

1

02/14/2003

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

EXPLANATORY MATERIAL: Decreed

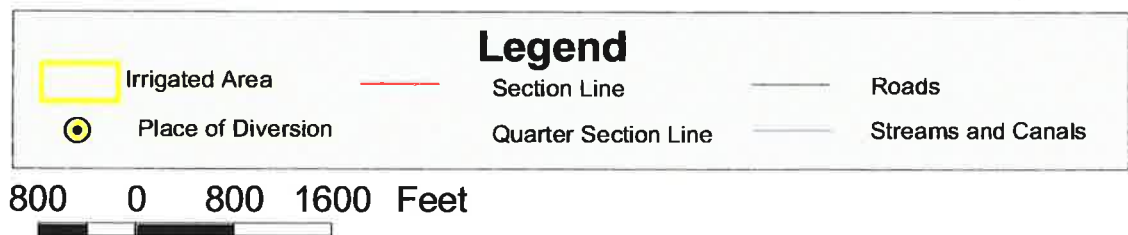
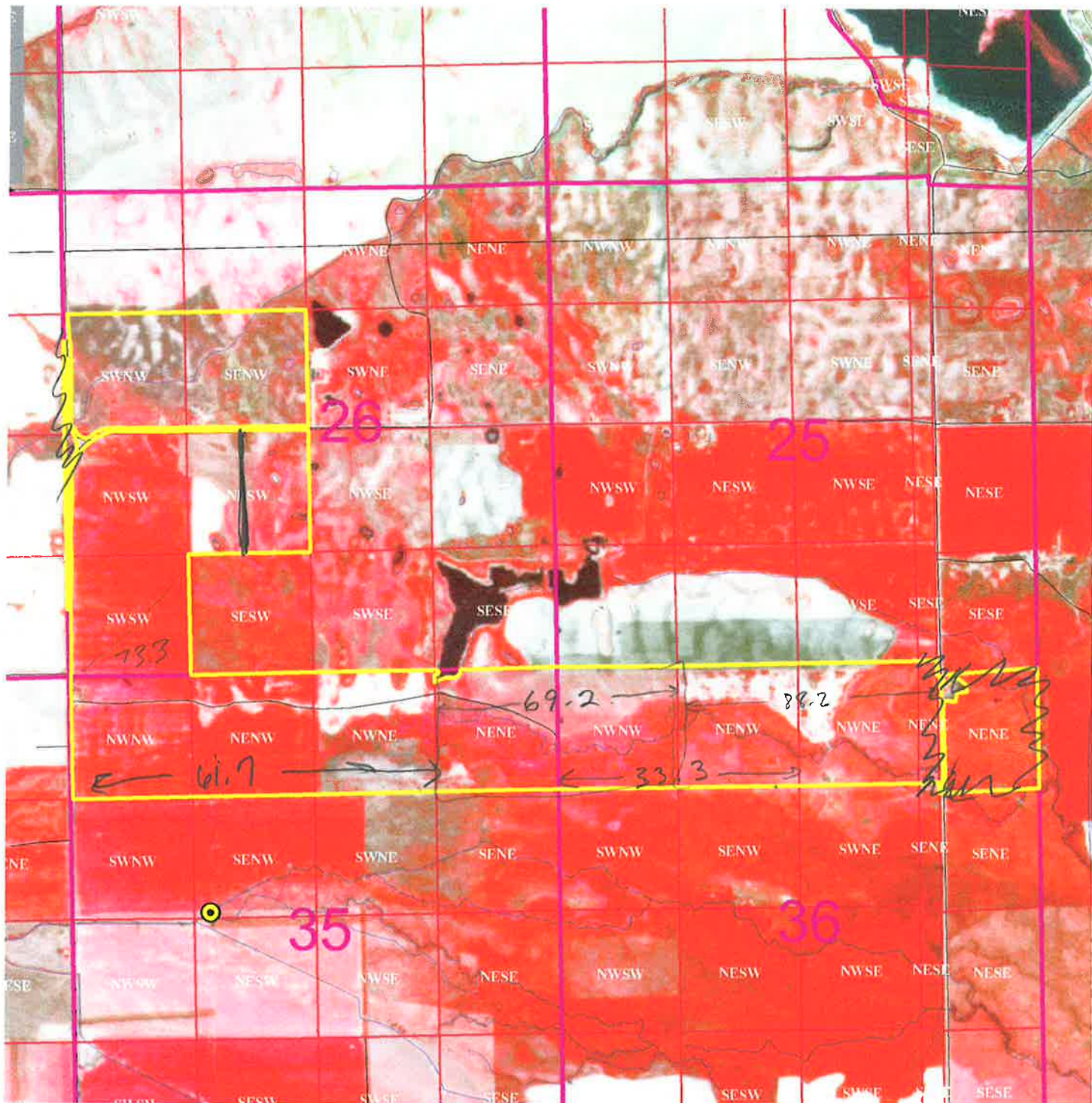
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

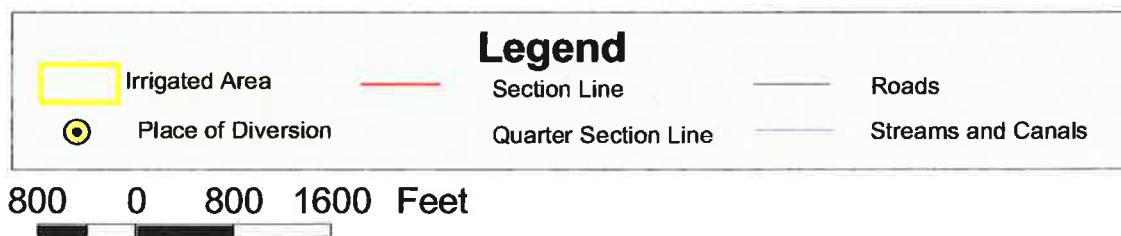
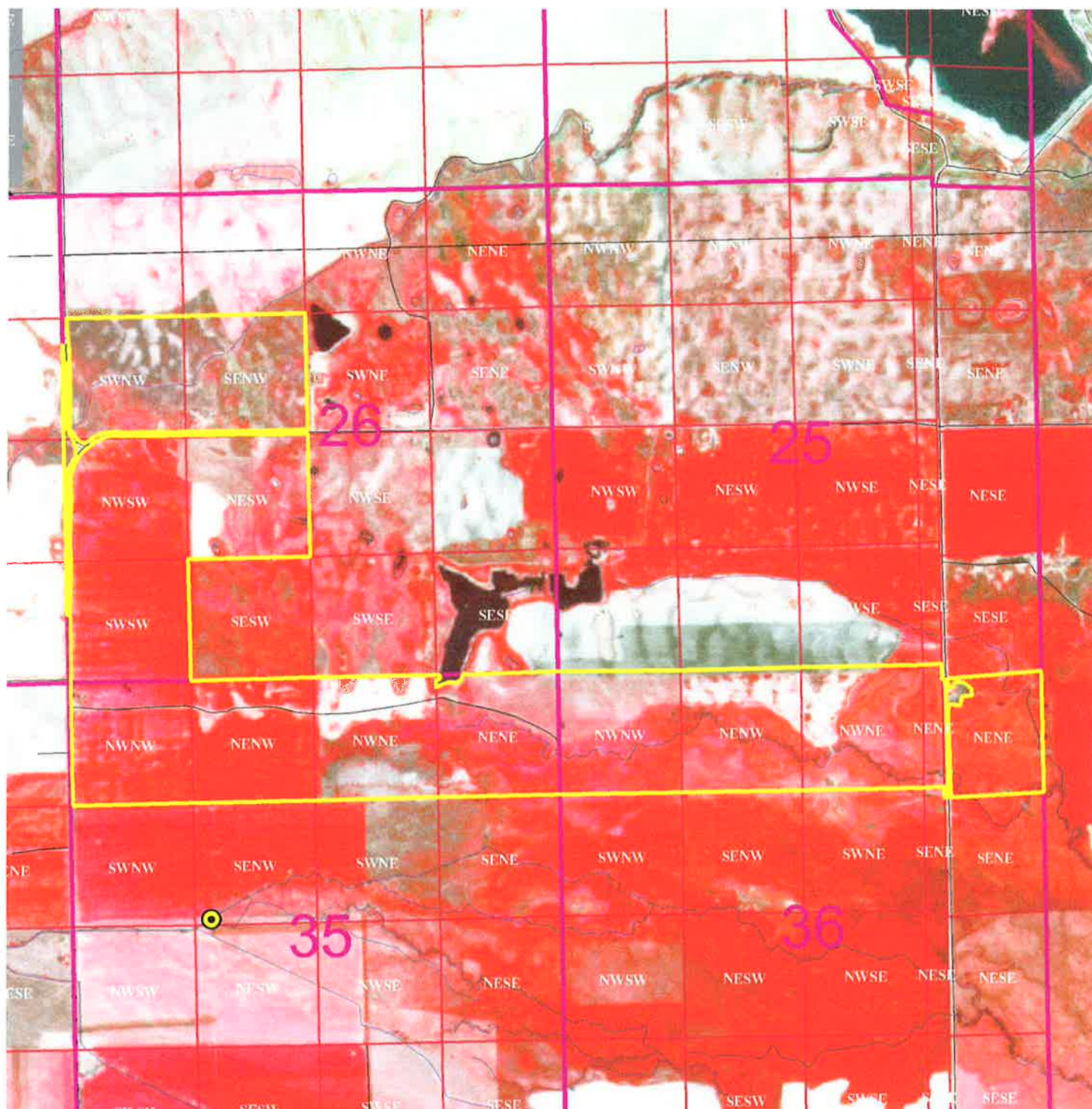
THE FOLLOWING RIGHTS ARE ALL DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-13231, 29-13232, 29-10329, 29-91B,
29-93B, 29-10330, 29-10327, 29-10331 AND 29-107B

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-87 AND 29-102.

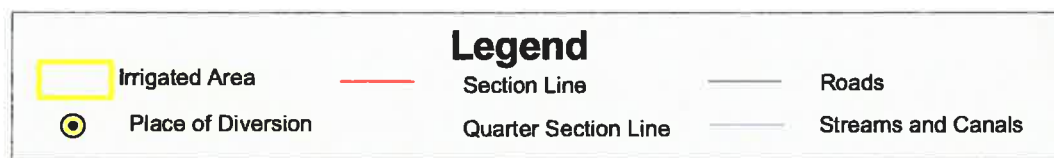
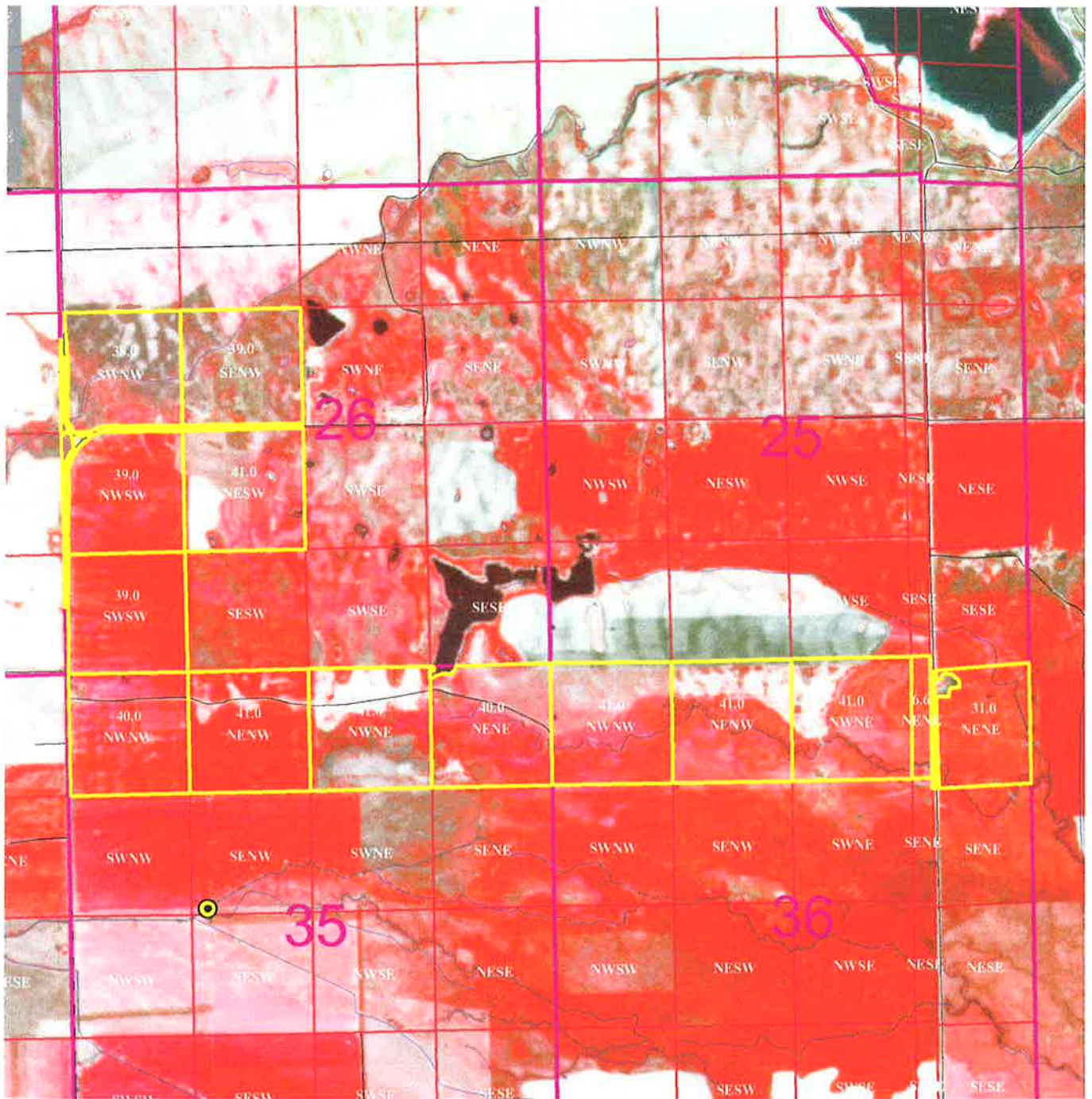
Township , 6S38E



Township , 6S38E



Township , 6S38E



800 0 800 1600 Feet



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

RIGHT NUMBER: 29-10327

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: 2.990 CFS

PRIORITY DATE: 06/18/1902

POINT OF DIVERSION:

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

T06S R38E S34 SENESW Lot 11
Within CARIBOU County

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

T06S R38E S35 NENWSW Lot 12
Within CARIBOU County

**PURPOSE AND
PERIOD OF USE:**

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/15 09/15	2.990 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.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 135 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

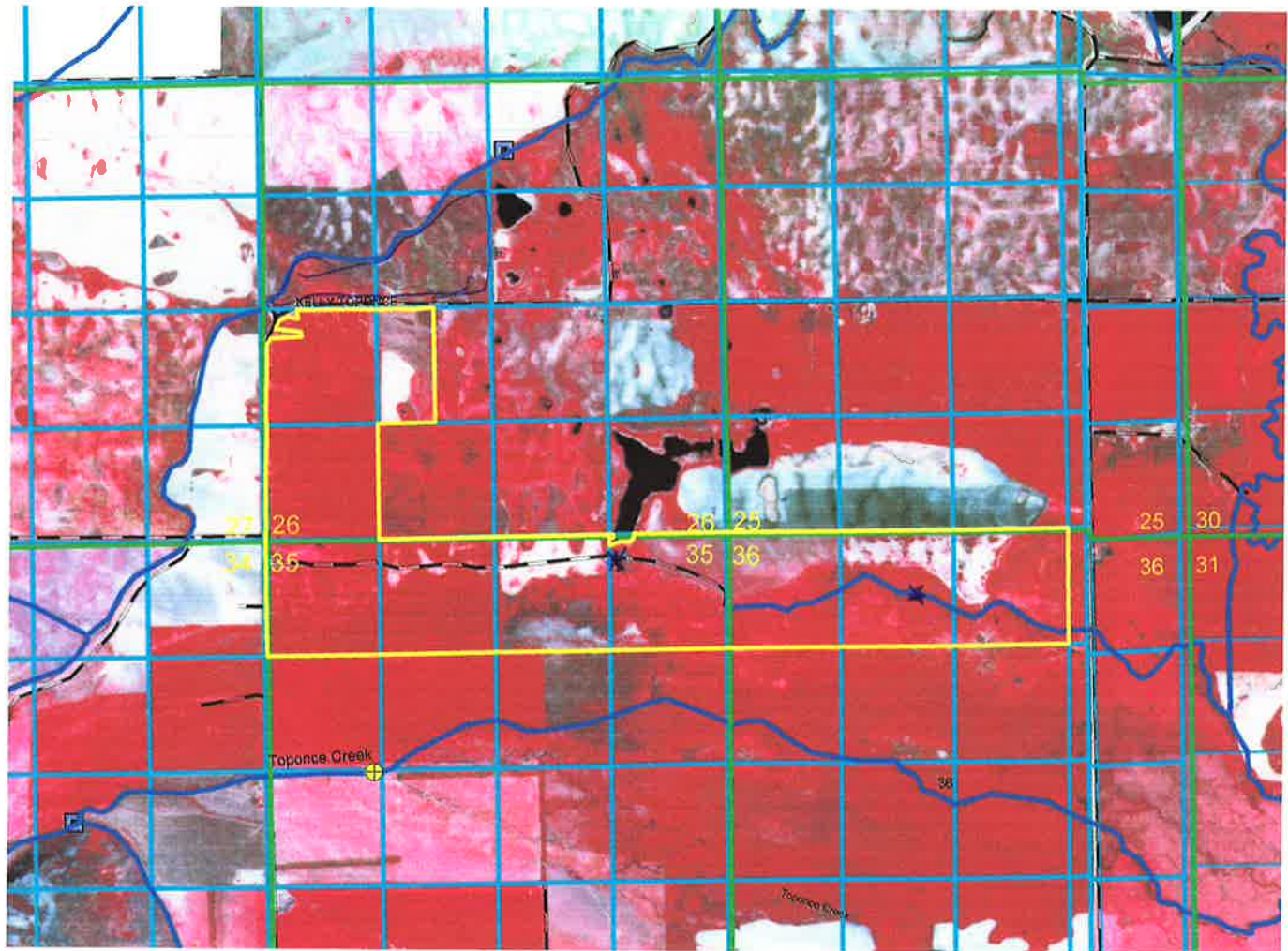
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DESCRIBED ABOVE: 29-13231, 29-13232, 29-10329, 29-91B, 29-93B, 29-10330,
29-10327, 29-10331 AND 29-107B
THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-87 AND 29-102.



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**



0.4 0 0.4 0.8 1.2 1.6 2 Miles

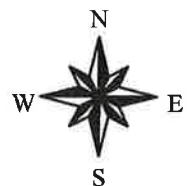
IRRIGATED ACRES 378

LEGEND

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

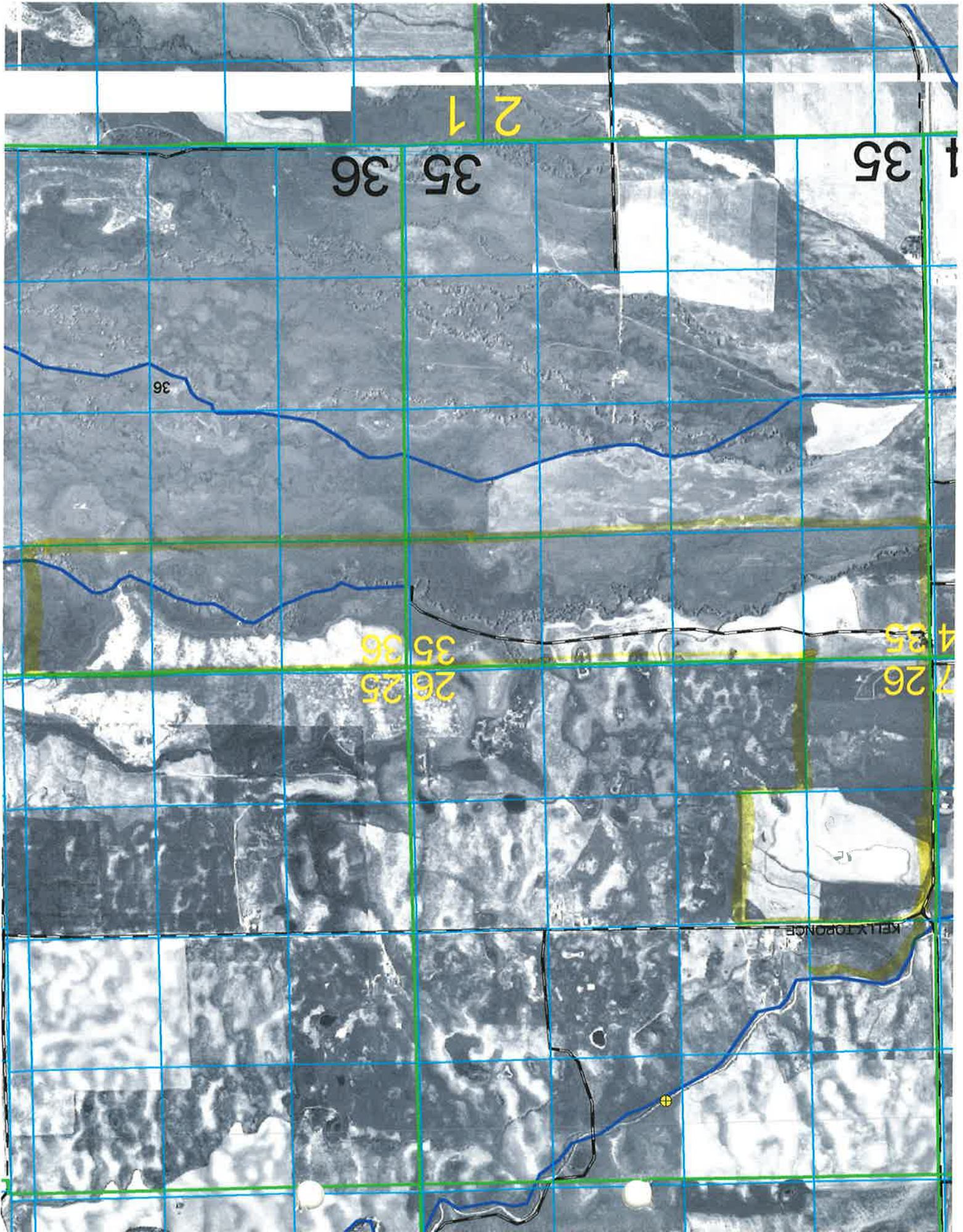
Place of Use: T6S, R38E,
(part of) Sections 26, 35 and 36.

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



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

1964 imagery



Notes

1/27/03 SOU 4/15 - 9/15 UG & E decree.

Andrus's do not own any property East of Nipper Road, Sec. 36, T6S, R38E, NENE, or the small approx 10 acre piece West of Nipper Rd. This property is owned by Ronda Perkins / CV cattle.

Claims installed buried main line, and H.L. (decree ditch plowed in).

Recommend claimed POD. (SFSE Sec 33)

POD decreed to West or Brigham ditch. (Plowed in)
link shape (PPLS) and update PLS/acres.

SO8 4/15 - 9/15 under UG & E decree.

Priority dated OK

Owners OK.

Source / trib : OK

Purpose: OK

GPS POD: ANDRUS 1

Summary Data Entry Form

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

C18

C05

C03

P15 Combined 29-87 < 29-102

K06 135 acre limit (POU-I Remark)

S08 4/1 - 10/31

F06

Split or Combined Right Analysis:

see attached

Attached Field Notes or Other Documents:

Claim No.:

Reviewer

Cindy Bird

Date

1/27/03

Andrus

Claim: A 29-10327 Combined 29-87 & 29-102

in its entirety.

Union grain & Elevator decree:

29-87. George Brangham.

1.76 cfs.

Sussex sect 26.

N 1/2 NW sect 36.

T 6 S, R 38 E.

1.23 cfs.

George Brangham.

POP: NENE sect 3d, T 6 S, R 38 E.

NW 1/4

N 1/2 NW

POP: 61.7 Acres.

change. *
letter sent:

Acres * 0.02 =

1.76 cfs = 88 acres

POP. Irrigation 73.3 acres.

sect 35, T 6 S, R 38 E ✓

Total diversion 2.5 cfs - Claimed on A 29-10327.

1.23 cfs = 61.5 acres.

Priority dates 6-18-1902 Mattie claim:
Source matter dispute.

no volume
needed

Volume: 211 days.

2.95 cfs * 1.984 4-4 214 days = 1.269

4-4 1/4

* Season of Use. 4/15-9/15

Here limit 135 acres

71. BUTTERFIELD, A. J.
29 0084 1911 June 15.

.05 c.f.s.
(2.24 inches)

Said water to be diverted through the Jensen No. 7, sometimes called 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.

72. JENSEN, PARLEY P.
29 0084 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.

73. JENSEN, BEN D.
29 0085 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.

74. JENSEN, PARLEY P.
29 0086 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.

75. BRANGHAM, GEORGE
29 0087 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.

76. SESSIONS, KEPLER
29 0088 1906. July 1.

.14 c.f.s. ✓

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. ✓

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.

RECORDED

MAY 15 1996

80. JENSEN, PARLEY P. .21 c.f.s.
29 0098 1905. May 19. (10.5 inches)

Said water to be diverted through Jensen Ditch No. 3, diverts from Toponce Creek, in the Northwest quarter of the Southeast quarter of Section 34, Township 6 South, Range 38 East. From the Southwest quarter corner of Section 34, the point of diversion bears North 8 degrees and 5 minutes East, 2220 feet, for the irrigation of 10.5 acres of land in the Northwest quarter of the Southeast quarter, Section 34, Township 6 South, Range 38 East.

81. JENSEN, BEN D.
29 0099 1902 June 18 .40 c.f.s.

Said water to be diverted through the Jensen Ditch No. 4, which diverts from Toponce Creek, in the Southwest quarter, of the Northeast quarter, Section 34, Township 6 South, Range 38 East. From the North Quarter corner of Section 34, The point of diversion bears South 13 degrees and 10 minutes East, 2692 feet, for the irrigation of 20 acres of land in the Southwest quarter of the Northeast quarter; the Southeast quarter of the Northeast quarter; the Northeast quarter of the Southeast quarter of Section 34, Township 6 South, Range 38 East.

82. JENSEN, BEN D.
29 0100 1902 June 18 .74 c.f.s.

Said water to be diverted through the Jensen Ditch No. 6 which diverts from Toponce Creek in the Northwest quarter of the Southeast quarter, Section 34, Township 6 South, Range 38 East. From the South quarter corner of Section 34, the point of diversion bears North 26 degrees and 30 minutes East, 2532 feet, for the irrigation of 37 acres of land located in the Northeast quarter of the Southeast quarter, Section 34, Township 6 South, Range 38 East.

83. JENSEN, BEN D.
29 0101 1902 June 18 .20 c.f.s.

Said water to be diverted through Jensen Private Ditch (named on the map of the State Engineer as "North Fork of Toponce"), which diverts in the Southeast quarter of the Northeast quarter, Section 34, Township 6 South, Range 38 East, from the East quarter corner of Section 34, Township 6 South, Range 38 East, the point of diversion bears North 76 degrees West, 1130 feet, for the irrigation of 10 acres of land in the Southeast quarter of the Northeast quarter, Section 34, Township 6 South, Range 38 East.

84. BRANGHAM, GEORGE
29 0102 1902 June 18 1.23 c.f.s.

Said water to be diverted through the Brangham Ditch. The point of diversion is located in the Northeast quarter of the Northeast quarter, Section 34, Township 6 South, Range 38 East. From the Northeast corner of Section 34, the Point of diversion bears South 5 degrees and 50 minutes West, 1328 feet, for the irrigation of 61.7 acres of land in the Northwest quarter of the Northeast quarter, the North half of the Northwest quarter, Section 35, Township 6 South, Range 38 East.

RECORDED

MAY 15 1906

MAY 7 2001

Log for claim A29-10327

Spatial Dynamics LTD

6/20/00

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	0	6.6	
06s38e	36	NENE	30	31	
06s38e	36	NWNE	40	41	
06s38e	36	NENW	40	41	
06s38e	36	NWNW	40	41	
Totals:			450	518.6	

AJ5809NP
No. A29-10327

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 162

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	COLLEEN LLOYD ANDRUS	06/18/1902	IRRIGATION	04-01 11-01	2.990 CFS	
C	JIM ANDRUS					
C	KENNETH D ANDRUS					
	6948 E OLD OREGON TRAIL RD			TOTAL DIVERSION:	2.990 CFS	
	LAVA HOT SPRINGS ID 83246			CONSUMPTIVE USE:		1125.00 AFA
	(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		SESW		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	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,00091,00123,10328-10332

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A29-00091 A29-00093 A29-00107B A29-00123C 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 A29-00091 A29-00091A A29-00092 A29-00092A A29-00093
A29-00093A A29-00102 A29-00107B A29-00123C A29-00234 A29-00252 A29-04346 A29-10248 A29-10328 A29-10329
A29-10330 A29-10331 A29-10332

Remarks: GEN THIS CLAIM IS FOR COMBINED RIGHTS 29-00087 & 29-00102. BOTH
RIGHTS ARE CLAIMED IN ENTIRETY.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 02/15/90 ESRBA 08/01/94 THOMPSON 03/29/95 POST-STD

SCANNED

MAY - 7 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: A29-10327
Date Received: 2/15/1990
Receipt No: E012066
Received By: RAT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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



2. Date of Priority: JUN 18, 1902

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 04/01 11/01 2.990

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

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

9. Non-irrigation uses:

A29-10327

Page 1

Date: 02/15/90

MICROFILMED

NOV 16 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,00091,00123,10328-10332

14. Remarks:
THIS CLAIM IS FOR COMBINED RIGHTS 29-00087 & 29-00102. BOTH RIGHTS ARE CLAIMED IN ENTIRETY.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MCCAMMON DITCH CO. 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: 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): Kenneth Anderson Date: 15 Feb. 1990
Date: _____

State of Idaho)
County of Bonnerille) SS.

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

of February 19 90

Seal

Helen Harrington
Notary Public

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

A29-10327

WATER RESOURCES

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

00' 41900m. E.

R38E R3E

