

12/09/2002

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

RIGHT NUMBER: 29-188

NAME AND ADDRESS: KENNETH D 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

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

SOURCE: EAST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.800 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 6.55 CFS. COMBINED RIGHT NOS.: 29-187, 29-188,
29-191, 29-193, 29-11678, 29-11681.

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-187, 29-188, 29-191, 29-193,
29-11678, AND 29-11681 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 07/01/1902

POINT OF DIVERSION:

T09S R37E S12 NESESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 9/15	0.800 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R37E S12	SWSW	3.1	T09S R37E S12	SESW	5.5
T09S R37E S13	NENW	0.1	T09S R37E S13	NWNW	11.0
T09S R37E S13	SWNW	28.0	T09S R37E S13	NWSW	21.0
T09S R37E S13	SWSW	17.0	T09S R37E S14	NENE	0.7
T09S R37E S14	SENE	23.0	T09S R37E S14	NESE	34.0
T09S R37E S14	SESE	34.0	T09S R37E S23	NENE	33.0
T09S R37E S23	NWNE	20.0	T09S R37E S23 Lot 1	SENE	22.0
T09S R37E S23	NENW	32.0	T09S R37E S23	NWNW	12.0
T09S R37E S24	NWNW	31.0			

327.4 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 327.4 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-187, 29-188, 29-191,
29-193, 29-11678, 29-11681.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

12/09/2002

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

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

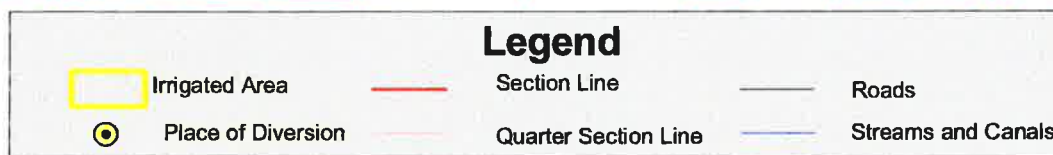
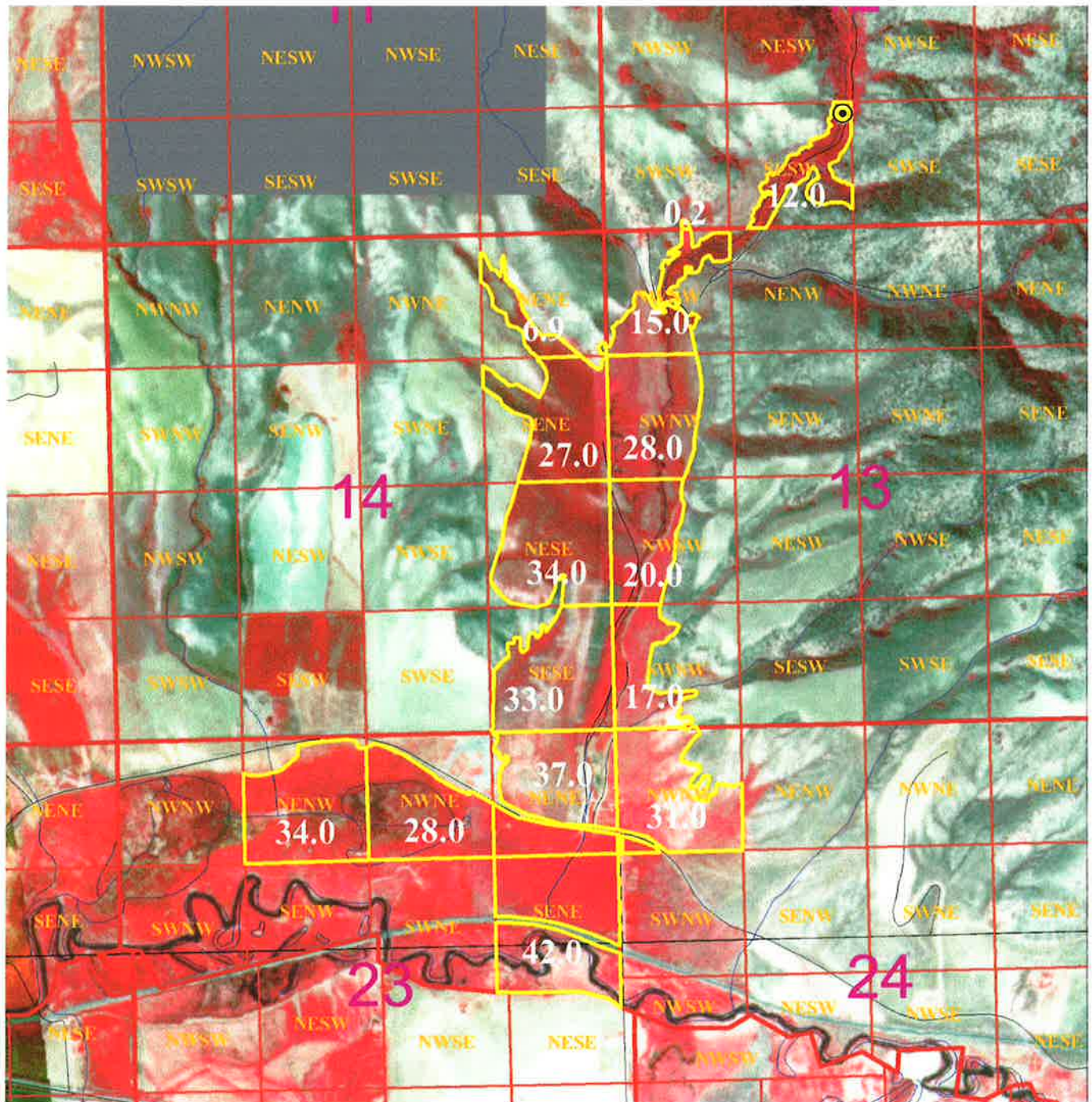
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-187, 29-188, 29-191, 29-193, 29-11678,
29-11681.

Water Right Claim Number A29-00188

08/08/2000

Township , 9S37E



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

RIGHT NUMBER: 29-188

NAME AND ADDRESS:

COLLEEN L 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

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

SOURCE:

Source:

EAST BOB SMITH CREEK

Tributary:

PORTNEUF RIVER

QUANTITY:

0.800 CFS

0.000 APY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 6.55 CFS. COMBINED RIGHT NOS.: 29-187,
29-188, 29-191, 29-193, 29-11678, 29-11681.
THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-187, 29-188, 29-191, 29-193,
29-11678, AND 29-11681 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE:

07/01/1902

POINT OF DIVERSION:

T09S R37E S12 NESESW

Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

4/15 9/15

0.800 CFS

PLACE OF USE:

IRRIGATION

within BANNOCK County

T09S R37E S12 SWSW 3.2

~~T09S R37E S12 SWSW 3.1~~

T09S R37E S12 SESEW 5.5

~~T09S R37E S13 NENW 0.1~~

T09S R37E S13 NWNW 11.0

T09S R37E S13 SWNW 28.0

T09S R37E S13 NWSW 21.0

T09S R37E S13 SWSW 17.0

T09S R37E S14 NENE 0.7

T09S R37E S14 SENE 23.0

T09S R37E S14 NESE 34.0

T09S R37E S14 SESE 34.0

T09S R37E S23 NENE 33.0

Sm^s
Emc

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

T09S R37E S23 NWNE 20.0
T09S R37E S23 SENE Lot 1 22.0
T09S R37E S23 NENW 32.0
T09S R37E S23 NWNW 12.0
T09S R37E S24 NWNW 31.0

327.4 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 327.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-187, 29-188, 29-191, 29-193, 29-11678, 29-11681.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-187, 29-188, 29-191, 29-193, 29-11678,
29-11681.

Smc
Emc



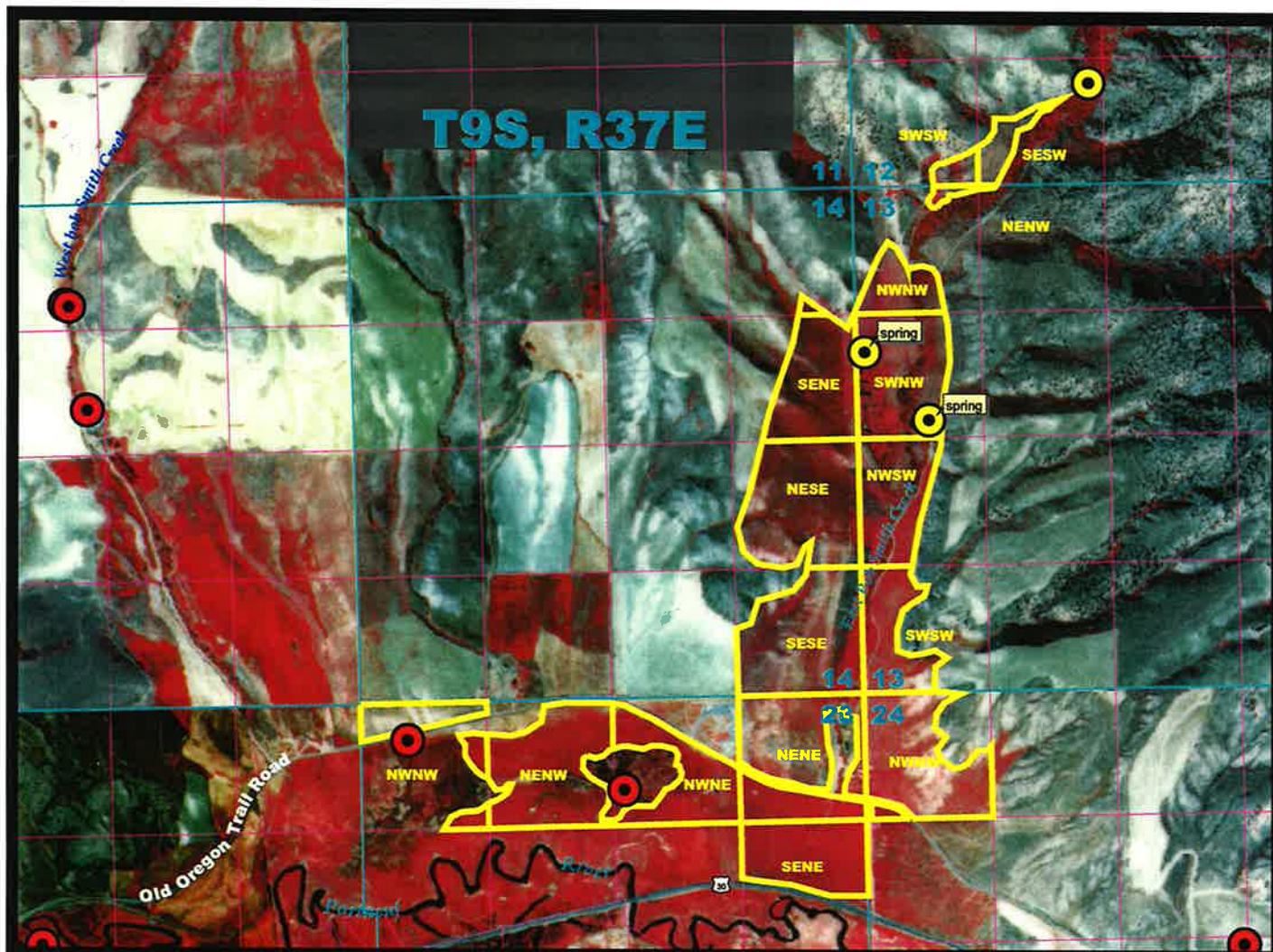
JUN 29 2004

SCANNED

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
29-00187, 29-00188,
29-00191, 29-00193,
29-11678, 29-11681

Place of Use: (parts of) T9S, R37E
Sec. 12 S2SW, Sec. 13 W2W2, NENW,
Sec. 14 E2E2, Sec. 23 N2N2, SENE,
Sec. 24 NWNW

Point(s) of Diversion: T9S, R37E
Sec. 12 NESES (E.B.S.C.)
Sec. 13 NWSWN, SESWN (spgs)



LEGEND

- Point of Diversion
- SESE Place of Use
- Section
- Quarter-Quarter

1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000 Feet

SCANNED

MAY 18 2001

Log for claim A29-00188

Spatial Dynamics AMH

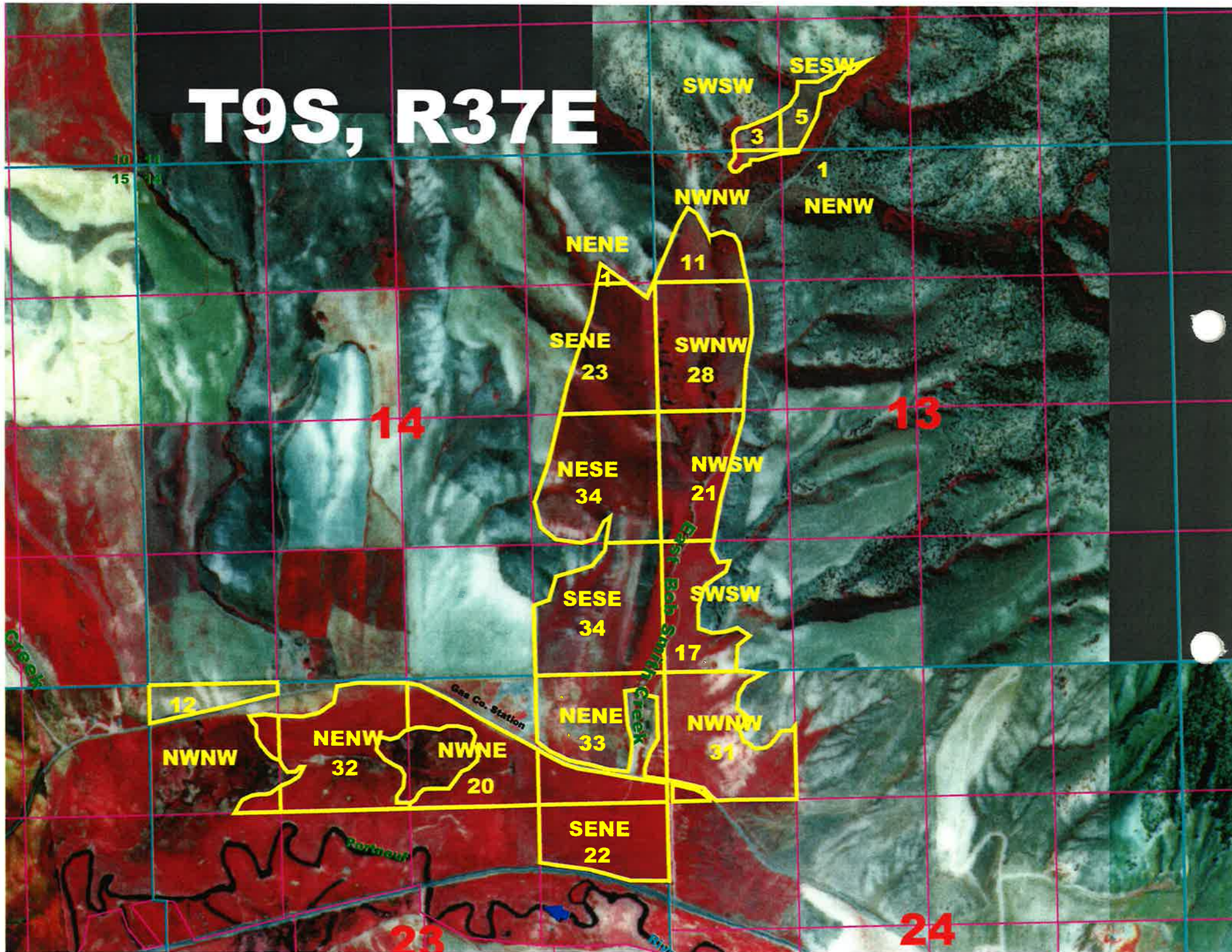
8/8/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s37e	12	SWSW	10	0.2	Indiscernible
09s37e	12	SESW	10	12	
09s37e	13	NWNW	30	15	
09s37e	13	SWNW	30	28	
09s37e	13	NWSW	30	20	
09s37e	13	SWSW	30	17	
09s37e	14	NENE	13	6.9	
09s37e	14	SENE	30	27	
09s37e	14	NESE	35	34	
09s37e	14	SESE	35	33	
09s37e	23	NENE	20	37	
09s37e	23	NWNE	20	28	
09s37e	23	SENE	30	42	
09s37e	23	NENW	15	34	
09s37e	24	NWNW	10	31	
Totals:			348	365.1	

SCANNED

JUN 29 2004

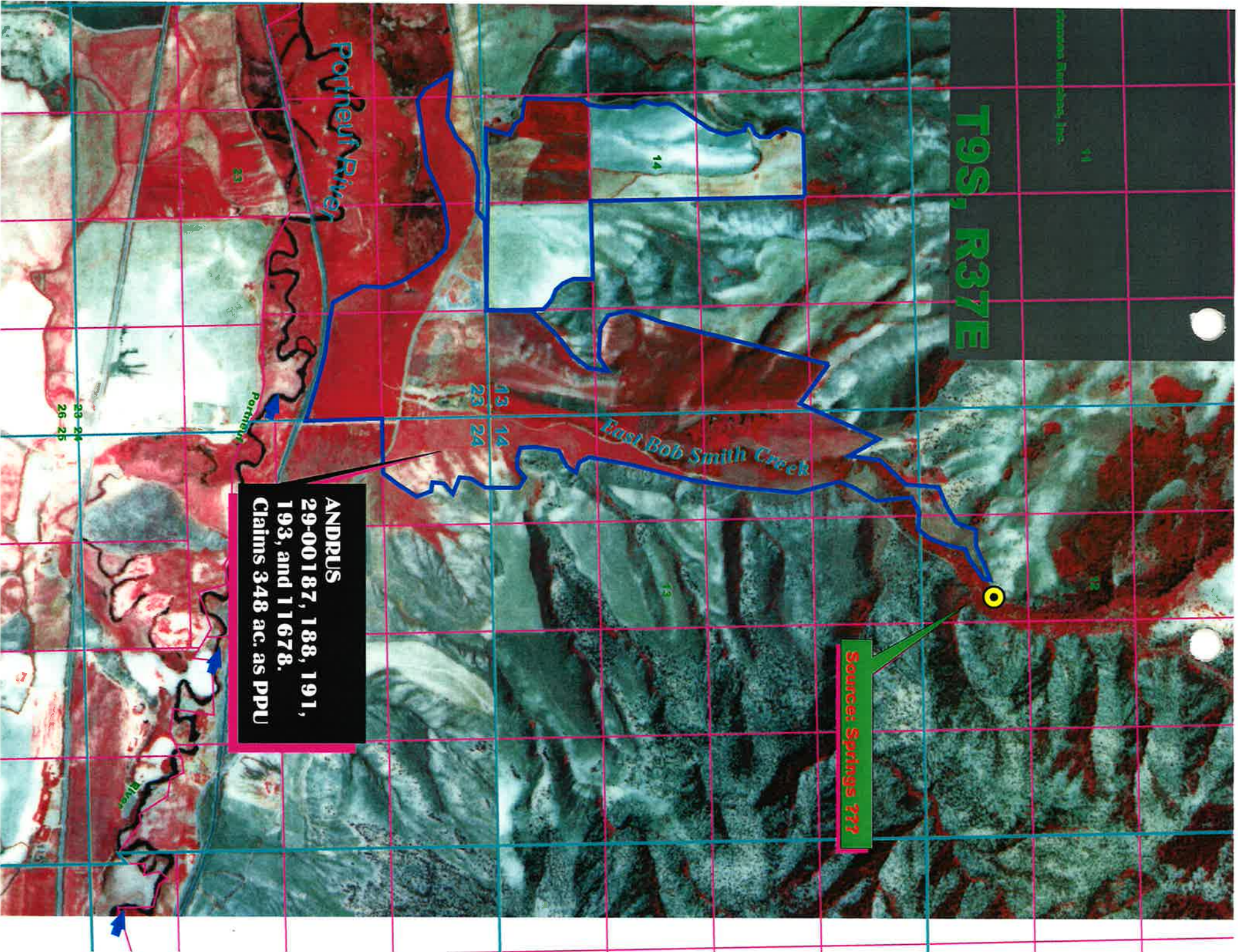
T9S, R37E



T9S, R37E

Source: Springs 777

ANDRUS
29-00187, 188, 191,
193, and 11678.
Claims 348 ac. as PPU





ANDRUS DIVERSION
OFF E. BOB SMITH CK.
UPPER DIVERSION -
PRIOR TO GOING
INTO THE PIPELINE,



OLD LOWER DIV,
NOT USED SINCE
SPRINKLER SYSTEM
WAS INSTALLED.

29-00188 Decrodo

Appears CLAIMED AS Decrodo (SOS Decrodo EXCEPT)
w/ THE FOLLOWING EXCEPTIONS & Questions:

I. Decrodo w/ 4 POD's: 1 IN SEC. 12 SSW (ASCLAIMED)
3 IN SEC. 13 (UNCLAIMED)

CØ3 ⇒
who?

II. Claims source(s) AS: E. BOB Smith CK AND
SPRINGS - ? OR by decree

Q: ⇒

SPRINGS DIVERSION

BU CLAIM RUD'D?
(MISMEASURES?)

a.) Decrodo FROM E. BS CK NOT SPRINGS

1.) SPGS ABOVE POD, BELOW POD, SEPARATE POD
AND DITCH --- what? Below-POD's

III. POU: Decrodo AS PPLI w/ 29-189, 190, 192
(AS 29-11678); 188, 191, 193 = SO CLAIMED w/ 187.
TO BE SO RECOMMENDED w/ Limits OF AC
BASED ON §42-202(3) IC @ 0.02 cts/AC.

Q: ⇒
CØ5

a. Claims 34B² AC AS PPLI (29-00187 covers
SOME ADDITIONAL AC) ⇒ CØS FOR ALL IF OTHER RTS
COVER 187's POU ALSO; AND VICE VERSA ...

FIELD EXAM POU

BOUNDARY & VISIT IV. DO FIELD EXAM/RECOMMEND w/ 187, 188,
POD's. 191, 193 AND 11678 (PIS OF RTS).

SCANNED

JUN 29 2004

Water Right Number - 29-00188

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

MARTIN

D. A. M.

1 -

2 -

3 -

City-

State-

Zip-

Phone -

+ - - Priority Date - - +

07/01/1902 *OK*

+ - - Region - - - +

15 EASTERN

+ - - Stage - - - +

0 *DECREED*

+ - - Status - - - +

+ - - Source - - - +

EAST BOB SMITH CREEK *OK*

+ - - Tributary - - - - +

PORTNEUF RIVER

+ - - Point of Diversion - - - - +

+ - - TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

09S	37E	12	SE SW <i>OK</i>			(5) BANNOCK			
		13	NW NW			(5) BANNOCK			
			NW SW			(5) BANNOCK			
			SW SW			(5) BANNOCK			

*Also, CLAIMS SPRINGS => Likely Not**Not CLAIMED*

+ - - Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION *OK*04/15 *OK* 09/150.800 *OK*

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +

0.800

0.0

+ - - Place of Use - - - - -

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
-----	-----	-----	-------	-----	-------	------	-------------	--------

09S	37E	12	SE SW			01	IRRIGATION	(5) BANNOCK
09S	37E	13	NW NW			01	IRRIGATION	(5) BANNOCK
09S	37E	13	SW NW			01	IRRIGATION	(5) BANNOCK
09S	37E	13	SE NW			01	IRRIGATION	(5) BANNOCK
09S	37E	13	NE SW			01	IRRIGATION	(5) BANNOCK
09S	37E	13	NW SW			01	IRRIGATION	(5) BANNOCK
09S	37E	13	SW SW			01	IRRIGATION	(5) BANNOCK
09S	37E	14	NE NE			01	IRRIGATION	(5) BANNOCK
09S	37E	14	NW NE			01	IRRIGATION	(5) BANNOCK
09S	37E	14	SW NE			01	IRRIGATION	(5) BANNOCK
09S	37E	14	SE NE			01	IRRIGATION	(5) BANNOCK
09S	37E	14	NE SE			01	IRRIGATION	(5) BANNOCK
09S	37E	14	NW SE			01	IRRIGATION	(5) BANNOCK
09S	37E	14	SE SE			01	IRRIGATION	(5) BANNOCK
09S	37E	23	NE NE			01	IRRIGATION	(5) BANNOCK
09S	37E	23	NW NE			01	IRRIGATION	(5) BANNOCK
09S	37E	23	SW NE	2		01	IRRIGATION	(5) BANNOCK
09S	37E	23	SE NE	1		01	IRRIGATION	(5) BANNOCK

Water right number - 29-00188

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	37E	23	NE NW			01	IRRIGATION	(5) BANNOCK
09S	37E	23	NW NW			01	IRRIGATION	(5) BANNOCK
09S	37E	23	SW NW	4		01	IRRIGATION	(5) BANNOCK
09S	37E	23	SE NW	3		01	IRRIGATION	(5) BANNOCK
09S	37E	24	NW NW			01	IRRIGATION	(5) BANNOCK

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

ACRES UNSPECIFIED BY DECREE - POU SEEMS AS DECREEED.
CLAIMS 348² AC AS PPU WITH

29-187,191,193 & 11678

Ac Limits per 42-202(3) IC

+ - - - - - Remarks - - - - -

GEN P/U INCOMPLETE.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - - - + - - - - Decree Defendant - - - - - + - Decree Date - +

UNION GRAIN & ELEVATOR CO.

MCCAMMON DITCH CO. ET. AL.

08/06/1932

+ - - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - 07/15/85 05/22/88 CONVERT 02/06/98 CLEARFLD

+ - - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 07/15/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 29
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Presumption Flag -	Name Connector -	POU Ownership Flag -
SRBA Decreed Flag -		

AJ5809NP
No. A29-00188

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 79

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	COLLEEN L ANDRUS	07/01/1902	IRRIGATION	04-15 09-15	0.800 CFS	
C	JIM ANDRUS					
C	KENNETH D ANDRUS					
	6948 E OLD OREGON TRAIL RD			TOTAL DIVERSION:	0.800 CFS	
	LAVA HOT SPRINGS ID 83246			CONSUMPTIVE USE:		870.00 AFA
	(208) 776-5380					

Water Source: EAST BOB SMITH CREEK
SPRINGS

Tributary to: PORTNEUF RIVER
EAST BOB SMITH CREEK

Stage: DECREED

Point(s) of Diversion: T09S R37E S12 NESESW

BANNOCK 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	
09S	37E 12											10	10					20.0
09S	37E 13						30	30			30	30						120.0
09S	37E 14	13			30									35			35	113.0
09S	37E 23	20	20		30	15												85.0
09S	37E 24						10											10.0
TOTAL ACRES																	348.0	

POU County: BANNOCK

Other Rights: SPRINGS USED ON ACRES IN SEC. 23, 29-11678, 00191, 00193

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00187 A29-00191 A29-00193 A29-11678 A29-11681

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00187 A29-00189 A29-00190 A29-00191 A29-00192 A29-00193 A29-11678 A29-11679 A29-11681

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

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

Audit: 04/24/90 ESRBA 04/04/94 THOMPSON 03/29/95 POST-STD 04/12/00 CVANDERM

Dear Mr. Jennings, Idaho
April 9, 1950
Idaho State Water
Resource Board.

I am writing you as a member
of the State Irrigation Co., on the
Army side of it is a member of
Kearney, and also as a member of
the Field family. We are the only
family to talk our arrangement
homesteads, all the rest have changed
ownership some without numbers
I am the oldest living person to have
known constantly about the
irrigation situation in this
community.

I went to college with Elmo
Hygman, in Pocatello in 1929 and
1930. He was your high school
and believe his son is your
Redistrict now
Our project is small, only slightly
more than a thousand acres in
the beginning, Hygman 30 - has

Taken away some of our land.
 There was plenty of water, for
 everyone in the beginning. They
 turned what water they needed
 into our canal and turned it
 back into the river when they were
 through using it. They always tried
 to keep some water in the canal
 through the winters for livestock.
 Sheep men would buy hay from the
 farmers and feed the sheep in the
 fields and have canal water
 for the sheep to drink.

They built the reservoir at
 Chesterfield, they tried turning the
 stored water down the Portneuf
 River, which would not carry the
 extra water. They paid damages
 for several years to farmers
 downstream for flooding the fields.
 They then built the long outlet canal
 to bypass the farms. In the beginning,
 the canal would not carry the

MICROFILMED

NOV 13 1992

3
water, but the canal eroded until we have the bad situation we have today.

The McCammon Mill sued to get its water, and they won the lawsuit, and a decree was handed down about the various water rights. Since then, the McCammon Mill sold its water right, I believe to either the McCammon Canal Co. or to some of its members.

Ever since, our project has had less and less water, so we have tried to get water into our canal before the irrigation season began, and also after the irrigation season had ended, to soak up our fields for the next season. I personally have watered fields when several inches of snow were on the ground. I have done this all through my life time. Nobody has ever tried to stop me, and I feel that

MICROFILMED

NOV 13 1992

we have established a right to do this.

Now, companies have planned to build hydropower plants in the river, and they intend to demand the entire river flow when the irrigation season ends until the spring when the season begins again. The way things are shaping up, we will have scarcely any water at all. They should not be allowed to do this to us. The plants are not needed at all, and the Federal Government should never have approved their building.

Sincerely,

P.O. Box 137 William Kild
Lava Hot Springs
Idaho, 83246

MICROFILMED

NOV 13 1992

STATE OF IDAHO, COUNTY OF BANNOCK

On this 9th day of APRIL, 1990, before me, a notary public in
and for said State, personally appeared

WILLIAM KIDD

Known to me to be the person whose name ~~is~~ subscribed to the within
instrument, and acknowledged to me that ~~he~~ ^{HE} executed the same.

Robert D. Bergendorf
NOTARY PUBLIC

Residing at LAUA HOT SPRINGS, Idaho

Commission Expires LIFETIME.

NOV 13 1992

MICROFILMED

TO WHOM IT MAY CONCERN:

I, Fred G. Walker, would like to say, I was born and raised on the Walker Ranch located near Lava Hot Springs, Idaho, and lived there until February 1953. I was also the Ditch Checker for one summer while living there. There was plenty of water for all of the ranches in the area before the Chesterfield Dam was constructed, no one in the area had any water problem until after the construction of that Dam. Then the situation seemed to change a very great deal. The Sunnyside Ditch Company had plenty of water for all users at the beginning as well as at the ending of the season. They all irrigated and used the water all season until it froze up in the winter. We had all the water for all the ranchers in the area all season long. Everyone had all the water needed to irrigate their land from early in the spring until it all froze up with the winter. My folks before me had plenty and I had plenty for the same acres and the same farm from early spring until it froze up with the winter.

Signed Fred G. Walker
Fred G. Walker

Subscribed and sworn to before me this 4th day of April 1990, at Cokeville, Lincoln County, State of Wyoming.

My Commission expires: Feb. 1, 1993

Marcel D. Reed
Notary Public

NOV 13 1992

MICROFILMED

NAME OF CLAIMANT and
DATE OF PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

140. *Martin, D. A. M.*

1902—July 1

.80 c. f. s.

1903—March 1

1.1 c. f. s.

1903—March 1

.36 c. f. s.

1903—Nov. 1

2.06 c. f. s.

1903—March 1

1.54 c. f. s.

1902—July 2

1.0 c. f. s.

(50 miners inches)

source being that certain Spring which rises 700 feet East of the West quarter corner of Section 13, Township 9 South, Range 38 East

portions of the South half of the Southwest quarter, Section 13, and the North half of the Northwest quarter, Section 24, Township 9 South, Range 37 E. B. M., not hereinafter described as belonging to D. A. M. Martin.

Said waters to be diverted through the following described ditches:

Through a ditch having its intake North 15 degrees West, 1090 feet from the South quarter corner of Section 12, Township 9 South, Range 37 E. B. M.

Through a ditch having its intake South 86 degrees and 30 minutes East, 1275 feet from the Northwest corner of Section 13, same Township and Range.

Through a ditch having its intake South 34 degrees and 30 minutes East, 330 feet from the West quarter corner of said Section 13, same Township and Range.

Through a ditch having its intake South 25 degrees East, 770 feet from the West quarter corner of Section 13, same Township and Range.

Through a ditch having its intake North 2 degrees East, 960 feet from the Southwest corner of Section 13, same Township and Range.

Through a ditch having its intake 700 feet East of the West quarter corner of Section 13, same Township and Range.

For the irrigation of two parcels of land described as follows: Beginning at the South 1-16 section corner on the section line between Sections 13 and 14, thence South along section line of Sections 13 and 14, 262.5 feet, thence North 20 degrees and 34 minutes East, 280.5 feet to the South 1-16 Section line of said Section 13, thence West along the 1-16 section line of said Section 13, 98.5 feet to the place of beginning; Also, the Northeast quarter, the North half of the Southeast quarter, the Southeast quarter of the Southeast

APPENDAGE TO THE FILING OF WATER OF Kenneth, Colleen, & Jim Andrus

Our present decreed water rights are jeopardized by

1. Illegal loss free transportation of storage water in the river channel. We ask the adjudication process to correct this situation by requiring the users of the storage water to stand the loss or require all the water users in the river district to share in the loss on a percentage basis according to the cubic feet of water they have decreed to them.
2. Many years after established use rights and decreed rights numerous wells have been allowed in the upper basin area, draining the aquifer. We ask an in depth study be made to determine the affect on the river flow before a decision is made.

Historically the amount of our water has been cut down during the irrigation season because there is not enough water to fill all the rights. Of necessity we have used the water at any time during the non irrigating season in any amount needed first come first serve down the river. We request this use right recognized and established as a legitimate water right.

MICROFILMED
NOV 13 1992

140. Martin, D. A. M. 29-11678
 1-0188 1902 July 1 .80 c.f.s.
 1-0189 1903 Mar. 1 1.1 c.f.s.
 1-0190 1903 Mar. 1 .36 c.f.s.
 1-0191 1903 Nov. 1 2.06 c.f.s.
 1-0192 1903 Mar. 1 1.54 c.f.s.
 1-0193 1902 July 2 1.0 c.f.s.

(50 miner's inches)
 source being that
 certain spring which
 rises 700 feet East
 of the West quarter
 corner, Section 13,
 Township 9 South,
 Range 38 East.

Said waters to be diverted through the following described ditches:
 Through a ditch having its intake North 15 degrees West 1090 feet from the South quarter corner of Section 12, Township 9 South, Range 37 E.B.M. Through a ditch having its intake South 86 degrees 30 minutes East 127 feet from the Northwest corner of Section 13, same Township and Range. Through a ditch having its intake South 34 degrees 30 minutes East 330 feet from the West quarter corner of said Section 13, same Township and Range.
 Through a ditch having its intake South 25 degrees East 770 feet from the West quarter corner, Section 13, same Township and Range.
 Through a ditch having its intake North 2 degrees East 960 feet from the Southwest corner of Section 13, same Township and Range.

Through a ditch having its intake 700 feet East of the West quarter corner of Section 13, same Township and Range.
 For the irrigation of two parcels of land described as follows: Beginning at the South 1/16 Section corner on the Section line between Sections 13 and 14, thence South along Section line of Section 13 and 14, 262.5 feet, thence North 20 degrees and 34 minutes East 280.5 feet to the South 1/16 Section line of said Section 13, thence West along the 1/16 Section line of said Section 13, 98.5 feet to the place of beginning; also the Northeast quarter, the North half of the Southeast quarter, the Southeast quarter of the Southeast quarter, Section 14, Township 9 South, Range 37 East; Lots 1, 2, 3 and 4, the North half of the Northwest quarter, the North half of the Northeast quarter, Section 23, Township 9 South, Range 37 East; also that portion of the Northwest quarter Section 24, same Township and Range, described as follows: Beginning at the point on the Section line between Sections 23 and 24, Township 9 South, Range 37 East, at the intersection of the South line of the right of way of the State Highway, thence South along the Section line of Sections 23 and 24, 172 feet, more or less, to the North 1/16 corner on the said section line, thence East on the North 1/16 section line of Section 24, 397 feet to the South line of the Right of way of the State Highway, thence following the South line on right of way 440 feet, more or less, to the point of beginning, also the Southeast quarter of the Southwest quarter, Section 12, the Northwest quarter of the Northwest quarter, the South half of the Northwest quarter, and that portion of Section 13, Township 9 South, Range 37 East, described as follows: Beginning at a point on the meridional center line of said Section 13, 620 feet South to the center of said Section 13, thence due West 1450 feet, thence due South 700 feet, thence due West 1190 feet to the West boundary line of said Section, thence due North 1320 feet to the Northwest corner of said Section, thence due East 2640 feet to the center of said Section, thence due South 620 feet to the

MAY 18 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: A29-00188
Date Received: 4/24/1990
Receipt No: EQ 3584
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

A2900188



2. Date of Priority: JUL 01, 1902

3. Source: EAST BOB SMITH CREEK Trib. to: PORTNEUF RIVER
Springs East Bob Smith Creek

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	37E	12	NE	SE	SW		BANNOCK

5. Description of diverting works:
DITCH; ALSO, PORTABLE PUMP INTO SPRINKLER SYSTEM AT VARIOUS PTS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	0.800		

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

8. Total consumptive use is 870.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-00188

Page 1

Date: 04/24/90

MICROFILME

NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	37E	12	SW	SW		IRR	10.0
			SE	SW		IRR	10.0
						Section Acres	20.0
		13	NW	NW		IRR	30.0
			SW	NW		IRR	30.0
			NW	SW		IRR	30.0
			SW	SW		IRR	30.0
						Section Acres	120.0
		14	NE	NE		IRR	13.0
			SE	NE		IRR	30.0
			NE	SE		IRR	35.0
			SE	SE		IRR	35.0
						Section Acres	113.0
		23	NE	NE		IRR	20.0
			NW	NE		IRR	20.0
			SE	NE		IRR	30.0
			NE	NW		IRR	15.0
						Section Acres	85.0
		24	NW	NW		IRR	10.0
						Section Acres	10.0
						Total Acres	348.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

SPRINGS USED ON ACRES IN SEC. 23, 29-11678, 00191. 00193

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

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: 9

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: 24 Apr - 1990

Date: _____

State of Idaho)
County of Bonneville) SS.

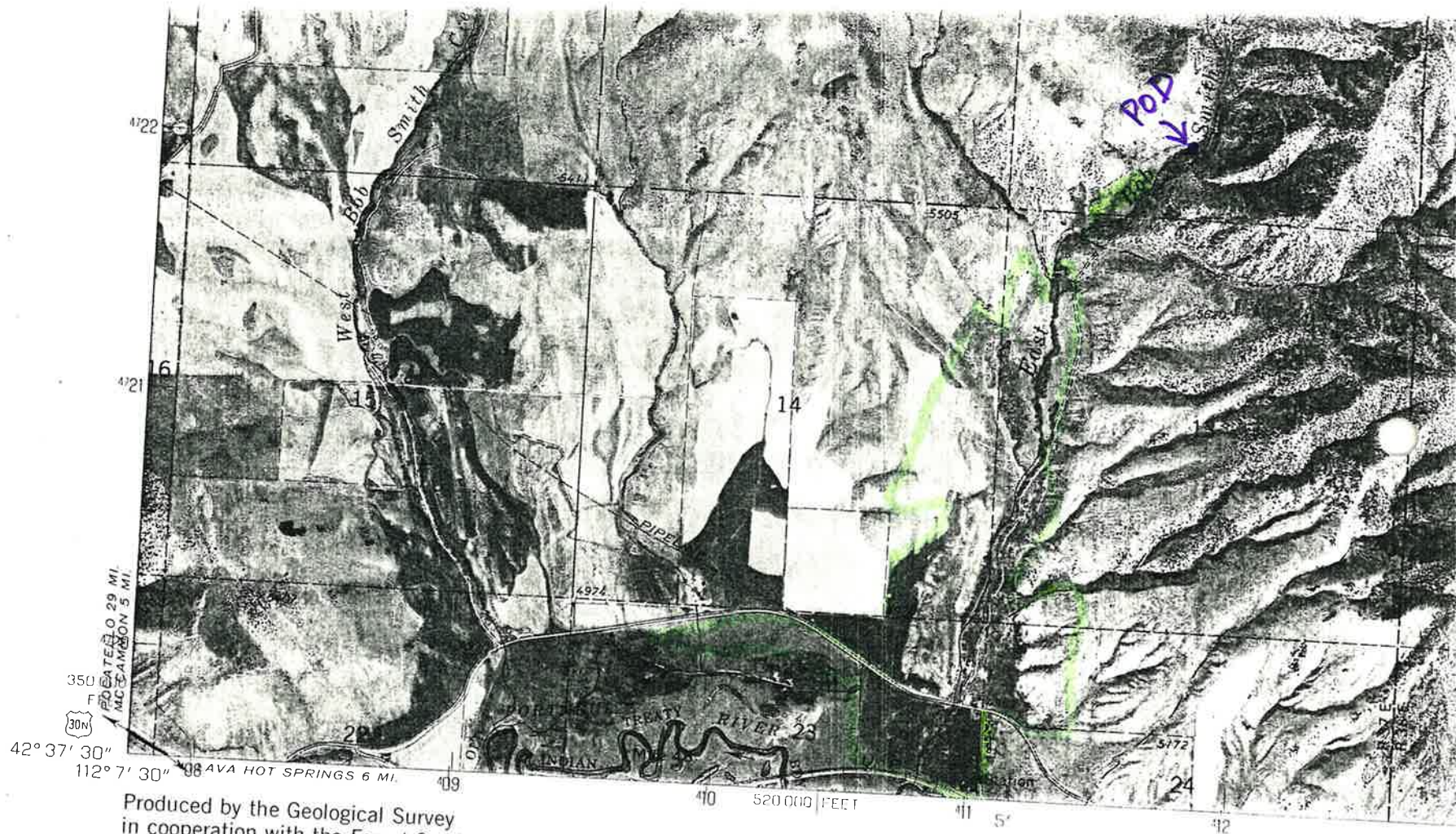
Subscribed and sworn (or affirmed) before me this 24th day

of April 19 90

[Signature]
Notary Public

Seal

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



Produced by the Geological Survey
in cooperation with the Forest Service

Orthophotograph prepared from 1:78 000-scale
aerial photographs taken August 7, 1976

Projection and 10,000-foot grid ticks: Idaho coordinate system, east zone and transverse Mercator
1000-meter Universal Transverse Mercator grid ticks, zone 12. 1927 North American datum

Photoimagery transformed by scanning techniques which may produce double or mismatched images; use the mean of image positions for map point.

This map has been prepared by the Idaho Department of Water Resources, pursuant to Idaho Code §42-1410 to assist claimants in filing notice of a claim and does not bear the same responsibility as assumed by ROWR. No warranty, either express or implied, is made and no liability is assumed by ROWR, its employees, its agents, contractors, and reproduction firms, particularly Bonneville Blueprint Supply Co., Inc. or its employees, for the accuracy, completeness, or usefulness of any information set forth on this map.

Copies Of These Maps
At Bonneville Blue P

THIS MAP COMPLIES WITH NATIONAL
FOR SALE BY U. S. GEOLOGICAL SURV

NOV 13 1992

2019