

12/09/2002

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

RIGHT NUMBER: 29-11678
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: EAST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 3.000 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: 03/01/1903

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	3.000 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 150 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.

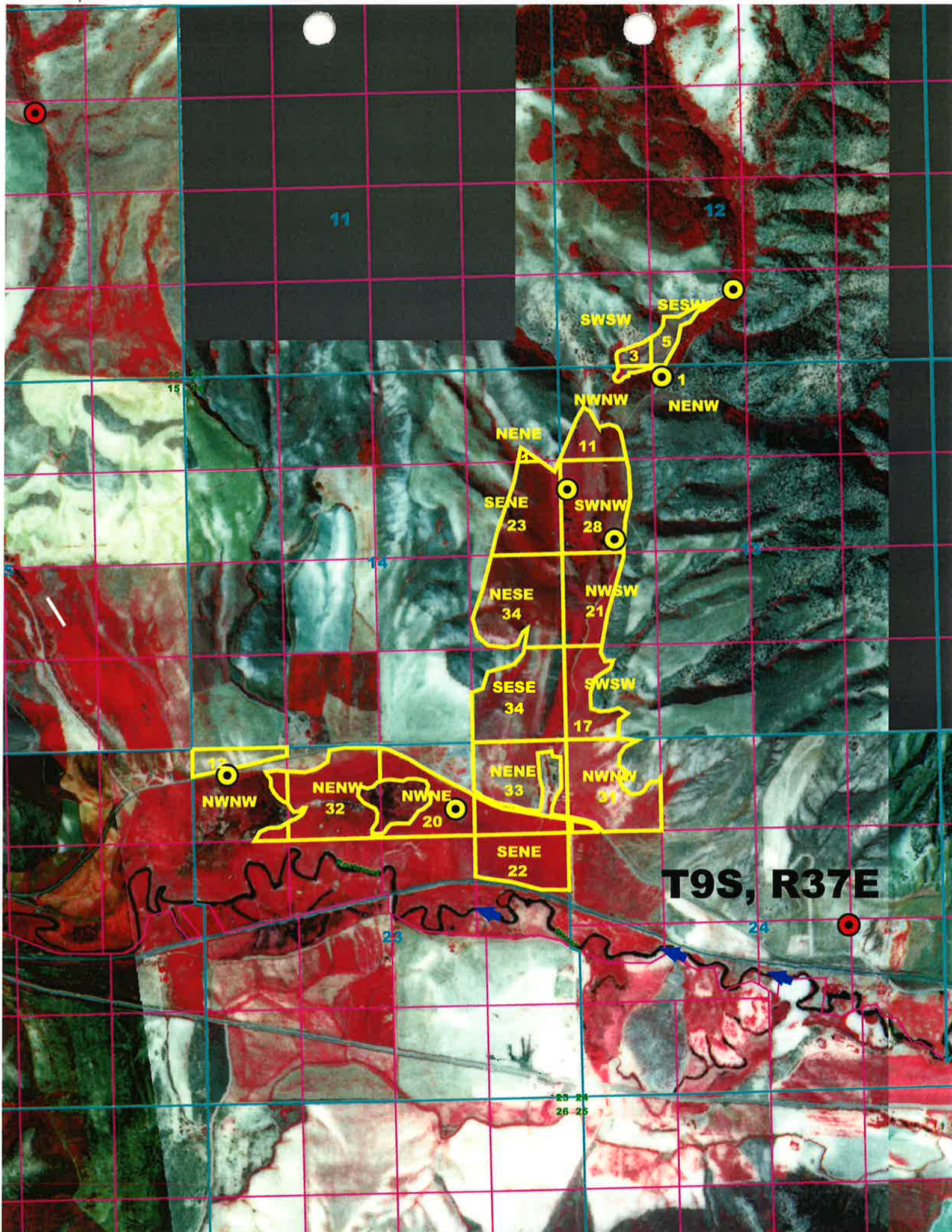
EXPLANATORY MATERIAL: Decreed

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.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-189, 190 AND 192.



11

12

SWSW

SESW

5

3

1

NENW

NWNW

NENE

11

SENE

23

SWNW

28

NESE

34

NWSW

21

SESE

34

SWSW

17

13

NWNW

NENW

32

NWNE

20

NENE

33

NWNW

31

SENE

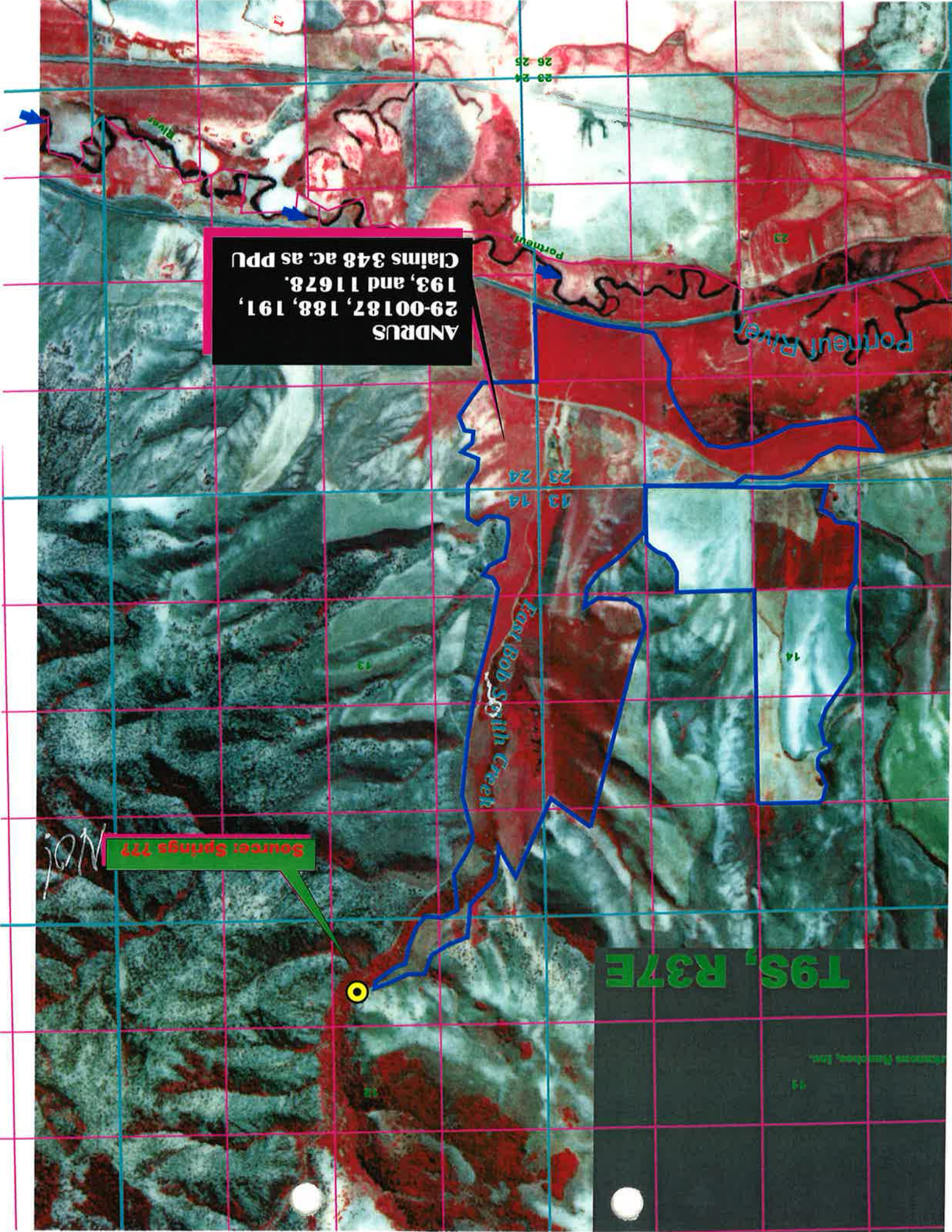
22

T9S, R37E

23

24

23 24
26 25



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

Source: Springs ???

T9S, R37E

23 24
26 25

13 14
23 24

23

14

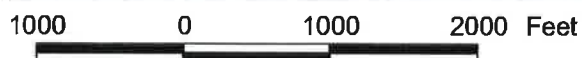
15

East Bob South Creek

Portneuf River

Portneuf

09/12/2000





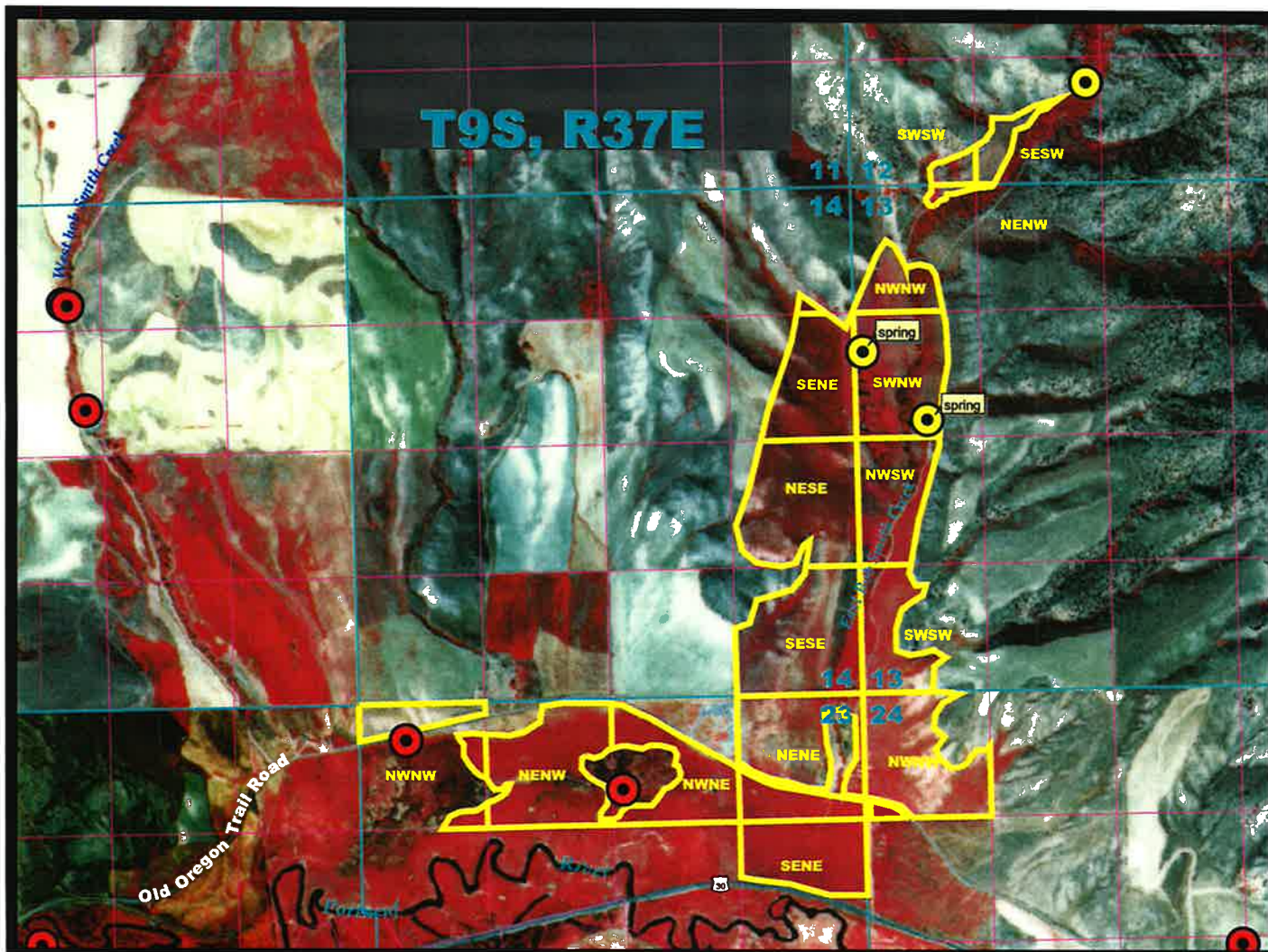
JUL 01 2004

SCANNED

State of Idaho

Department of Water Resources

Eastern Region



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

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

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

RIGHT NUMBER: 29-11678

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: Tributary:
EAST BOB SMITH CREEK PORTNEUF RIVER

QUANTITY: 3.000 CFS 0.000 AFY

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: 03/01/1903

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	3.000 CFS

PLACE OF USE: IRRIGATION within BANNOCK County

T09S R37E S12 SWSW 3.2

~~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

09S R37E S14 NENE 0.7

Sm^e
EMC

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

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 NENE 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 150 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.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-189, 190 AND 192.

SM^s
EMC

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	<u>Amorus</u>	<u>Jim & Ken</u>				
Name connector: and _____, or _____, and/or _____						
Current Owner						
Current Owner						
Representing Attorney:		Phone Number:				
Accompanied By: <u>Jim</u>		Phone Number:				
Relationship to Claimant: <u>Owner</u>						
Date of Field Exam: <u>8/29/01</u>		Time: _____				

Directions to Property (if different from above) and/or update owner information:

VISITED POD's, Poll's, Looked at system,COMBINED R: (P15)29-189190192

Reviewer: _____

Date: _____

SCANNED

JUL 01 2004

29-11678 P15 OF DECREED Rts. 29-189, 190, 192

I. CLAIM COMBINES THREE Rts (ABOVE). ALL HAVE THE SAME PRIORITY DATE, - NO ISSUE. P15

II. CLAIMED SOURCE(S) ARE: E. BOB SMITH CR (AS DECREED)

ALSO CLAIMS SPRINGS (ALSO AS DECREED).

[SEE QUESTION OUTLINE IN 29-187, III. a. b. & c.]

Q: $\Rightarrow$

a.) IS A BU CLAIM NEEDED FOR THE SPRINGS?

NO, BUT SPRINGS ONLY GO ON 29-11681. BECAUSE OF NO! DECREED TEXT.

A: $\Rightarrow$

III. a. TOTAL Q: cfs

29-11678 (P15) $\leftarrow$ 3% cfs / 150 AC @ .02

29-187	=	0.70
188	=	0.80
189	=	1.10
190	=	0.36
191	=	2.06
192	=	1.54
193	=	1.00

3% cfs $\times$ 150 AC = 150% AC Limit

686 cfs $\Rightarrow$ Priority Dates Dictate Denial (50 DOTS Q IN CR)

Total Q = 7.56 cfs $\Rightarrow$ 378% AC AT STATUTE

.02 (42-202(3) IC) C/P5

Comments Use Remarks Apply to EACH of Limits

Q: $\Rightarrow$

FIELD EXAM PER BOUNDARY $\Rightarrow$

b. CLAIMS 348% AC (PROBABLY CR - FIELD EXAM)

PPR ALL Rts (ABOVE LISTED). BY GPS = 327% AC

1. TO BE RECOMMENDED (UNDER RT) w/ AC Limits AND

TOTAL Q Limits.

IV. TOTAL Q FOR THIS RT = 3.0 cfs (P15 OF 189, 190)

SO RECOMMENDED.

140. Martin, D. A. M.
 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.

31

29-11678

COMBINED RIGHT OF:

29-00189 }
 29-00190 } 3⁰ cfs on
 29-00192 } 150⁰ Ac @
 0.02 cfs/ac

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.R.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

Priority Date Data Entry Form

Claim Number: _____
Water Right Priority Date: 4/01/1903 Water Right Basis: DERIVED
Claimed Priority Date: 4/01/1903 Claimed Basis: "
Recommended Priority Date: 4/01/1903 Recommended Basis: DERIVED

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

This claim combines DERIVED Rts
29-189, 1.10 cfs, 4/1/1903
29-190, 0.36 cfs, 4/1/1903
29-192, 1.54 cfs, 4/1/1903
 $\Sigma Q = 3.00 \text{ cfs}$
As claimed ✓ OK

(P15)

Reviewer: _____

Date: _____



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,

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
9S	37E	12		NESSESW	BANN.	EBS CK
GPS Coordinates: _____						

GPS Coordinates: _____						

GPS Coordinates: _____						

GPS Coordinates: _____						

GPS Coordinates: _____						

GPS Coordinates: _____						

Port. Riv.

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

Old DISCARD PODs NOT USED

SPRING CLAIM REFERENCES ARE NOT RECOMMENDED
UNDER THIS RT. SUB-29-193 FOR SPR RECOMMENDATION

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

See Attached GPS Poll

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity**Water Right Period of Use and Diversion Rate**

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Tracy</i>	<i>4/15</i>	<i>9/15</i>	<i>30</i>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Ea = 30 cfs

Reviewer: _____

Date: _____

SCANNED

MAY 18 2001

Log for claim A29-11678

Spatial Dynamics PJM

9/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s37e	12	SWSW	10	0.2	
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	Indiscernible
09s37e	23	NENW	15	34	Indiscernible
09s37e	24	NWNW	10	31	Indiscernible
Totals:			348	365.1	

Water Right Number - 29-00189

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
MARTIN

D. A. M.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
03/01/1903 15 EASTERN D - DECREED

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
EAST BOB SMITH CREEK PORTNEUF RIVER

Point of Diversion							Diversion Name	Diversion Rate	Diversion No.
Tw	Rng	Sec	Tract	Lot	RFlg	County			
09S	37E	12	SE SW		(5)	BANNOCK			
		13	NW NW		(5)	BANNOCK			
			NW SW		(5)	BANNOCK			
			SW SW		(5)	BANNOCK			

Code	Description	Water Use		Diversion Rate	Diversion Volume
		Period From	Period To		
01 - IRRIGATION		04/15	09/15	1.100	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.100 0.0

Place of Use							Code	Description	County
Tw	Rng	Sec	Tract	Lot	Acres				
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

Prefix Translation: WATER RIGHT

+	Twn	Rng	Sec	Tract	Lot	Acres	Place of Use 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 -

+ - - - - - 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	-							

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

05/30/01 09:33:41

Page 1

Water Right Number - 29-00190

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

MARTIN

D. A. M.

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City-
Phone -

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+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
03/01/1903 15 EASTERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
EAST BOB SMITH CREEK PORTNEUF RIVER

+ - - - - Point of Diversion - - - - - +						
Tw	Rng	Sec	Tract	Lot	RFlg	County
09S	37E	12	SE SW		(5)	BANNOCK
		13	NW NW		(5)	BANNOCK
			NW SW		(5)	BANNOCK
			SW SW		(5)	BANNOCK

+ - - - - Water Use - - - - - +	
Code	Description
01 - IRRIGATION	04/15 09/15 0.360

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.360 0.0

+ - - - - Place of Use - - - - - +									
Tw	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 - 29-00190

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use 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 -

+ - - - - - 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 -		

Water Right Number - 29-00192

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

MARTIN

D. A. M.

1 -
2 -
3 -City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
03/01/1903 15 EASTERN D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
EAST BOB SMITH CREEK PORTNEUF RIVER

Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
09S	37E	12	SE SW		(5)	BANNOCK				
		13	NW NW		(5)	BANNOCK				
			NW SW		(5)	BANNOCK				
			SW SW		(5)	BANNOCK				

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/15	09/15	1.540	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.540 0.0

Tw	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 - 29-00192

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use 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 -

+ - - - - - 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 - 06/18/85 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 - 06/18/1985	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 -		

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

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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.

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Lava Hot Springs Idaho
April 9, 1990

Idaho State Water
Resources Board:

I am writing this as a member
of The Lava Irrigation Co., or the
Sunny Side Ditch as it is commonly
known; and also as a member of
the Kidd family. We are the only
family to still own our original
homesteads, all the rest have changed
ownership times without number.
I am the oldest living person to have
known constantly about the
irrigation situation in this
community.

I went to college with Elmo
Huggerson, in Pocatello in 1929 and
1930. He was your hydrologist
and I believe his son is your
hydrologist now.

Our project is small, only slightly
more than a thousand acres in
the beginning. Highway 30 has

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Taken away some of our land.
There was plenty of water, for
every one 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
from 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

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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

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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 Kidd
Lava Hot Springs
Idaho, 83246

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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 Bergendorf
NOTARY PUBLIC

Residing at LAVA HOT SPRINGS, Idaho

Commission Expires LIFETIME.

NOV 16 1992

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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

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: A29-11678
Date Received: 4/24/1990
Receipt No: EQ13584
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

A2911678



2. Date of Priority: MAR 01, 1903

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	3.000		

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

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

9. Non-irrigation uses:

A29-11678

Page 1

Date: 04/24/90

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NOV 16 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, 29-00188, 00191. 00193

14. Remarks:

THIS CLAIM COMBINES RTS 29-00189, 00190, 00192.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

A29-11678

Page

2

Date: 04/24/90

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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): *Samuel R. Quinn* Date: 24 Apr. 1990
_____ Date: _____

State of Idaho)
County of Bonnerville) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of April 19 90 *Helen Harrington*
Notary Public

Seal

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

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NOV 16 1992

The Geological Survey
 with the Forest Service
 prepared from 1:28 000-scale
 taken August 7, 1976
 1,000-foot grid ticks. Idaho coordinate
 and transverse Mercator
 and transverse Mercator
 North American datum.
 performed by scanning techniques
 double or mismatched images;
 stage positions for map printing.
 prepared by the Idaho Department of Water Resources pursuant to
 various claims in filing notices of claims and objections in the Snake
 on. No warranty, either express or implied, is made and no legal
 ed by IDWR, its employees, its agents, contractors, and employees
 inville Blueprint Supply Co. Inc. or its employees for the accuracy
 of any information set forth on this map.

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 1982

NORTH

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 At Bonneville Blue Print, Boise Idaho

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 FOR SALE BY U.S. GEOLOGICAL SURVEY, MENLO PARK, CALIF. 94025

