



STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL  
LAWRENCE G. WASDEN

April 14, 2005

Clerk of the District Court  
Snake River Basin Adjudication  
253 3<sup>rd</sup> Ave. North  
P.O. Box 2707  
Twin Falls, ID 83303-2707

*RE: Subcase Nos. 29-91B, 29-93B, 29-107B, 29-10327, 29-10329, 29-10330, 29-10331,  
29-10332, 29-13231 & 29-13232*

Dear Diana:

Enclosed for filing, please find Standard Form 5's for each of the above-referenced subcases.

Thank you for your assistance.

Very Truly Yours,

A handwritten signature in cursive script, reading "Ray Williams", is positioned above the typed name.

Ray Williams  
Paralegal

Enclosures

cc: Kenneth D. Andrus  
Colleen Andrus  
Jim Andrus

|                |   |                                |
|----------------|---|--------------------------------|
| In Re SRBA     | ) | Subcase No. 29-00107B          |
|                | ) |                                |
| Case No. 39576 | ) |                                |
|                | ) | STANDARD FORM 5                |
|                | ) |                                |
|                | ) | STIPULATED ELEMENTS OF A       |
|                | ) | WATER RIGHT                    |
|                | ) | (Uncontested Overlapping Water |
|                | ) | Right to 29-10331 & 29-10332)  |

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**IDWR Concurrence:**

Ernest Carlsen 4-7-05  
Ernest Carlsen Date  
IDWR Adjudication Supervisor

Candice McHugh 4-6-05  
Candice McHugh Date  
Deputy Attorney General  
Attorney for IDWR

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

RIGHT NUMBER: 29-107B

NAME AND ADDRESS:

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

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

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

SOURCE: Source:  
TOPONCE CREEK

Tributary:  
PORTNEUF RIVER

QUANTITY: 0.600 CFS

PRIORITY DATE: 06/17/1902

This priority date is more accurately described as 6/17/1902 NOON.

POINT OF DIVERSION:

~~T06S R38E S34 SENESW~~  
~~Within CARIBOU County~~

T06S R38E S34 SENESW Lot 11  
Within CARIBOU County

~~T06S R38E S35 NENWSW~~  
~~Within CARIBOU County~~

T06S R38E S35 NENWSW Lot 12  
Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/15 09/15

0.600 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS  
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,  
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE  
OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS  
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO  
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE  
EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

IRRIGATION

within CARIBOU County

~~T06S R38E S26 NESW 20.0~~

T06S R38E S26 NESW Lot 11 20.0

~~T06S R38E S26 NWSW 37.0~~

T06S R38E S26 NWSW Lot 12 37.0

~~T06S R38E S26 EWSW 39.0~~

T06S R38E S26 SWSW Lot 13 39.0

~~T06S R38E S35 NENE 40.0~~

T06S R38E S35 NENE Lot 1 40.0

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

T06S R38E S35 NWNE Lot 2 41.0

T06S R38E S35 NENW Lot 3 41.0

T06S R38E S35 NWNW Lot 4 40.0

T06S R38E S36 NWNE Lot 2 39.0

T06S R38E S36 NENW Lot 3 39.0

T06S R38E S36 NWNW Lot 4 39.0

375 ACRES TOTAL

378 ACRES TOTAL

Use of the rights listed below is limited to the irrigation of a combined total of 375 acres in a single irrigation season. Combined Right Nos.: 29-91B, 29-93B, 29-107B, 29-10327, 29-10329, 29-10330, 29-10331, 29-10332, 29-13231 and 29-13232.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 41 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 ALL DIVERTED THROUGH POINT OF DIVERSION  
DESCRIBED ABOVE: 29-13231, 29-13232, 29-10329, 29-91B, 29-93B, 29-10330,  
29-10327, 29-10331 AND 29-107B

~~T06S R38E S35 NWNE 41.0~~

~~T06S R38E S35 NENW 41.0~~

~~T06S R38E S35 NWNW 40.0~~

~~T06S R38E S36 NWNE 40.0~~

~~T06S R38E S36 NENW 40.0~~

~~T06S R38E S36 NWNW 40.0~~

*to  
Sms  
Enc  
da  
JA*

## CERTIFICATE OF MAILING

I certify that on April 14, 2005, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

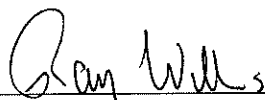
1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707

2. Copies to:

IDWR REPOSITORY  
PO BOX 83720  
BOISE, ID 83720-0098

COLLEEN L ANDRUS  
JIM ANDRUS  
KENNETH D ANDRUS  
6948 E OLD OREGON TRAIL RD  
LAVA HOT SPRINGS, ID 83246



\_\_\_\_\_  
Signature of person or attorney mailing the form