

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

TEMPORARY CHANGE APPLICATION

(To change point of diversion, place of use or purpose of use)

Name of Applicant Jim Andrews
Kenneth D. Andrews, Colleen Lloyd Andrews, Phone 208 776-5380
Post Office Address 6948 East old Oregon Trail Rd., Lava Hot Springs, Idaho 83246

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) thereof Currently entertaining permanent transfer - 2 - Put water in King Creek Pipeline infrastructure
fevers pipeline. Ditches were plowed in before we purchased
property

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>SEE ATTACHMENT</u>				<u>4/15</u> to <u>8/15</u>
				to
				to
				to

2. Total amount of water being transferred 7.80 cubic feet per second and/or acre-feet per annum.

3. Source of water Tepance Creek tributary to Portman River

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SW	SE	SE	33	6S	38E	Caribou	King Creek Pipeline
		SE	NE	SW	34	6S	38E	Caribou	
		NE	NW	SW	35	6S	38E	Caribou	

5. Lands irrigated or place of use: NO CHANGE

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	38E	26									20	37	39						96
											L-11	L-12	L-13						
6S	38E	35	40	41			41	40											162
			L-1	L-2			L-3	L-4											
6S	38E	36		39			39	39											117
				L-2			L-3	L-4											

Total Acres 375

Item: B.1 Description of Rights(s) or portions thereof, after the requested change

Source		TOPONCE CREEK			Water Use(s) IRRIGATION	
Owner(s)		ANDRUS, COLLEEN L, JIM, KENNETH D				
Basin	Seq	Suffix	Priority Date	(cfs)	Version	Source Table
29	91	B	7/1/1909	0.48	2	wrAdjudicationRecommendation
29	93	B	7/1/1913	0.1	2	wrAdjudicationRecommendation
29	107	B	6/17/1902	0.6	2	wrAdjudicationRecommendation
29	10327		6/18/1902	2.99	3	wrAdjudicationRecommendation
29	10329		7/1/1908	0.3	2	wrAdjudicationRecommendation
29	10330		7/1/1910	0.15	2	wrAdjudicationRecommendation
29	10331		1868-07-06	3.14	2	wrAdjudicationRecommendation
29	13231		7/1/1906	0.07	3	wrAdjudicationRecommendation
29	13232		7/1/1907	0.11	2	wrAdjudicationRecommendation

7.94

TEMPORARY CHANGE 2005 TC-29-14
ANDRUS, COLLEEN L, JIM, KENNETH D

TC-29-14

6. General Information:

- a. Who owns the water right to be changed? Kenneth D. Andrews, Colleen Lloyd Andrews, Jim Andrews
- b. Describe the arrangement allowing use of the right Agreement with King Creek Grazing Assn. to put our water into their new gravity pipeline
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
It will allow it to be irrigated
- d. Has the water right sought to be transferred been used this year? No If yes, explain. _____
- e. Absent the changes, how would the right be used for the remainder of the year? It could not be used & the land could not be irrigated
- f. Describe other water rights used for the same purpose.
This is our total water right used for irrigation on this
- g. Remarks: Caribou Co. has been declared a disaster Co. and the change need to be approved so we can irrigate this season

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Kenneth Andrews
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by KCW Date 6/2/2005 Fee 50⁰⁰
 Receipted KCW 6/2/05 # E030937 Recommend: ☒ approve ☐ deny
 Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-29-14

And said application is hereby Approved, subject to the following limitations and conditions:

Witness my hand this 6th day of June, 2005.

[Signature]
For the Director

RECEIVED
JUL 08 2005
Department of Water Resources

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL - 7 / 2005	
By _____	Clerk
_____	Deputy Clerk

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

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREES

SUBCASES: 29-10331 and 29-10332

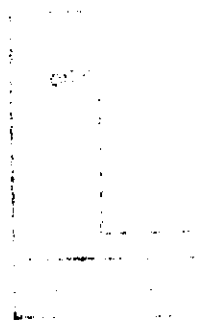
On May 17, 2005, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED July 7, 2005.

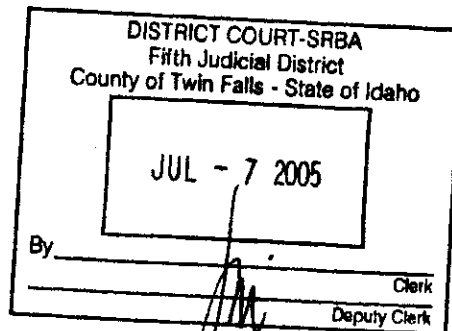

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication



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

In Re SRBA)
)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 29-10331



NAME AND ADDRESS: COLLEEN L ANDRUS
JIM ANDRUS
KENNETH D ANDRUS
6948 E OLD OREGON TL RD
LAVA HOT SPRINGS, ID 83246

SOURCE: TOPONCE CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 3.144 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.144 CFS. COMBINED RIGHT NOS.:
29-10331 AND 29-10332.

PRIORITY DATE: 07/06/1868

POINT OF DIVERSION: T06S R38E S34 SE1/4 Within Caribou County
S35 LOT 12 (NW1/4)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.144 CFS

PLACE OF USE:	Irrigation	Within Caribou County
	T06S R38E S26 LOT 11 (NE1/4) 20.0	LOT 12 (NW1/4) 37.0
	LOT 13 (E1/2) 39.0	
	S35 LOT 1 (NW1/4) 40.0	LOT 2 (NW1/4) 41.0
	LOT 3 (NE1/4) 41.0	LOT 4 (NW1/4) 40.0
	S36 LOT 2 (NW1/4) 39.0	LOT 3 (NE1/4) 39.0
	LOT 4 (NW1/4) 39.0	
	375.0 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, 29-918, 29-10330, 29-938, AND 29-10332.

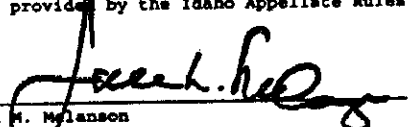
USE OF THIS RIGHT WITH RIGHT NO. 29-10332 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 157.4 ACRES IN A SINGLE
IRRIGATION SEASON.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

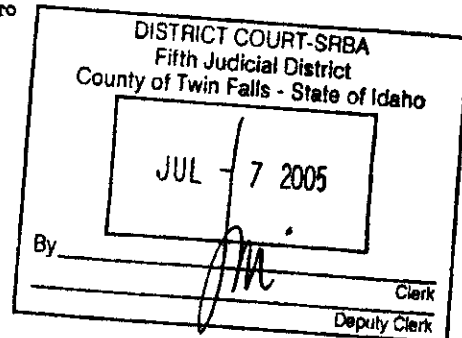
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 29-10332



NAME AND ADDRESS: COLLEEN L ANDRUS
JIM ANDRUS
KENNETH D ANDRUS
6948 E OLD OREGON TL RD
LAVA HOT SPRINGS, ID 83246

SOURCE: UNNAMED STREAM TRIBUTARY: TOPONCE CREEK

QUANTITY: 0.50 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.14 CFS. COMBINED RIGHT NOS.: 29-10331 AND
29-10332

PRIORITY DATE: 07/06/1868

POINT OF DIVERSION: T068 R38E S35 LOT 1 (NNWNE) Within Caribou County
S36 LOT 2 (SNNWNE)
LOT 3 (SENNWN)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.50 CFS

PLACE OF USE: Irrigation Within Caribou County

T068 R38E S35 LOT 1	(NENE) 8.8	
S36 LOT 2	(NNNE) 29.0	LOT 3 (NENW) 27.0
LOT 4	(NNWN) 23.0	
87.8 Acres Total		

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 157 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-10331 AND 29-10332.

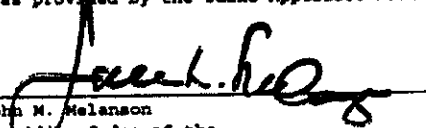
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 375 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-918, 29-938, 29-1078, 29-10327, 29-10329,
29-10330, 29-10331, 29-10332, 29-13231 AND 29-13232.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on July 07, 2005, with sufficient first-class postage to the following:

ANDRUS, KENNETH D
ANDRUS, COLLEEN L AND JIM
6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS, ID 83246
Phone: 208-776-5380

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

COLLEEN L ANDRUS
JIM ANDRUS
KENNETH D ANDRUS
6948 E OLD OREGON TL RD
LAVA HOT SPRINGS, ID 83246
Phone: 208-776-5380

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ORDER

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Deputy Clerk

