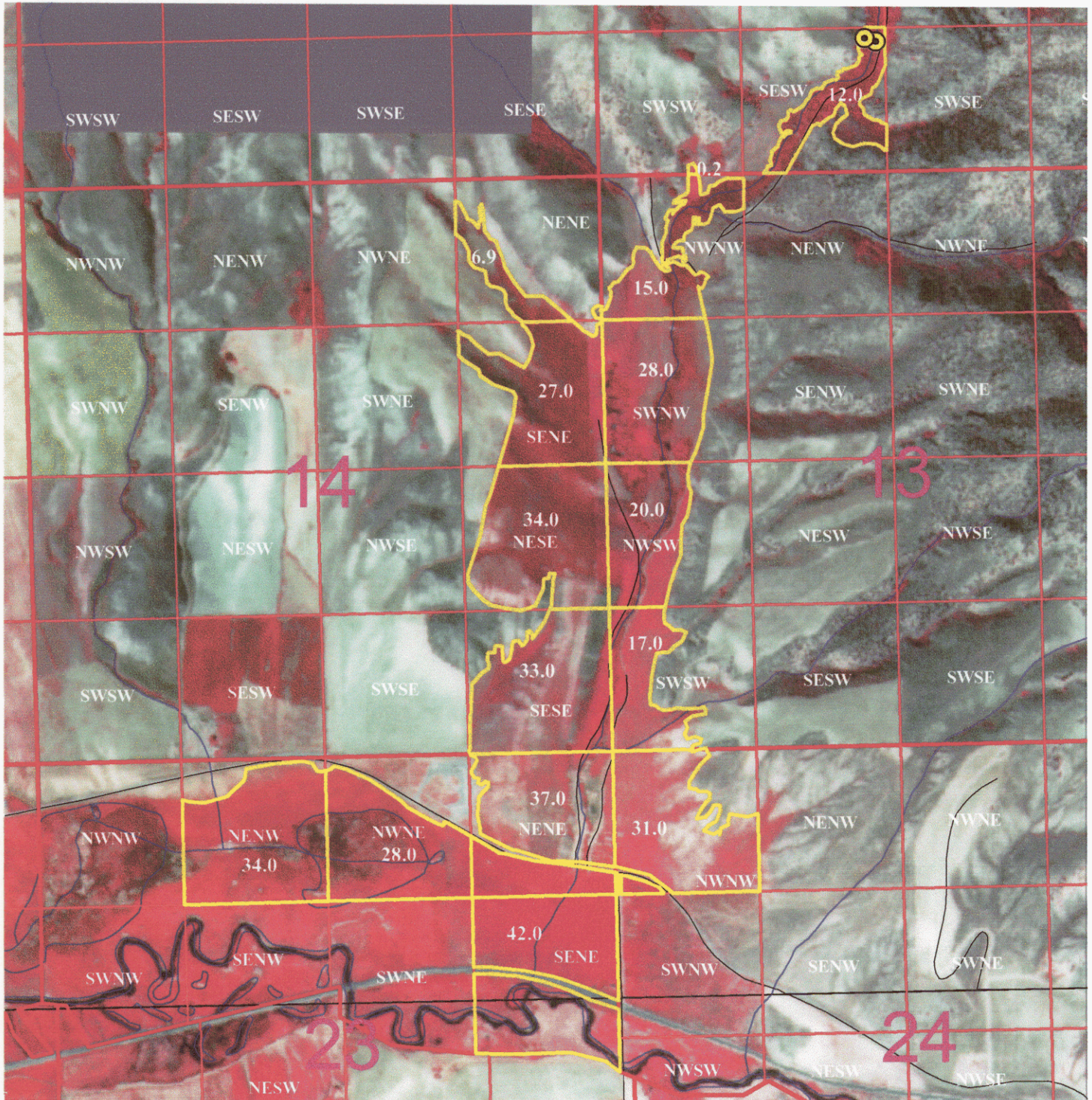
Portneuf

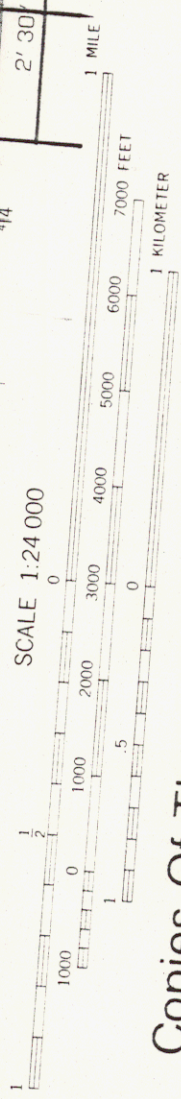
River

Water Right Claim Number A29-11678

Township , 9S37E

09/12/2000





Copies Of These Maps Can Be Obtained
At Bonneville Blue Print, Boise Idaho

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, MENLO PARK, CALIF. 94025

The Geological Survey
in with the Forest Service

prepared from 1:78 000-scale
maps taken August 7, 1976

1,000-foot grid ticks. Idaho coordinate
and transverse Mercator
Universal Transverse Mercator grid ticks,
North American datum.

formed by scanning techniques
e double or mismatched images;
age positions for map point

prepared by the Idaho Department of Water Resources pursuant to
asset claimants in filing notices of claims and objections in the Snake
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