

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: A27-07157
Date Received: 5/31/1989
Receipt No: 6008451
Received By: EW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FLORIAN WERNETTE 208-785-0534
Address: 494 N. 600 E.
FIRTH, ID 83236

OR

Name: OPAL WERNETTE 208-785-0534
Address: 494 N. 600 E.
FIRTH, ID 83236

2. Date of Priority: SEP 15, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	36E	12	NW	SW	SW		BINGHAM

5. Description of diverting works:
WELL, PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.510		

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

8. Total consumptive use is 192.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A27-07157

Page 1

Date: 05/31/89

MICROFILMED
NOV 12 1992



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	36E	11	SE	NE		IRR	2.0
			NE	SE		IRR	34.0
			SE	SE		IRR	24.0
					Section Acres		60.0
		12	SW	NW		IRR	7.0
			NW	SW		IRR	26.0
			SW	SW		IRR	1.0
					Section Acres		34.0
					Total Acres		94.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
A27-10994, APPLICATION FOR PERMIT 27-07445

14. Remarks:

15. Basis of Claim: LICENSE

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 Y wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): Therese Wernette Date: May 31, 1989
Opal Wernette Date: May 31, 1989

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 31 day
of May 19 89

Seal

[Signature]
Notary Public

Residing at Dale Falls, ID
My Commission Expires 22 Aug 1994

Log for claim 27-07157

Spatial Dynamics BTD

12/28/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s36e	11	SENE	2	1.6	
02s36e	11	NESE	34	33	
02s36e	11	SESE	24	21	
02s36e	12	SWNW	7	3.7	
02s36e	12	NESW	0	0.2	
02s36e	12	NWSW	26	28	
02s36e	12	SWSW	1	0.8	
Totals:			94	88.3	

AJ5809WP
No. A27-07157

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 114

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FLORIAN WERNETTE	09/15/1980	IRRIGATION	03-15 11-15	1.510 CFS	
C	OPAL WERNETTE					
	494 N 600 E					
	FIRTH ID 83236			TOTAL DIVERSION:	1.510 CFS	
	(208) 785-0534			CONSUMPTIVE USE:		192.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02S R36E S12

NWSWSW

BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
02S	36E	11	:				02	:					:					:	34			24	:	60.0
02S	36E	12	:					:		07			:		26	01		:					:	34.0
																						TOTAL ACRES		94.0

POU County: BINGHAM

Non-Irrigation Uses: NONE

Other Rights: A27-10994, APPLICATION FOR PERMIT 27-07445

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A27-07158

Other Water Rights Listing Overlapping Place(s) of Use:

A01-00038 A01-00039 A01-00171 A01-00172 A01-00250 A01-00328 A01-10247 A27-07158 A27-07300 A27-10994

Conditions of Approval:

- R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for
- irrigation of the lands above.

Dates: Exam Made Date: Verified Date: 10/22/1986 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 05/31/89 VERNER 03/29/95 POST-STD

State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. Priority September 15, 1980 Amount 1.51 cfs

THIS IS TO CERTIFY, that Florian Wernette
of Firth, Idaho, has complied with the terms and conditions of Permit
No. 27-7157 issued pursuant to Application for Permit dated September 15, 1980,
and has submitted proof to the Department of Water Resources on February 4, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.51 cfs of water from a groundwater source,
tributary to , and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>1.51</u> cfs and	<u>329.0</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.51 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
329.0 acre feet per year, said waters to be diverted within the SW1/4 Section 12,
Twp 2S, Rge 36E in the County of Bingham

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
2S	36E	11				2									34			24	60
		12						7			26	1							34

Total number of acres irrigated 94

198000010411

CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 17th day of September, 19 86.

Acting for the B. D. Thomas
Director

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Florian Wernette Phone 785-0534

Post office address Rt. #1, Firth, Idaho

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 12 Township 2S

Range 36E B.M. Bingham County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.98 cfs for Irrigation purposes from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. _____ cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump and center pivot (1520 ft. long)

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 16 inches; proposed depth of well is 150 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

RECORDED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2S	36 E	12							5		2	30	5						42
		11				2									35			20	57

Total number of acres to be irrigated 99

c. Describe any other water rights used for the same purposes as described above. None

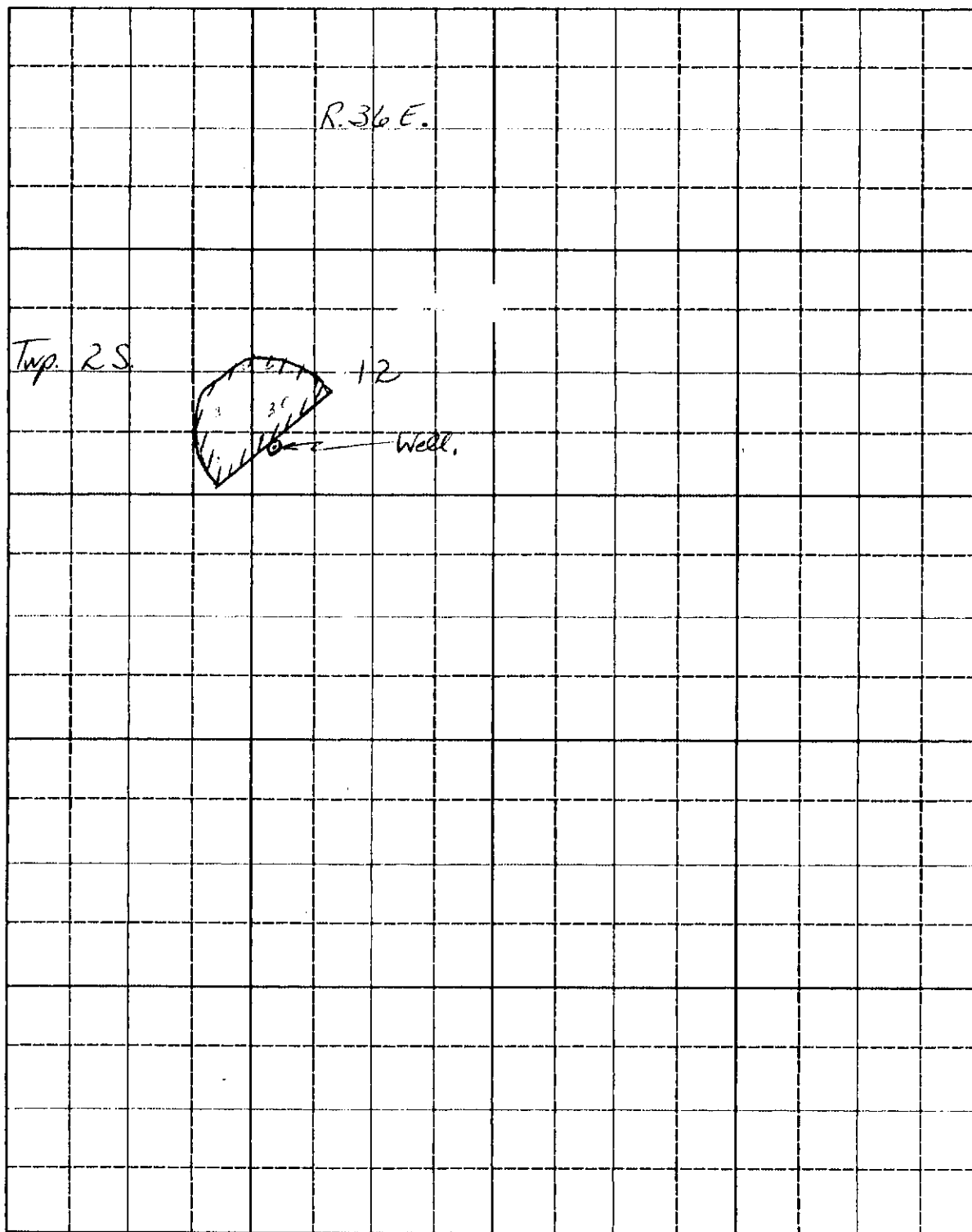
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Florian W. W. W.
(Applicant)

9/15/80

Received by

EMC

Date 9-15-80 Time 1:15

Preliminary check by

gc

Fee \$ 165.00

#16008

Received by

BKS

Date 9-15-80

Publication prepared by

EW

Date 9/18/80

Published in

The Blackfoot News

Publication dates

9/25 & 10/2/80

Publication approved

EW

Date 10/14/80

Protests filed by:

NONE

Copies of protests forwarded by

Hearing held by

Date

Recommended for

approval

denial

by REC RA

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 27-7157, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1985.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other:

An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 4th day of November, 1980.

J. Glen Saxton

Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

Permit No. 27-7157

Phone No. 785-0534

1. Owner: Florian Wernette
Current Address: Birth ID 82276

2. Accompanied by: Applicant EXAM. DATE: 7-22-1982
Address: _____ Phone No. _____

Relationship to Permit Holder:

3. Source: Groundwater tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Nelson	40	514878421	Aurora	NA.

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
 well pump with mainline to 8 span Valley pivot with 60' saturation
 for end gun (minimum span length on a Valley #4271 is 170' - Max
 is 185' / span)

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Annubar					7.9"	
East Exp Meter				09146	2'-11'	4-23-82

7. Measurements 7.5" ID max/min ☐ Additional data/computation sheets attached
(10") 9.73 in. adjusted Meter Reading

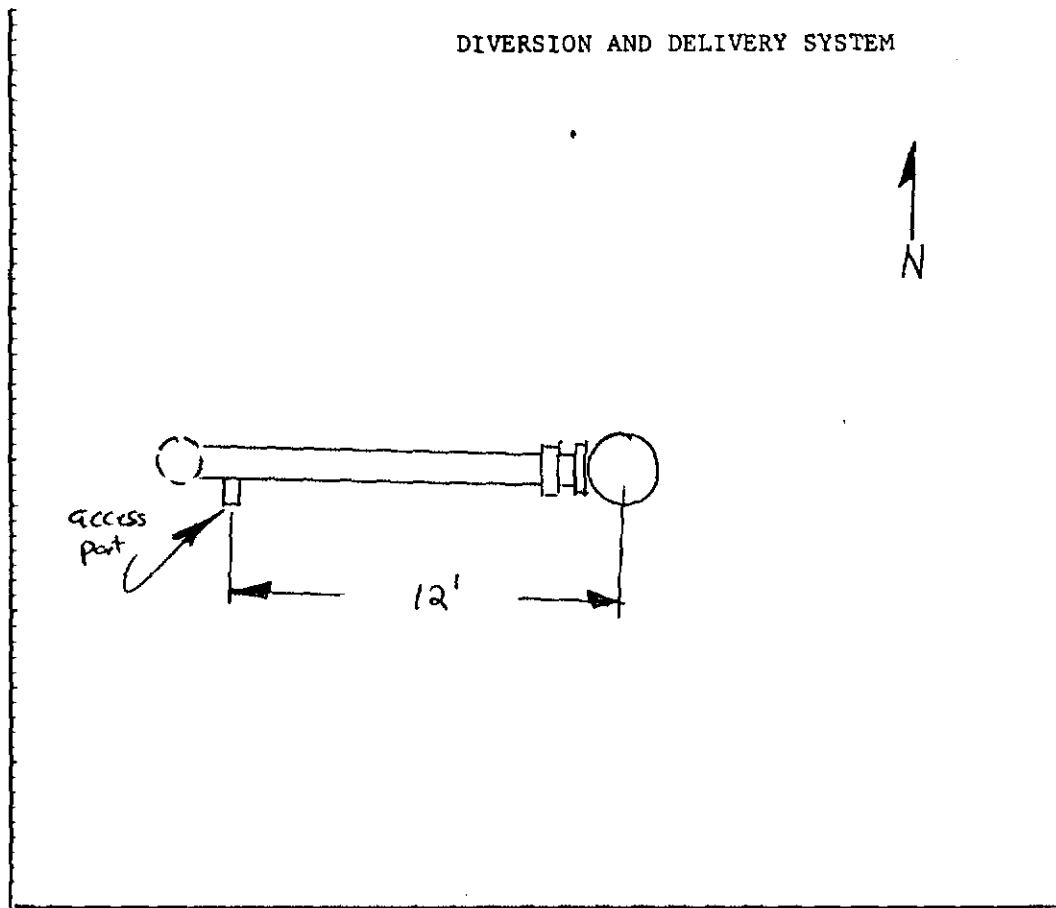
- | | | |
|---------------------------|----------------------------------|----------------|
| 8. Point(s) of Diversion: | Indicate Method of Determination | ASCS Air Photo |
|---------------------------|----------------------------------|----------------|

[illegible]

- | | | |
|----|------------------|---|
| 9. | Place(s) of Use: | Irrigation - give acres served by system at time of exam.
Indicate Method of Determination |
| | | |

[illegible]

10. Other water rights on these lands N.A.
11. Other water right diverted from same p.d. NA.
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe I.D. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks Re-exam done At Bingham county ASCS office looking at new air photos - Also info gathered from Irrigation Supply outfit allows that a Valley point - of the type Mr. Wrennelt's had will have spans from 170' - 185'.

15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature John W. Jones

Date 8-07-86

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

AUG 11 1988

27-7157
Permit No.

Department of Water Resources

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$Q = (7.5" IO)_{mainline}^2 \times 3.85 \sqrt{9.73}$$

$$= 675.525 \text{ gpm or } 1.51 \text{ cfs capacity} \checkmark$$

allow capacity of 1.51 cfs to be licensed for
use on 94 acres

b) Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 94 \text{ acres} \times 3.5 \text{ cfs} = 329 \text{ cfs} \checkmark$$

$$V_{dr} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.51 \text{ cfs} \times 214 \text{ d} \times 1.9835 = 640 \text{ cfs} \checkmark$$

$$V = \text{Smaller of } V_{ir} \text{ and } V_{dr} = 329 \text{ cfs} \checkmark$$

c) Volume Calculations for Other Uses:

2. Overlap Review

Per UAX:

- a) Other water rights with same place of use: N.A. 01-0047E, 01-0048,
01-0250A, 01-0250B, 01-0298, 01-0328A, 01-0328B
01-0313
- b) Other water rights with same point of diversion: N.A. \checkmark

c) Analysis:

Recommend R30 for overlapping
place of use rights.

MICROFILMED

10 day

- Date 8-14-86

UNRECORDED

RECEIVED
JAN 20 1984

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Department of Water Resources

27-2157
Permit No.

CONTACT WITH PERMIT HOLDER

DATE

INITIALS

REMARKS

☐ Appointment letter mailed:

☐ Telephone call made:

(List Telephone No. used)

☐ Appointment scheduled for:

(Date, time, location)

VOID - see re-exam
of 8/7/86

EXAMINATION

Date 7-22-1982

Accompanied by Florian Wernette

Total Q measured

1.51 cfs ✓

If source is surface water, estimate total flow of source

Methods of measurement Annubar

Meets Permit requirements?

Yes

Measurement calculations:

$V = 69 \text{ ac-in} \times 3.5 \text{ af-in}$
 $= 241.5 \text{ af}$ ✓

$V = 1.38 \text{ cfs} \times 60 \text{ sec} \times 2 \text{ (4 days)}$
 $= 585.6 \text{ af}$

$(7.5 \text{ ID})^2 \times 3.85 \times \sqrt{9.73}$ adjusted
reading
675.52 gpm or 1.51 cfs ✓
Capacity

$69 \text{ ac-in} \times 0.02 \text{ cfs} = 1.38 \text{ cfs}$ ✓

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	40	Newman	514878421	Aurora	NA	Annubar		

System Description well/pump with mainline to 8 span Valley pivot with 60' extension for end gun

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement =

3.5 ✓

214 days
AFA/Acre

USE
Irrigation ✓

Q (cfs)

1.38 cfs ✓

V (afa)

241.5 ✓

FROM

4-1 ✓

TO

11-1 ✓

Total

1.38 cfs ✓

241.5 ✓

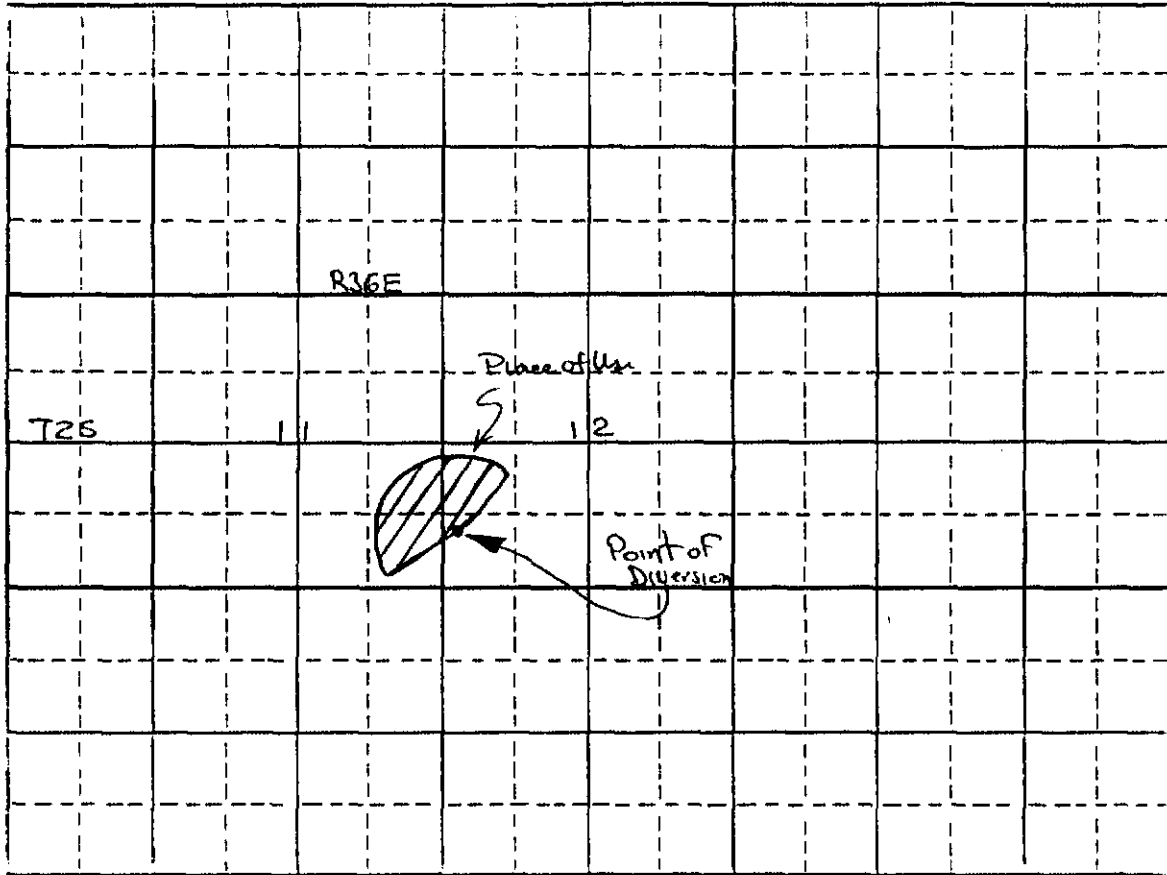
4-1 ✓

11-1 ✓

Remarks P/D overlap per VAX: none

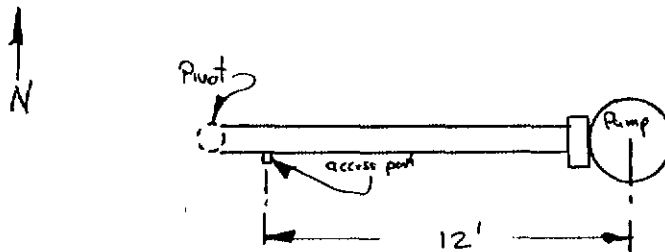
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MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: ✓ SW SW Sect. 12 T2S R36E

Place(s) of Use ✓

TWP.	RGE.	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
2S	36E	12									23	2			23			21	25 ✓
		11																	44 ✓

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

☒ None
☐ Other

total 69 ✓

Examiner's Signature

Checked by

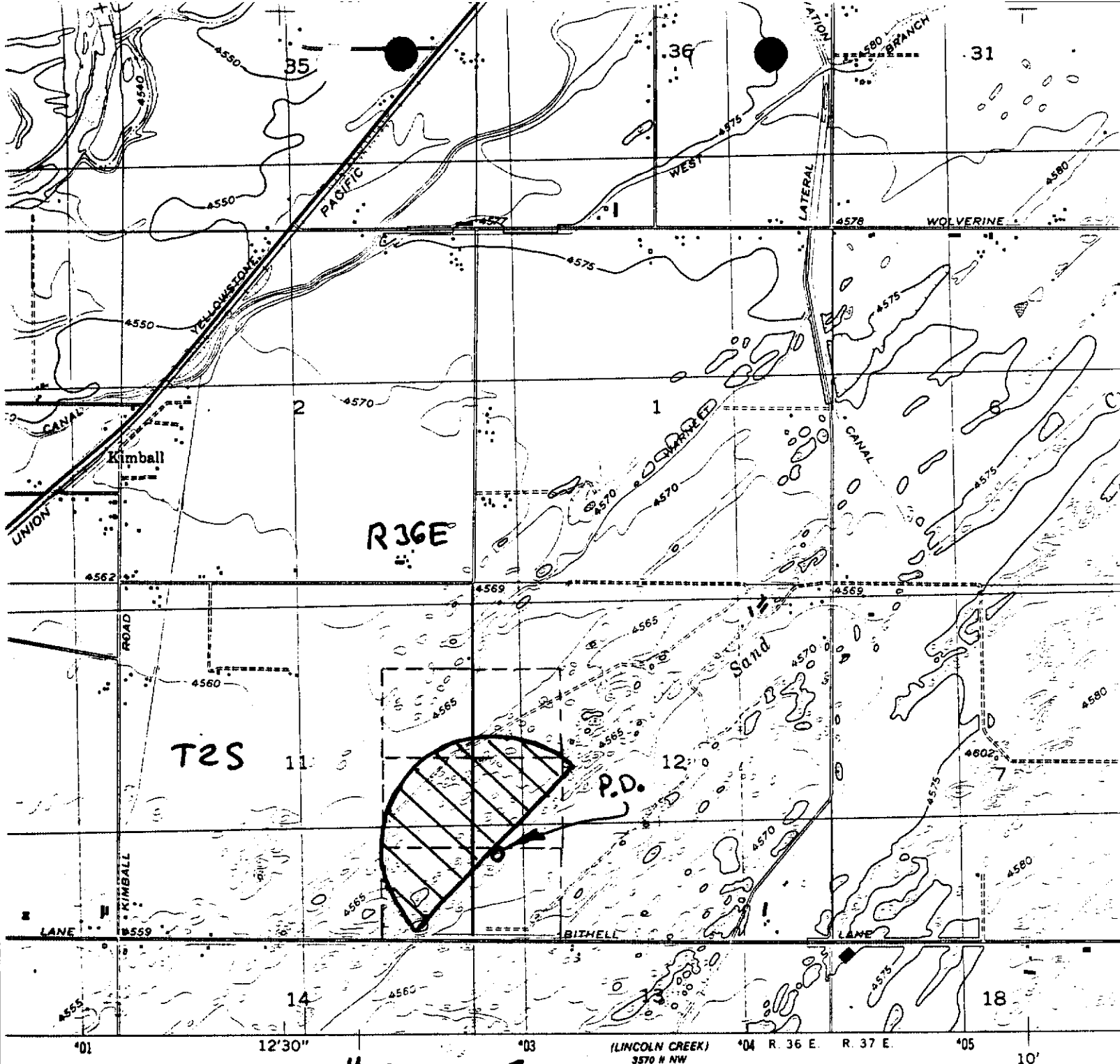
Approved by

Date

Date

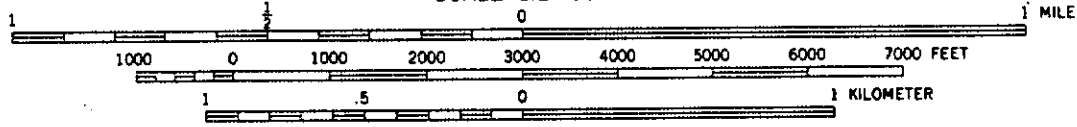
Date

PROTECTED



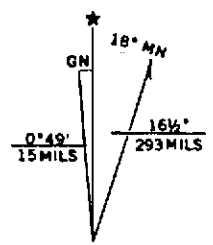
27-7157

SCALE 1:24 000



CONTOUR INTERVAL 5 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

Ken 1946



UTM GRID AND 1979 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

MICROFILMED

R30E

T

135.0

27-7157

74.3

T2S

8

7.8

138.9

4

131.2

3

22.0

2

8.6

B 27

T-933

B 170

5

36.6

T-336

B 269

P.O.D.

9

10.8

12

22.9

155.0

B 34

133.6

B 410

1.9

NO. 104

2
11 12

B-411
11-B

C.
6.5

B.
15.0

A.
6.5

H.
14.8

R 36E

Plu 7

23

23

23

PD

N
20.7

B-341

12 7

T
2
5

MICROFILMED

NOT TO SCALE