

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: A27-07291
Date Received: 5/31/1989
Receipt No: 6008457
Received By: SAV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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



2. Date of Priority: OCT 13, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	37E	7	NW	SE	NE		BINGHAM

5. Description of diverting works:
WELL W/ PUMP TO CENTER PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.300		

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

8. Total consumptive use is 459.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02S	37E	7	NE		NE		IRR	39.0
			NW		NE		IRR	39.0
			SW		NE		IRR	37.0
			SE		NE		IRR	38.0
							Section Acres	153.0
							Total Acres	153.0

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:
NONE

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 M. 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 30 day
of May 19 89

Seal

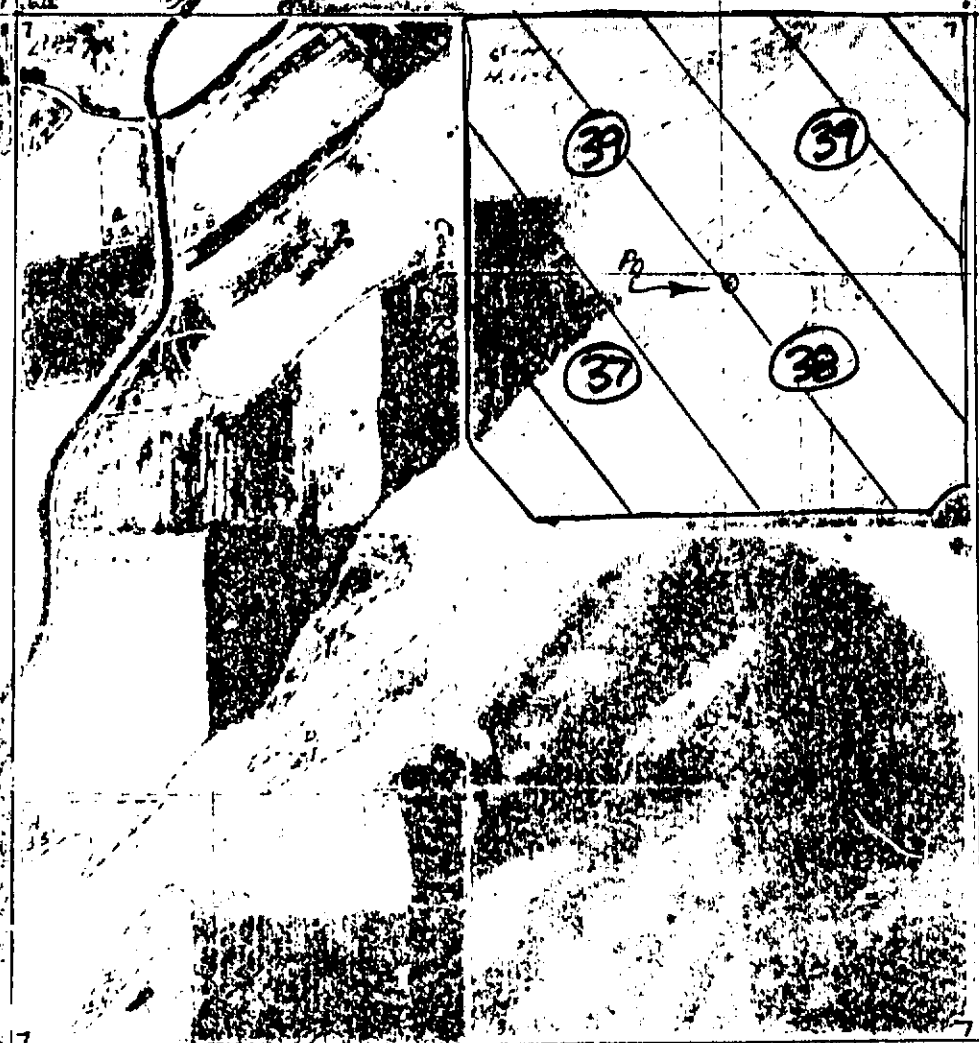
[Signature]
Notary Public

Residing at Salvo Falls, ID

My Commission Expires 22 Aug 1994

#27-7291

R37E



T
2S
County RI
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2
S

R37E

A27-07291

MICROFILMED
NOV 12 1992

Log for claim 27-07291

Spatial Dynamics LTD

11/13/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s37e	7	NENE	39	38	
02s37e	7	NWNE	39	37	
02s37e	7	SWNE	37	38	
02s37e	7	SENE	38	37	
Totals:			153	150	

 SPATIAL
DYNAMICS

AJ5809NP
No. A27-07291

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 65

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FLORIAN WERNETTE	10/13/1981	IRRIGATION	03-15 11-15	2.300 CFS	
C	OPAL WERNETTE					
	494 N 600 E					
	FIRTH ID 83236			TOTAL DIVERSION:	2.300 CFS	
	(208) 785-0534			CONSUMPTIVE USE:		459.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02S R37E S07

NWSENE

BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
02S	37E	7	:	39		39		37		38	:																					
																												TOTAL ACRES	153.0			

POU County: BINGHAM

Non-Irrigation Uses: NONE

Other Rights: NONE

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

A01-0007521 A01-0007621 A01-0031221 A01-0036821 A01-0036921 A01-0037021 A25-0022421

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:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 05/31/89 VERNER 01/17/95 JTHOMPSO 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. [REDACTED]

Priority: October 13, 1981 Amount: 2.30 CFS 535.5 AFA

This is to certify, that OPAL WERNETTE
FLORIAN WERNETTE

RT. 1 BOX 181
FIRTH, ID 83236

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated October 13, 1981, and has submitted proof to the Department of Water Resources on June 1, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 2.300 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	2.30 CFS	535.5 AFA

LOCATION OF POINT(S) OF DIVERSION: SENE, Sec. 7, Township 02S, Range 37E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S 37E 7	NENE 39 SENE 38	NWNE 39	SWNE 37	153

Total number of acres irrigated: 153

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 24TH day of MARCH, 1989.

Acting for the Director

Norman C. Young

MICROFILMED

MAR 24 1989

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 ^{and/or} Opal Florian Wernette Phone 785-0534

Post office address Rt. #1, Firth, Idaho 83236

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

3. Location of point of diversion is SE center $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 7 Township 2S

Range 37E B.M. Bingham County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.2cfs for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 12cfs for Stockwater purposes from 10/15 to 04/30 (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. 3.2cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Center pivot sprinkler system

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 120 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: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 7 Township 2S

Range 37E 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 401 head beef cattle [steers & heifers]

(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
INDEXED
MAR 14 1978

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	37E	7	40	40	40	40													160

Total number of acres to be irrigated 160

c. Describe any other water rights used for the same purposes as described above. _____

Presently we have 110 inches of Idaho Irrigation

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

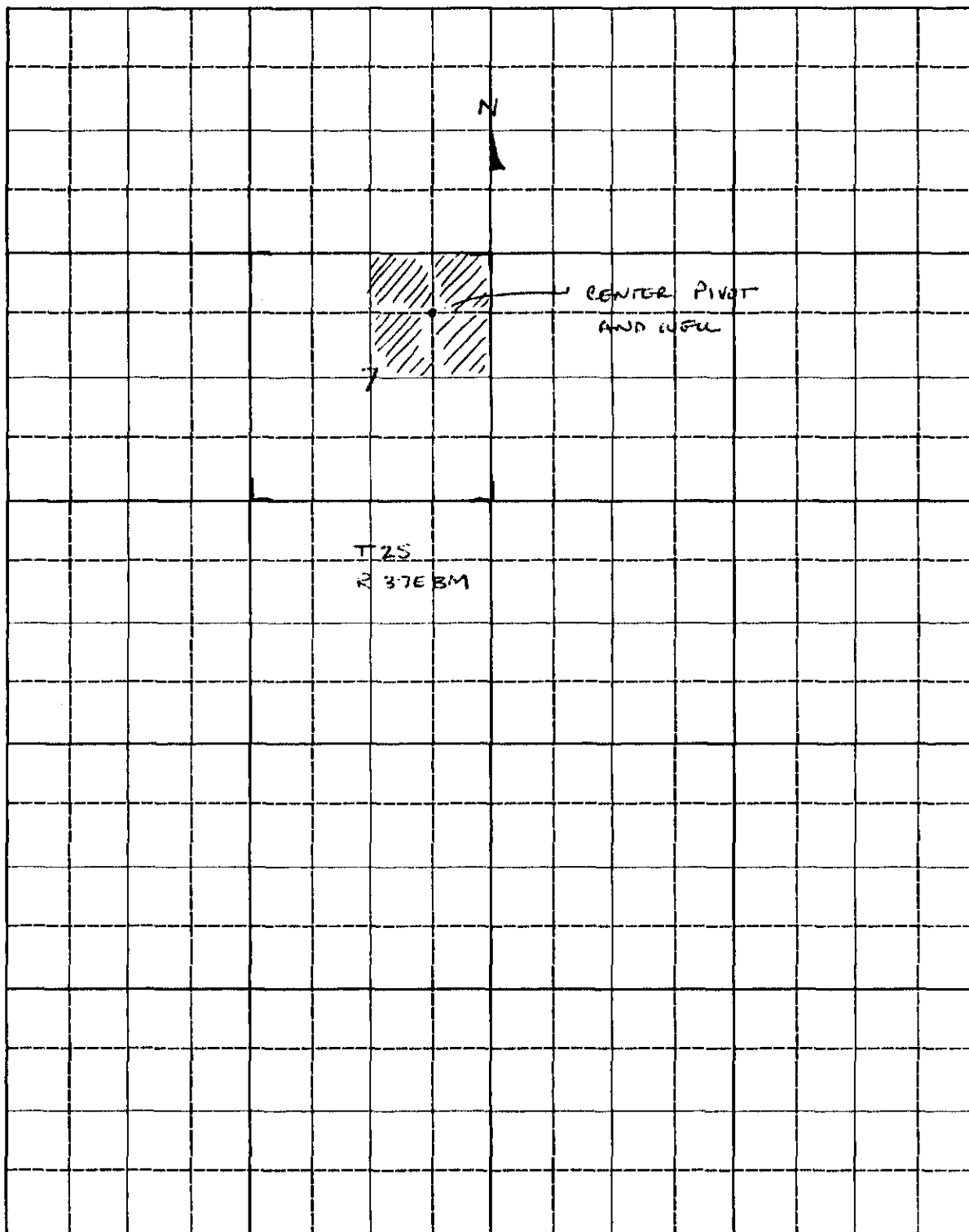
b. Who owns the land to be irrigated or place of use Applicant

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 We plan to transfer the 110 inches of Idaho Irrigation to other ground
we have.

RECEIVED
MAY 17 1961

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 Vernet
(Applicant)

Received by Blaney Date BOGAB Time 1100
 Preliminary check by Kus Fee \$ 105.00
 Receipted by CW Date 10-13-81 # 19115
 Publication prepared by hrs Date 10-21-81
 Published in Blackfoot News
 Publication dates 10-29 and 11-5-81
 Publication approved CW Date 11-18-81
 Protests filed by: me

 Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for approval denial by SMC RC

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. 27-7291, 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 December 1, 19 86.
- 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 1st day of December, 19 81.

J. Glen Saxton
 Chief, Operations Bureau

Permit No. 27-7291

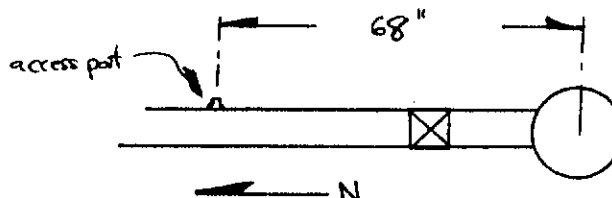
Phone No. 785-0534

- [illegible]

10. Other water rights on these lands Idaho Irrig. Canal
 11. Other water right diverted from same p.d. N.A.

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.

DIVERSION AND DELIVERY SYSTEM



13. ☒ Photo of Diversion & System Attached

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

14. Remarks _____

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 *D. W. Jones* Date _____

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL

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MAR 30 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

JAN 18 1986

27-7291
Permit No.

1. Measurement Calculations

Department of Water Resources

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

$$Q = \left(\frac{9.75 \text{ "mainline ID}}{2} \right)^2 \times 3.85 \sqrt{8.0 \text{ "meter Reading}} = 1035.2 \text{ gpm} \times 0.999 = 1034.2 \text{ gpm}$$

correction Factor or
2.30 cfs

* license for capacity 2.30 cfs
to irrigate 153 acres.

b) Volume Calculations for Irrigation:

$$V_{in} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 153 \text{ acres} \times 3.5 \text{ af/a} = 535.5$$

$$V_{dn} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.30 \text{ cfs} \times 245 \text{ d} \times 1.9835 = 1117.7$$

$$V = \text{Smaller of } V_{in} \text{ and } V_{dn} = \underline{535.5 \text{ af}}$$

c) Volume Calculations for Other Uses:

2. Overlap Review

a) Other water rights with same place of use: Idaho Irrig. Canal

b) Other water rights with same point of diversion: NA.

c) Analysis:

R15 (3.5)

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MAR 30 1989

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity

Address: _____

6. Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Irrigation	3-15	11-15	2.30	535.5

[illegible][illegible]

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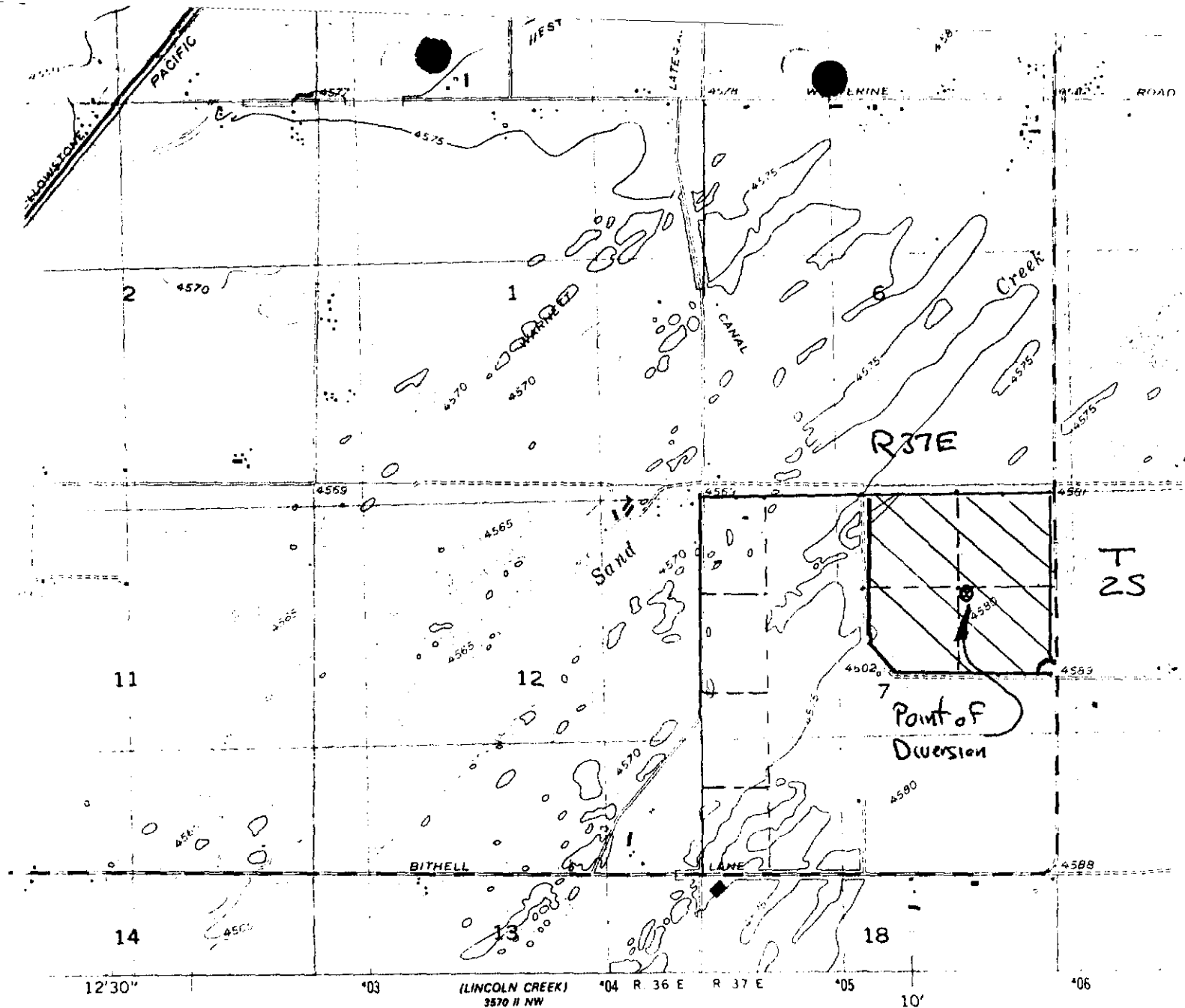
MICROFILMED

MAR 30 1989

Date 11-27-85

Date 1-07-86

Date 12/05/88

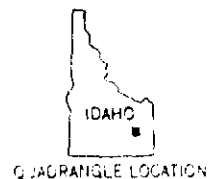


SCALE 1:24 000



CONTOUR INTERVAL 5 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

#27-7291



979 MAGNETIC NORTH
AT CENTER OF SHEET

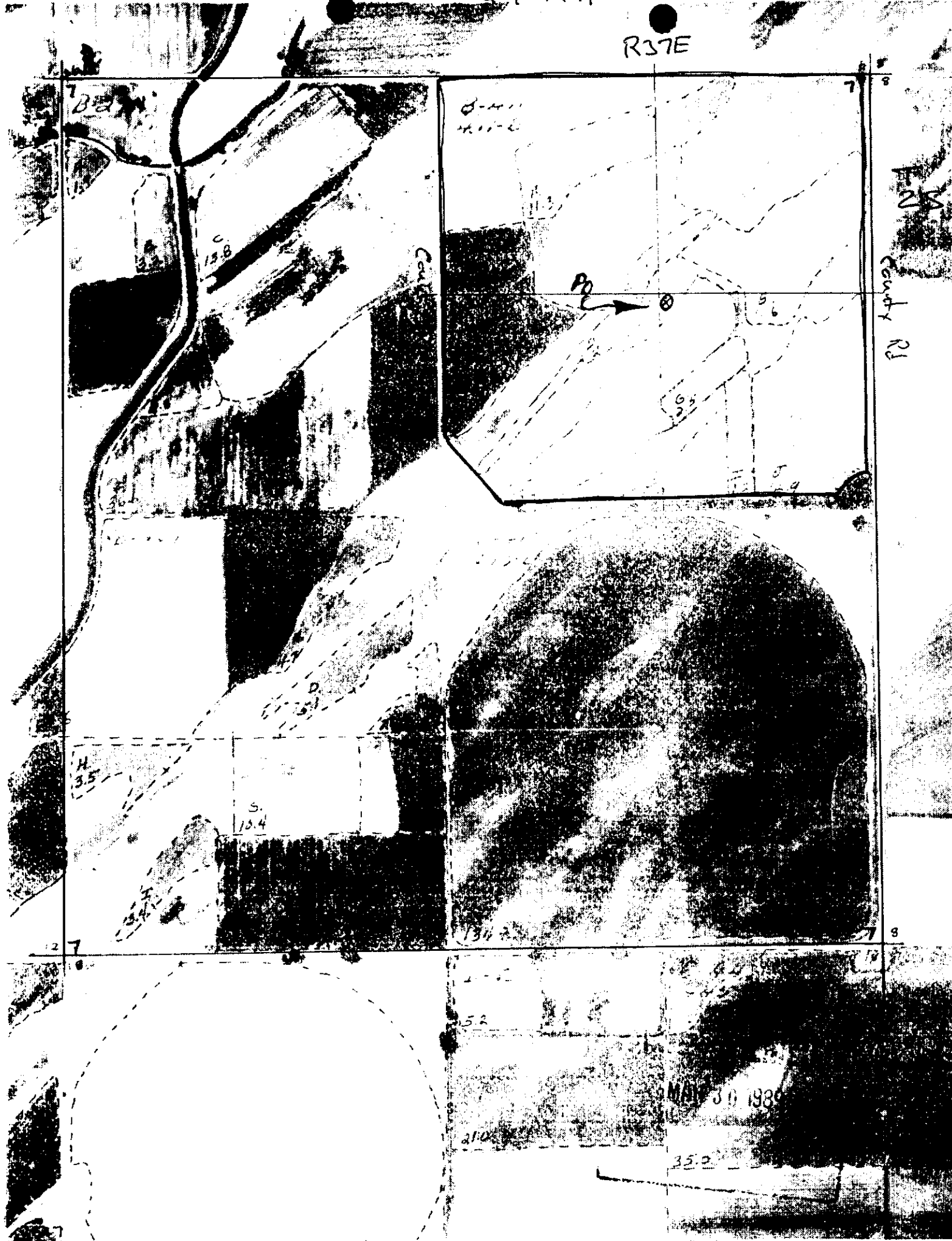
THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 20192
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

MICROFILMED

MAR 30 1989

#27-7291

R37E



County Rd

MAY 30 1980

NOT TO SCALE