

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71892

This is to certify that: JIM ANDRUS And
 COLLEEN L ANDRUS And
 KENNETH D ANDRUS
 6948 E OLD OREGON TRAIL RD
 LAVA HOT SPRINGS ID 83246
 (208)776-5380

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
29-13399	WR/Decreed	05/01/1896	0.56 cfs	N/A	28.0	44.0	PORTNEUF RIVER
29-13401	WR/Decreed	07/06/1868	0.72 cfs	N/A	42.0	44.0	PORTNEUF RIVER

Associated Water Rights Also Included in Transfer Approval (Update Conditions)

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
29-187	WR/Decreed	07/02/1902	0.70 cfs	N/A	35.0	327.4	EAST BOB SMITH CREEK
29-188	WR/Decreed	07/01/1902	0.80 cfs	N/A	40.0	327.4	EAST BOB SMITH CREEK
29-191	WR/Decreed	11/01/1903	2.06 cfs	N/A	103.0	327.4	EAST BOB SMITH CREEK
29-193	WR/Decreed	07/02/1902	1.00 cfs	N/A	50.0	327.4	EAST BOB SMITH CREEK, SPRINGS
29-11678	WR/Decreed	03/01/1903	3.00 cfs	N/A	150.0	327.4	EAST BOB SMITH CREEK
29-11681	AJC/Beneficial Use	08/07/1932	6.55 cfs	N/A	N/A	327.4	EAST BOB SMITH CREEK, SPRINGS

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
29-13399	NO	YES	YES	NO	NO	NO
29-13401	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
29-13399	29-13399	0.56 cfs	N/A	28.0	327.4		N/A	N/A	N/A	N/A
29-13401	29-13401	0.72 cfs	N/A	36.0	327.4		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.88 cfs	N/A	44.0	327.4		N/A	N/A	N/A	N/A

SUPPORT DATA
 IN FILE # 29-13399

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71892

Detailed Water Right Description(s) attached

Dated this 5th day of December, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13399
As Modified by Transfer No. 71892

In accordance with the approval of Transfer No. 71892, Water Right No. 29-13399 is now described as follows.

Right Holder: JIM ANDRUS And
 KENNETH D ANDRUS And
 COLLEEN L ANDRUS
 6948 E OLD OREGON TRAIL RD
 LAVA HOT SPRINGS ID 83246

Priority Date: May 01, 1896

Source: EAST BOB SMITH CREEK **Tributary:** PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	09/15	0.56 CFS	
			0.56 CFS	

LOCATION OF POINT(S) OF DIVERSION:

EAST BOB SMITH CREEK NESESW Sec. 12 Twp 09S Rge 37E BANNOCK County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 37E 12											3.2	5.5					8.7
09S 37E 13						11.0	28.0			21.0	17.0						77.0
09S 37E 14	.7			23.0									34.0			34.0	91.7
09S 37E 23	33.0	20.0		22.0	32.0	12.0											119.0
09S 37E 24				L 1			31.0										31.0

Total Acres: 327.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 28 acres within the place of use described above in a single irrigation season.
2. Rights 29-13399 and 29-13401 when combined shall not exceed a total diversion rate of 0.88 cfs and the irrigation of 44 acres.
3. Rights 29-187, 29-188, 29-191(Part), 29-193, 29-11678, 29-11681(Part), 29-13399 & 29-13401 when combined shall not exceed a total diversion rate of 6.55 cfs and the irrigation of 327.4 acres.
4. Prior to diversion of water under Transfer 71892, the right holder shall place the portion of water rights 29-191 and 29-11681 equivalent to 44.0 acres and appurtenant to the place of use authorized for Rights 29-13399 and 29-13401 under this transfer in the water bank operated by the Idaho Water Resource Board.
5. To prevent injury through approval of Transfer 71892 to prior rights appropriating water from East Bob Smith Creek, diversion and use of this right shall be subordinate to Rights 29-12361 and 29-12982.

WATER RIGHT NO. 29-13399
As Modified by Transfer No. 71892

CONDITIONS OF APPROVAL

6. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 9/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than September 1, 2004.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29.
8. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of December, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13401
As Modified by Transfer No. 71892

In accordance with the approval of Transfer No. 71892, Water Right No. 29-13401 is now described as follows.

Right Holder: KENNETH D ANDRUS And
 JIM ANDRUS And
 COLLEEN L ANDRUS
 6948 E OLD OREGON TRAIL RD
 LAVA HOT SPRINGS ID 83246

Priority Date: July 06, 1868

Source: EAST BOB SMITH CREEK **Tributary:** PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.72 CFS	
			0.72 CFS	

LOCATION OF POINT(S) OF DIVERSION:

EAST BOB SMITH CREEK NESESW Sec. 12 Twp 09S Rge 37E BANNOCK County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 37E 12											3.2	5.5					8.7
09S 37E 13					11.0	28.0			21.0	17.0							77.0
09S 37E 14	.7			23.0									34.0			34.0	91.7
09S 37E 23	33.0	20.0		22.0	32.0	12.0											119.0
09S 37E 24				L 1		31.0											31.0

Total Acres: 327.4

CONDITIONS OF APPROVAL

1. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29.
3. Rights 29-13399 and 29-13401 when combined shall not exceed a total diversion rate of 0.88 cfs and the irrigation of 44 acres.
4. Rights 29-187, 29-188, 29-191(Part), 29-193, 29-11678, 29-11681(Part), 29-13399 & 29-13401 when combined shall not exceed a total diversion rate of 6.55 cfs and the irrigation of 327.4 acres.
5. Prior to diversion of water under Transfer 71892, the right holder shall place the portion of water rights 29-191 and 29-11681 equivalent to 44.0 acres and appurtenant to the place of use authorized for Rights 29-13399 and 29-13401 under this transfer in the water bank operated by the Idaho Water Resource Board.

WATER RIGHT NO. 29-13401
As Modified by Transfer No. 71892

CONDITIONS OF APPROVAL

6. To prevent injury through approval of Transfer 71892 to prior rights appropriating water from East Bob Smith Creek, diversion and use of this right shall be subordinate to Rights 29-12361 and 29-12982.
7. This right is limited to the irrigation of 36 acres within the place of use described above in a single irrigation season.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of December, 2005


Chief, Water Allocation Bureau

WATER RIGHT NO. 29-187
As Modified by Transfer No. 71892

In accordance with the approval of Transfer No. 71892, Water Right No. 29-187 is now described as follows.

Right Holder: JIM ANDRUS AND
 KENNETH D ANDRUS AND
 COLLEEN L ANDRUS
 6948 E OLD OREGON TRAIL RD
 LAVA HOT SPRINGS ID 83246

Priority Date: July 02, 1902

Source: EAST BOB SMITH CREEK **Tributary:** PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15	to 9/15	0.70 CFS	
			0.70 CFS	

LOCATION OF POINT(S) OF DIVERSION:

EAST BOB SMITH CREEK NESESW Sec. 12 Twp 09S Rge 37E BANNOCK County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 37E 12											3.2	5.5					8.7
09S 37E 13						11.0	28.0			21.0	17.0						77.0
09S 37E 14	.7			23.0									34.0			34.0	91.7
09S 37E 23	33.0	20.0		22.0	32.0	12.0											119.0
09S 37E 24				L 1		31.0											31.0

Total Acres: 327.4

CONDITIONS OF APPROVAL

- The following rights are also diverted through point of diversion described above: 29-187, 29-188, 29-191, 29-193, 29-11678, 29-11681.
- 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.
- This right is limited to the irrigation of 35 acres within the place of use described above in a single irrigation season.
- This right when combined with right nos. 29-187, 29-188, 29-191, 29-193, 29-11678, 29-681, 29-13399 and 29-13401 shall provide no more than 0.02 cfs per acre.

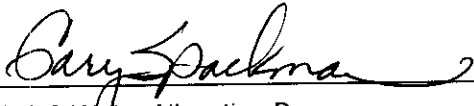
WATER RIGHT NO. 29-187
As Modified by Transfer No. 71892

CONDITIONS OF APPROVAL

6. Rights 29-187, 29-188, 29-191(Part), 29-193, 29-11678, 29-11681(Part), 29-13399 & 29-13401 when combined shall not exceed a total diversion rate of 6.55 cfs and the irrigation of 327.4 acres.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of December, 2005


Chief, Water Allocation Bureau

WATER RIGHT NO. 29-188
As Modified by Transfer No. 71892

In accordance with the approval of Transfer No. 71892, Water Right No. 29-188 is now described as follows.

Right Holder: KENNETH D ANDRUS AND
 COLLEEN L ANDRUS AND
 JIM ANDRUS
 6948 E OLD OREGON TRAIL RD
 LAVA HOT SPRINGS ID 83246

Priority Date: July 01, 1902

Source: EAST BOB SMITH CREEK **Tributary:** PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15	to 9/15	0.80 CFS	
			0.80 CFS	

LOCATION OF POINT(S) OF DIVERSION:

EAST BOB SMITH CREEK NESESW Sec. 12 Twp 09S Rge 37E BANNOCK County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 37E 12											3.2	5.5					8.7
09S 37E 13						11.0	28.0			21.0	17.0						77.0
09S 37E 14	.7			23.0									34.0			34.0	91.7
09S 37E 23	33.0	20.0		22.0	32.0	12.0											119.0
09S 37E 24				L 1			31.0										31.0

Total Acres: 327.4

CONDITIONS OF APPROVAL

- Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
- The following rights are also diverted through the point of diversion described above: 29-187, 29-188, 29-191, 29-193, 29-11678, 29-11681.
- This right when combined with right nos. 29-187, 29-188, 29-191, 29-193, 29-11678, 29-681, 29-13399 and 29-13401 shall provide no more than 0.02 cfs per acre.
- 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.
- This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

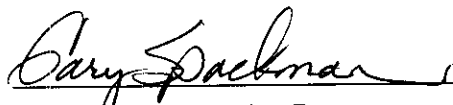
WATER RIGHT NO. 29-188
As Modified by Transfer No. 71892

CONDITIONS OF APPROVAL

6. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
7. Rights 29-187, 29-188, 29-191(Part), 29-193, 29-11678, 29-11681(Part), 29-13399 & 29-13401 when combined shall not exceed a total diversion rate of 6.55 cfs and the irrigation of 327.4 acres.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of December, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-191
As Modified by Transfer No. 71892

In accordance with the approval of Transfer No. 71892, Water Right No. 29-191 is now described as follows.

Right Holder: JIM ANDRUS AND
 COLLEEN L ANDRUS AND
 KENNETH D ANDRUS
 6948 E OLD OREGON TRAIL RD
 LAVA HOT SPRINGS ID 83246

Priority Date: November 01, 1903

Source: EAST BOB SMITH CREEK **Tributary:** PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15	9/15	2.06 CFS	
			2.06 CFS	

LOCATION OF POINT(S) OF DIVERSION:

EAST BOB SMITH CREEK NESESW Sec. 12 Twp 09S Rge 37E BANNOCK County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	37E	12											3.2	5.5					8.7
09S	37E	13						11.0	28.0			21.0	17.0						77.0
09S	37E	14	.7			23.0									34.0			34.0	91.7
09S	37E	23	33.0	20.0		22.0	32.0	12.0											119.0
09S	37E	24				L 1			31.0										31.0

Total Acres: 327.4

CONDITIONS OF APPROVAL

1. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
2. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. This right when combined with right nos. 29-187, 29-188, 29-191, 29-193, 29-11678, 29-681, 29-13399 and 29-13401 shall provide no more than 0.02 cfs per acre.
4. 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.
5. The following rights are also diverted through point of diversion described above: 29-187, 29-188, 29-191, 29-193, 29-11678, 29-11681.
6. This right is limited to the irrigation of 103 acres within the place of use described above in a single irrigation season.

WATER RIGHT NO. 29-191
As Modified by Transfer No. 71892

CONDITIONS OF APPROVAL

7. Prior to diversion of water under Transfer 71892, the right holder shall place the portion of water rights 29-191 and 29-11681 equivalent to 44.0 acres and appurtenant to the place of use authorized for Rights 29-13399 and 29-13401 under this transfer in the water bank operated by the Idaho Water Resource Board.
8. Rights 29-187, 29-188, 29-191(Part), 29-193, 29-11678, 29-11681(Part), 29-13399 & 29-13401 when combined shall not exceed a total diversion rate of 6.55 cfs and the irrigation of 327.4 acres.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of December, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-193
As Modified by Transfer No. 71892

In accordance with the approval of Transfer No. 71892, Water Right No. 29-193 is now described as follows.

Right Holder: JIM ANDRUS AND
 KENNETH D ANDRUS AND
 COLLEEN L ANDRUS
 6948 E OLD OREGON TRAIL RD
 LAVA HOT SPRINGS ID 83246

Priority Date: July 02, 1902

Source: EAST BOB SMITH CREEK **Tributary:** PORTNEUF RIVER
 SPRINGS EAST BOB SMITH CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15 to	9/15	1.00 CFS	
			1.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

EAST BOB SMITH CREEK	NESESW	Sec. 12 Twp 09S	Rge 37E	BANNOCK County
SPRINGS	NWSWNW	Sec. 13 Twp 09S	Rge 37E	BANNOCK County
SPRINGS	SESWNW	Sec. 13 Twp 09S	Rge 37E	BANNOCK County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	37E	12											3.2	5.5					8.7
09S	37E	13						11.0	28.0			21.0	17.0						77.0
09S	37E	14	.7			23.0									34.0			34.0	91.7
09S	37E	23	33.0	20.0		22.0	32.0	12.0											119.0
09S	37E	24				L 1		31.0											31.0

Total Acres: 327.4

CONDITIONS OF APPROVAL

- The following rights are also diverted through point of diversion described above for East Bob Smith Creek: 29-187, 29-188, 29-191, 29-193, 29-11678, 29-11681.
- Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.
- 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.
- This right is limited to the irrigation of 50 acres within the place of use described above in a single irrigation season.
- Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
- Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

WATER RIGHT NO. 29-193
As Modified by Transfer No. 71892

CONDITIONS OF APPROVAL

7. This right when combined with right nos. 29-187, 29-188, 29-191, 29-193, 29-11678, 29-681, 29-13399 and 29-13401 shall provide no more than 0.02 cfs per acre.
8. The following rights are also diverted through the point of diversion described above for springs: 29-193 and 29-11681.
9. Rights 29-187, 29-188, 29-191(Part), 29-193, 29-11678, 29-11681(Part), 29-13399 & 29-13401 when combined shall not exceed a total diversion rate of 6.55 cfs and the irrigation of 327.4 acres.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of December, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-11678
As Modified by Transfer No. 71892

In accordance with the approval of Transfer No. 71892, Water Right No. 29-11678 is now described as follows.

Right Holder: KENNETH D ANDRUS AND
 JIM ANDRUS AND
 COLLEEN L ANDRUS
 6948 E OLD OREGON TRAIL RD
 LAVA HOT SPRINGS ID 83246

Priority Date: March 01, 1903

Source: EAST BOB SMITH CREEK **Tributary:** PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15 to	9/15	3.00 CFS	
			3.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

EAST BOB SMITH CREEK NESESW Sec. 12 Twp 09S Rge 37E BANNOCK County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 37E 12											3.2	5.5					8.7
09S 37E 13						11.0	28.0			21.0	17.0						77.0
09S 37E 14	.7			23.0									34.0			34.0	91.7
09S 37E 23	33.0	20.0		22.0	32.0	12.0											119.0
09S 37E 24				L 1			31.0										31.0

Total Acres: 327.4

CONDITIONS OF APPROVAL

1. This right when combined with right nos. 29-187, 29-188, 29-191, 29-193, 29-11678, 29-681, 29-13399 and 29-13401 shall provide no more than 0.02 cfs per acre.
2. The following rights are also diverted through point of diversion described above: 29-187, 29-188, 29-191, 29-193, 29-11678, 29-11681.
3. This right is limited to the irrigation of 150 acres within the place of use described above in a single irrigation season.
4. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
6. 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.

WATER RIGHT NO. 29-11678
As Modified by Transfer No. 71892

CONDITIONS OF APPROVAL

7. This right is a combination of old right nos. 29-189, 190 and 192.
8. Rights 29-187, 29-188, 29-191(Part), 29-193, 29-11678, 29-11681(Part), 29-13399 & 29-13401 when combined shall not exceed a total diversion rate of 6.55 cfs and the irrigation of 327.4 acres.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of December, 2005


Chief, Water Allocation Bureau

WATER RIGHT NO. 29-11681
As Modified by Transfer No. 71892

In accordance with the approval of Transfer No. 71892, Water Right No. 29-11681 is now described as follows.

Right Holder: COLLEEN L ANDRUS AND
KENNETH D ANDRUS AND
JIM ANDRUS
6948 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

Priority Date: August 07, 1932

Source: EAST BOB SMITH CREEK **Tributary:** PORTNEUF RIVER
SPRINGS EAST BOB SMITH CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	6.55 CFS	
			6.55 CFS	

LOCATION OF POINT(S) OF DIVERSION:

EAST BOB SMITH CREEK	NESESW	Sec. 12 Twp 09S	Rge 37E	BANNOCK County
SPRINGS	NWSWNW	Sec. 13 Twp 09S	Rge 37E	BANNOCK County
SPRINGS	SESWNW	Sec. 13 Twp 09S	Rge 37E	BANNOCK County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	37E	12											3.2	5.5					8.7
09S	37E	13						11.0	28.0			21.0	17.0						77.0
09S	37E	14	.7			23.0									34.0			34.0	91.7
09S	37E	23	33.0	20.0		22.0	32.0	12.0											119.0
09S	37E	24				L 1		31.0											31.0

Total Acres: 327.4

CONDITIONS OF APPROVAL

1. This right when combined with right nos. 29-187, 29-188, 29-191, 29-193, 29-11678, 29-681, 29-13399 and 29-13401 shall provide no more than 0.02 cfs per acre.
2. 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.
3. The following rights are also diverted through the point of diversion described above for East Bob Smith Creek: 29-187, 29-188, 29-191, 29-11678, and 29-11681.
4. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

WATER RIGHT NO. 29-11681
As Modified by Transfer No. 71892

CONDITIONS OF APPROVAL

6. The following rights area also diverted through the point of diversion described above springs: 29-193, 29-11681.
7. Rights 29-187, 29-188, 29-191(Part), 29-193, 29-11678, 29-11681(Part), 29-13399 & 29-13401 when combined shall not exceed a total diversion rate of 6.55 cfs and the irrigation of 327.4 acres.
8. Prior to diversion of water under Transfer 71892, the right holder shall place the portion of water rights 29-191 and 29-11681 equivalent to 44.0 acres and appurtenant to the place of use authorized for Rights 29-13399 and 29-13401 under this transfer in the water bank operated by the Idaho Water Resource Board.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of December, 2005



Chief, Water Allocation Bureau