

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

**RIGHT NUMBER:** 37-808

**NAME AND ADDRESS:**

JANSS FARMS  
C/O PETER JANSS  
PO BOX 99  
BLISS ID 83314

**SOURCE:**

Source:

CLOVER CREEK  
COLD SPRING

Tributary:

SNAKE RIVER  
CLOVER CREEK

**QUANTITY:**

5.956 CFS

**PRIORITY DATE:**

04/01/1882

**POINT OF DIVERSION:**

T04S R12E S36 SESWNE  
Within GOODING County

T04S R13E S31 Lot 7 SWNW  
Within GOODING County

**PURPOSE AND  
PERIOD OF USE:**

Purpose of use

Period of use:

Quantity:

IRRIGATION

03/15 11/15

5.956 CFS

**PLACE OF USE:**

IRRIGATION

within GOODING County

T04S R12E S35 SWNE 35.0

T04S R12E S35 SENE 2.6

T04S R12E S35 SWNW 6.7

T04S R12E S35 SENW 38.0

T04S R12E S35 NESW 33.0

T04S R12E S35 NWSW 21.0

T04S R12E S35 SWSW 33.0

T04S R12E S35 SESW 34.0

T04S R12E S35 NWSE 3.8

T04S R12E S36 SWNE 23.0

T04S R12E S36 SENW 4.2

T05S R12E S02 SWNE 3.6

T05S R12E S02 Lot 3 NENW 0.5

T05S R12E S02 SWNW 3.5

T05S R12E S02 SENW 32.0

T05S R12E S02 NESW 17.0

T05S R12E S02 NWSW 13.0

T05S R12E S02 NWSE 33.0

~~T05S R12E S02 SWSE 0.6~~

T05S R12E S03 Lot 1 NENE 11.0

T05S R12E S03 Lot 2 NWNE 17.0

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

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364.9 ACRES TOTAL

~~365.5 ACRES TOTAL~~

Right nos. 37-808 and 37-7045 are limited to the irrigation of a combined total of ~~365.5~~ 364.9 acres 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.

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

## Fritschle, Carter

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**From:** Kelly, Vicki  
**Sent:** Monday, July 17, 2006 11:36 AM  
**To:** Fritschle, Carter  
**Subject:** FW: 37-00808, 37-07045; Claimant: Janss Farms

Hi Carter

Sorry....

-----Original Message-----

**From:** Larry.Brown@usdoj.gov [mailto:Larry.Brown@usdoj.gov]  
**Sent:** Wednesday, May 31, 2006 12:26 PM  
**To:** Kelly, Vicki; Spencer, Nick  
**Cc:** Fred\_Price@blm.gov  
**Subject:** 37-00808, 37-07045; Claimant: Janss Farms

Peter Janss returned my call and left me a message today asking that I start the ball rolling to delete public lands from the place of use element of the above-referenced water rights. Please delete the following place of use from each water right:

T5S, R12E, Section 2, SWSE .6 acres

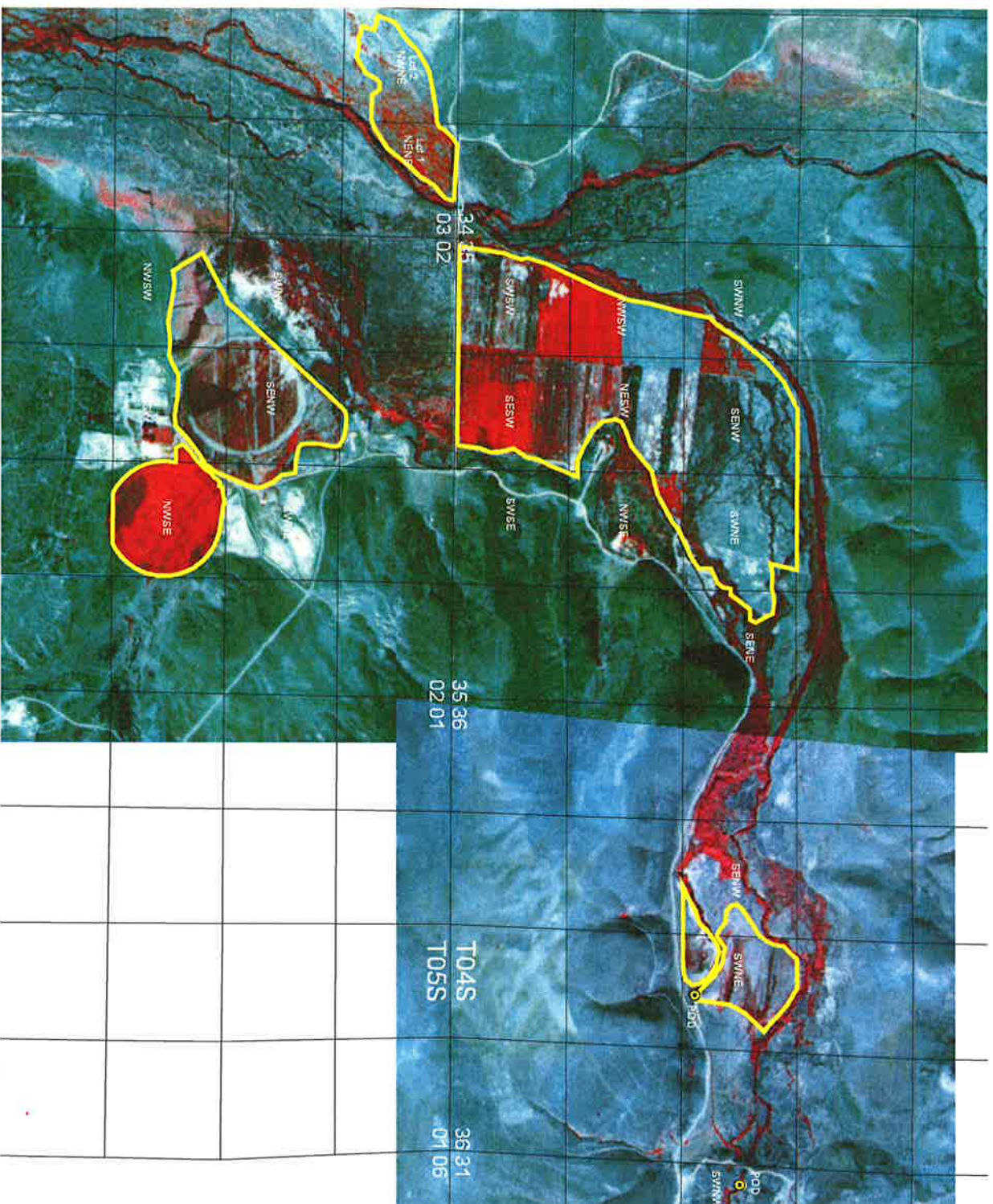
Recaluculate quantity if necessary.

Please draft appropriate SF-5s and let Fred know when the are done. Fred will send them to Mr. Janss for signature and Mr. Janss will send them back to Fred. Fred will obtain IDWR concurrence and send them to me for signature, filing, and service. Thanks,

Larry

# 37-808 & 37-7045

T04S R12E  
S35 & S36  
T05S R12E  
S02 & S03



Map prepared by: Carter Fritschle  
Date prepared: 02/09/05 - Revised 07/19/06  
1987-1988 NAPP photography  
Idaho Department of Water Resources

02/09/2005

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

RIGHT NUMBER: 37-808  
NAME AND ADDRESS: JANSS FARMS  
C/O PETER JANSS  
PO BOX 99  
BLISS ID 83314

SOURCE: CLOVER CREEK  
COLD SPRING  
TRIBUTARY: SNAKE RIVER  
TRIBUTARY: CLOVER CREEK

QUANTITY: 5.956 CFS

PRIORITY DATE: 04/01/1882

POINT OF DIVERSION:

T04S R12E S36 SESWNE Within GOODING County  
T04S R13E S31 SWNW Lot 7 Within GOODING County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/15 11/15          | 5.956 CFS       |

PLACE OF USE: IRRIGATION Within GOODING County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T04S R12E S35       | SWNE | 35.0 | T04S R12E S35       | SENE | 2.6  |
| T04S R12E S35       | SWNW | 6.7  | T04S R12E S35       | SENW | 38.0 |
| T04S R12E S35       | NESW | 33.0 | T04S R12E S35       | NWSW | 21.0 |
| T04S R12E S35       | SWSW | 33.0 | T04S R12E S35       | SESW | 34.0 |
| T04S R12E S35       | NWSE | 3.8  | T04S R12E S36       | SWNE | 23.0 |
| T04S R12E S36       | SENW | 4.2  | T05S R12E S02       | SWNE | 3.6  |
| T05S R12E S02 Lot 3 | NENW | 0.5  | T05S R12E S02       | SWNW | 3.5  |
| T05S R12E S02       | SENW | 32.0 | T05S R12E S02       | NESW | 17.0 |
| T05S R12E S02       | NWSW | 13.0 | T05S R12E S02       | NWSE | 33.0 |
| T05S R12E S02       | SWSE | 0.6  | T05S R12E S03 Lot 1 | NENE | 11.0 |
| T05S R12E S03 Lot 2 | NWNE | 17.0 |                     |      |      |

365.5 ACRES TOTAL

Right nos. 37-808 and 37-7045 are limited to the irrigation of a combined total of 365.5 acres 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

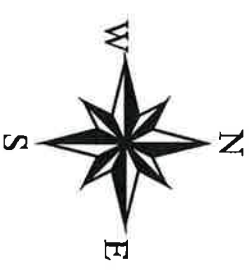
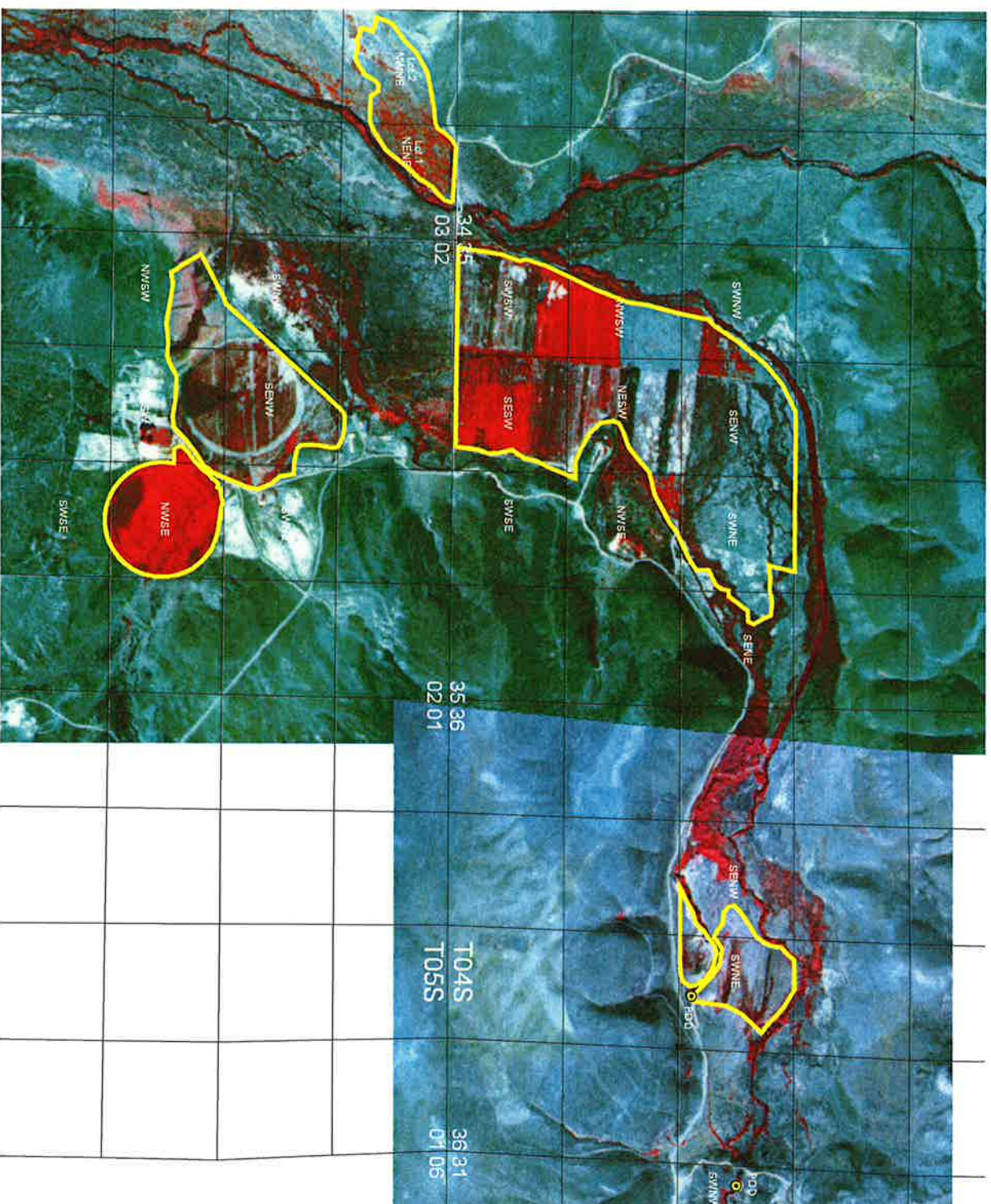
Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

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.

# 37-808 & 37-7045

T04S R12E  
S35 & S36  
T05S R12E  
S02 & S03



Map prepared by: Carter Fritschle  
Date prepared: 02/09/05  
1987-1988 NAPP photography  
Idaho 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 THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00808  
Date Received: 6/15/1988  
Receipt No: S000438  
Received By:                     

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JANSS FARMS 208-352-4657  
Address: P. O. BOX 99  
BLISS, ID 83314

2. Date of Priority: APR 01, 1882

3. Source: CLOVER CREEK Trib. to: SNAKE RIVER  
COLD SPRING CLOVER CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 04S      | 12E   | 36      | SE     | SW     | NE     |     | GOODING |
|          |       |         | SE     |        | NE     |     | GOODING |

5. Description of diverting works:  
CHECK DAM & DITCH FROM CLOVER CR. DITCH FROM COLD SPRING.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 5.956  |      |        |

7. Total Quantity Appropriated is:  
5.956 C.F.S. (and/or) 1191.00 A.F.A.

8. Total consumptive use is 1191.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 04S      | 12E   | 35      | SW     | NE     |     | IRR | 37.0  |
|          |       |         | SE     | NE     |     | IRR | 15.0  |

A37-00808

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Date: 06/15/88

MICROFILMED

FEB 23 1993

10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |     |      |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|-----|------|
| 04S      | 12E   | 35      | SW  |    | NW  |     | IRR           | 4.0   |     |      |
|          |       |         | SE  |    | NW  |     | IRR           | 35.0  |     |      |
|          |       |         | NE  |    | SW  |     | IRR           | 32.0  |     |      |
|          |       |         | NW  |    | SW  |     | IRR           | 18.0  |     |      |
|          |       |         | SW  |    | SW  |     | IRR           | 25.0  |     |      |
|          |       |         | SE  |    | SW  |     | IRR           | 35.0  |     |      |
|          |       |         | NW  |    | SE  |     | IRR           | 6.0   |     |      |
|          |       |         |     |    |     |     | Section Acres | 207.0 |     |      |
|          |       | 36      | SW  |    | NE  |     | IRR           | 18.0  |     |      |
|          |       |         | SE  |    | NW  |     | IRR           | 1.0   |     |      |
|          |       |         |     |    |     |     | Section Acres | 19.0  |     |      |
|          |       | 05S     | 12E | 2  | NE  |     | NW            | 3     | IRR | 15.0 |
|          |       |         |     |    | NW  |     | NW            | 4     | IRR | 30.0 |
|          |       |         |     |    | SE  |     | NW            |       | IRR | 17.0 |
| NE       |       |         |     |    | SW  |     | IRR           | 13.0  |     |      |
| NW       |       |         |     |    | SW  |     | IRR           | 12.0  |     |      |
| NW       |       |         |     |    | SE  |     | IRR           | 35.0  |     |      |
| SW       |       |         |     |    | SE  |     | IRR           | 6.0   |     |      |
|          |       |         |     |    |     |     | Section Acres | 128.0 |     |      |
| 3        | NW    |         |     |    | NE  | 2   | IRR           | 26.0  |     |      |
|          | SW    |         |     |    | NE  |     | IRR           | 11.0  |     |      |
|          | NE    |         |     |    | NW  | 3   | IRR           | 2.0   |     |      |
|          | SE    |         |     |    | NW  |     | IRR           | 4.0   |     |      |
|          |       |         |     |    |     |     | Section Acres | 43.0  |     |      |
|          |       |         |     |    |     |     | Total Acres   | 397.0 |     |      |

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:  
OTHER RIGHTS FROM CLOVER CR.

14. Remarks:  
MOST OF THIS RIGHT IS SUPPLIED BY COLD SPRING, AS UPSTREAM USES  
TAKE MOST OF THE FLOW OF CLOVER CREEK.

15. Basis of Claim: DECREED

Water Right Number:  
Case Number:  
Court :  
Decree date: 4/07/1920

BRAY, ET. AL.

Decree Plaintiff

vs

FERGUSON, 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 X 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): *[Signature]*

Date: June 15, 1988

Date: \_\_\_\_\_

State of Idaho )

County of Idaho Falls )

SS.

Subscribed and sworn (or affirmed) before me this 15th day

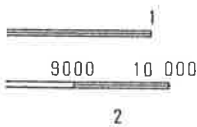
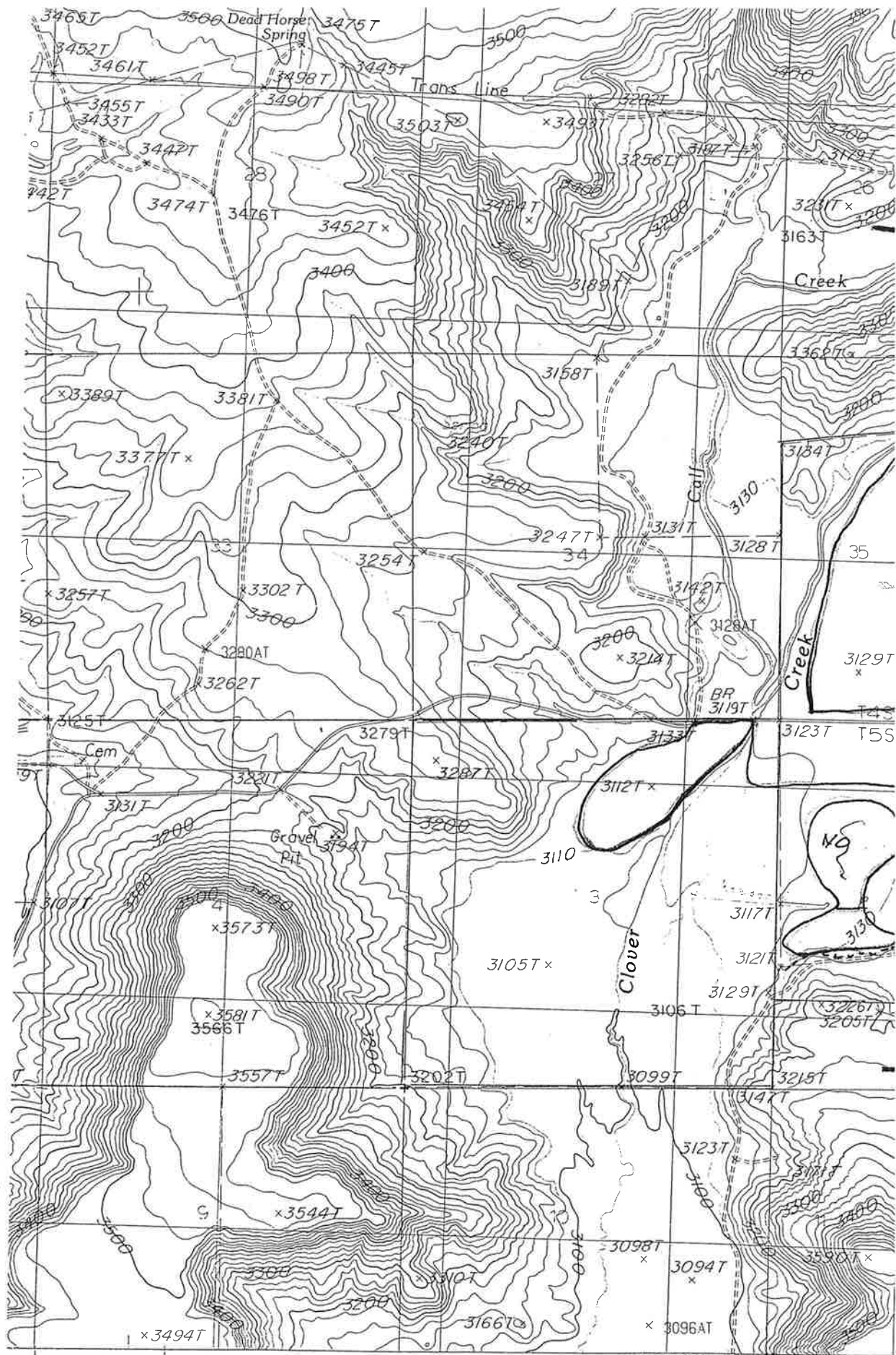
of June 19 88

Mary A. Baldwin  
Notary Public

Seal

Residing at Gooding, Id

My Commission Expires 10-16-92



QUADRANGLE LOCATION

INTERIOR GEOLOGICAL SURVEY, RESTON, VIRGINIA-1986

MICROFILMED

FEB 23 1993

Improved Road . . . . .  
Unimproved Road . . . . .  
Trail . . . . .

