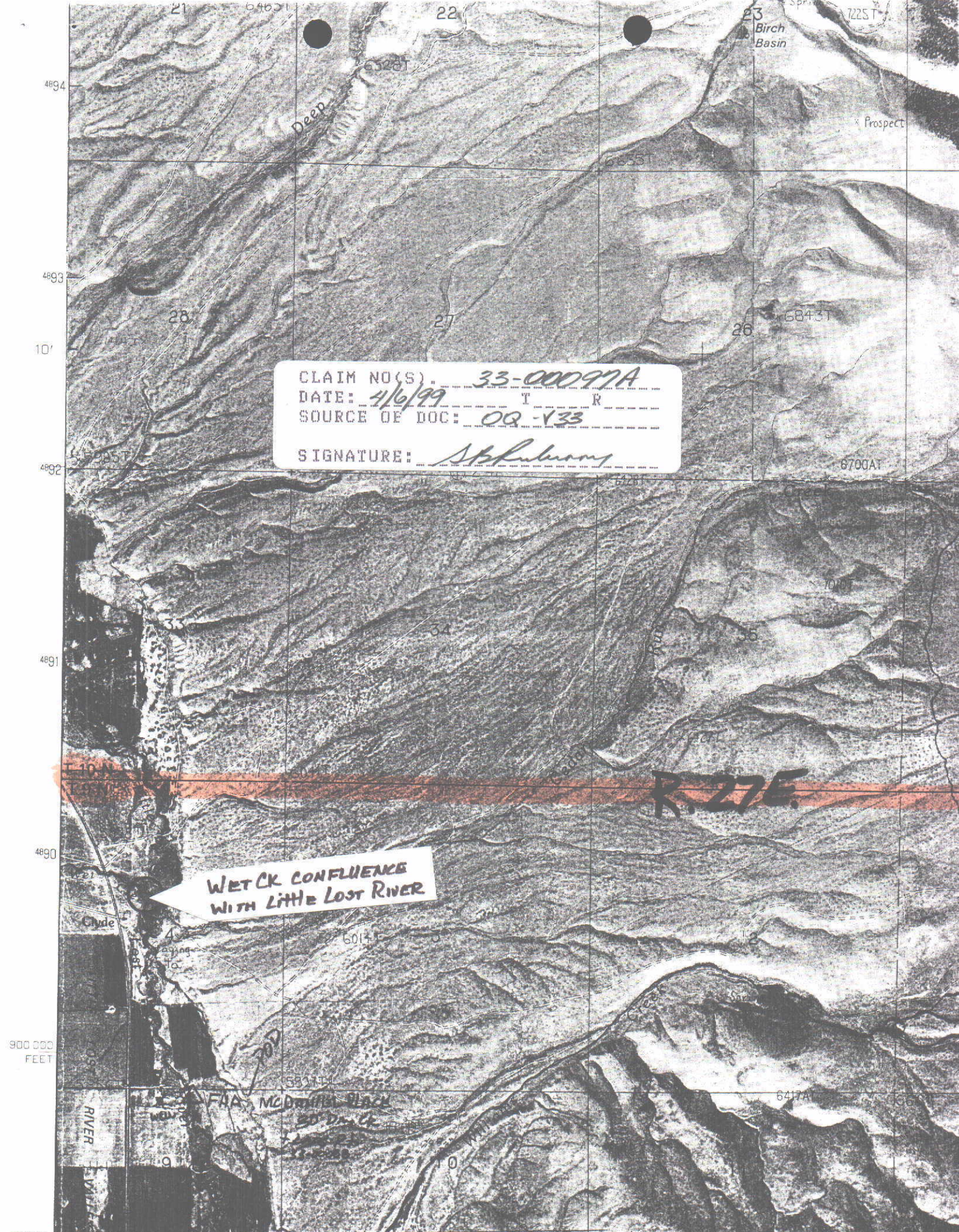




CLAIM NO(S) 33-00097A

DATE: 4/6/99 T R

SOURCE OF DOC: OQ-Y33

SIGNATURE: *Sp. Lubinsky*

WET CK CONFLUENCE
WITH LITTLE LOST RIVER

R. 27E

900 000
FEET

37°30'

100 000 FEET

④ NHEL
30.5

1164 SOPS
1000 SOPS
Bias

214
T 349
D. ANDREASON

DEGREE RIGHTS
P.O.D. L.L. RIVER

⑥ NHEL
80

⑥
41.5
NHEL
NW

⑨
44.3

NHEL
NW
31.5

③
36.5

② 2928
16.5 3233

③
35.1

PENCE

Well

③
37.6

③
34.0

③
53.6

③
56.5

NOT IRRIG.
③
7.5

④
86.0

NHEL/NW

③
43.2

NHEL
NW

⑥

54.4

③
38.2

D. ANDREASON
NOT IRRIG.
210465

③

3233
54

PARCEL NOT
INCLUDED IN A33-02080
AS CALIBRATED

00096A; 00097A
CLAIM NO(S) A33-02080; 00001A; 00095A;
DATE: 4/7/94 T 1 ON R 27E
SOURCE OF DOC: ASCS
SIGNATURE: *ASCS*

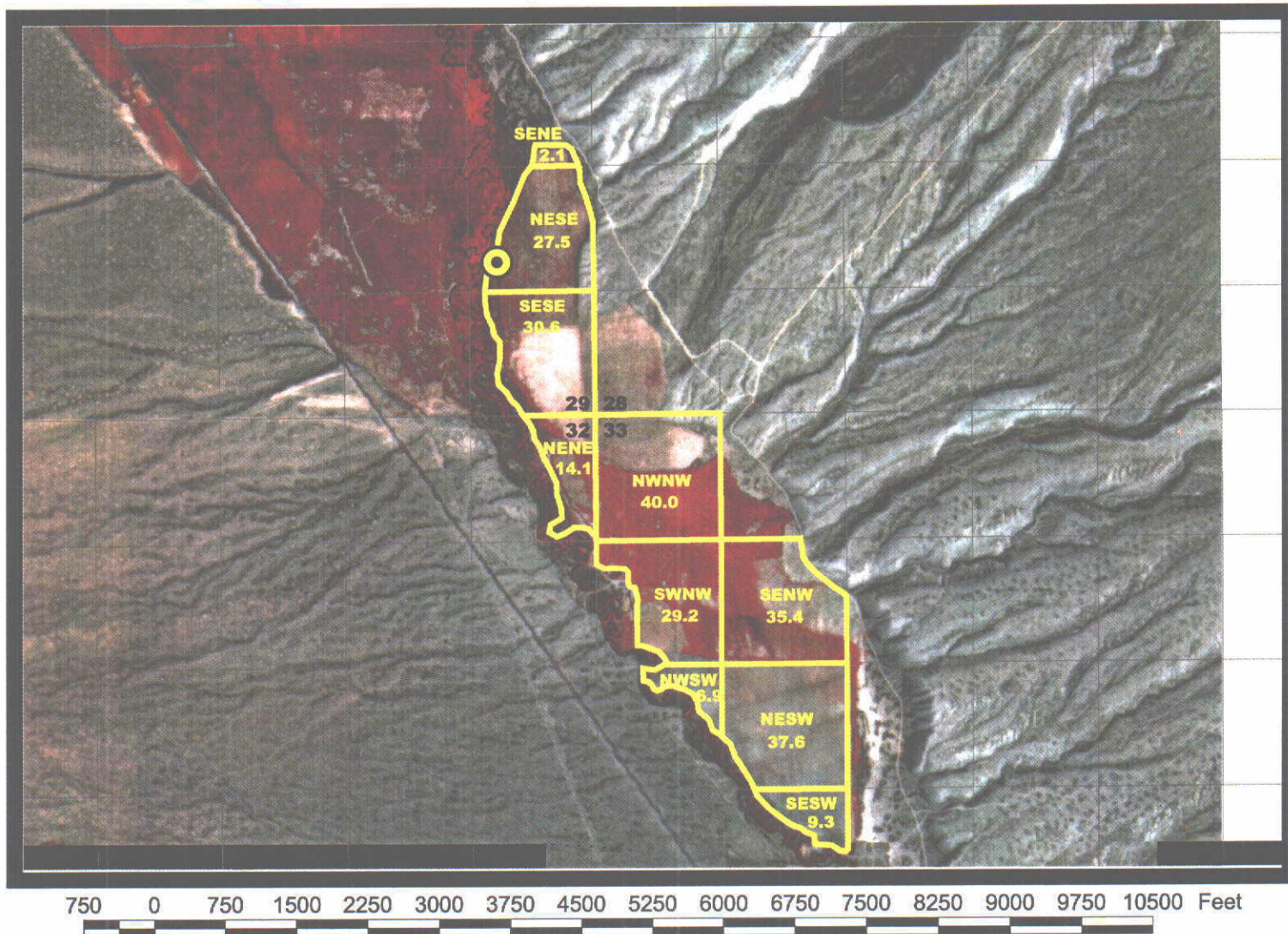
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Daryl Andreason

Water Right(s): 33-00001A, 33-00095A, 33-00096A, 33-00097A



LEGEND



Point of Diversion



Place of Use



Section Line

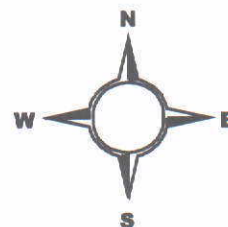


Quarter-section line

**Legal Description: T10N, R27E
(parts of) Sec. 29 E2SE, SENE,
Sec. 32 NENE, Sec. 33 NWNW,
S2NW, N2SW, SESW**

**Point(s) of Diversion: T10N, R27E
Sec. 29 SWNESE (surface)**

**Note: Place of use now complies
with Transfer #5624.**



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 2000

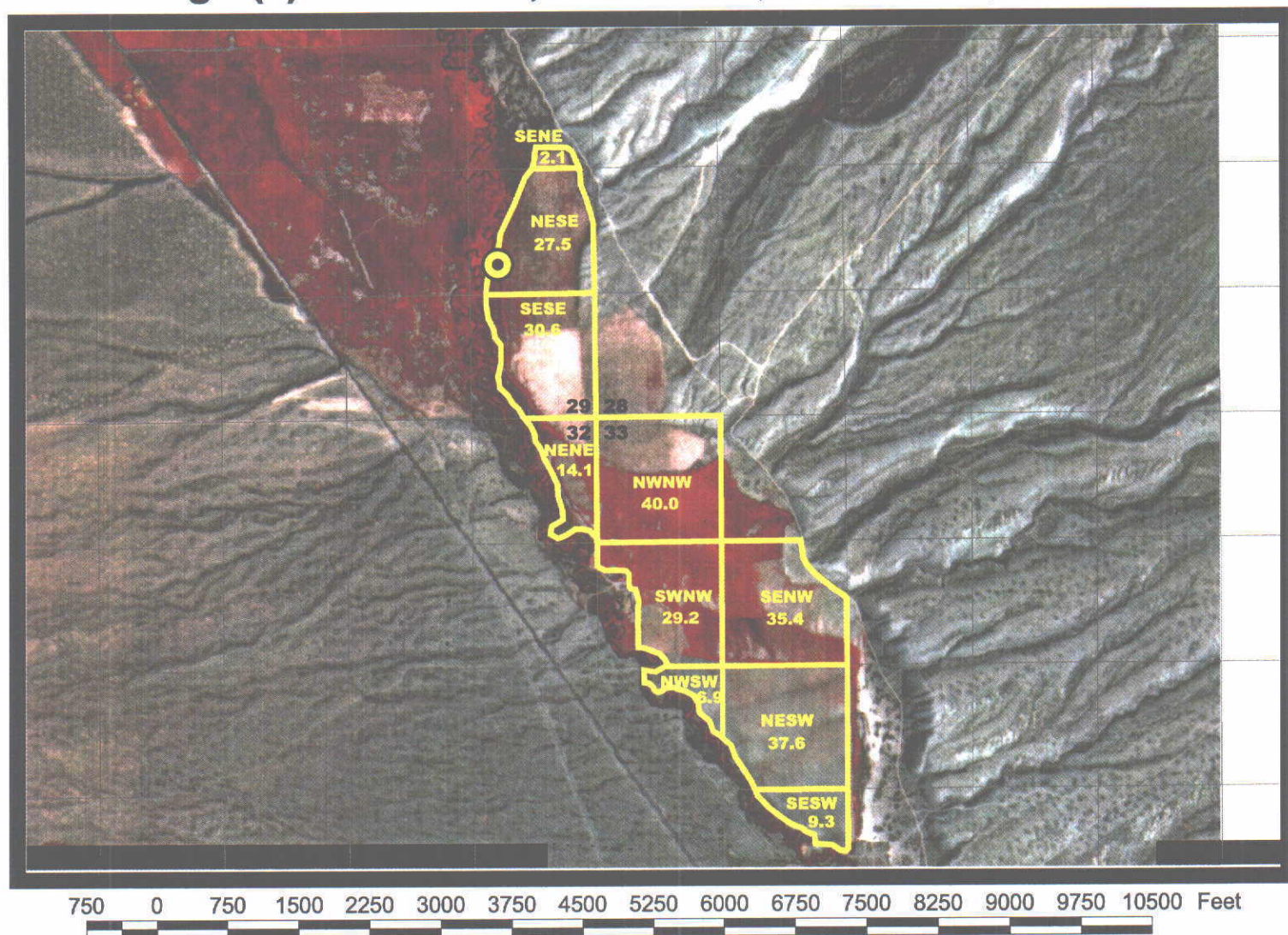
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Daryl Andreason

Water Right(s): 33-00001A, 33-00095A, 33-00096A, 33-00097A



LEGEND



Point of Diversion



Place of Use



Section Line

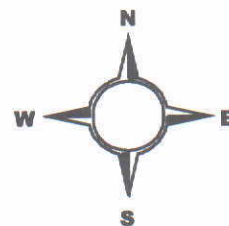


Quarter-section line

**Legal Description: T10N, R27E
(parts of) Sec. 29 E2SE, SENE,
Sec. 32 NENE, Sec. 33 NWNW,
S2NW, N2SW, SESW**

**Point(s) of Diversion: T10N, R27E
Sec. 29 SWNESE (surface)**

**Note: Place of use now complies
with Transfer #5624.**



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 2000



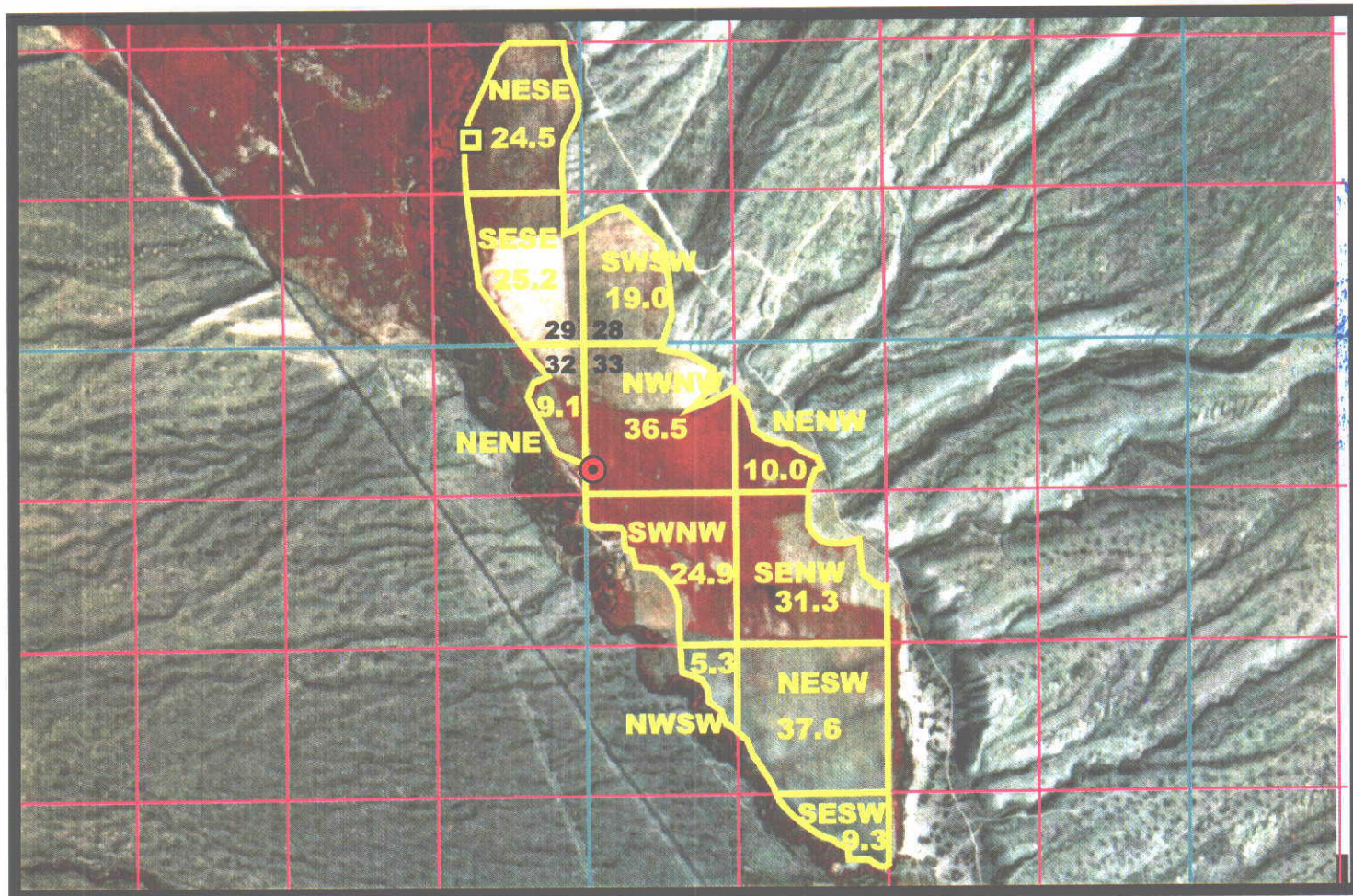
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Daryl Andreason

Water Right(s): 33-00001A, 33-00095A, 33-00096A, 33-00097A



500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 5500 6000 6500 7000 7500 8000 8500 9000 9500 10000 Feet

LEGEND



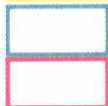
Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use

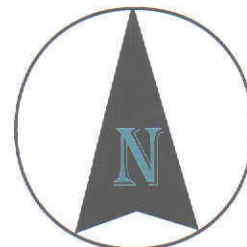


Section Line

Quarter-section line

Place(s) of Use: T.10N., R.27E.
(parts of) Sec. 29 E2SE,
Sec. 28 SWSW, Sec. 32 NENE,
Sec. 33 NW, N2SW, SESW

Point(s) of Diversion: T.10N., R.27E.
Sec. 29 SWNESE (surface)



GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: November 1999

July 17, 1998

NOTICE OF ERROR
REPLY

RECEIVED
JAN 18 2000

Department of Water Resources
Eastern Region

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 33-00097A

Daryl Andreason
Brenda Andreason
PO Box 22
Howe ID 83244

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Legal description for the source is in error.
Legal description for the source is in error.

2. Describe the changes you wish to make in the proposed recommendation:

Correct as:

Point of Diversion to: T10N R25E (From R27E)

Point of Injection to: T10N R26E (From R27E)

3. Give a brief explanation as to why you disagree with these portions:

This is an obvious typographical error.

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 1/7/00

SIGNATURE:

Please print your name:

Daryl L. Andreason
Daryl L. Andreason

RECEIVED

OCT 30 2000

Department of Water Resources

200 OCT 27 AM 8:48

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

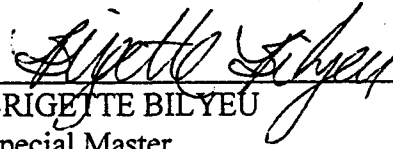
Case No. 39576

) Subcases: 33-00001A, 33-00095A,
) 33-00096A, and 33-00097A

) ORDER REQUIRING SUBMISSION OF
) STANDARD FORM 5
)

An Initial Hearing was held in the above subcases in Arco, Idaho on October 24, 2000. At the Initial Hearing the parties represented that a settlement had been reached in these subcases. IT IS ORDERED that fully executed *Standard Forms 5* shall be filed on or before **November 28, 2000**.

DATED October 27, 2000.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

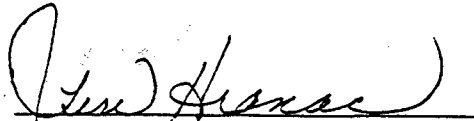
CERTIFICATE OF MAILING

I certify that a true and correct copy of ORDER REQUIRING SUBMISSION OF STANDARD FORMS 5 was mailed on October 27, 2000, with sufficient first-class postage prepaid to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

U.S. Dept. of Justice
Environment & Natural Resources Div.
550 W Fort St, MSC 033
Boise, ID 83724

Daryl & Brenda Andreason
PO Box 22
Howe, ID 83244


Deputy Clerk

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 02 2000

Department of Water Resources
Eastern Region

TRANSFER OF WATER RIGHT

TRANSFER NO. 5624

WATER RIGHT NO(S) . 33-00001A/33-00095A/33-00096A/33-00097A

This is to certify that: DARYL ANDREASON
6080 N LITTLE LOST HWY
PO BOX 22
HOWE ID 83244

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 33-00001A : IRRIGATION Priority: 04/01/1887	04/01 to 11/01	0.40 CFS	70.0 AF
Right No. 33-00095A : IRRIGATION Priority: 06/01/1891	04/01 to 11/01	0.70 CFS	122.5 AF
Right No. 33-00096A : IRRIGATION Priority: 05/25/1891	04/01 to 11/01	0.50 CFS	87.5 AF
Right No. 33-00097A : IRRIGATION Priority: 04/15/1891	04/01 to 11/01	3.20 CFS	560.0 AF
TOTAL:		4.65 CFS *	814.5 AF *

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
Right Nos. 33-00001A, 33-00095A, 33-00096A : LITTLE LOST RIVER	SINKS
Right No. 33-00097A : DRY CREEK	LITTLE LOST RIVER

LOCATION OF POINT(S) OF DIVERSION:

Right Nos. 33-00001A, 33-00095A, 33-00096A :	SWNESE , Sec. 29, Township 10N, Range 27E BUTTE County
Right No. 33-00097A :	SWNENW , Sec. 31, Township 10N, Range 25E NWSWNW , Sec. 36, Township 10N, Range 26E SWNESE , Sec. 29, Township 10N, Range 27E BUTTE County
Injection	
Rediversion	

TRANSFER NO. 5624
WATER RIGHT NO(S). 33-00001A/33-00095A/33-00096A/33-00097A

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10N	27E	29	SENE 2.1✓	NESE 27.5✓	SESE 30.6✓	60.2
		32	NENE 14.1✓			14.1
		33	NWNW 40✓	SWNW 29.2✓	SENW 35.4✓	
			NESW 37.6	NWSW 6.9✓	SESW 9.3✓	158.4
Total number of acres irrigated:						232.7 */**

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 33.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
- * 7. Rights 33-00001A, 31-00095A, 33-00096A, 33-00097A and 33-02080 when combined shall not exceed a total diversion rate of 4.65 cfs and the irrigation of 232.7 acres.
- * 8. The total instantaneous diversion of water from all points of diversion under Transfer 5624 shall not exceed 4.65 cfs, nor total combined annual volume of 814.5 af.
- ** 9. Right 33-00001A is limited to the irrigation of 20 acres within the place of use described above in a single irrigation season.
- ** 10. Right 33-00095A is limited to the irrigation of 35 acres within the place of use described above in a single irrigation season.
- ** 11. Right 33-00096A is limited to the irrigation of 25 acres within the place of use described above in a single irrigation season.
- ** 12. Right 33-00097A is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.

TRANSFER NO. 5624

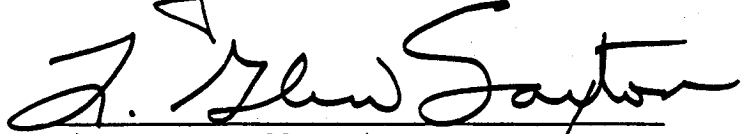
WATER RIGHT NO(S). 33-00001A/33-00095A/33-00096A/33-00097A

CONDITIONS OF APPROVAL AND REMARKS

13. The amount of water rediverted from the Little Lost River under Right 33-00097A shall be reduced when necessary to prevent injury to appropriators of water from the Little Lost River downstream from the point of diversion pursuant to Section 42-105, Idaho Code.
14. Water diverted under Right 33-00097A from Dry Creek is piped and injected into Wet Creek in the NWSWNW, S36, T10N, R26E and flows into the Little Lost River in the SWNE, S4, T9N, R27E.

Dated this 30th day of

May, 2000.



Chief, Water Allocation Bureau

RECEIVED

APR 10 2000

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 33-00097A

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; Paul F. Holleman, 202 305-0494

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Daryl & Brenda Andreason

Address: P.O. Box 22 Howe, ID. 83244

Name:

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Gary A. Madenford
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 6, 2000

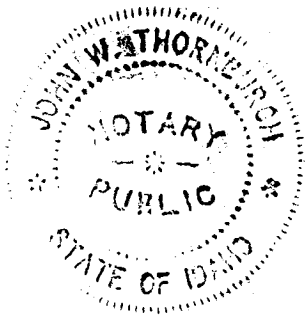
John W. Thornburgh

John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on April 7, 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

Name: Daryl & Brenda Andreason

Address: P.O. Box 22 Howe, ID. 83244

Name:

Address:

Name:

Address:

Name:

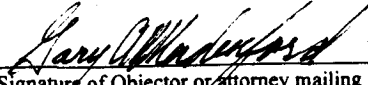
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449


Signature of Objector or attorney mailing on Objector's behalf

RIGHTS FROM: SOURCE: DRY CREEK TRIBUTARY: LITTLE LOST RIVER

RIGHT NUMBER: 33-00097A

NAME & ADDRESS: DARYL ANDREASON
BRENDA ANDREASON
PO BOX 22
HOWE ID 83244

SOURCE: DRY CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 3.2 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.65 CFS. COMBINED RIGHT NOS.:
33-00001A, 33-00095A, 33-00096A, 33-02080.

THE AMOUNT OF WATER REDIVERTED FROM THE LITTLE LOST RIVER
SHALL BE REDUCED WHEN NECESSARY TO PREVENT INJURY TO
APPROPRIATORS OF WATER FROM THE LITTLE LOST RIVER DOWNSTREAM FROM
THE POINT OF REDIVERSION PURSUANT TO SECTION 42-105, IDAHO CODE.

Remark change
"evaporation and seepage"?

PRIORITY DATE: 04/15/1891

POINT OF DIVERSION: T10N R25E S31
R26E S36
R27E S29

SWNENW BLM
NWSWNW (INJECTION)
SWNESE (REDIVERSION)

Within BUTTE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 11-01

QUANTITY
3.2 CFS

PLACE OF USE:

IRRIGATION
T10N R27E S28
S29
S32
S33

Within BUTTE County

SWSW 19 BLM
NESE 24.5 ✓
NENE 9.1 ✓
NENW 10 BLM
NESW 37.6 ✓

SESE 25.2 ✓
NWNW 36.5 ✓
NWSW 5.3 ✓

SWNW 24.9 ✓
SESW 9.3 ✓

SENW 31.3 ✓

232.7 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 232.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00001A, 33-00095A,
33-00096A, 33-02080.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Issue:

Point of diversion on BLM
Places of use on BLM

→ Farming on public land is not authorized

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-29-2000
PAGE: A-60

RIGHTS FROM: SOURCE: DRY CREEK TRIBUTARY: LITTLE LOST RIVER

RIGHT NUMBER: 33-00097A (CONT)

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 - DECREE
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: 33-00001A, 33-00095A, 33-00096A.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

A33-00097 A

EASTERN REGION

February 9, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

David Andreason, Watermaster
Water District 33
Howe, Idaho 83244

Dry Creek Water Users
Water District 33
Howe, Idaho 83244

Dear Watermaster and Water Users:

Per a telephone request of Mr. Bill Stauffer of Blaine County Canal Company, I'm sending you this letter to clarify the remark regarding delivery of Dry Creek water, which reads:

"THE AMOUNT OF WATER REDIVERTED FROM THE LITTLE LOST RIVER SHALL BE REDUCED WHEN NECESSARY TO PREVENT INJURY TO APPROPRIATORS OF WATER FROM THE LITTLE LOST RIVER DOWNSTREAM FROM THE POINT OF DIVERSION PURSUANT TO SECTION 42-105, IDAHO CODE."

In notices of error and in the petition, many of the Dry Creek water users disagreed with this remark. I apologize that it was not changed, due to my error. Dave Tuthill had intended that I modify the remark to clearly indicate the reductions should be based upon transmission losses. It should have read something like:

"THE AMOUNT OF WATER REDIVERTED FROM THE LITTLE LOST RIVER SHALL BE REDUCED WHEN NECESSARY TO PREVENT INJURY DUE TO LOSS BY EVAPORATION AND SEEPAGE, PURSUANT TO SECTION 42-105, IDAHO CODE."

Now that the recommendations have gone to the court, however, I can't change the wording. Though the current remark is perhaps a little unclear, in my opinion it doesn't really injure the Dry Creek water users. The whole intent of this remark is to allow the watermaster to assess transmission losses to "developed" waters. It appears not only on the Dry Creek rights but also on the Bell Mountain rights and all exchange wells subject to transmission losses. While it is unfortunate that the remark doesn't explicitly state

"transmission losses," it clearly points to section 42-105 of Idaho Code. That section reads:

"The water that a person is entitled to divert... may be turned into the channel of a natural waterway and mingled with its water, and then reclaimed, but in reclaiming the water so mingled, the amount of water to which prior appropriators may be entitled shall not be diminished, and due allowance shall be made for loss by evaporation and seepage. The use of natural waterways... shall be subject to the regulation of the watermaster within an established water district."

Please review this carefully. If you still believe this remark injures you, you may file an objection with the court. Filing the objection will give you the opportunity to present your concerns with the judge, and the judge may direct IDWR to change the remark accordingly.

Typically the judge will ask IDWR's input, and I think the department's response would be agreeable to changing the wording. The department would still want some type of remark, to preserve historical practice and the intent of the 1966 agreement between Dry Creek users and users of the Little Lost River.

Please call me at 525-7161 or 663-4853 if you have questions or concerns about this issue.

Sincerely,

Bryce A. Contor

Mailing list for Dry Creek Remark Letter:

David Andreason, Watermaster
Water District 33
Howe, Idaho 83244

Bill Stauffer, Chairman
Blaine County Canal Company
Howe, Idaho 83244

Pancheri, Inc.
c/o Jerry Pancheri
HC 65 Box 2104
Howe, Idaho 83244

Keith Waymire
PO Box 47
Howe, Idaho 83244

Daryl Andreason
Brenda Andreason
PO Box 22
Howe, Idaho 83244

James Andreason
Elizabeth Andreason
PO Box 3
Howe, Idaho 83244

Woodie Land and Livestock
HC 65 Box 1019
Howe, Idaho 83244

Mays Land and Livestock
PO Box 1
Howe, Idaho 83244

A33-00097A
DARYL ANDREASON
BRENDA ANDREASON
BOX 22
HOWE

R

ID 83244

☐ CLAIMS LANDS SHOWN TO BG IRAS. BY G.H. only
SHOW PPL FOR ALL ASSOC. CLAIMS?



A3300097A

November 23, 1999

RECEIVED

DEC 14 1999

NOTICE OF ERROR
REPLY

Department of Water Resources

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 10, 1999

RECEIVED

DEC 17 1999

Department of Water Resources
Eastern Region

Water right number: 33-00097A

DARYL ANDREASON
BRENDA ANDREASON
PO BOX 22
HOWE ID 83244

Daytime Telephone Number:
Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

4/15/91

4/1 to 11/1

Dry Creek

2. Describe the changes you wish to make in the proposed recommendation:

I recommend that the Dry Creek water be delivered out of sequence from the priority date which is the way it has always been delivered

3. Give a brief explanation as to why you disagree with these portions:

IN the past there has been millions of dollars spent to get Dry Creek water to the Little Lost River to be used for irrigation. Without these projects Dry Creek water would never get to the Little Lost River for irrigation

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/8/99

SIGNATURE:

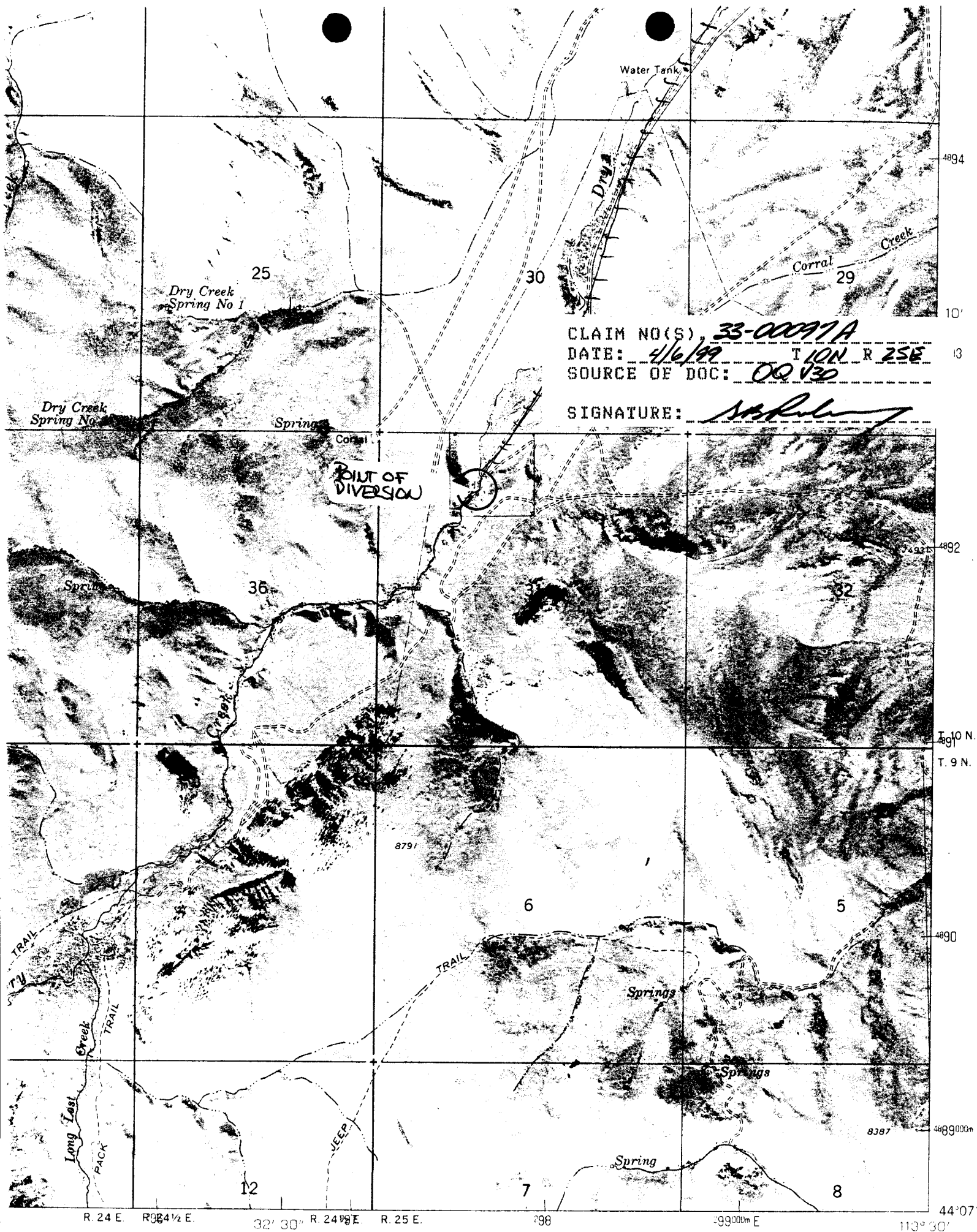
Please print your name:

Daryl Anderson
Daryl Anderson

IDWR Eastern Regional Office, 900 N. Skyline Drive, Suite A, Idaho Falls, ID 83402-1718, (208) 525-7161

SEVERAL CONCERNS over this issue - NOODS in objection to Homing@ Court with others





CLAIM NO(S), 33-00097A
DATE: 4/6/99 T 10N R 25E
SOURCE OF DOC: QQ V30

SIGNATURE: [Signature]

CLAIM NO(S) 33-00077A
DATE: 4/6/99 TION R 268
SOURCE OF DOC: OGV130

SIGNATURE: MS. R. L. R. L.

22 x 6315T

23 Creek

24

6075T

E Y

B. A. R.

6338AT

6195AT

6096T

2-192

BURIED
PIPELINE

27

6297T

Abandoned Ditch 26

25

6172T

6330AT

6193T

POINT OF
INTERSECTION

6259T WET
CREEK

POWER
HOUSE

Creek

35

BM
6216

6169T

36

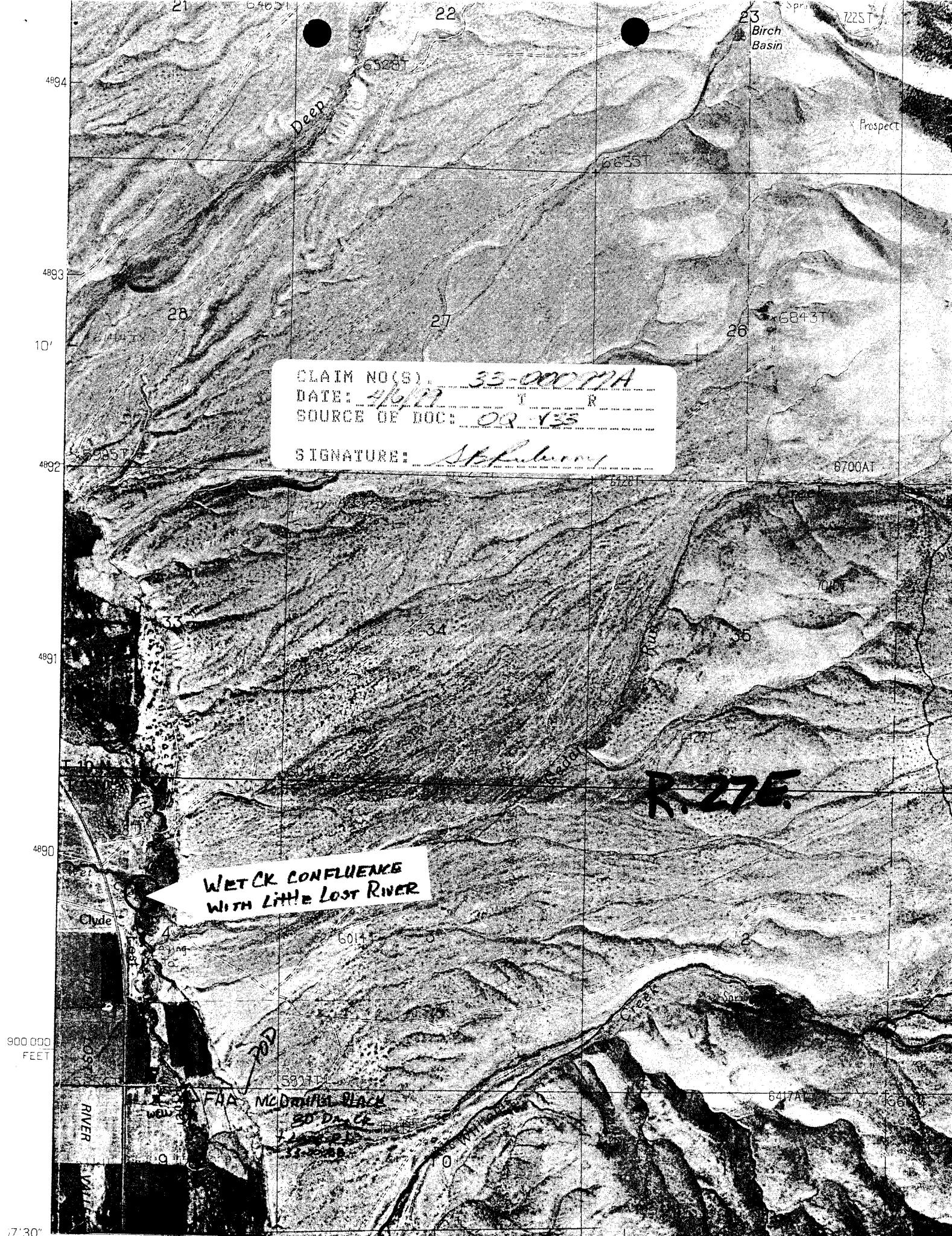
6094T

BM
6286

6248AT

6209T

6110T



CLAIM NO(S) 33-00077A
DATE: 4/6/77 T R
SOURCE OF DOC: OR-YES
SIGNATURE: SP. Ruben

Wetck Confluence
with Little Lost River

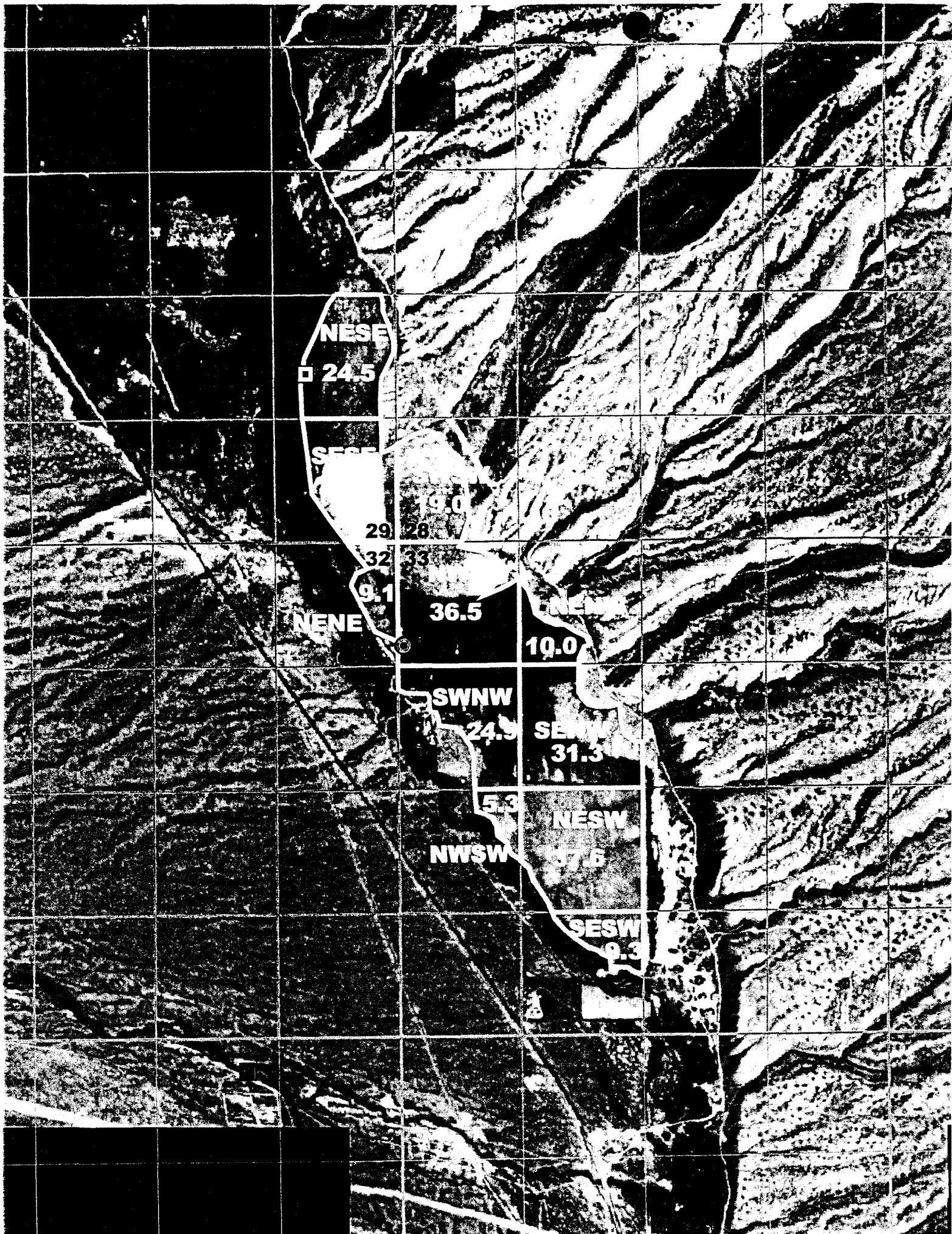
R. 27E

FAA McDonnell Black
30 Dn Cr

900 000
FEET

17'30"

700 000 FEET



NESE
□ 24.5

SESE
29
28
32
33
9.1

NENE
36.5

19.0

10.0

SSWNW
24.9

31.3

5.3
NWSW
37.6

NESW

SESW
9.3

SIGNATURE

A. B. Perkins

D. ANDREASON
NOT IRREG. &
2104RS.

PARCEL NOT
ALLOWED IN AREA
AGE CALCULATION

APPROVED 6/25/90

Form 22a
1-40

Page 1 of 12

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3681

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant Daryl Andreason Phone (208) 767-3204
Post Office address P.O. Box 22, Howe, ID 83244

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes The ground this right is currently attached to is not irrigated due to the marshy conditions. Transferring the water will change the right to conform with current agricultural practices.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
33-00001A	4-1-1887	.40	Irrigation	4-1	to 11-1
33-00095A	6-1-1891	.70	Irrigation	4-1	to 11-1
33-00096A	5-25-1891	.50	Irrigation	4-1	to 11-1
33-00097A	4-15-1891	3.20	Irrigation	4-1	to 11-1

2. Total amount of water being transferred 4.8 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Little Lost River tributary to Sinks
4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
10N	27E	28												19					19
		29													26			19	45
		32	10																10
		33					10	37	21	35	40	5	12	12					160

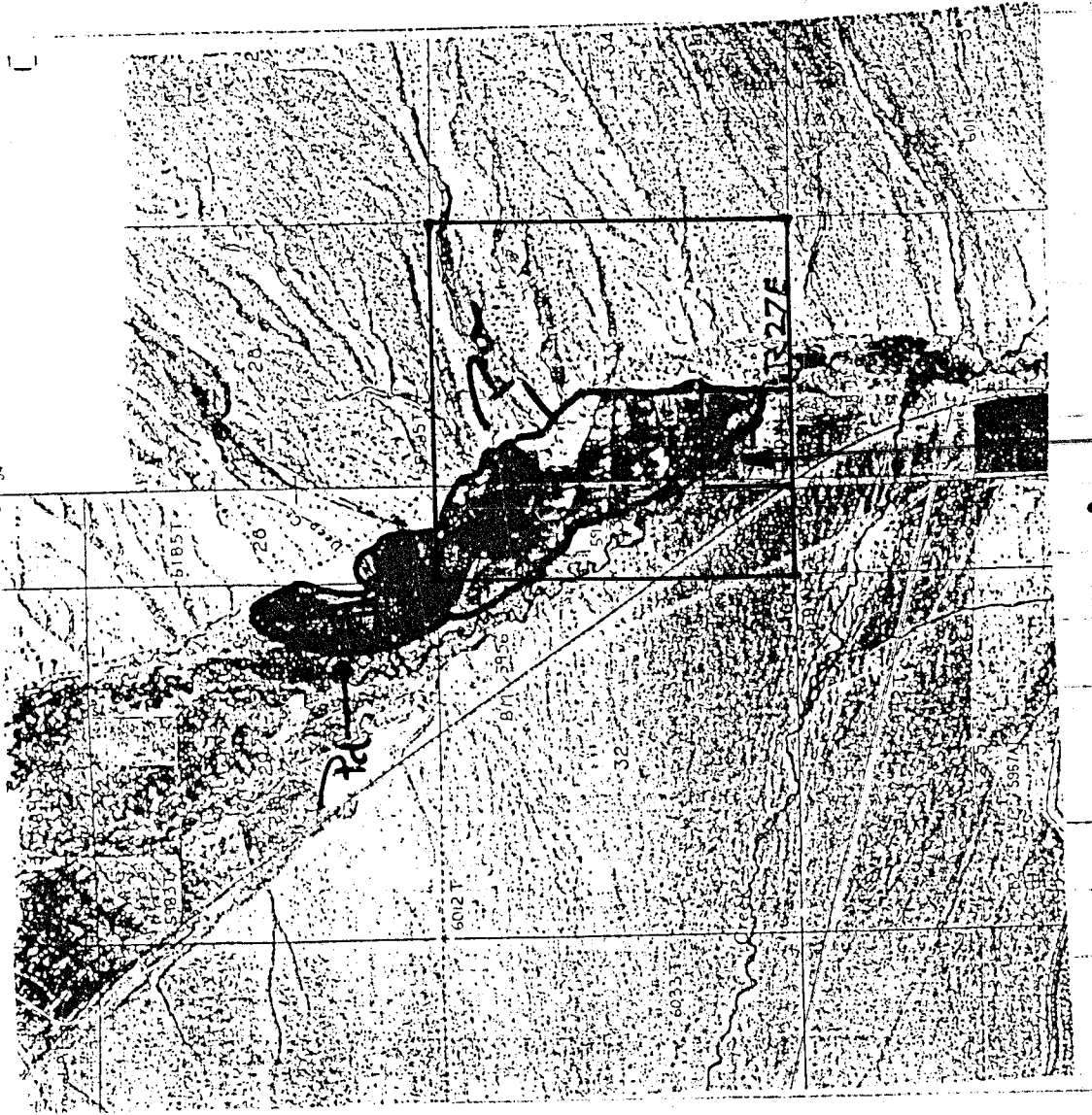
4 AUGUST 1994. CONTACTED PAM SKAGGS. S.O..

Total acres 234

INFORMED HER OF THE ABOVE NOTED ERROR. SHE INDICATED SHE WOULD DISCUSS THE PROBLEM WITH Jim Jemelson. AND DOES ACKNOWLEDGE THE ERROR AS A DEPARTMENTAL ERROR.

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

*Diversion Number (S&SW)
in Question*

NOTICE OF PROPOSED CHANGE TO A WATER RIGHT

NO. 33-00001A, 33-00095A, 33-00096A, 33-00097A

Notice is hereby given that Daryl Andreason of Howe, ID, has applied to the Department of Water Resources to change a point of diversion and place of use of the waters of Little Lost River tributary to sinks, Sawmill Creek, & Dry Creek. The rights sought to be changed are evidenced and recorded as follows:

Decreed to O.P. Williams in case of Blaine County Investment Co. vs. Robert G. Mays, et al, dated March 4, 1927. Transfer No. 899 which produced this right.

Decree 33-00001A AMOUNT: .40 CFS SOURCE: LITTLE LOST RIVER
PRIORITY: April 1, 1887

Decree 33-00095A AMOUNT: .70 CFS SOURCE: LITTLE LOST RIVER
PRIORITY: June 1, 1891

Decree 33-00096A AMOUNT: .50 CFS SOURCE: SAWMILL CREEK
PRIORITY: May 25, 1891

Decree 33-00097A AMOUNT: 3.20 CFS SOURCE: DRY CREEK
PRIORITY: April 15, 1891

POINT OF DIVERSION: NENW SEC 12 T 10N R 26E, BUTTE COUNTY
The water is used to irrigate land within the E1/2SE1/4 SEC 29;
NENE SEC 32; NWNW S1/2NW1/4 E1/2SW1/4 SEC 33 T 10N R

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:54
03/31/93

81)
CLAIM NUMBER: A35-30097A

PAGE: 1
GENERAL INFORMATION

LAST: ANDREASON
ADDRESS: BOX 22
CITY: HOME
PHONE NUMBER: 208-767-3204
OWNER CODE: C

FIRST: DARYL
STATE: ID ZIP: 83244

LAST: ANDREASON
ADDRESS: BOX 22
CITY: HOME
PHONE NUMBER: 208-767-3204
OWNER CODE: C

FIRST: BRENDA
STATE: ID ZIP: 83244

FIELD EXAM REQUIRED?

DATABASE Y FIELD EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: .

CONTACT PERSON: Shirley L. Johnson

PHONE NUMBER: () 914-3204

DATE OF FIELD EXAM: 11/21/84

APPOINTMENT MADE: V(X) W()

TIME: 1:00 A() P(X)

ACCOMPANIED BY: Dan Johnson

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: Owner

DIRECTIONS TO PROPERTY / NOTES:

Shirley L. Johnson is the owner of Daniel at the address 1001 N. 1st Street, Apt. 101, New York, NY 10001. Daniel is a 10-year-old male dog, and is the only dog living at this address. Daniel is a very friendly dog, and is very well trained. Daniel is a very good dog, and is very well trained. Daniel is a very good dog, and is very well trained.

REFERENCES: NAPP 13255, ASCS, DO 132433, LRD 00005, T 099, T 3681

A. AJ CLAIM: # A33-00097A PRIORITY DATE: 04-15-1891 STAGE: D

B. WR RECORD: # 33-00097A PRIORITY DATE: 04-15-1891 STAGE: D

C. FIELD EXAM REQUIRED? FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE M

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()

NOTES: Claimed priority matches decree and transfer # 3681.

RECOMMENDED PRIORITY DATE: As claimed 04-15-1891
REVIEWED BY S. N. Keen 4/6/99
O. P. WILLIAMS: 33 0001
From Little Lost River: 40 inches, April 1, 1887; 70 inches, June 1, 1891; 33 0096
From Saw Mill Creek: 50 inches, May 25, 1891; 320 inches, April 15, 1891; 33 0097
Points of diversion: 1571
From Little Lost River: 33 0097

From Saw Mill Creek: At the mouth of said stream;
From Dry Creek: At the Dry Creek dam;

to be used upon and appurtenant to:

The South half of the Northwest Quarter, and the East half of the Southwest Quarter of Section Thirty-three, the East half of the Southeast Quarter of Section Twenty-nine, and the Northeast Quarter of the Northeast Quarter of Section Thirty-two, and the Northwest Quarter of the Northwest Quarter of Section Thirty-three, and the South half of the Southwest Quarter of Section Fifteen and the Northwest quarter of Section Nineteen, all in Township Ten North, Range Twenty-seven East of the Boise Meridian.

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A33-00097A	10N	27E	29	NE	SE			BUTTE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX
33-00001A
33-00095A
33-00096A

WR RECORDS IN SAME 40 ACRE TRACT
33-00001A
33-00095A
33-00096A

SOURCE: DRY CREEK

TR13: LITTLE LOST RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
33-00097A	10N	27E	29	NE	SE			BUTTE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX
R PREFIX

33-00001A
33-00095A
33-00096A

33-00001A
33-00095A
33-00096A

NONE

SOURCE: LITTLE LOST RIVER

TR13: SINKS

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
Y	Y	Y	---

NOTES:

Al Rubery verified the 10-acre location of the point of diversion while in the field on 3-36-74, with Dave Anderson, District 33 WATERMASTER. Transfer # 3681 changed the source from Dry Creek to Little Lost River. When did the change really take place?

Apparently the Dry Creek water is diverted through a pipeline (which replaces a canal) into Wet Creek, which runs to the Little Lost River. Before that, Dry Creek never reached the river. The source of this right was apparently allowed to be changed to the river by letting the Dry Creek water run down Wet Creek and into the river. Do we need to condition this right to ensure that it can only be used when 3.20 cfs of Dry Creek water reaches the river? In other words, is this really an exchange right?

Swiken *See Note Below - Re: Tim Luke

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: TWP. R5E. SEC.	1/4	SW	NE	SE	LOT	DIV. CODE	COUNTY	DIVERSION NAME
10N 27E 29	SW	NE	SE			R	Butte	
10N 28E 31	SW	NE	NW			D	Custer	HEADGATE DIVERSION
10N 26E 30	NW	SW	NW			I	Butte	HEADGATE DIVERSION TO WOT CR
9N 27E 4	SW	SW	NE					WOT CR CONDUIT w/ LITTLE LOST RIVER
SOURCE: <u>Dry Creek</u>								

REVIEWED BY: W. Schumacher DATE: 7/2/94

SYSTEM DESCRIPTION: WATERS TAKEN FROM LLR ARE DIVERTED FROM A HEADGATE DIVERSION TO A DITCH SYSTEM WHICH CARRIES ALL LLR RIGHTS (33-0001A, 00095A, 00096A, 00097A) TO NEW BUBBLER AND PUMP SYSTEM SERVING IRRIG. LANDS.

* 4-7-94 Tim Duke says that in his view all the Dry Creek water should be (and has traditionally been) treated as exchange water. This right could be described as an exchange.

Prior to Daryl acquiring the Ranch, 1989-90. - All irrig. was done by flood except for that irrig. by well (A33-02080).

4/6/99 Opinion of Ron Carlson - Source does not change per IX 3687

A. ROOT WATER RIGHT NUMBERS:

A33-00097A
A33-00097B

3. POW LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #ACRES	AR #ACRES	LANDSAT DATA	FIE-D EXA1.	RECOMM. ACRES
10N	27E	28	S4	S4	SM	ANDREASON, DARYL	A33-30097A /19.0	33-30097A /19.0	23.0		
			S4	S4	SM	ANDREASON, DARYL	A33-30001A /19.0	33-30001A /19.0			
			S4	S4	SM	ANDREASON, DARYL	A33-30095A /19.0	33-30095A /19.0			
			S4	S4	SM	ANDREASON, DARYL	A33-30096A /19.0	33-30096A /19.0			
10N	27E	29	NE	NE	SE	ANDREASON, DARYL	A33-30097A /25.0	33-30097A /25.0	38.0		
			NE	NE	SE	ANDREASON, DARYL	A33-30001A /25.0	33-30001A /25.0			
			NE	NE	SE	ANDREASON, DARYL	A33-30095A /25.0	33-30095A /25.0			
			NE	NE	SE	ANDREASON, DARYL	A33-30096A /25.0	33-30096A /25.0			
			NE	NE	SE	AMY, ROBERT C.		33-32080 /40.0			
10N	27E	29	SE	SE	SE	ANDREASON, DARYL	A33-30097A /19.0	33-30097A /19.0	39.0		
			SE	SE	SE	ANDREASON, DARYL	A33-30001A /19.0	33-30001A /19.0			
			SE	SE	SE	ANDREASON, DARYL	A33-30095A /19.0	33-30095A /19.0			
			SE	SE	SE	ANDREASON, DARYL	A33-30096A /19.0	33-30096A /19.0			
			SE	SE	SE	AMY, ROBERT C.		33-32080 /40.0			
10N	27E	32	NE	NE	NE	ANDREASON, DARYL	A33-30097A /10.0	33-30097A /10.0	31.3		
			NE	NE	NE	ANDREASON, DARYL	A33-30001A /10.0	33-30001A /10.0			
			NE	NE	NE	ANDREASON, DARYL	A33-30095A /10.0	33-30095A /10.0			
			NE	NE	NE	ANDREASON, DARYL	A33-30096A /10.0	33-30096A /10.0			
			NE	NE	NE	AMY, ROBERT C.		33-32080 /40.0			
10N	27E	33	NE	NE	NW	ANDREASON, DARYL	A33-30097A /10.0	33-30097A /10.0	13.0		
			NE	NE	NW	ANDREASON, DARYL	A33-30001A /10.0	33-30001A /10.0			
			NE	NE	NW	ANDREASON, DARYL	A33-30095A /10.0	33-30095A /10.0			
			NE	NE	NW	ANDREASON, DARYL	A33-30096A /10.0	33-30096A /10.0			
10N	27E	33	N4	N4	NW	ANDREASON, DARYL	A33-30097A /37.0	33-30097A /37.0	40.0		
			N4	N4	NW	ANDREASON, DARYL	A33-30001A /37.0	33-30001A /37.0			
			N4	N4	NW	ANDREASON, DARYL	A33-30095A /37.0	33-30095A /37.0			
			N4	N4	NW	ANDREASON, DARYL	A33-30096A /37.0	33-30096A /37.0			
			N4	N4	NW	AMY, ROBERT C.		33-32080 /40.0			
10N	27E	33	S4	S4	NW	ANDREASON, DARYL	A33-30097A /21.0	33-30097A /21.0	37.0		
			S4	S4	NW	ANDREASON, DARYL	A33-30001A /21.0	33-30001A /21.0			
			S4	S4	NW	ANDREASON, DARYL	A33-30095A /21.0	33-30095A /21.0			
			S4	S4	NW	ANDREASON, DARYL	A33-30096A /21.0	33-30096A /21.0			
10N	27E	33	SE	SE	NW	ANDREASON, DARYL	A33-30097A /35.0	33-30097A /35.0	35.0		
			SE	SE	NW	ANDREASON, DARYL	A33-30001A /35.0	33-30001A /35.0			
			SE	SE	NW	ANDREASON, DARYL	A33-30095A /35.0	33-30095A /35.0			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SE	NW		ANDREASON, DARYL	A33-00096A	735.0	33-00096A	735.0	
10N	27E	33	NE	SW		ANDREASON, DARYL	A33-00097A	740.0	33-00097A	740.0	37.0
			NE	SW		ANDREASON, DARYL	A33-00001A	740.0	33-00001A	740.0	
			NE	SW		ANDREASON, DARYL	A33-00095A	740.0	33-00095A	740.0	
			NE	SW		ANDREASON, DARYL	A33-00096A	740.0	33-00096A	740.0	
10N	27E	33	NW	SW		ANDREASON, DARYL	A33-00097A	750.0	33-00097A	750.0	53.0
			NW	SW		ANDREASON, DARYL	A33-00001A	750.0	33-00001A	750.0	
			NW	SW		ANDREASON, DARYL	A33-00095A	750.0	33-00095A	750.0	
			NW	SW		ANDREASON, DARYL	A33-00096A	750.0	33-00096A	750.0	
10N	27E	33	SE	SW		ANDREASON, DARYL	A33-00097A	712.0	33-00097A	712.0	9.3
			SE	SW		ANDREASON, DARYL	A33-00001A	712.0	33-00001A	712.0	
			SE	SW		ANDREASON, DARYL	A33-00095A	712.0	33-00095A	712.0	
			SE	SW		ANDREASON, DARYL	A33-00096A	712.0	33-00096A	712.0	
TOTAL ACRES							A33-00097A	254.00	212.00	316.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(X) N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POJ DISCREPANCY? (Y/N)

PRESUMPTION FLAG: 0

NOTES:

POJ COUNTY: BUTTE

FIELD EXAMINER
DATABASE Y

SEC. 29 SENG - 1.9
SEC. 33 SWNG - 1.2
NWSE - 4.4
SWSE - 1.8

NO WIL
7.3 AC.

TRANSFER 3681 SHOWS 12 AC. TRANSFERRED TO SW SW. THIS IS AN ERROR OF THE TRANSFER
PROCESS - THE ACCOMPANYING MAP SHOWS CORRECTLY THE SW SW, SEC 33 AS SHOWN HERE.
DOT COUNT METHOD AND ASCS ACREAGE COUNT AGREE. PLOT: 223-6 DC V 223. SALES
AS CLAIMED VARIES SIGNIFICANTLY FROM "AS USGO" G.W. (A33-02080) IS A SEPARATE SYSTEM.
FROM SW, DOT COUNT AC. AND ASCS AC. ARE ALL INCLUSIVE LANDS - G.W. SERVICE VS SW. SERVICE

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

100/2321

A. AJ CLAIMED USES:

PURPOSES
A33-00097A IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY
3.200 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

3.200 CFS

B. WR RECORDED USES:

PURPOSES
33-00097A IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY
3.200 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

3.200 CFS

PRESUMPTION FLAG: D

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
N
N
N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()
Y() N()

EXPLAIN IN NOTES, BELOW.

NOTES:

RECOMMEND DECREASED AS 04/1 TO 11/1

DECREASED AS "... BETWEEN APRIL 1ST AND NOVEMBER 1ST ..." (XIV pg. 21)

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(✓) N()

AJ TOTAL CLAIMED DIVERSION RATE: 3.200 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.200 CFS

Decreased "320 inches" pg. 16 XXVIII

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
*** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS ***
*** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. ***

TRANS. 899 SPLITS RIGHT to A+B
(3.20 cfs ea)

FLOW MEASUREMENT REQUIRED?

FIELD

DATEBASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

B.

FLOW MEASUREMENT

Measured By Unknown Star

MEASUREMENT METHOD

SEE ATTACHED CALCULATIONS.

Dist 33.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A33-00001A/00095A/00036A

LIST ALL RIGHTS WITH A SAME POW AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A33-00037A	DRY CREEK	ANDREASON, DARYL	3.200	0.013		
A33-00031A	LITTLE LOST RIVER	ANDREASON, DARYL	0.400	0.001		
A33-00035A	LITTLE LOST RIVER	ANDREASON, DARYL	0.100	0.002		
A33-00036A	LITTLE LOST RIVER	ANDREASON, DARYL	0.500	0.032		

$$\frac{3.2}{223.6} = 0.0143$$

NO RIGHTS WITH SAME POW BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE
ACRES 223.6 X 0.02 CFS/ACRE = 4.472 CFS
(TAKEN FROM P/U REVIEW)
DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)
19. CALCULATIONS
CALC. 4.5 cfs
CLAIMED - 3.2 cfs = 0.0145"/acre

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 535.0 AF/A
ACRES 223.6 X CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =
TOTAL CONSUMPTIVE USE 5590 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
ACRES 223.6 X DIVERSION VOL. AF/A FOR AREA 3.5 =
TOTAL DIVERSION VOLUME 782.6 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

WR RECORD CONDITIONS/REMARKS:

- T02 - THE DIRECTOR MAINTAINS JURISDICTION OF THIS TRANSFER UP TO FIVE
- (5) YEARS FOR THE PURPOSE OF DETERMINING POTENTIAL INJURY TO
- EXISTING RIGHTS, 3074 JUNIOR AND SENIOR, IN THE VICINITY OF THE
- TRANSFERRED POINT OF DIVERSION.
- R04 - USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE
- WATERMASTER OF STATE WATER DISTRICT NO. 33.

TRANS. 3681.

TRANSFER 3681, Approved 25 June 1997

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01 Deceber	DATABASE EXAMINER 3.200	DATABASE EXAMINER 102.6	DATABASE EXAMINER 585.3
TOTAL FOR THIS RIGHT		3.200	102.6	585.3

REVIEWED BY: *[Signature]*

DATE: *4 Aug 94*

CONDITIONS: *COB*

Deceber
42-1425

REMARKS: *B09; 35*

E12; --- ft, 3.0 AFA, 223.6 AC, 00001A, 00095A, 00096A, 02080

F06: 33-00001A, 00095A, 00096A

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP FORFEIT/ABANDON NO
ADDITIONAL DIV. AMOUNT NO

ACCEPTED AS CLAIMED (X)
NEEDS REVIEW ()

3. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-00097

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE EXAMINER
6.400

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A33-00097A	3.200	E33-00097A	3.2 cfs	33-00097A	3.200
-	A33-00097B	3.200	-	-	33-00097B	3.200 → 00097C
-	-	-	-	-	33-00097	-

00097B = 12.0 cfs (7400)
(SEE DIVISION # 12)
(LOSS PRACTICE)

TOTAL CFS 6.400

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE N
FIELD EXAMINER

NOTES:

A33-00097A NO FURTHER SPLIT CLAIMED IN FILE 2 3.2 cfs
A33-00097B → CIP NOT ELIGIBLE TO THIS CLAIM (00097C & 00097D, 00097E, 00097F, 00097G, 00097H, 00097I, 00097J, 00097K, 00097L, 00097M, 00097N, 00097O, 00097P, 00097Q, 00097R, 00097S, 00097T, 00097U, 00097V, 00097W, 00097X, 00097Y, 00097Z)

AUTHENTICATION:

SIGNATURE: [Signature] DATE: 4 Aug 94

NAME OF FIELD EXAMINER: ALBERT B. RUSSELL TITLE: SA, AGT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:03:54
03/31/93

822
CLAIM NUMBER: A33-90077A

PAGE: 13
QUICKLOOK INFORMATION

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			7/24/94 <i>SWK</i>	N	6			
POINT OF DIV	Y			N	12.5			
SOURCE	Y			N	2.5			
PLACE OF USE	Y			4	12.5			
DIV. AMOUNT CFS/VOLUME				N				
CONSUMPTIVE USE				4				
PURPOSES				N	5			
PERIOD OF USE				4	6			
BASIS OF CLAIM	Y			N				
REMARKS	Y							

VERIFIED BY CODES

TOPD MAP/ORTHO-PQ = 1
ASCS MAP = 2
MASTER RECORDS = 3
MAP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

Presumption Code:

Bar Code:

Condition/Remarks

*F06
B09
E12*

CLAIM NUMBER: A33-30037A

DIVERSION RATE DIVERSION VOLUME

3.20 CFS ~~XX~~

3.20 CFS

~~5050 AFJ~~
559.0

TRIBUTARY TO: LITTLE LOST RIVER

STAGE: DECEED

BUTTE COUNTY

35

VERIFIED DATE: 08/05/1985

FIELD INSPECTION FLAG:

FIELD INSPECTION FLAG: 0
PRESUMPTION FLAG:

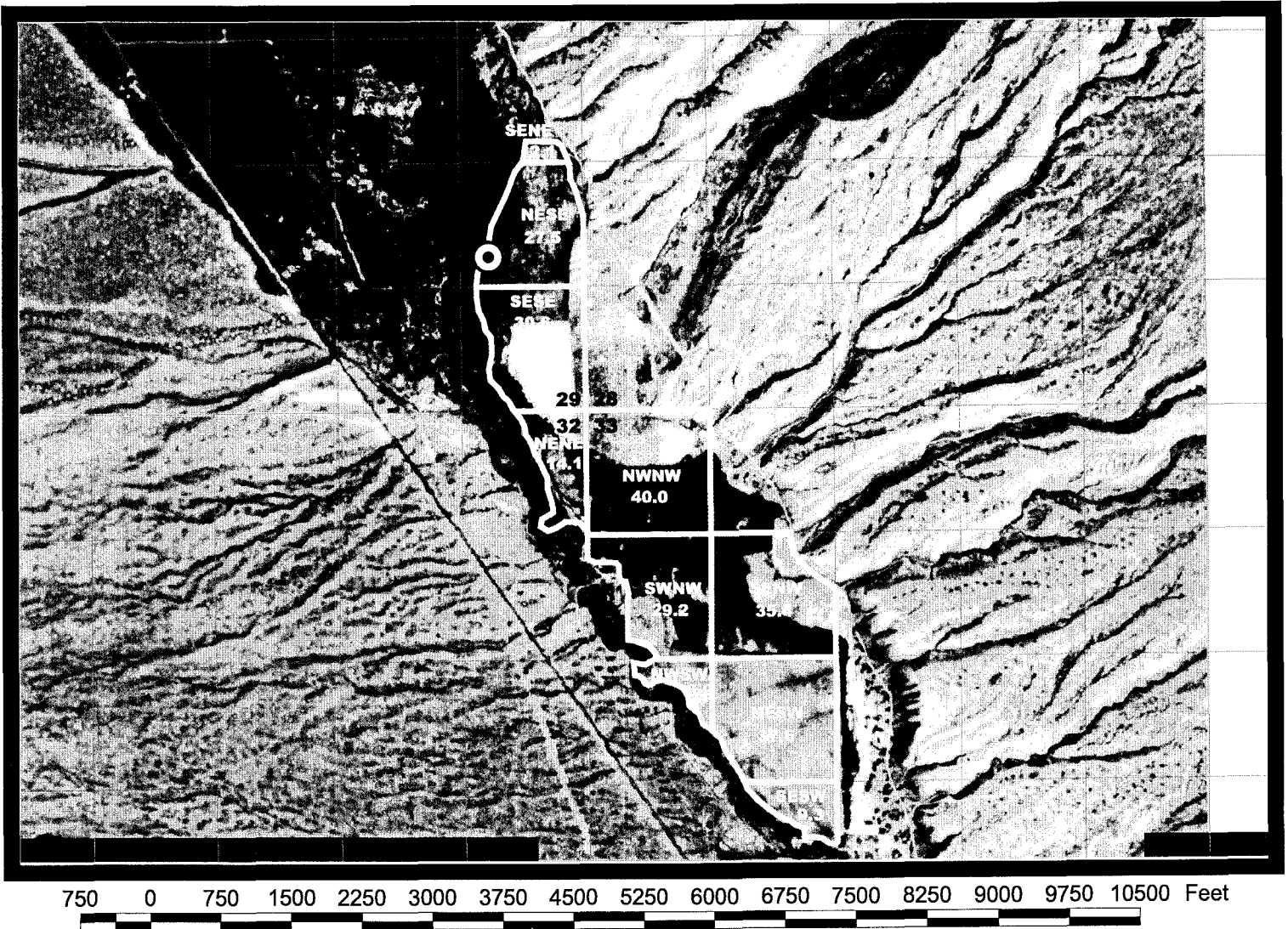
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Daryl Andreason

Water Right(s): 33-00001A, 33-00095A, 33-00096A, 33-00097A



LEGEND



Point of Diversion

Place of Use

Section Line

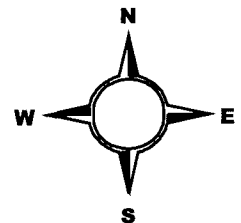


Quarter-section line

**Legal Description: T10N, R27E
(parts of) Sec. 29 E2SE, SENE,
Sec. 32 NENE, Sec. 33 NWNW,
S2NW, N2SW, SESW**

**Point(s) of Diversion: T10N, R27E
Sec. 29 SWNESE (surface)**

**Note: Place of use now complies
with Transfer #5624.**



**GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 2000**

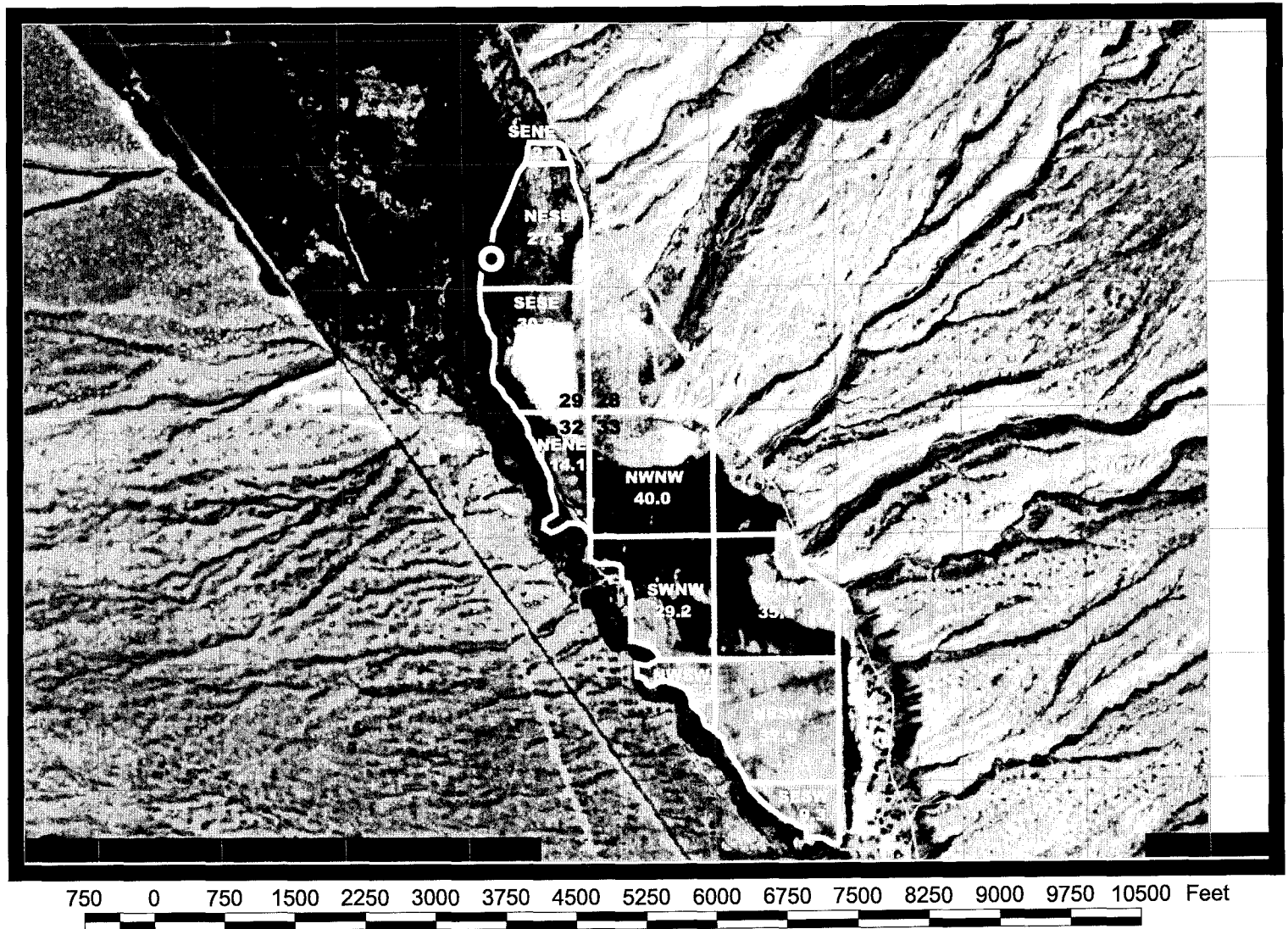
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Daryl Andreason

Water Right(s): 33-00001A, 33-00095A, 33-00096A, 33-00097A



LEGEND



Point of Diversion

Place of Use

Section Line

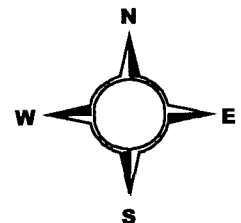


Quarter-section line

**Legal Description: T10N, R27E
(parts of) Sec. 29 E2SE, SENE,
Sec. 32 NENE, Sec. 33 NWNW,
S2NW, N2SW, SESW**

**Point(s) of Diversion: T10N, R27E
Sec. 29 SWNESE (surface)**

**Note: Place of use now complies
with Transfer #5624.**



**GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 2000**



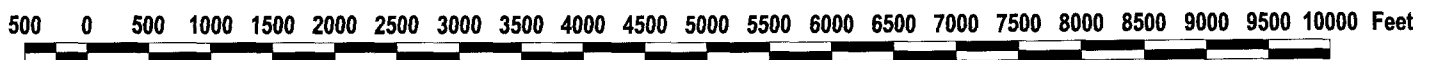
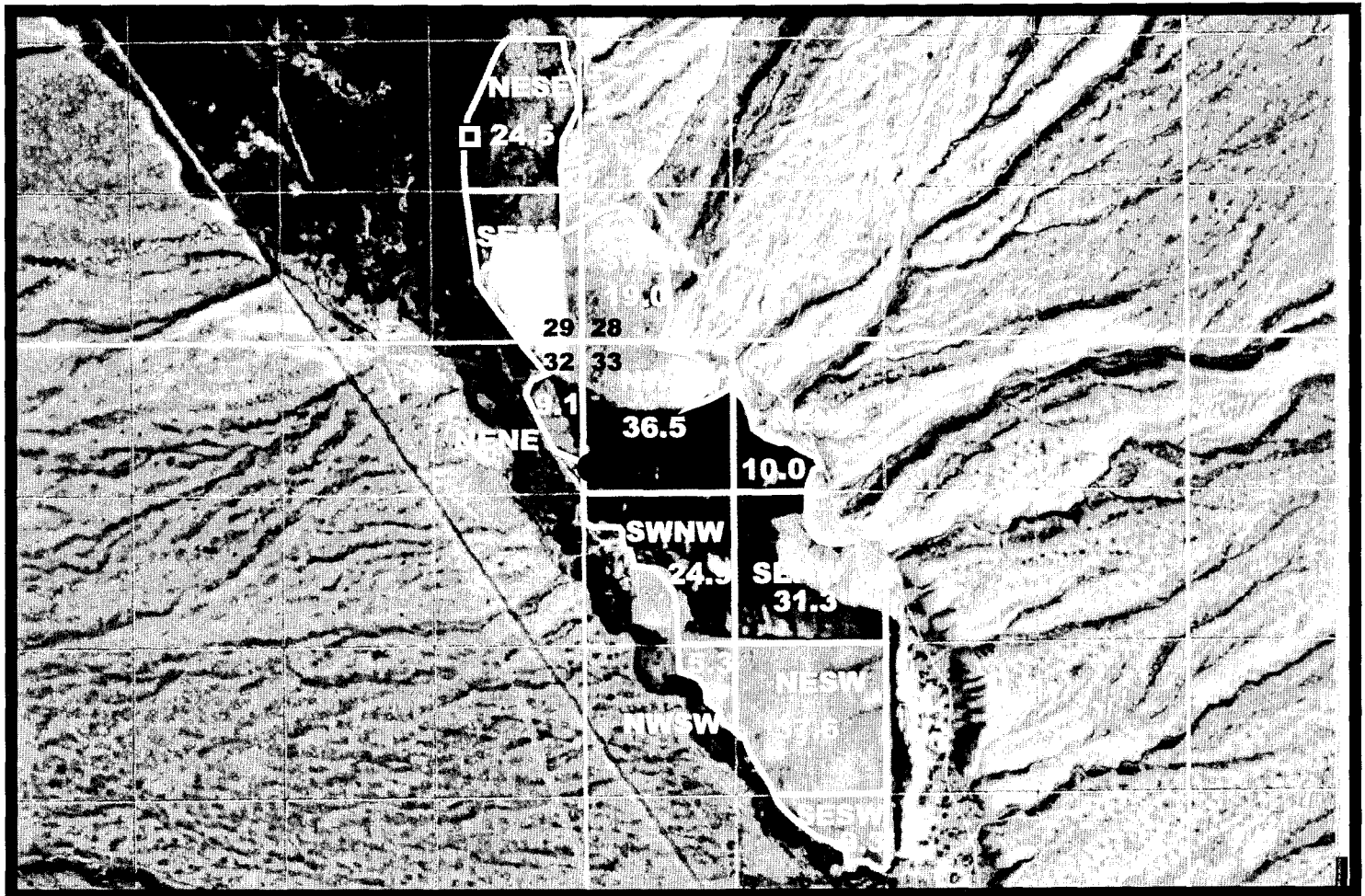
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Daryl Andreason

Water Right(s): 33-00001A, 33-00095A, 33-00096A, 33-00097A



LEGEND



Point of Diversion- GW



Point of Diversion- SW

SESE

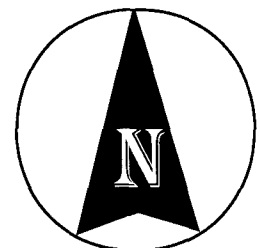
Place of Use

Section Line

Quarter-section line

**Place(s) of Use: T.10N., R.27E.
(parts of) Sec. 29 E2SE,
Sec. 28 SWSW, Sec. 32 NENE,
Sec. 33 NW, N2SW, SESW**

**Point(s) of Diversion: T.10N., R.27E.
Sec. 29 SWNESE (surface)**



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: November 1999

11/07/2000

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

RIGHT NUMBER: 33-97A

NAME AND ADDRESS: BRENDA ANDREASON
DARYL ANDREASON
PO BOX 22
HOWE, ID 83244

SOURCE: DRY CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 3.2 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.65 CFS. COMBINED RIGHT
NOS.: 33-00001A, 33-00095A, 33-00096A, 33-02080

THE AMOUNT OF WATER REDIVERTED FROM THE LITTLE LOST RIVER
SHALL BE REDUCED WHEN NECESSARY TO PREVENT INJURY TO
APPROPRIATORS OF WATER FROM THE LITTLE LOST RIVER DOWNSTREAM
FROM THE POINT OF REDIVERSION PURSUANT TO SECTION 42-105,
IDAHO CODE.

PRIORITY DATE: 04/15/1891

POINT OF DIVERSION:	T10N R25E S31	SWNENW	Within BUTTE County
	T10N R26E S36	NWSWNW	Within BUTTE County
	T10N R27E S29	SWNESE	Within BUTTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	3.20 CFS

PLACE OF USE:

<u>IRRIGATION Within BUTTE County</u>					
T10N R27E S29	SENE	2.1	T10N R27E S29	NESE	27.5
					24.5
T10N R27E S29	SESE	30.6	T10N R27E S32	NENE	14.1
		25.2			9.1
T10N R27E S33	NWNW	40	T10N R27E S33	SWNW	29.2
		36.5			24.9
T10N R27E S33	SENW	35.4	T10N R27E S33	NESW	37.6
		31.3			
T10N R27E S33	NWSW	6.9	T10N R27E S33	SESW	9.3
		5.3			
T10N R27E S28	SWSW	19.0	T10N R27E S33	NENW	10.0
232.7 ACRES TOTAL					

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 232.7 ACRES IN A
SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00001A, 33-
00095A, 33-00096A, 33-02080

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

THE USE OF WATER WITHIN SENE, S29, T10N, R27E IS LIMITED TO
THE S1/2 OF THE SE OF THAT PLACE OF USE.

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 -

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: 33-00001A, 33-00095A, 33-00096A

AJ0749NP
No. R33-00097A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/17/99
PAGE: 1

OWNER
CODE NAME & ADDRESS
C DARYL ANDREASON
C BRENDA ANDREASON
PO BOX 22
HOME ID 83244
(208) 767-3204

PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME
04/15/1891 IRRIGATION 04-01 11-01 3.200 CFS 3.200 CFS
TOTAL DIVERSION: 3.200 CFS

Water Source: DRY CREEK

Tributary to: LITTLE LOST RIVER

Stage: DECREED

Point(s) of Diversion:
Point(s) of Injection:
Point(s) of Re-diversion:

T10N R27E S31
T10N R27E S36
T10N R27E S29

BUTTE County
BUTTE County
BUTTE County

Place of Use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE		NUNE		NENW		NWNW		NWSW		NWSE		NUSE		SESE		
			Lt AC		Lt AC		Lt AC		Lt AC		Lt AC		Lt AC		Lt AC		Lt AC		
T	R	S																	SUM
10N	27E	28																	19.0
10N	27E	29																	49.7
10N	27E	32	09																9.1
10N	27E	33					10		36		24		31				25		154.9
																			232.7
																			</

AJ0749NP
No. R33-00097A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/17/99
PAGE: 2

Comments: Date: 10/28/1999 User-ID: ARUBERRY Subject: COPIED FROM REMARKS
SOURCE WAS CHANGED FROM DRY CREEK TO LITTLE LOST RIVER BY
TRANSFER #3681, 6/25/90.

Date: 10/28/1999 User-ID: ARUBERRY Subject: TRANSFERS
A.) TRANSFERS; #899, #3681.
B.) TRANSFER #3681 ERRORS IN THE POU OF SWSM SEC.33. ACTUAL POU
IS IN SWSM. RECOMMENDED POU REFLECTS ACTUAL POU/ACRES.
C.) A TRANSFER WILL BE NECESSARY TO REMOVE DECREED RIGHTS FROM
BLM LANDS, AUTHORIZED BY TX #3681, FOR REDISTRIBUTION ON
PRIVATE LANDS.

Date: 11/17/1999 User-ID: ARUBERRY Subject: DELIVERY LOSS
THIS RIGHT HAS HISTORICALLY BEEN DELIVERED OUT OF PRIORITY AND
AHEAD OF OTHER RIGHTS. ANY LOSS IS TO BE ASSESSED BY THE WATER
MASTER.

Audit: 11/17/99 ARUBERRY

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: A33-00097A
Date Received: 1/12/1990
Receipt No: E011650
Received By: SMS

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: DARYL ANDREASON 208-767-3204
Address: BOX 22
HOWE, ID 83244
OR
Name: BRENDA ANDREASON 208-767-3204
Address: BOX 22
HOWE, ID 83244
2. Date of Priority: APR 15, 1891
3. Source: DRY CREEK Trib. to: LITTLE LOST RIVER
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
10N 27E 29 NE SE BUTTE
5. Description of diverting works:
HEADGATE AND PRIVATE DITCH/ PUMP AND SPRINKLER SYSTEM
6. Water is used for the following purposes:
Purpose From To C.F.S. (or) A.F.A.
IRRIGATION 04/01 11/01 3.200
7. Total Quantity Appropriated is:
3.200 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 585.0 Acre Feet Per Annum.
9. Non-irrigation uses:
STOCKWATER; 100 RANGE CATTLE, 300 SHEEP

A33-00097A

Page 1

Date: 02/15/90

Original
Sent to
Court.
4-20-00

MICROFILMED
NOV 18 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	27E	28	SW	SW		IRR	19.0
						Section Acres	19.0
		29	NE	SE		IRR	26.0
			SE	SE		IRR	19.0
						Section Acres	45.0
		32	NE	NE		IRR	10.0
						Section Acres	10.0
		33	NE	NW		IRR	10.0
			NW	NW		IRR	37.0
			SW	NW		IRR	21.0
			SE	NW		IRR	35.0
			NE	SW		IRR	40.0
			NW	SW		IRR	5.0
			SE	SW		IRR	12.0
						Section Acres	160.0
						Total Acres	234.0

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:
A35-00001A/00095A/00096A

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

BLAINE COUNTY INVESTMENT CO.

Decree Plaintiff

vs

ROBERT G. MAYS, ET. AL.

Decree Defendant

A33-00097A

Page

2

Date: 02/15/90

MICROFILMED

NOV 18 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: _____

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): Daryl Anderson Date: 2/20/90

Date: _____

State of Idaho)
County of Butte) SS.

Subscribed and sworn (or affirmed) before me this 20 day

of February 19 90

Seal

Jaqueline A. Kroeger
Notary Public

Residing at Hame, ID

My Commission Expires 4-6-99

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: A33-00097A

Date Received: 1/12/1990

Receipt No: E011650

Received By: SMD

Original

Sent to

Court.

4-20-00

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DARYL ANDREASON 208-767-3204
Address: BOX 22
HOWE, ID 83244

OR
Name: BRENDA ANDREASON 208-767-3204
Address: BOX 22
HOWE, ID 83244

2. Date of Priority: APR 15, 1891

3. Source: DRY CREEK Trib. to: LITTLE LOST RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	26E	28	NE	SE			BUTTE

5. Description of diverting works:
HEADGATE AND PRIVATE DITCH/ PUMP AND SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		

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

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STOCKWATER; 100 RANGE CATTLE, 300 SHEEP

A3300097A

A33-00097A

Page 1

Date: 01/12/90

MICROFILMED

NOV 18 1992

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Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	27E	28	SW	SW		IRR	19.0
						Section Acres	19.0
		29	NE	SE		IRR	26.0
			SE	SE		IRR	19.0
						Section Acres	45.0
		32	NE	NE		IRR	10.0
						Section Acres	10.0
		33	NE	NW		IRR	10.0
			NW	NW		IRR	37.0
			SW	NW		IRR	21.0
			SE	NW		IRR	35.0
			NE	SW		IRR	40.0
			NW	SW		IRR	5.0
			SE	SW		IRR	12.0
						Section Acres	160.0
						Total Acres	234.0

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15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

BLAINE COUNTY INVESTMENT CO.
Decree Plaintiff

vs

ROBERT G. MAYS, 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): Daryl Anderson Date: Jan. 12, 1990
Date:

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 12 day

of January 19 90

Seal

[Signature]
Notary Public

Residing at Idaho Falls, Id.

My Commission Expires 22 Aug 1994

