



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 28, 2004

RECEIVED

FEB 09 2004

Department of
Southern

Anderson

HELEN & RICHARD S ANDERSON
1096 S HWY 77
ALBION ID 83311

Dick Anderson
673-5383

Re: Snake River Basin Adjudication (SRBA)
Change of Address

Dear Claimants:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water rights or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it in the enclosed self-addressed envelope. Make corrections to your name and address, if necessary, before returning this letter. Please return this letter by February 28 2004. If your mail delivery address changes in any form, please contact us in writing so we can update our records.

Should you have any questions or need assistance, please feel free to contact this office.

Sincerely,

Carrie Hahn
Clerk

MRS. HELEN ANDERSON
BOX 114
ALBION, ID 83311

Mailing address

The address is correct as shown above or as otherwise changed.

Helen Anderson
Claimant Signature

Physical Address 1100 S 50 W

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 45-327D
Date Received: 4/6/1989
Receipt No: S006801
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HELEN ANDERSON Phone: (208)673-5384
RICHARD S ANDERSON
STAR RT BOX 30
ALBION ID USA 83311

AMENDED

2. Date of Priority: 03/01/1881

3. Source: HOWELL CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12S	25E	21	SE NW SW	CASSIA	
12S	25E	21	NE NW SW	CASSIA	
12S	25E	21	NW SE NW	CASSIA	

5. Description of diverting works:

HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/01	11/01	0.7	

7. Total Quantity Appropriated is:
0.7 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
12S	25E	16	NW NW	IRRIGATION	1.7
			SW NW	IRRIGATION	28
			NW SW	IRRIGATION	33
			SW SW	IRRIGATION	39
			SE SW	IRRIGATION	28
			NW SE	IRRIGATION	8.3
			SW SE	IRRIGATION	29
			SE SE	IRRIGATION	18
				Section Acres	185

12S	25E	21	NW	NE	IRRIGATION	40
			NE	NW	IRRIGATION	39
			NW	NW	IRRIGATION	41
			SW	NW	IRRIGATION	36
			SE	NW	IRRIGATION	37
Section Acres						193
Total Acres						378

11. Place of use in counties: CASSIA
12. Do you own the property listed above as place of use? Yes
13. Other Water Rights Used:
14. Remarks:

P/U INCOMPLETE. SEE TRANSFER 1021. TRANS 775.
 163" DECREED WATER USED ON ~190 ACRES.

Claim is being amended to increase the irrigated place of use and to correct the legal description of the points of diversion. The changes are based upon data obtained during a department field visit and arcview mapping.

15. Basis of Claim: Decreed

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.

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

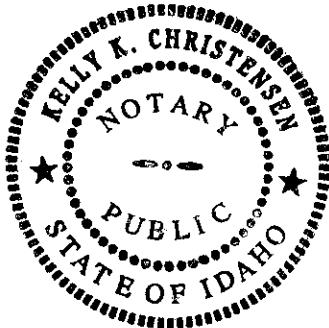
Signature of Claimant(s): *Robert Anderson* Date: 9-3-03
 _____ Date: _____

State of Idaho)
 County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 3rd day of Sept 2003

Kelly K. Christensen
 Notary Public

Residing at Twin Falls, Id.
 My commission Expires 3-11-04



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: A45-00327D
Date Received: 4/06/1989
Receipt No: S006801
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD S. ANDERSON
Address: STAR RT. BOX 30
ALBION, ID

*Richard passed away
11 yrs ago
KK
6-10-03*
208-673-5384
83311

AND/OR

Name: HELEN ANDERSON
Address: STAR RT. BOX 30
ALBION, ID

208-673-5384

83311

2. Date of Priority: MAR 01, 1881

3. Source: HOWELL CREEK

Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	25E	21	SE	NW			CASSIA

5. Description of diverting works:
HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/01	0.700		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A45-00327D

Page 1

Date: 04/06/89

MICROFILMED

MAR 07 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	25E	16	SW	SW		IRR	20.0
			SW	SE		IRR	30.0
			SE	SE		IRR	20.0
			Section Acres				70.0
		21	NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	20.0
			SE	NW		IRR	20.0
			Section Acres				120.0
			Total Acres				190.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

A45-00275, 00523A, 00285, 00284B, 00517D

14. Remarks:

P/U INCOMPLETE. SEE TRANSFER 1021. TRANS 775.
163" DECREED WATER USED ON ~190 ACRES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/21/1892

R. L. WOOD, ET. AL.

Decree Plaintiff

vs

WM. STOKES, ET. AL.

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: _____

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): Richard S. Anderson Date: April 6, 1989

Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 6 day

of Apr 19 89

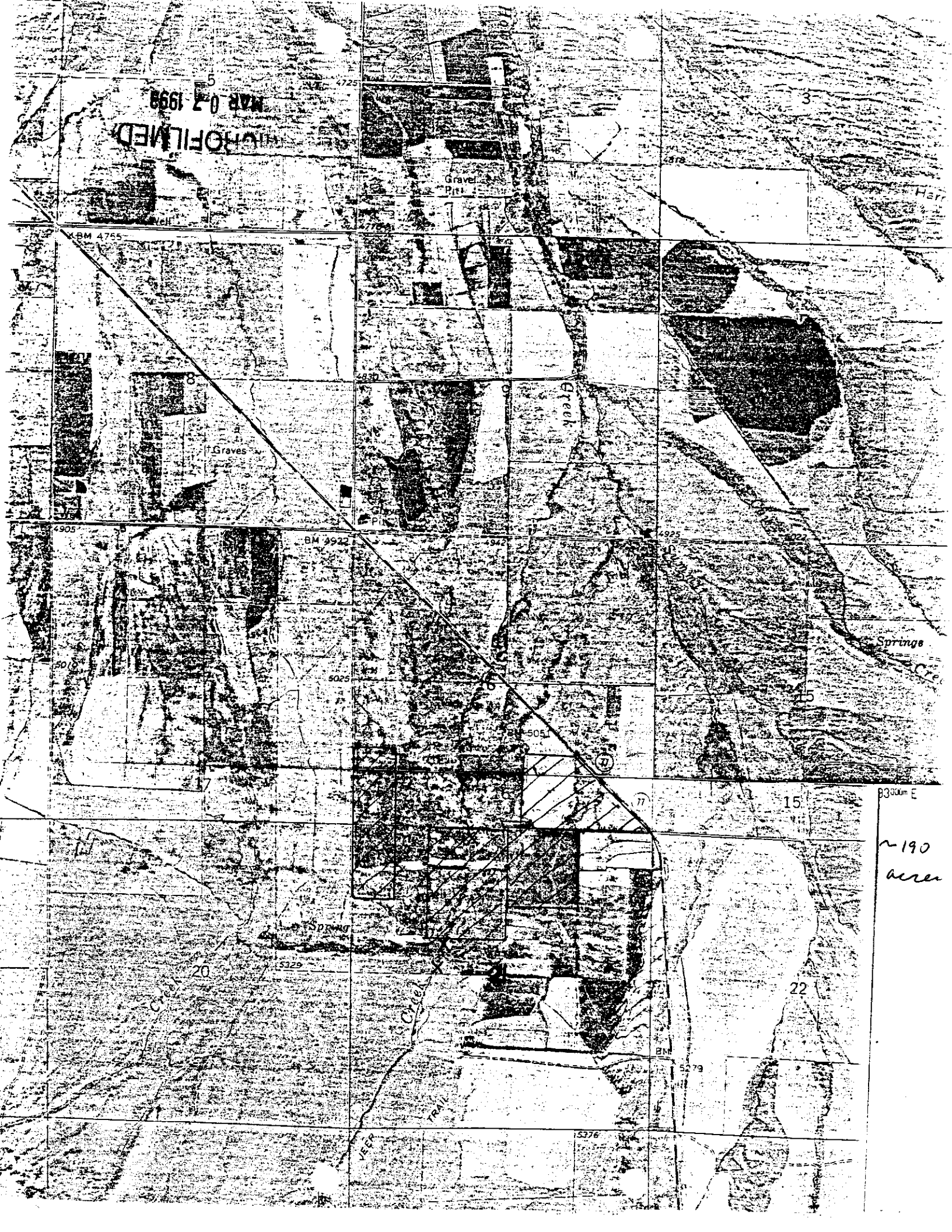
Lon White
Notary Public

Seal

Residing at TF

My Commission Expires 5/94

UNRECORDED
MAR 07 1998



8300m E
~190
acres

04/19/2004

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

RIGHT NUMBER: 45-327D

NAME AND ADDRESS: HELEN ANDERSON
RICHARD S ANDERSON
BOX 114
1100 S 50 W
ALBION ID 83311

KKC

SOURCE: HOWELL CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 0.700 CFS

PRIORITY DATE: 03/01/1881

POINT OF DIVERSION:

T12S R25E S16 SWSESW Within CASSIA County
T12S R25E S21 NWSESW Within CASSIA County
T12S R25E S21 NENSW Within CASSIA County
T12S R25E S21 SENSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.700 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T12S R25E S16	NWNW	1.7	T12S R25E S16	SWNW	28.0
T12S R25E S16	NWSW	33.0	T12S R25E S16	SWSW	39.0
T12S R25E S16	SESW	28.0	T12S R25E S16	NWSE	8.3
T12S R25E S16	SWSE	29.0	T12S R25E S16	SESE	18.0
T12S R25E S21	NWNE	40.0	T12S R25E S21	NENW	39.0
T12S R25E S21	NWNW	41.0	T12S R25E S21	SWNW	36.0
T12S R25E S21	SESW	37.0			

378 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 378 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 45-275, 45-284B, 45-285, 45-327D, 45-517D,
45-523A, AND 45-13589

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60 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: 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.

Water Right 45-327D



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

DEPT INTERNET WEB SITE: www/idwr.state.id.us

SOUTHERN REGION

Aug 11,
~~July 21~~, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

COPY

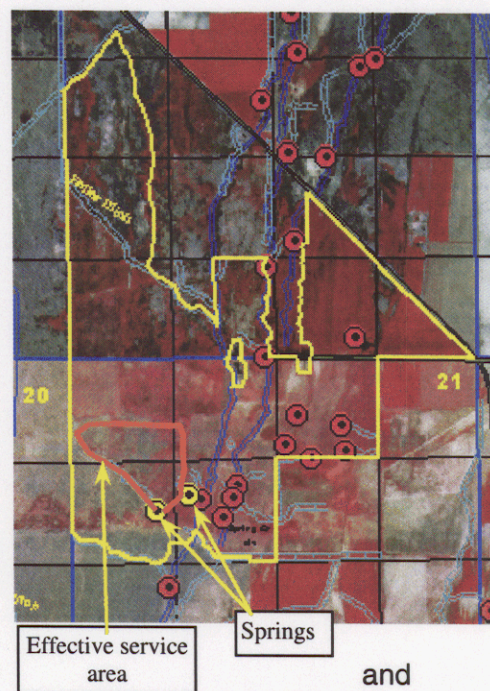
HELEN ANDERSON
STAR RT BOX 30
ALBION ID 83311

RE: SNAKE RIVER BASIN ADJUDICATION CLAIMS 45-284B ET.AL.

Dear Helen

POSSIBLE NEW IRRIGATION CLAIM

After getting back to the office and entering the information I obtained during my last visit to your property I found that there is no right that describes the use for the two spring diversions located at the southwest part of your property. My guess is that they were just ignored during the original decree for the rights on your property. The two springs are identified by the yellow dots shown on the map clip shown to the right. I also outlined an area in orange that I felt was the effective service area. As it is impossible to determine an exact combined flow rate for the two springs, I felt that it would be reasonable to identify the approximate area that would normally be irrigated from the two springs, calculate the acreage, and then recognize that area at one inch per acre. The orange area is approximately 28 acres, which would equate to 0.56 cfs. I believe that this flow would only exist in the early springtime would be further masked by the Howell Creek water that mingle with the spring water.



and
would tend to co-

If you wish to have a right for the use of those springs, a new claim needs to be filed. The filing fee would be \$50.00 but there would be no additional variable fee as we settled that issue through the amendments that were just made.

DOMESTIC AND STOCKWATER

Dick asked about domestic and stockwater rights. I searched the database and did not find any recording for domestic or stockwater uses. If you wish to claim any domestic and/or stockwater uses there would be a \$25.00 filing fee for each claim filed.

I am not completing the recommendations for your irrigation rights at this time pending word from you as to whether you wish to file one or more additional claims. Please contact me as soon as possible so that I can know how to finalize your recommendations.

UNSIGNED AMENDED CLAIM

I have also enclosed a copy of 45-327D. When you signed the other amended claims this one apparently was missed in the shuffle. You need to sign this amended claim form and have your signature notarized and then return the form to this office.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kchrste@idwr.state.id.us

Enclosures

Idaho Dept of Water Resources
Claims review notes and narrative

Date: 10-1-2001

File: 45-327 decree split analysis

Prepared by Kelly K Christensen

ANALYSIS OF 45-327
3-1-1881 source Howell Cr.
3.00 cfs on four 40 ac tracts

T-775 split the right into;
parts 45-327A for 2.50 cfs and 45-327B for 0.50 cfs
The A portion retained the place of use of the original decreed right.
The B portion was transferred to ground in Sec 16 NW¼ and Sec 21 NW¼ & NW¼NE¼

T-1021 consolidated the 0.50 cfs onto the ground identified in T-775 in Sec 16 NW¼

This right was claimed as follows

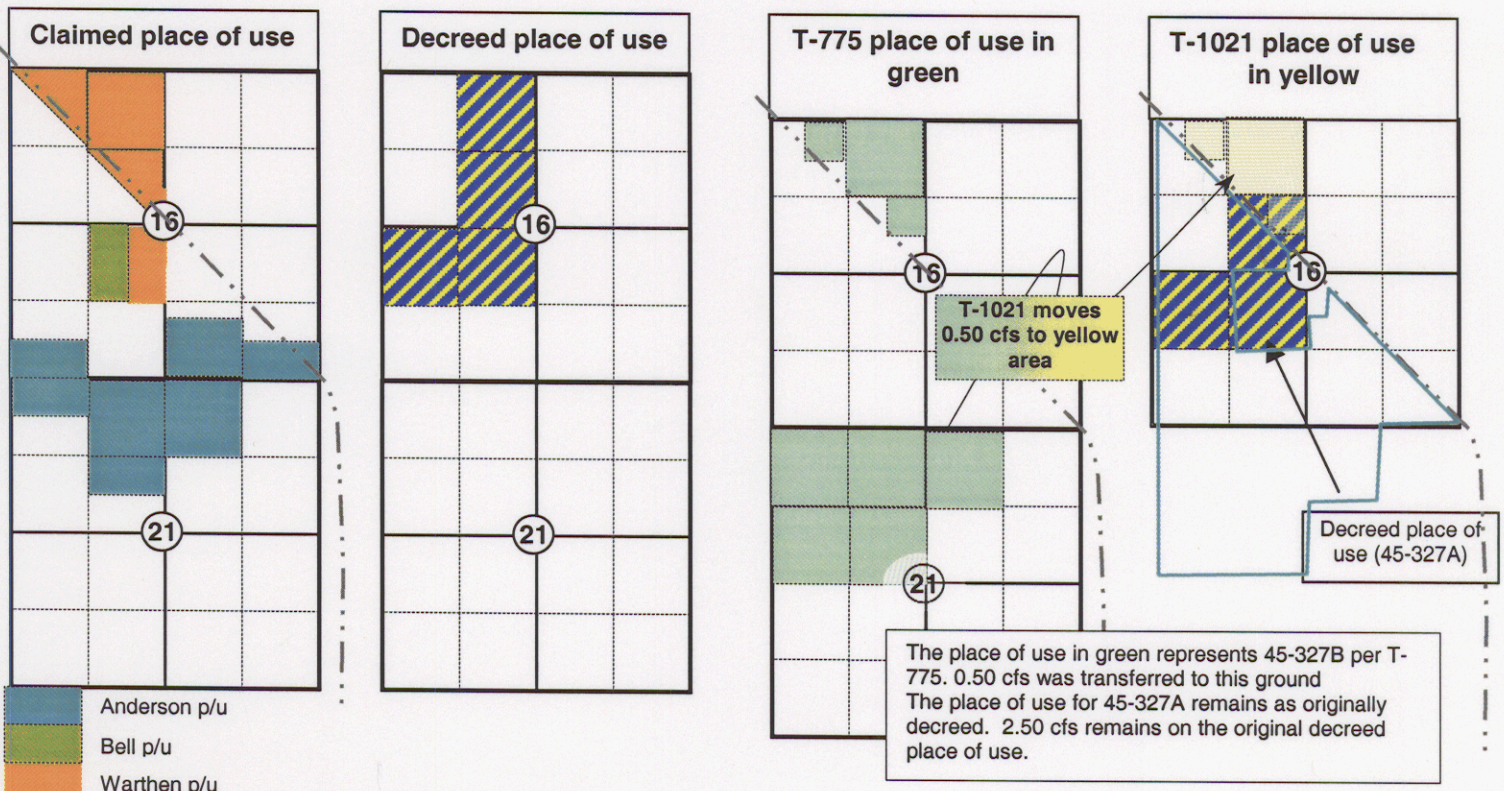
45-327C	Bell	0.75 cfs	claim includes 20 acres of the decreed 40 acre tracts claimed p/u part of T-775 p/u claimed p/u includes part of original decreed p/u, T-775 p/u and T-1021 p/u.
45-327D	Anderson	0.70 cfs	
45-327E	Warthen	1.25 cfs	
	total	2.70 cfs	

Split analysis based upon a proportion of owned 40 acre tracts vs decreed 40 acre tracts. Based upon the place of use as last identified in T-1021 and the original decreed place of use I recognize the following;

45-327A	2.50 cfs	160 ac	0.0156 cfs/ac	
claimant	Claimed rate	Acres within decreed p/u	Proportion at decreed rate per ac	
Anderson	0.70 cfs	60	0.94	★
Bell	0.75 cfs	20	0.31	★
Warthen	1.25 cfs	80	1.25	★
Totals	2.70 cfs	160 ac	2.50	

A portion of the decreed right has not been claimed as decreed. The decreed and/or transferred rights have not been claimed in full.
 ★ Bell submitted a warranty deed identifying the 0.75 cfs as being appurtenant to his property.
 ★ Warthen rate is based upon 2 warranty deeds that identify a combined total of 1.25 cfs to the P/U

★ Based upon warranty deed info, the remaining portion of the decreed rate would be 1.00 cfs, which would be appurtenant to Anderson's property.



The original right was decreed for 3.00 on 160 acres.

The information available through the warranty deeds submitted indicates a current split ownership different than shown in the latest transfer on record with the department. I am recognizing the warranty deed information for Warthen (1.25 cfs) and Bell (0.75 cfs). This by default implies 1.00 cfs as being appurtenant to the Anderson portion of the decreed right. Currently Anderson's claim is for 0.70 cfs. An amendment is necessary to recognize the additional 0.30 cfs.

CLAIM 45-327C

Bell has claimed 0.75 cfs for 20 acres or 0.0375 cfs/acre. Bell submitted a warranty deed to support the 0.75 cfs diversion rate. Bell's claimed place of use is within the place of use identified under 45-327A.

CLAIM 45-327D

Anderson has claimed 0.70 cfs on 190 acres. The claimed place of use does not include any of the original decreed or transferred places of use. Anderson, however, does own approximately 60 acres within the decreed place of use. Based upon the above analysis, I could recognize up to 1.00 cfs on 60 acres within the claimed place of use. Depending on the final recommended place of use, an unrecorded transfer for the 60 decreed acres to the found irrigated place of use is necessary.

CLAIM 45-327E

Warthen has claimed 1.25 cfs on 99 acres. The claimed place of use includes the entire place of use identified as 45-327B (0.50 cfs on 80 acres). The claimed place of use also includes approximately 80 acres under the place of use for 45-327A. The file contains two documents to support the claimed diversion rate. One document (a mortgage short covenant) identifies the property and diversion rate listed for 45-327B. A second document appears to be a part of a warranty deed (Exhibit "A") from an unknown warranty deed. It identified both claimed parcels and 0.75 cfs for the portion of the ground found to be part of 45-327A. I found approximately 88 irrigated acres. No acre limit is required.

Log for claim A45-00327D

Spatial Dynamics MWY

4/19/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s25e	16	SWSW	20	22	
12s25e	16	SWSE	30	28	
12s25e	16	SESE	20	18	
12s25e	21	NWNE	40	39	
12s25e	21	NENW	40	39	
12s25e	21	NWNW	20	11	
12s25e	21	SENW	20	38	Indiscernible
Totals:			190	195	

T - 755

T - 1021

Decree info 3-1-1881

3,000 CFS Howell Co

12S 25E
 E 1/2 NW 1/4
 Sec 16 N 1/2 SW 1/4

T - 1021

Approved APR 2, 1964

Anderson P/U

NE 1/2 NW 1/4 NW 1/4

NE 1/4 NW 1/4

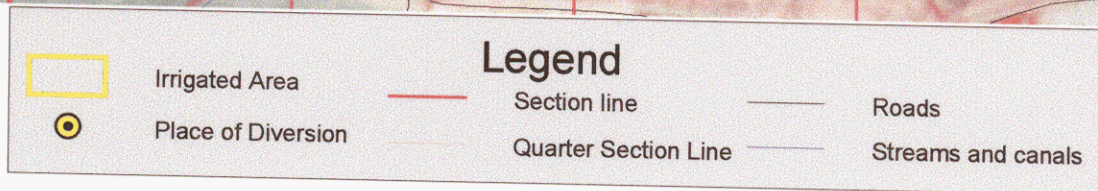
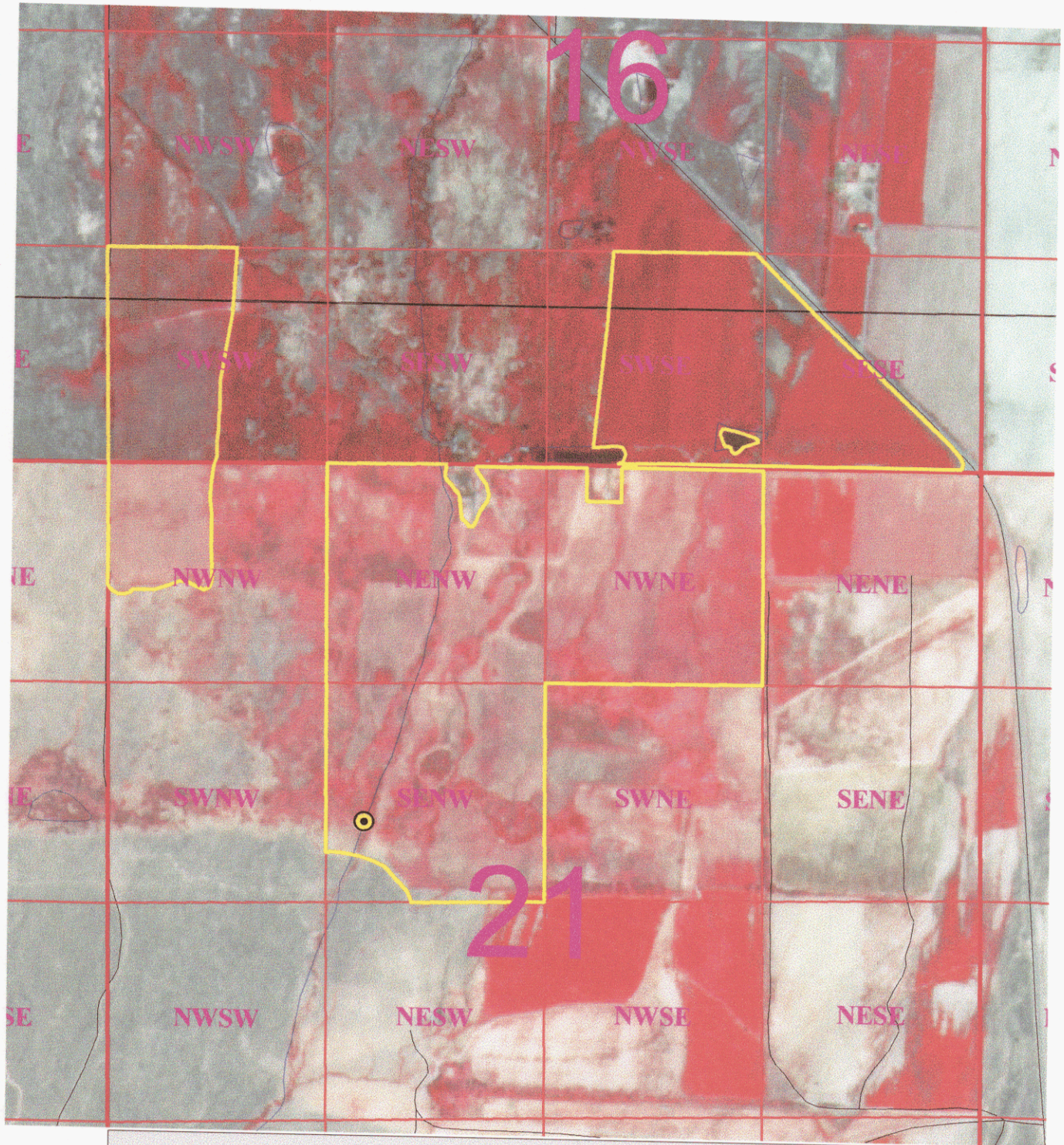
NE 1/2 SE 1/4 NW 1/4

Sec 16, 12S, 25E

0.50 CFS

P/D = Sec 16 SENW

Township , 12S25E



S T A T E O F I D A H O
DEPARTMENT OF RECLAMATION

CERTIFICATE OF DECREED WATER RIGHT
TRANSFERRED RIGHT NO. 1021

45-327

THIS IS TO CERTIFY, That Richard Storey Anderson, of Box 126, Albion, Idaho, is the owner of and using a certain water right bearing date of March 1, 1881, for .50 cubic feet per second of the waters of Howell Creek, County of Cassia, State of Idaho, decreed to James Mahoney and N. P. Williams by decree of Judge John T. Morgan of the 3rd Judicial District of the State of Idaho, in and for the County of Cassia, in the case of

J. CHATBURN, et al

Plaintiffs

vs.

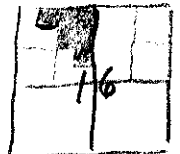
GEORGE V. BRIM, et al

Defendants

said decree bearing date of April 19, 1884, and being appurtenant to the following described lands, to-wit:



NE 1/4 NW 1/4, NE 1/4 NW 1/4, NE 1/4 SE 1/4 NW 1/4,
Section 16, (Transfer No. 775);
NW 1/4, NW 1/4 NE 1/4, Section 21, Town-
ship 12 South, Range 25 E.B.M.,



That said decree has been entered in the records of the Department of Reclamation of the State of Idaho in Volume 1 of Decrees, at Page 603 thereof;

That said Richard Storey Anderson has become the owner of said water right by purchase;

And that now, upon the application of Richard Storey Anderson, for the transfer of .50 cubic feet per second of the waters of Howell Creek, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of .50 cubic feet per second of the waters of Howell Creek upon the above described land is hereby abandoned, and the land under such right and to which the water right HEREBY CONFIRMED shall become appurtenant by this Certificate for irrigation purposes, is described as follows, to-wit:

*removes water from
Sec 21*

NE 1/4 NW 1/4, NE 1/4 NW 1/4, NE 1/4 SE 1/4 NW 1/4,
Section 16, Township 12 South,
Range 25 E.B.M.,

see 16 above

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purpose, and shall not exceed the following amount, to-wit:

45-0327

.50 cubic feet per second of the
waters of Howell Creek with priority
of March 1, 1881;

That the water right hereby transferred has heretofore been
conducted from Howell Creek to the first above described lands through
private ditch with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 21, Township 12 South, Range 25 E.B.M.,

That the water right hereby transferred will hereafter be
conducted to the last above described lands through private ditch with
point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, Township 12 South,
Range 25 E.B.M.,

That the right to the use of the waters aforesaid, hereby
confirmed, is restricted to the lands last above described, as provided
by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the
official seal of the Department of Reclamation of the State of Idaho to
be hereunto affixed at Boise, Idaho, this 2nd day of April, 1964.

(SEAL)

s/

CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer