

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 37-21107  
Date Received: 6/3/2003  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

IRWIN GENE DRUSSEL Phone: (208)788-2792  
307 BASE LINE RD  
BELLEVUE ID 83313

RUTH D DRUSSEL Phone: (208)788-2792  
307 BASE LINE RD  
BELLEVUE ID 83313

2. Date of Priority: 06/15/1891

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot |    |    | County | Type |
|----------|-------|---------|-----------------------|----|----|--------|------|
| 02N      | 18E   | 36      | NE                    | SW | NW | BLAINE |      |

5. Description of diverting works:

HEADGATES IN RIVER DIVERT INTO THE DISTRICT CANAL.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 0.51   |            |

7. Total Quantity Appropriated is:  
0.51 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 |
|----------|-------|---------|------------|-----|---------------|-------|
| 01N      | 19E   | 33      | NW         | SW  | IRRIGATION    | 40    |
|          |       |         | SW         | SW  | IRRIGATION    | 36    |
|          |       |         |            |     | Section Acres | 76    |
|          |       |         |            |     | Total Acres   | 76    |

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-667J.

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

June 3, 2003

IRWIN GENE DRUSSEL  
RUTH D DRUSSEL  
307 BASE LINE RD  
BELLEVUE ID 83313

RE: SRBA Claim(s) 37-665G, 37-666E, 37-667J

Dear Claimants:

Pursuant to the notification that you sold a portion of the property to which the above referenced adjudication claims are appurtenant, the department has split the original claims. Your remaining portions have been numbered 37-21103, 37-21105 and 37-21107.

Enclosed please find your copies of these computer-generated claims. Review these documents and should you have any questions or corrections, please contact this office.

Sincerely,

Trish Fawcett  
Technical Records Specialist

enclosures

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00667J  
Date Received: 9/20/1988  
Receipt No: 5002348  
Received By: CJ

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: IRWIN GENE DRUSSEL 208-788-2792  
Address: 307 BASE LINE ROAD  
BELLEVUE, ID 83313

AND/OR

Name: RUTH D. DRUSSEL 208-788-2792  
Address: 307 BASE LINE ROAD  
BELLEVUE, ID 83313

2. Date of Priority: JUN 15, 1891

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 02N      | 18E   | 36      | NE     | SW     | NW     |     | BLAINE |

5. Description of diverting works:  
HEADGATES IN RIVER DIVERT INTO THE DISTRICT CANAL.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.540 |      |        |

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

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-00667J

Page 1

Date: 09/20/88

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10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 01N      | 19E   | 33      | NW     | SW  |     | IRR           | 40.0  |
|          |       |         | SW     | SW  |     | IRR           | 40.0  |
|          |       |         |        |     |     | Section Acres | 80.0  |
|          |       |         |        |     |     | Total Acres   | 80.0  |

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:  
37-00665C, 37-00666A, 37-02588

14. Remarks:  
THIS RIGHT IS A PORTION OF WATER RIGHT 37-00667E.

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

S. C. FROST, ET. AL.  
Decree Plaintiff

vs

ALTURAS WATER COMPANY, 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: - 3 -

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

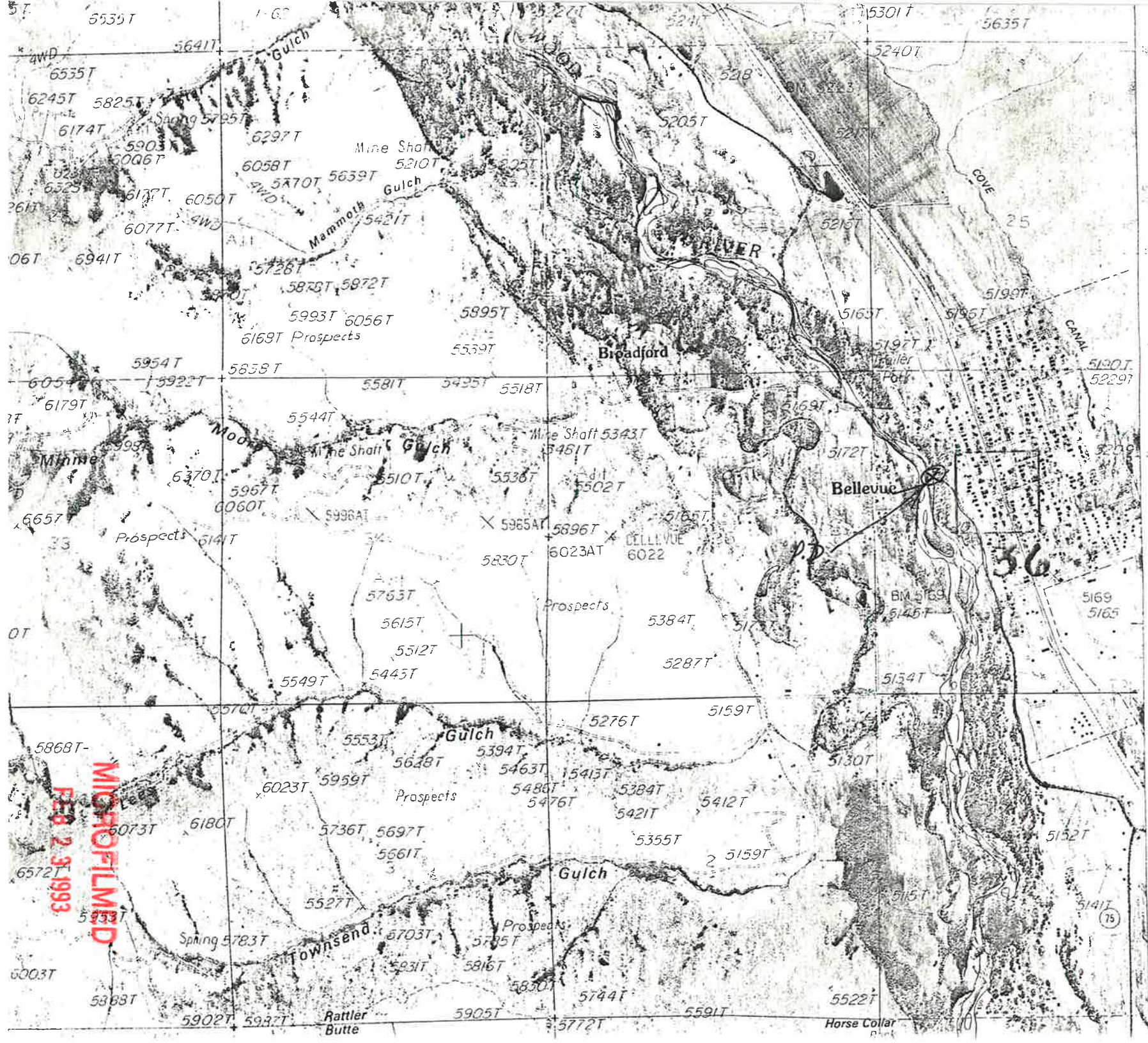
Signature of Claimant(s): Juven Gene Dussel Date: 9-20-88  
Ruth D. Dussel Date: 9-20-88

State of Idaho )  
County of Twin Falls ) SS.

Subscribed and sworn (or affirmed) before me this 20<sup>th</sup> day  
of September 19 88 Carter Fritschle  
Notary Public

Seal

Residing at Engle, Id  
My Commission Expires 3-21-94



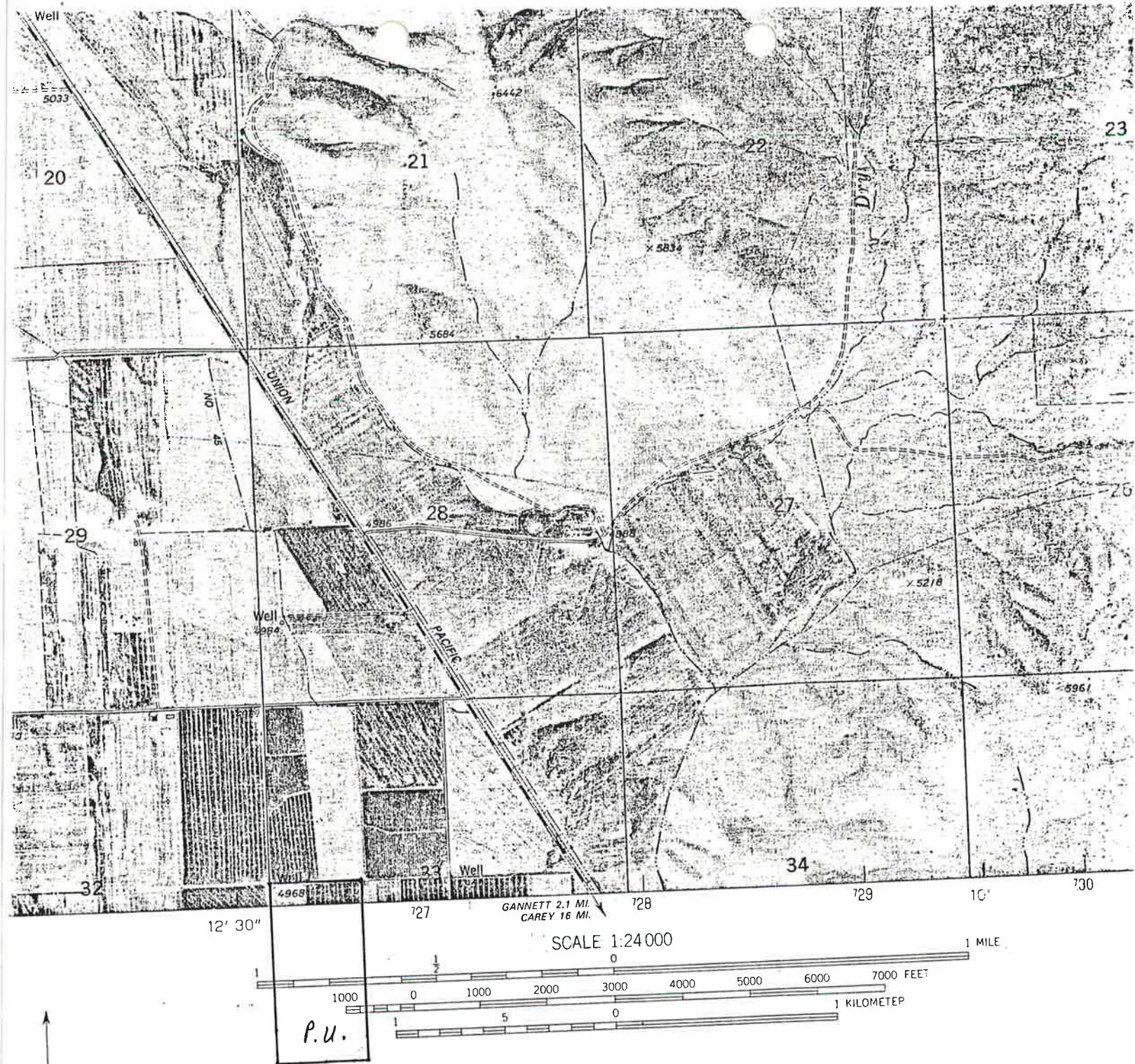
A37-00667J

R18E

T2N

T1N

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T 1 N R 19 E

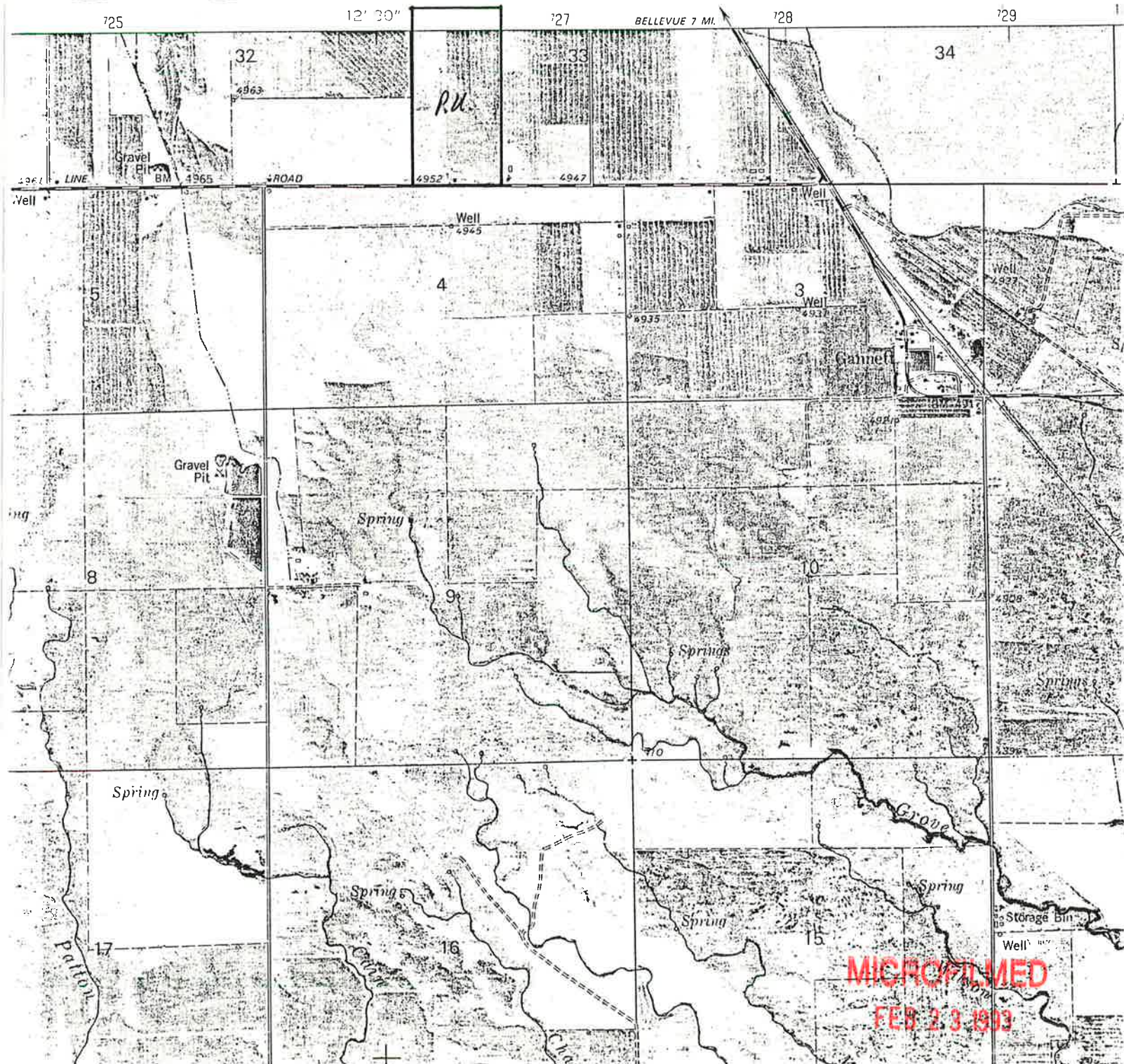
THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
FOR SALE BY U. S. GEOLOGICAL SURVEY, MENLO PARK, CALIF. 94025

Copies Of These Maps Can Be Obtained  
At Bonneville Blue Print, Boise Idaho

**MICROFILMED**  
**FEB 23 1993**



T 1 N  
R 19 E



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FEB 23 1993

11/24/2006

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

RIGHT NUMBER: 37-21107

NAME AND ADDRESS: IRWIN GENE DRUSSEL  
307 BASE LINE RD  
BELLEVUE ID 83313

RUTH D DRUSSEL  
307 BASE LINE RD  
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.510 CFS

PRIORITY DATE: 06/15/1891

POINT OF DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/15 10/31          | 0.510 CFS       |

PLACE OF USE: IRRIGATION in BLAINE County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T01N R19E S33 | NWSW | 40.00 | T01N R19E S33 | SWSW | 33.00 |
|---------------|------|-------|---------------|------|-------|

73 ACRES TOTAL

Right Nos. 37-21103, 37-37-21105, 37-21107 and 37-20928 are limited to the irrigation of a combined total of 73 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former Right 37-667J.



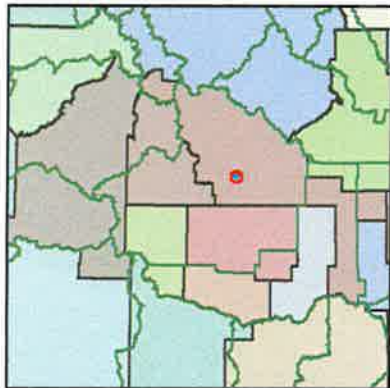
# Idaho Department of Water Resources

SRBA Recommendation:

**37-21103, 37-21105**  
**37-21107** (Irrigation)

## Legend

-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County  
IDWR Basin 37



0 0.2 0.4 Miles

Prepared by J. Stanton  
On Friday, November 24, 2006  
2004 Aerial Photography

Owner: Irwin Gene Drussel

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.



State of Idaho

## DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

December 8, 2003

Jim Rush  
Rocky Mountain Environmental  
482 Constitution  
Idaho Falls, Idaho 83402

RE: Snake River Basin Adjudication (SRBA)  
Claim Nos: 37-481B, 37-482G, 37-483B,  
37-665K, 37-667J, 37-667N

Dear Mr. Rush:

In response to your request and our phone conversation December 5, 2003, I am enclosing copies of the above mentioned SRBA Claims to water rights in the name of NMS Leasing, Inc.

A superficial review reveals that each of the rights on which these SRBA claims are based was included in the 1909 S.C. Frost -vs- Alturus Water Company Decree, and that each of the base rights have been split numerous times by parties claiming a portion of the right. Without doing a complete and in-depth investigation, I cannot tell you at this time whether the claims filed by NMS Leasing accurately reflect their valid portions of the 1909 decreed water rights.

As we discussed, IDWR is diligently proceeding toward the review of claims in the Wood River Valley, but agents are not scheduled to begin in that area for another year or perhaps longer. The Department is sensitive to the concerns of buyers and sellers of property with claims to water rights, however at this time I must point out that the enclosed are claims which may or may not reflect the eventual water right decreed to this land in the SRBA.

Sincerely,

Vikie Hancock  
Sr. Water Resource Agent  
Southern Regional Office, Twin Falls

Water Right Number - 37-00667E      Adj. Flag Translation: Standard Water Right Number      Old (D) Number -

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

\*\*\* C - CURRENT OWNER \*\*\*  
UTAH & IDAHO IMPROVEMENT CO.

1 -  
2 -  
3 -  
City-      State-      Zip-  
Phone -

+ - - Priority Date - - +      + - - Region - - - +      + - - Stage - - - +      + - - Status - - - +  
06/15/1891      17      D - DECREED

+ - - Source - - - - +      + - - Tributary - - - - +  
BIG WOOD RIVER      MALAD RIVER

+ - - Point of Diversion - - - - - +  
Twn      Rng      Sec      Tract      Lot      RFlg      County      Stream Index (Blank if no Index Code)

02N      18E      36      SW NW      (13)      BLAINE

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

01 - IRRIGATION      20.900

+ - Total Div. Rate - +      + - Total Div. Volume - +      + - Total Div. Capacity - +      + - Total Consumptive Use - +      + - KW Usage - +  
20.900

+ - - Place of Use - - - - - +  
Twn      Rng      Sec      Tract      Lot      Acres      Code      Description      County

|     |     |    |       |   |  |    |            |              |
|-----|-----|----|-------|---|--|----|------------|--------------|
| 01N | 18E | 24 | NE SE |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 18E | 24 | SW SE |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 18E | 24 | SE SE |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 19E | 19 | NE SW |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 19E | 19 | NW SW | 3 |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 19E | 19 | SW SW | 4 |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 19E | 19 | SE SW |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 19E | 20 | NE NE |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 19E | 20 | NW NE |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 19E | 20 | SW NE |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 19E | 20 | SE NE |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 19E | 20 | NE NW |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 19E | 20 | NW NW |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 19E | 20 | SE NW |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 19E | 20 | NE SW |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 19E | 20 | NW SW |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 19E | 20 | SW SW |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 19E | 20 | SE SW |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 19E | 20 | NE SE |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 19E | 20 | NW SE |   |  | 01 | IRRIGATION | (13 ) BLAINE |
| 01N | 19E | 20 | SW SE |   |  | 01 | IRRIGATION | (13 ) BLAINE |

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27" Claimed as 00667J

Water right number - 37-00667E

Adj. flag translation: Standard Water Right Number

| + - - - - - Place of Use - - - - - + |     |     |       |     |       |      |             |              |  |
|--------------------------------------|-----|-----|-------|-----|-------|------|-------------|--------------|--|
| Twn                                  | Rng | Sec | Tract | Lot | Acres | Code | Description | County       |  |
| 01N                                  | 19E | 20  | SE SE |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 28  | NW NW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 28  | SW NW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 28  | SE NW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 28  | NE SW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 28  | NW SW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 28  | SE SW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 28  | SW SE |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 29  | NE NE |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 29  | NW NE |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 29  | SW NE |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 29  | SE NE |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 29  | NE NW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 29  | NW NW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 29  | SW NW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 29  | SE NW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 29  | NE SW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 29  | NW SW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 29  | SW SW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 29  | SE SW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 29  | NE SE |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 29  | NW SE |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 29  | SW SE |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 29  | SE SE |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 30  | NE NW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 30  | NW NW | 1   |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 32  | NE NE |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 32  | NW NE |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 32  | SW NE |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 32  | SE NE |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 32  | NE NW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 32  | NW NW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 32  | SW NW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 32  | SE NW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 32  | NE SE |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 32  | NW SE |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 33  | NE NW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 33  | NW NW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 33  | SW NW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 33  | SE NW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 33  | NE SW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 33  | NW SW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 33  | SW SW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |
| 01N                                  | 19E | 33  | SE SW |     |       | 01   | IRRIGATION  | (13 ) BLAINE |  |

Total Acres:

- Diversion Means - HEADGATE #45 & DISTRICT CANAL

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Water right number - 37-00667E Adj. flag translation: Standard Water Right Number

- - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 37-0665A, 0666A

+ - - - - - Remarks - - - - - +  
SEE STATE OF IDAHO VS. WILLIAM J. BUHLER, ET. AL., 2-16-1924.  
TRANS. 68, 69, 70.  
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.  
AC. IRRIG. NOT SPECIFIED. FARM = 2480 AC.  
P/U INCOMPLETE. SEE FILE.

+ - - - - - Conditions of Approval - - - - - +  
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +  
S. C. FROST, ET. AL. ALTURAS WATER COMPANY, ET. AL. 12/13/1909

+ - - Microfilm Rolls -

+ - - Audit Fields - 02/11/86 05/28/88 CONVERT

+ - - - - - 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  |
| Start Work Date - 00/00/0000  | Verified Date - 12/09/1985   | DLE/Carey Act -      |
| Order Show Cause - 00/00/0000 | Receipt Number -             | Water District - 37  |
| Licensed Date - 00/00/0000    | Appl Received - 00/00/0000   | Transfer/Amended - P |
| Decree Date - 12/13/1909      |                              |                      |

MICROFILMED  
FEB 23 1993