

02/14/2003

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

RIGHT NUMBER: 29-91B

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

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

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

SOURCE: TOPONCE CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.480 CFS

PRIORITY DATE: 07/01/1909

POINT OF DIVERSION:

T06S R38E S35 NENSW Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	0.480 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T06S R38E S26	NESW	20.0	T06S R38E S26	NWSW	37.0
T06S R38E S26	SWSW	39.0	T06S R38E S35	NENE	40.0
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

378 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 50 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-91B, 29-93B, 29-10330, 29-13232, 29-10329
AND 29-10330.

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.

02/14/2003

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

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE 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

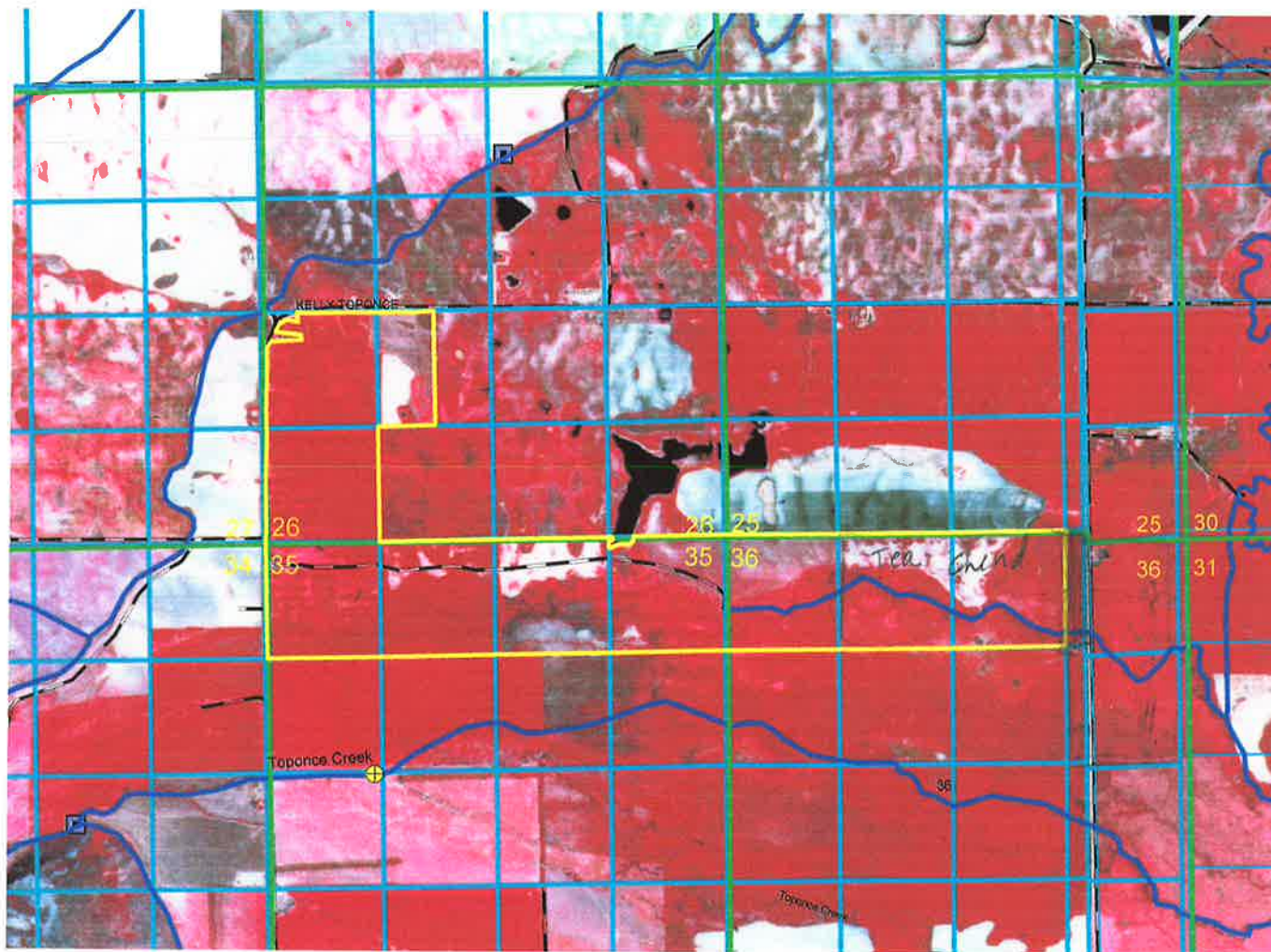


STATE OF IDAHO

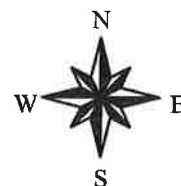
Department of Water Resources
Eastern Region

Water Rights: 29-13231, 29-13232, 29-10329,
29-91B, 29-10330, 29-93B, 29-10327,
29-10331 and 29-107B

L.G. Call
Grandview
A.J. Knollin - 6-1-
Tea-Chen - 1921-
4-5-1902- (Baker)
67.64 AC.
recorded
5-6-1921
St. of Idaho
Lots 1 & 2
84150
L.G. Call
1966-
6-1-2, 17,
18, 19
88.18



IRRIGATED ACRES 378



LEGEND

- ⊕ Point of Diversion
- Place of Use
- STREETS
- SECTIONS
- QUATER-QUATERS
- STREAMS

Place of Use: T6S, R38E,
(part of) Sections 26, 35 and 36.

Points of Diversion: T6S, R38E,
Sec. 35 NENWSW

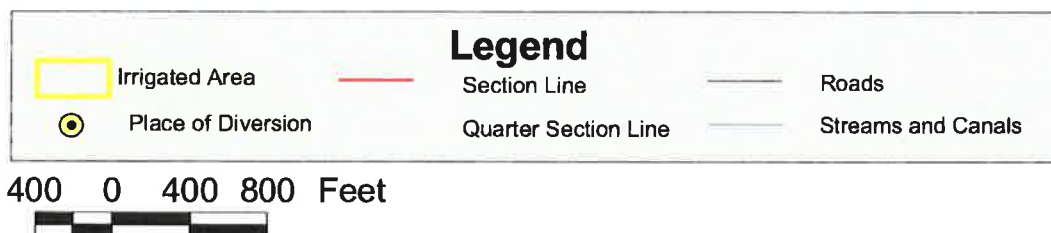
GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by C. Bird
Date: FEBRUARY 2003

SCANNED

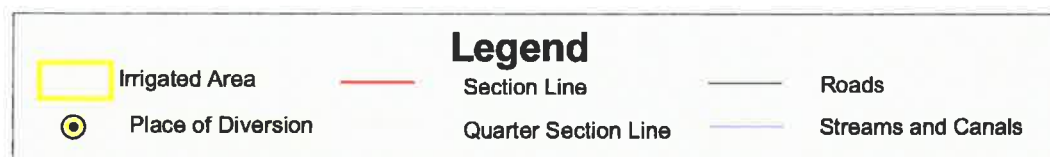
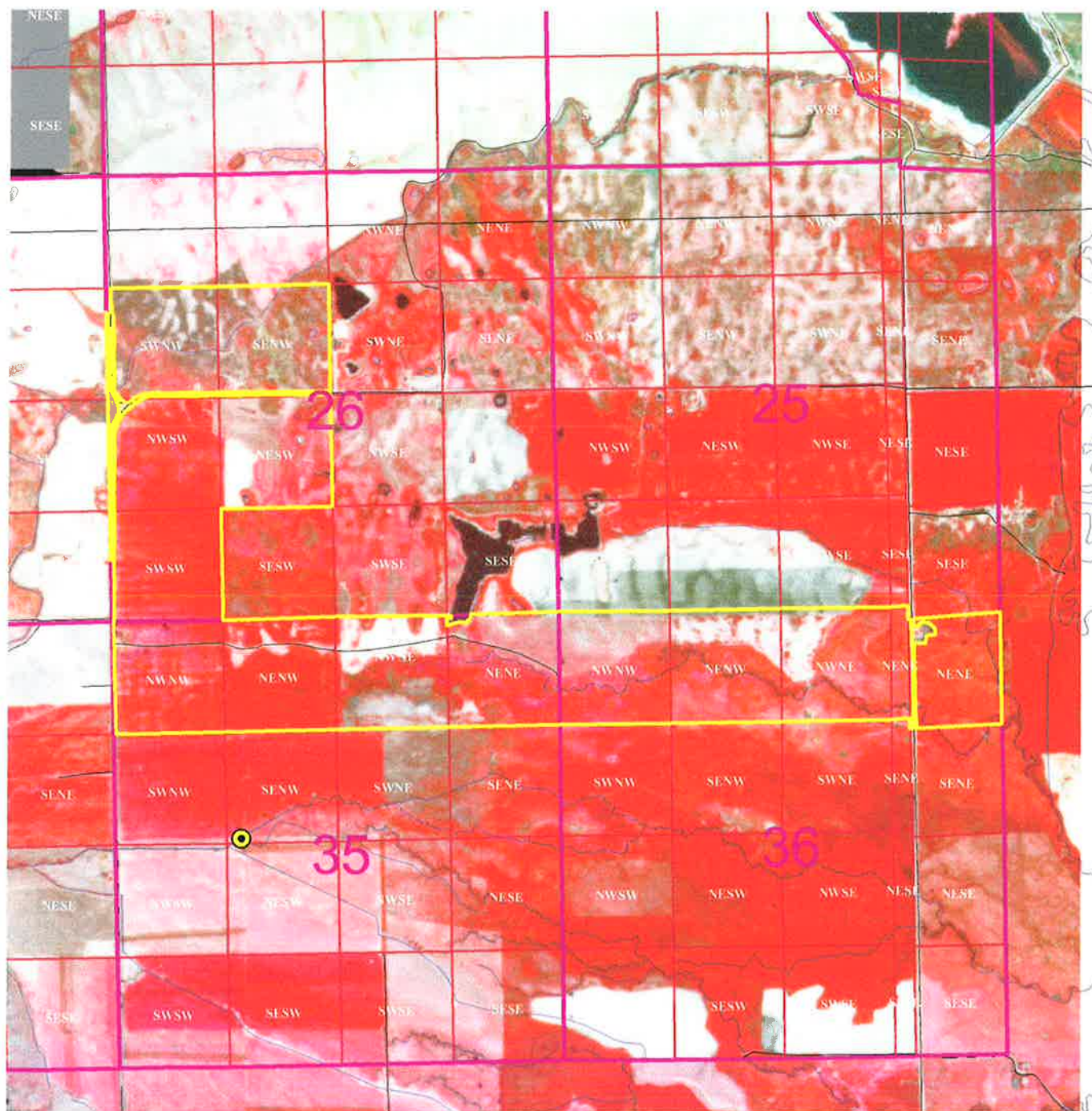
JUN 22 2005

PROFILE

Township , 6S38E



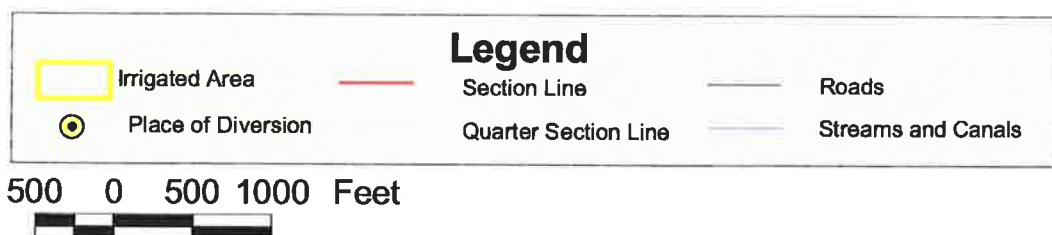
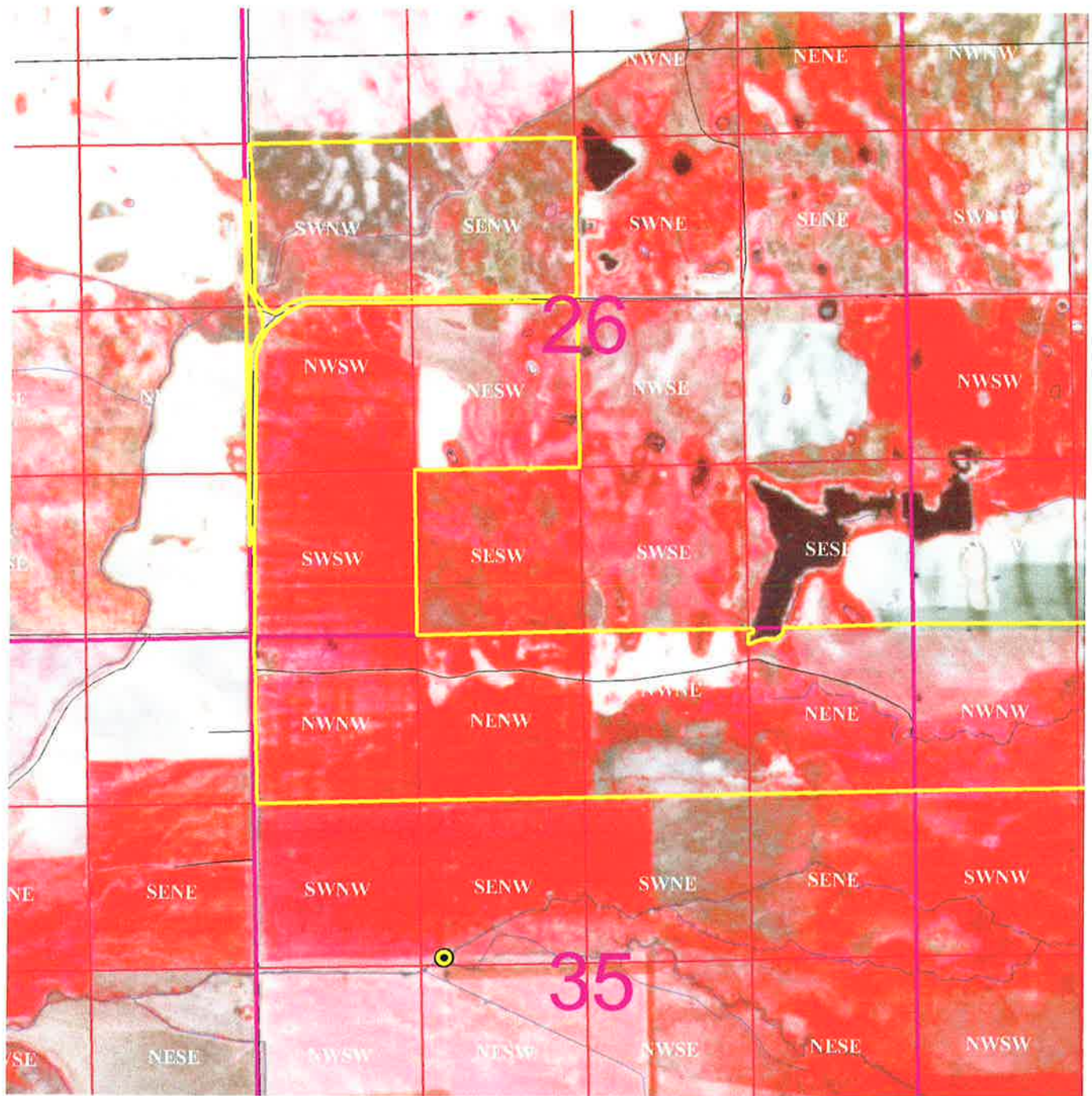
Township , 6S38E



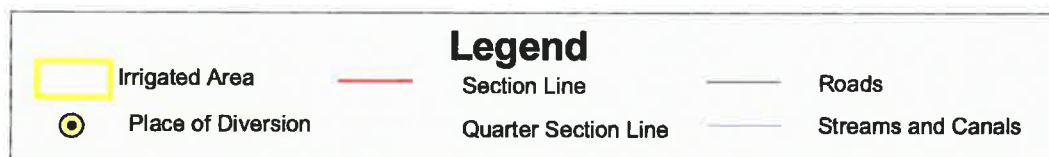
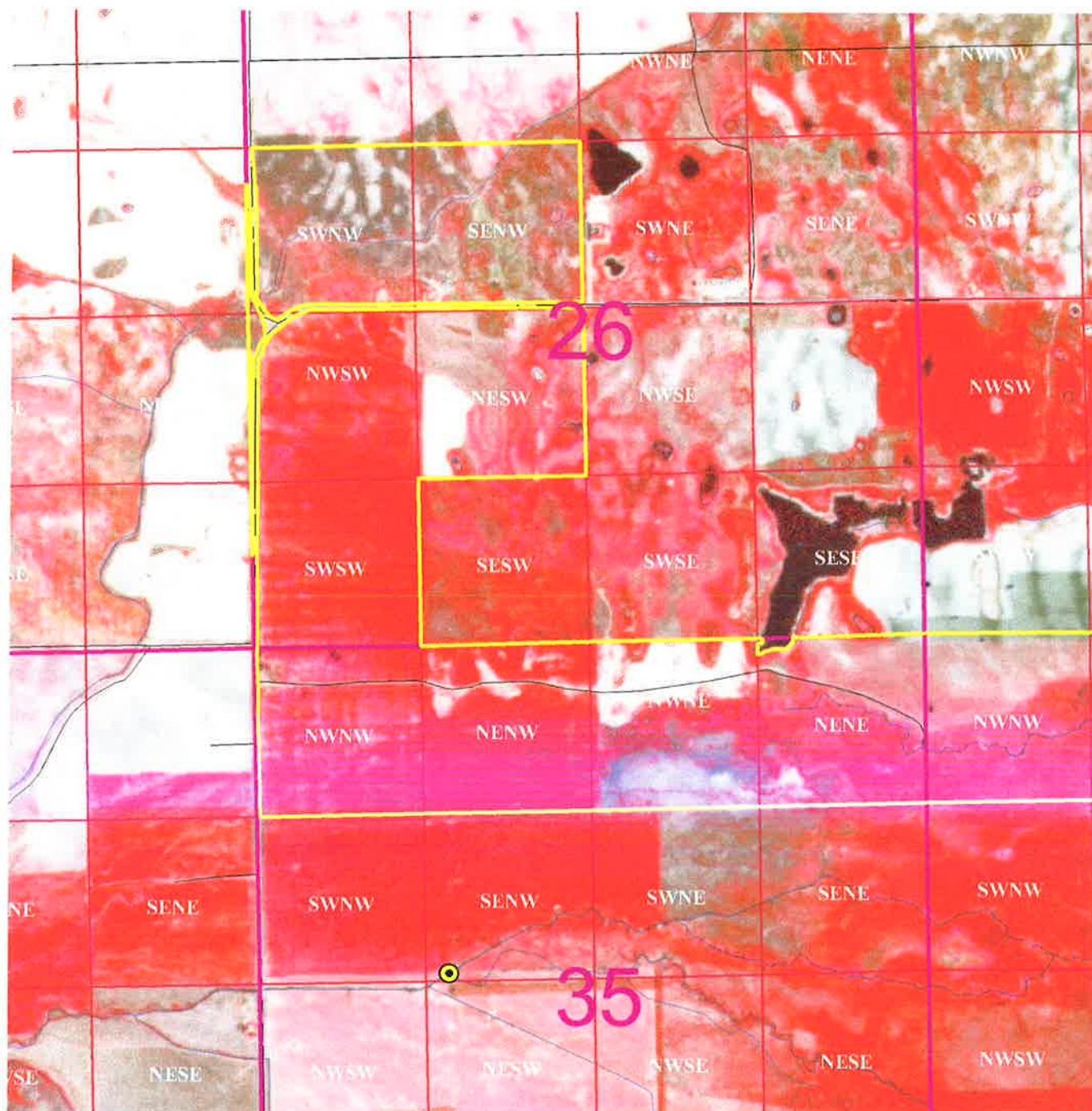
800 0 800 1600 Feet



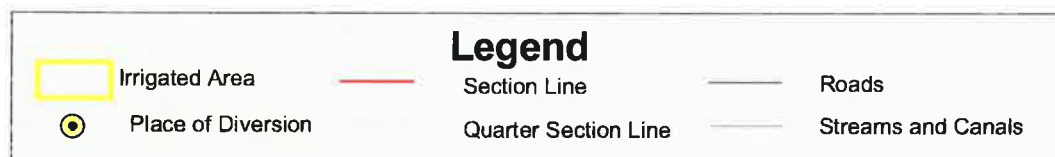
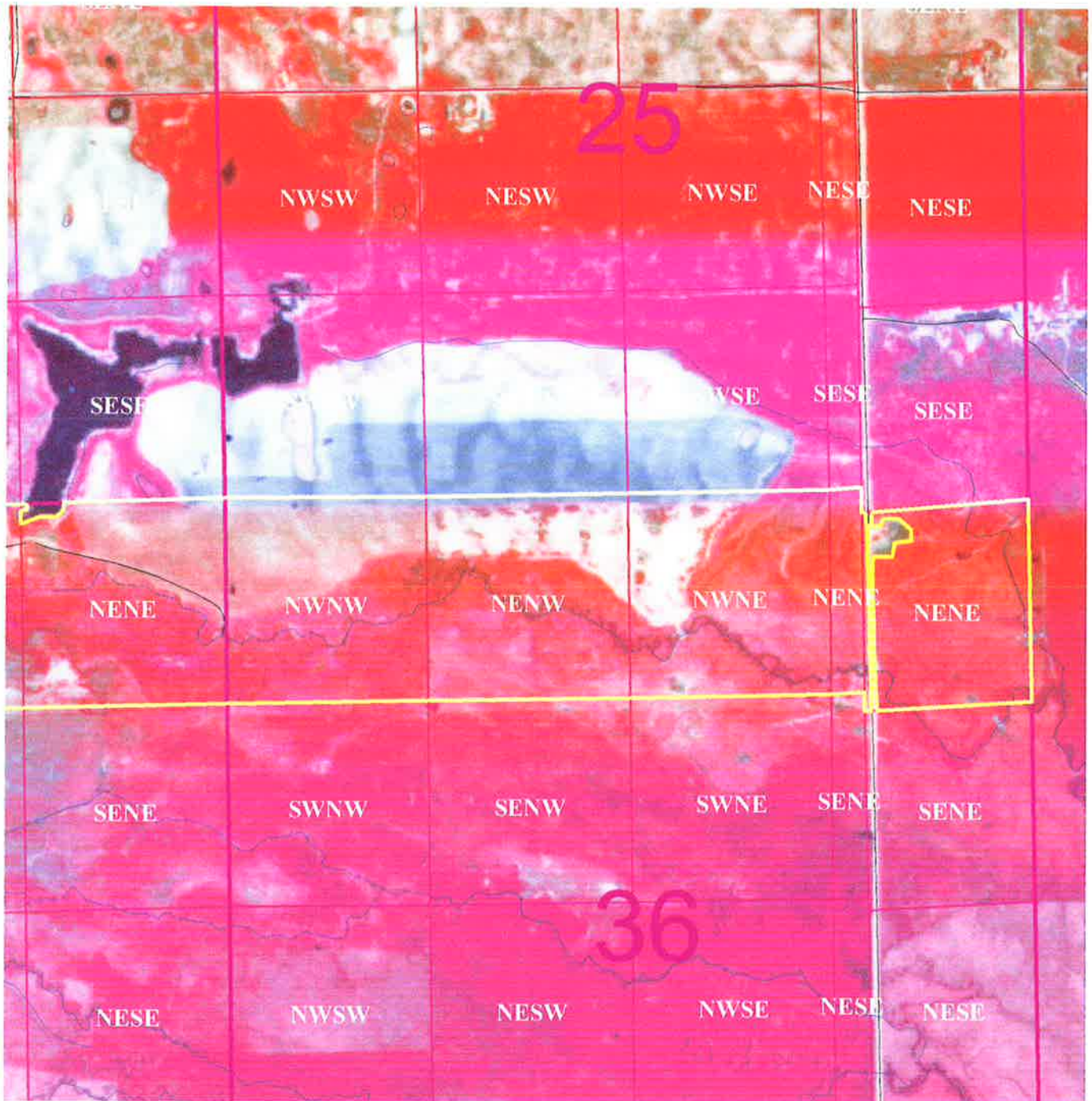
Township , 6S38E



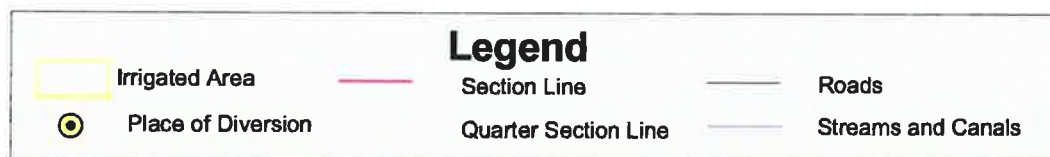
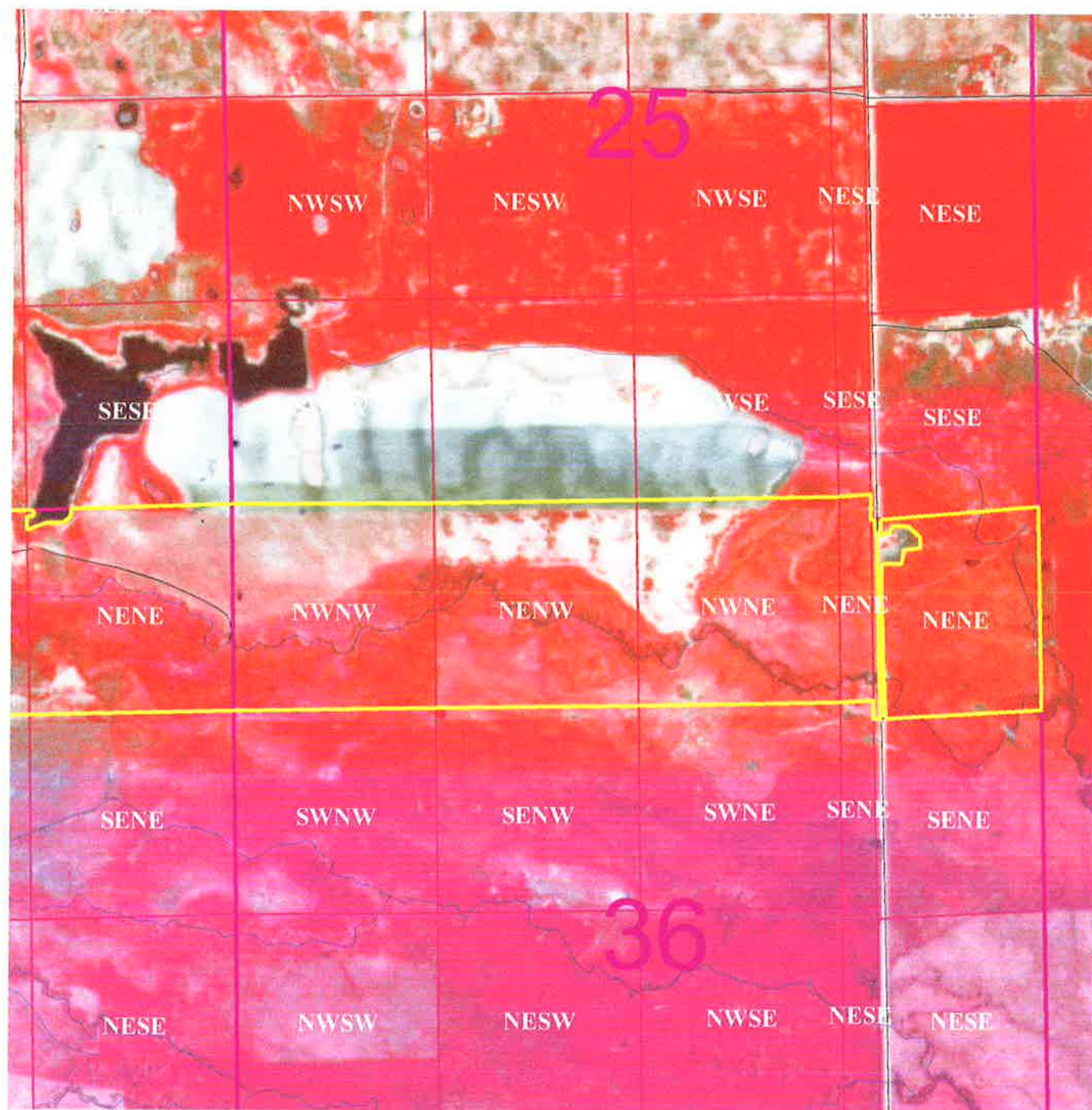
Township , 6S38E



Township , 6S38E



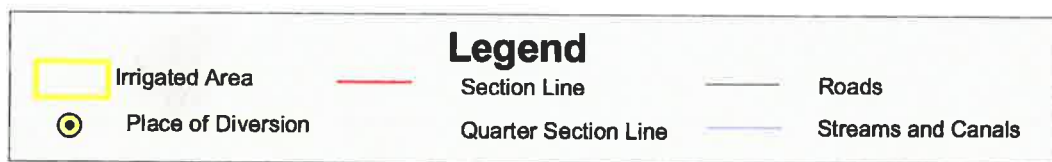
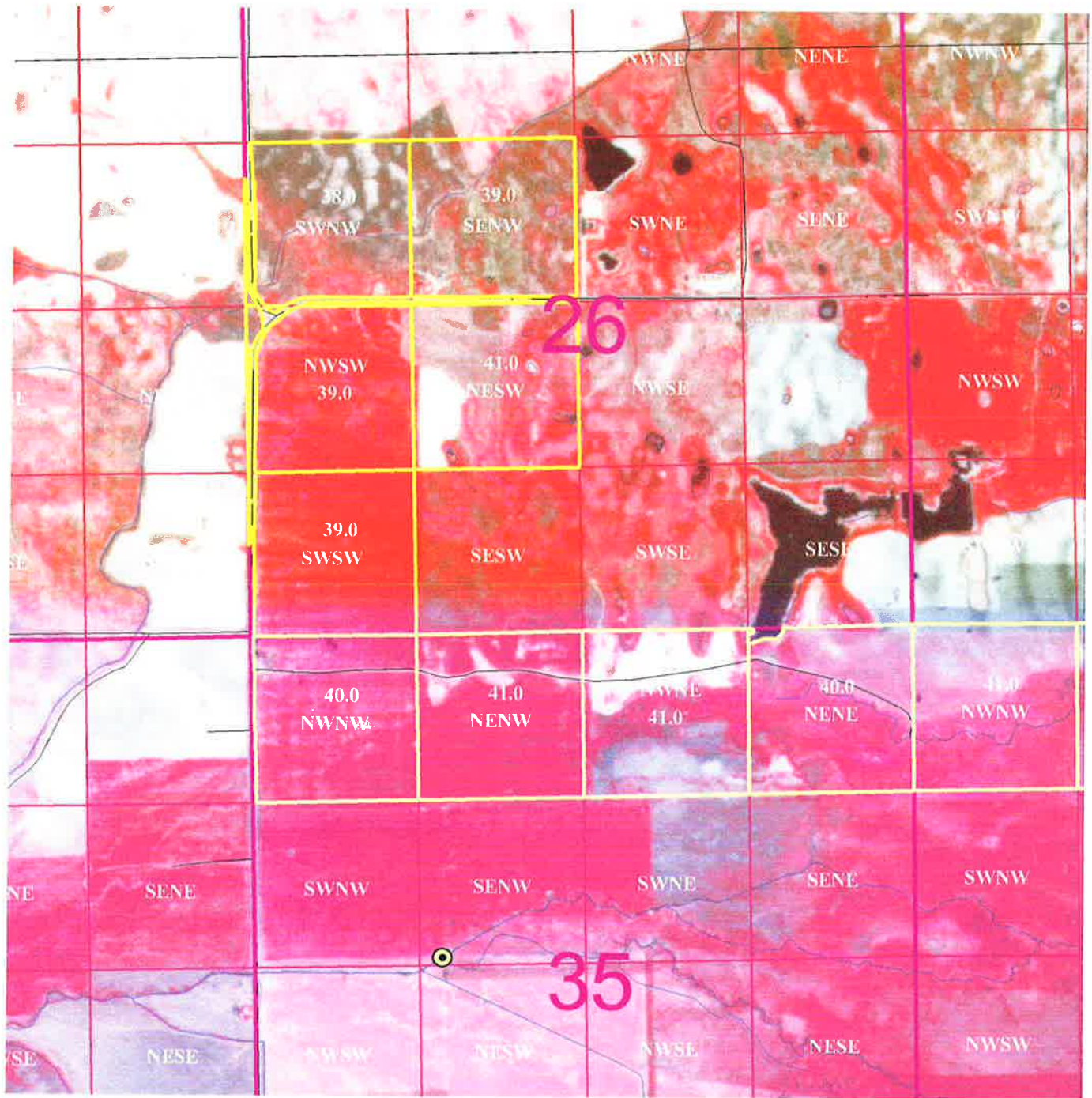
Township , 6S38E



400 0 400 800 Feet



Township , 6S38E



500 0 500 1000 Feet





29-91B
State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 31, 2003

Ken and Jim Andrus
6948 E Old Oregon Trail Rd
Lava Hot Springs, ID 83246

The Thelma Redford Trust
2882 Nipper Rd
Bancroft, ID 83217

COPY

Re: Unauthorized Use of King Creek Grazing Pipeline as Point of Diversion for Andrus and Redford Water Rights from Toponce Creek

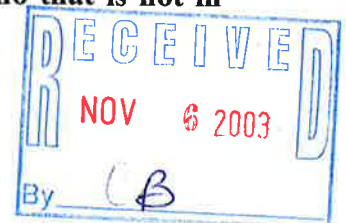
Dear Gentlemen,

The Department recently received a complaint regarding your use of the King Creek Grazing Association pipeline as a point of diversion for your Toponce Creek water rights. The head of the pipeline is located in the SWSE of Section 33, Township 6 South, Range 38 East. I have reviewed your water rights on Toponce Creek, including your Snake River Basin Adjudication claims and recommendations. These rights do not authorize or include the pipeline location as either a valid or claimed point of diversion. The rights owned by King Creek Grazing Association appear to be the only rights on Toponce Creek that authorize use of the pipeline as a valid point of diversion from the Creek. There are also no pending water right transfer applications on file with the Department that propose adding the pipeline as a point of diversion to your water rights.

Since no water rights appear to authorize your diversion of water from Toponce Creek at the King Creek Grazing pipeline, I request your cooperation in:

- 1) Identifying what water right authorizes your diversion of water to the pipeline if our records are not correct.
- 2) Do not continue the diversion of your water rights from Toponce Creek to the pipeline.
- 3) Add the pipeline as a point of diversion to your water rights or change the point of diversion under your water rights to the pipeline by obtaining an approved water right transfer from the Department.

Please respond to our office within 14 days of the date of this letter regarding this matter. Please note that the diversion and use of water in Idaho that is not in



conformance with a valid water right is illegal pursuant to §42-351, Idaho Code and pursuant to §42-1701B, Idaho Code, civil penalties for illegal water use may be \$300 annually for each acre irrigated, in whole or in part, by the illegal use or diversion.

You may contact me directly at 208-327-7864 to discuss this matter.

Sincerely,



Tim Luke
Manager, Water Distribution Section

CC: Steve Hebdon, Watermaster, Water District 29
King Creek Grazing Association
Mike and Eileen Chambers
Roger Warner, IDWR Eastern Regional Office
Cindy Bird, IDWR Soda Springs Field Office

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

RIGHT NUMBER: 29-91B

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: 0.480 CFS

Use of the rights listed below is limited to a total combined diversion rate of 7.56 cfs.
Combined Right Nos.: 29-10331, 29-107B, 29-10327, 29-13231, 29-13232, 29-10329,
29-91B, 29-10330, 29-93B, and 29-10332.

PRIORITY DATE: 07/01/1909

POINT OF DIVERSION:

T06S R38E S34 SENESW Lot 11
Within CARIBOU County

~~T06S R38E S34 SENESW
Within CARIBOU County~~

T06S R38E S35 NENWSW Lot 12
Within CARIBOU County

~~T06S R38E S35 NENWSW
Within CARIBOU County~~

**PURPOSE AND
PERIOD OF USE:**

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/15 09/15	0.480 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.

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

PLACE OF USE: IRRIGATION within CARIBOU County

<u>T06S R38E S26 NESW Lot 11 20.0</u>	T06S R38E S26 NESW 20.0
<u>T06S R38E S26 NWSW Lot 12 37.0</u>	T06S R38E S26 NWSW 37.0
<u>T06S R38E S26 SWSW Lot 13 39.0</u>	T06S R38E S26 SWSW 39.0
<u>T06S R38E S35 NENE Lot 1 40.0</u>	T06S R38E S35 NENE 40.0
<u>T06S R38E S35 NWNE Lot 2 41.0</u>	T06S R38E S35 NWNE 41.0
<u>T06S R38E S35 NENW Lot 3 41.0</u>	T06S R38E S35 NENW 41.0
<u>T06S R38E S35 NWNW Lot 4 40.0</u>	T06S R38E S35 NWNW 40.0
<u>T06S R38E S36 NWNE Lot 2 39.0</u>	T06S R38E S36 NWNE 40.0
<u>T06S R38E S36 NENW Lot 3 39.0</u>	T06S R38E S36 NENW 40.0
<u>T06S R38E S36 NWNW Lot 4 39.0</u>	T06S R38E S36 NWNW 40.0

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.: 29-10331, 29-107B, 29-10327, 29-13231, 29-13232, 29-10329, 29-91B, 29-10330, 29-93B, and 29-10332.

~~USE OF THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 50 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29 91B, 29 93B, 29 10330, 29 13232, 29 10329 AND 29 10330.~~

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

NOTICE OF ERROR
REPLY

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: April 21, 2003

Water right number: 29-91B

KENNETH D ANDRUS
6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246
Telephone Number: (208) 776-5380

JIM ANDRUS
6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246
Telephone Number: (208) 776-5380

COLLEEN L ANDRUS
6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246
Telephone Number: (208) 776-5380

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

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

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

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

DATE:

Apr-30, 2003

SIGNATURE:

Kenneth Andrus

Please print your name: _____

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILE

SCANNED
JUN 22 2005

Notes

1/27/03 Renumber adrus's claimed
29-91 to 29-91 B. Because these
six rights need to be split in half
by Andrus & Perkins.

Needs acre limit of 50 acres
when combined. See attached
split breakdown analysis sheet
attached

Buried mainline, hardlines (PPLS)

Link POD update PLS / acreage

POD PRIOR TO 1987: GPS POINT ANDRUS 1

PROFILED

SCANNED
JUN 22 2005

Summary Data Entry Form

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

E14 acre limit 50 acres Combined
rights 29-13231, 29-13232, 29-10329,
29-91B, 29-10330, 29-93B

C03

C05

Split or Combined Right Analysis:

29-93 — 29-91A (0.48) Perkins
29-91B (0.48) Andrus

See additional Split analysis

Attached Field Notes or Other Documents:

Claim No.:

Reviewer

Cindy B

SCANNED

Date

1/24/03

JUN 22 2005

PROFILED

29-88 $\left\{ \begin{array}{l} \text{Andrus} \quad 29-13231 \quad (0.07) \\ \text{Perkins} \quad 29-10248 \quad (0.07) \end{array} \right.$
 0.14 cfs
 7-1-1906

29-89 $\left\{ \begin{array}{l} \text{Andrus} \quad 29-13232 \quad (0.11) \\ \text{Perkins} \quad 29-13248 \quad (0.11) \end{array} \right.$
 0.22 cfs
 7-1-1907

29-90 $\left\{ \begin{array}{l} \text{Andrus} \quad 29-10329 \quad (0.30 \text{ cfs}) \\ \text{Perkins} \quad 29-90A \quad (0.30 \text{ cfs}) \end{array} \right.$
 0.60
 7-1-1908

29-91 $\left\{ \begin{array}{l} \text{Andrus} \quad \text{renumber } 29-91B \quad (0.48) \\ \text{Perkins} \quad 29-91A \quad (0.48) \end{array} \right.$
 0.96
 7-1-1909

29-92 $\left\{ \begin{array}{l} \text{Andrus} \quad 29-10330 \quad (0.14) \\ \text{Perkins} \quad 29-92A \quad (0.15) \end{array} \right.$
 0.29
 7-1-1910

29-93 $\left\{ \begin{array}{l} \text{Andrus} \quad \text{Renumber } 29-93B \quad (0.10) \\ \text{Perkins} \quad 29-93A \quad (0.09) \end{array} \right.$
 0.19
 7-1-1913

$\frac{1}{2}$ to Andrus ; $\frac{1}{2}$ to Perkins.

original Decreed POH described 120 acre POH, but irrigation of only 100 acres. EACH party NOW OWNES 60 acres of the decreed POH. SPitting the rights in half between W. Perkins and Andrus.

Andrus / Perkins:

A29-91; 91A.

A29-91 claimed the entire amount from the decree. (0.96 cfs).

Wayne Perkins also claimed $\frac{1}{2}$ of the water on A29-91A (0.48 cfs).

Purity date: matches decree. ✓
Source - Same. ✓

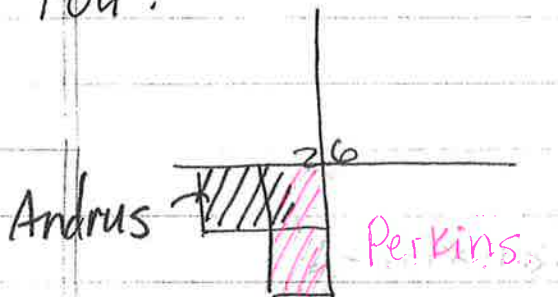
✓ POD: West of Brangham Ditch, which diverts from Topance Creek, in SESE Section 33, T6S, R38E.

* POD changed - What was it in 1987? Ch'd again.

✓ Wayne Perkin has claimed the original POD.
Wayne Perkins claimed the land in the SE SW of 20 acres. NESW.

Andrus claimed NWSW of 20 acres in NESW.

POU:



S. of U 4/15 - 9/15 29-91

→ recommend $\frac{1}{2}$ 29-91 0.48 cfs Andrus.

→ does the number need to change because Perkins also claimed $\frac{1}{2}$?

29	0084	71. BUTTERFIELD, A. J. 1911 June 15.	.05 c.f.s. (2.24 inches)	Said water to be diverted through the Jensen No. 7, sometimes called the Jensen Ditch, last above described, for the irrigation of 2.24 acres of land in the West half of the Southwest quarter, Section 34, Township 6, South, Range 38 East.
29	0084	72. JENSEN, PARLEY P. 1905. May 19.	1.0 c.f.s.	Said water to be diverted through the Jensen No. 7, sometimes called the Jensen Ditch, last above described for the irrigation of 49.9 acres of land in the North half of the Southwest quarter, the Southeast quarter of the Northwest quarter, the Northwest quarter of the Southeast quarter, Section 34, Township 6 South, Range 38 East.
29	0085	73. JENSEN, BEN D. 1902 June 18.	1.88 c.f.s.	Said water to be diverted through the West and Brangham Ditch, which diverts from Toponce Creek in the Southeast quarter of the Southeast quarter, Section 33, Township 6 South, Range 38 East. From the Northwest corner of Section 3, Township 7 South, Range 38 East, the point of diversion bears North 42 degrees and 40 minutes East, 652 feet, for the irrigation of 33.2 acres of land in the Northeast quarter of the Northeast quarter; 15 acres in the Southeast quarter of the Northeast quarter; 30 acres in the Southwest quarter of the Northeast quarter, Section 34, Township 6 South, Range 38 East.
29	0086	74. JENSEN, PARLEY P. 1902. June 18.	.07 c.f.s.	Said water to be diverted through the said West and Brangham Ditch, last above described, for the irrigation of 3 acres of land in the Northwest quarter of the Northeast quarter, Section 34, Township 6 South, Range 38 East.
29	0087	75. BRANGHAM, GEORGE 1902. June 18.	1.76 c.f.s.	Said water to be diverted through the said West and Brangham Ditch, last above described, for the irrigation of 73.3 acres of land in the Southwest quarter of the Southwest quarter, Section 26; and the North half of the Northwest quarter, Section 36, Township 6 South, Range 38 East.
29	0088	76. SESSIONS, KEPLER 1906. July 1.	.14 c.f.s. ✓	Said water to be diverted through the said West and Brangham Ditch, last above described, for the irrigation of 100 acres of land in the North half of the South west quarter and the Southeast quarter of the Southwest quarter, Section 26, Township 6 South, Range 38 East.
29	0089	1907. July 1.	.22 c.f.s. ✓	
29	0090	1908. July 1.	.60 c.f.s. ✓	
29	0091	1909. July 1.	.96 c.f.s. ✓	
29	0092	1910. July 1.	.29 c.f.s. ✓	
29	0093	1913. July 1.	.19 c.f.s. ✓	
			Total 2.4 c.f.s. ✓	

RECEIVED

MAY 15 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET

1. ☐ No Change NAME:
☐ NEW OWNER: _____
☐ No Change ADDRESS:
☐ NEW ADDRESS: _____
2. ☐ No Change - DATE OF PRIORITY: Completed - No Field Verification Needed.
☐ Incomplete - Claim shows no priority date, claimant should be asked during the exam when was water first used.
Priority date, per claimant, is _____
(If the priority date, based on your exam, seems questionable, explain in remarks.)
3. ☐ No Change - SOURCE:
☐ Source is different than that claimed:
Source found: _____
4. ☐ No Change - POINT OF DIVERSION:
☐ Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4 _____ 1/4.

Note: If the 10-acre tract is shown on the claim, then verification of the 10-acre parcel is needed. Otherwise the 10-acre tract is not required, unless the source is a spring.
5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS:
☐ Incomplete description, complete items missing, IF KNOWN.
☐ Additional description in comments.
HP of pump _____ Static water level _____ Well depth _____
Casing size _____ Pumping water level _____ Gravity flow _____
Method of irrigation _____
6. ☐ No Change - WATER USES:
☐ Different uses, (list uses found).

Use _____ From _____ To _____ Amount _____ cfs _____ af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☐ No Change - TOTAL VOLUME:
☐ Change found, The new total is - _____ cfs _____ af
8. Not applicable
9. ☐ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:

Domestic - No. of homes _____ Other: _____

Stockwater - No. of head and kind _____ (EXP Remark)

Claim No. _____

10. ☐ No Change - PLACE OF USE: (If changed, list below.)
☐ Place of use is different than the claim
New P/U:

Twp.	Rge.	Sec.	1/4,	1/4	Use
------	------	------	------	-----	-----

_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Remarks: (Include type and code)

Comments pertinent to field examination:

ATTACHMENTS:

Attached to
This Form.

Attachments are
in Claim File.

PHOTOS

MAP

SYSTEM DIAGRAM

☐
☐
☐
☐

☐
☐
☐
☐

- ☐ Changes found during exam or additional information in the claim file, see claim file.

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Signature _____

MAY 4 2001

Log for claim A29-00091

Spatial Dynamics LTD

6/6/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s38e	26	SWNW	40	38	
06s38e	26	SENW	40	39	
06s38e	26	NESW	20	41	Indiscernible
06s38e	26	NWSW	40	39	
06s38e	26	SWSW	40	39	
06s38e	35	NENE	30	40	Indiscernible
06s38e	35	NWNE	30	41	Indiscernible
06s38e	35	NENW	30	41	Indiscernible
06s38e	35	NWNW	30	40	Indiscernible
06s38e	36	NENE	30	31	Indiscernible
06s38e	36	NENE	0	6.6	
06s38e	36	NWNE	40	41	
06s38e	36	NENW	40	41	
06s38e	36	NWNW	40	41	
Totals:			450	518.6	

AJ5809NP
No. A29-00091

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 17

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JIM ANDRUS	07/01/1909	IRRIGATION	04-15 09-15	0.960 CFS	
C	KENNETH D ANDRUS 6948 E OLD OREGON TRAIL RD LAVA HOT SPRINGS ID 83246 (208) 776-5380			TOTAL DIVERSION: CONSUMPTIVE USE:	0.960 CFS	1125.00 AFA
C	COLLEEN LLOYD ANDRUS 6948 EAST OLD OREGON TRAIL RD LAVA HOT SPRINGS ID 83246 (208) 776-5380					

Water Source: TOPONCE CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T06S R38E S35 SWSNW

CARIBOU County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
06S	38E	26	:					:				40	40	:	20	40	40	:							180.0
06S	38E	35	:		30		30	:		30		30		:				:							120.0
06S	38E	36	:		30		40	:		40		40		:				:							150.0
																							TOTAL ACRES	450.0	

POU County: CARIBOU

Other Rights: A29-00107B,00123,10327-10332

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00093 A29-00107B A29-00123C A29-10327 A29-10328 A29-10329 A29-10330 A29-10331

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00087 A29-00088 A29-00089 A29-00090 A29-00090A A29-00091A A29-00092 A29-00092A A29-00093 A29-00093A
A29-00102 A29-00107B A29-00123C A29-00234 A29-00252 A29-04346 A29-10248 A29-10327 A29-10328 A29-10329
A29-10330 A29-10331 A29-10332

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag:

Audit: 02/15/90 ESRBA 11/07/90 SHAFF 04/04/94 THOMPSON 03/29/95 POST-STD

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 29-91B
Date Received: 1/24/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KENNETH D ANDRUS Phone: (208)776-5380

6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID USA 83246

JIM ANDRUS Phone: (208)776-5380

6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID USA 83246

COLLEEN L ANDRUS Phone: (208)776-5380

6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID USA 83246

2. Date of Priority: 07/01/1909

3. Source: TOPONCE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
06S	38E	35	SW	SE	NW	CARIBOU	

POD chg: decreed
SESE Sec. 33 T6S, R38E

5. Description of diverting works:

DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	09/15	0.48	

PROFILED

SCANNED
JUN 22 2005

7. Total Quantity Appropriated is:
0.48 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
06S	38E	26	SW	NW		IRRIGATION	40
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	20
			NW	SW		IRRIGATION	40
			SW	SW		IRRIGATION	40
Section Acres							180
06S	38E	35	NE	NE		IRRIGATION	30
			NW	NE		IRRIGATION	30
			NE	NW		IRRIGATION	30
			NW	NW		IRRIGATION	30
Section Acres							120
06S	38E	36	NE	NE		IRRIGATION	30
			NW	NE		IRRIGATION	40
			NE	NW		IRRIGATION	40
			NW	NW		IRRIGATION	40
Section Acres							150
Total Acres							450

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

16. Signature(s)

SCANNED

JUN 22 2005

PROFILED

(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): _____ Date: _____

_____ Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20____

Notary Public

Residing at _____

My commission Expires _____

PROFILED

SCANNED
JUN 22 2005

MAY 4 2001

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

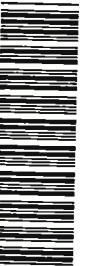
CIVIL CASE NUMBER: 39576

Ident. Number: A29-00091
Date Received: 2/15/1990
Receipt No: E012066
Received By: RAJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JIM ANDRUS 208-776-5380
Address: 6948 EAST OLD OREGON TRAIL RD
LAVA HOT SPRINGS, ID 83246
AND/OR
Name: KENNETH D. ANDRUS 208-776-5380
Address: 6948 EAST OLD OREGON TRAIL RD.
LAVA HOT SPRINGS, ID 83246
AND/OR
Name: COLLEEN LLOYD ANDRUS 208-776-5380
Address: 6948 EAST OLD OREGON TRAIL RD.
LAVA HOT SPRINGS, ID 83246

A2900091



2. Date of Priority: JUL 01, 1909

3. Source: TOPONCE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	38E	35	SW	SE	NW		CARIBOU

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	0.960		

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

A.F.A.

8. Total consumptive use is 1125.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-00091

Page

1

Date: 02/15/90

MICROFILMED

NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres	
06S	38E	26	SW		NW		IRR	40.0	
			SE		NW		IRR	40.0	
			NE		SW		IRR	20.0	
			NW		SW		IRR	40.0	
			SW		SW		IRR	40.0	
					Section Acres			180.0	
		35	NE		NE		IRR	30.0	
			NW		NE		IRR	30.0	
			NE		NW		IRR	30.0	
			NW		NW		IRR	30.0	
					Section Acres			120.0	
		36	NE		NE		IRR	30.0	
			NW		NE		IRR	40.0	
			NE		NW		IRR	40.0	
			NW		NW		IRR	40.0	
					Section Acres			150.0	
					Total Acres			450.0	

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
A29-00107B,00123,10327-10332

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs MCCAMMON DITCH CO. ET. AL.
Decree Defendant

MICROFILMED

NOV 13 1990

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: 1

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): *Herbert Anderson* Date: 15 Feb - 1990

Date: _____

State of Idaho)
County of Bonner) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of February 19 90 *John Harrison*
Notary Public

Seal

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

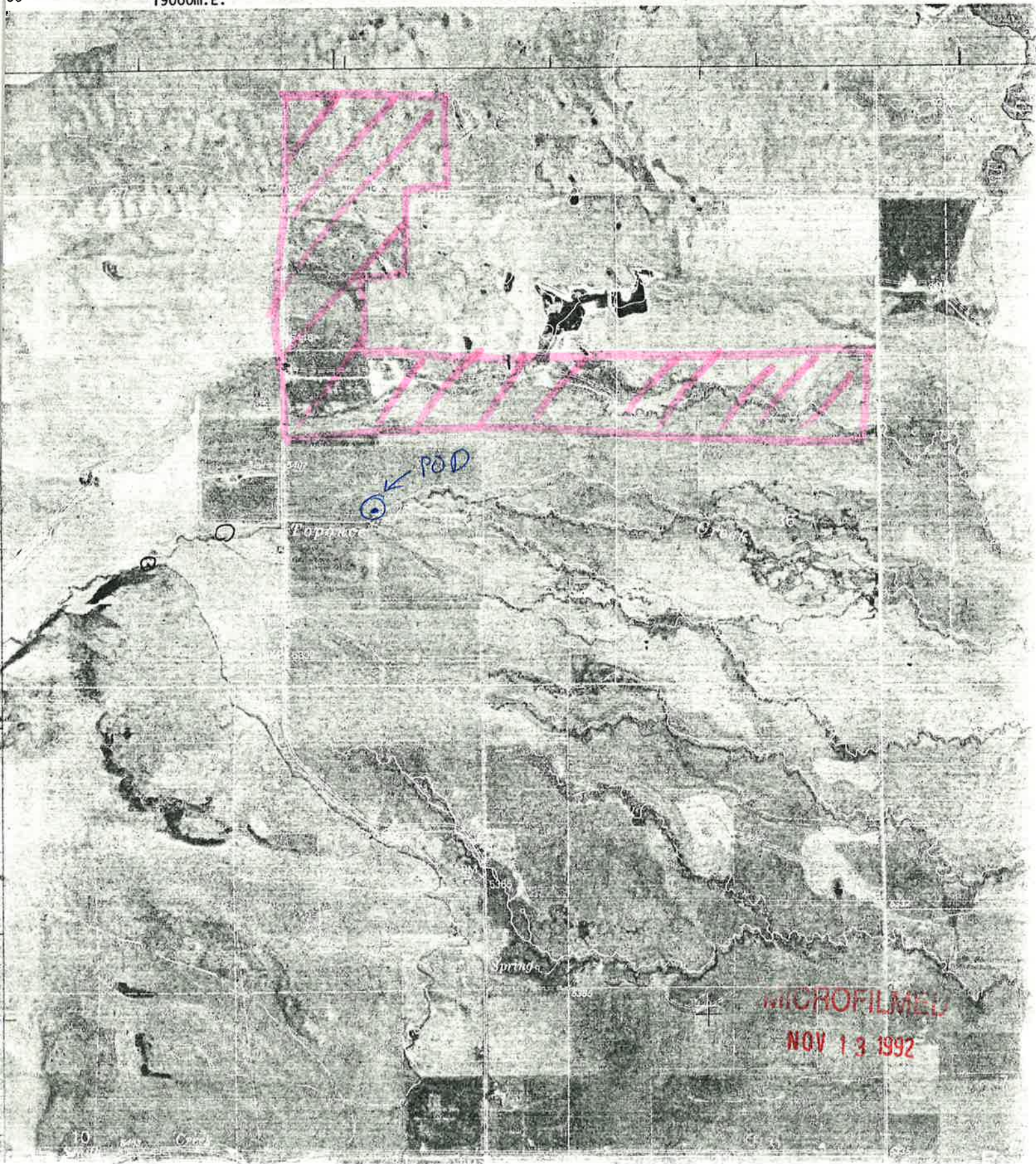
A29-D0091

WATER RESOURCES

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

00' 4 19000m. E.

R38E R3



MICROFILMED
NOV 13 1992