

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

RIGHT NUMBER: 25-14072

NAME AND ADDRESS: VAN H WARNER
403 N 3900 E
RIGBY ID 83442

KAREN WARNER
403 N 3900 E
RIGBY ID 83442

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.110 CFS
9.700 AFY
PRIORITY DATE: 12/31/1938
POINT OF DIVERSION:

TRIBUTARY:

T04N R38E S12 SESESE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.090 CFS 9.00 AFY
STOCKWATER	01/01 12/31	0.020 CFS 0.70 AFY

PLACE OF USE: IRRIGATION Within JEFFERSON County

T04N R38E S12 SESE 3.0

STOCKWATER same as IRRIGATION

3 ACRES TOTAL

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: Beneficial Use

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 25-14072
Date Received: 6/9/2004
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

VAN H WARNER Phone: (208) 745-7438
403 N 3900 E
RIGBY ID USA 83442

KAREN WARNER Phone: (208) 745-7438
403 N 3900 E
RIGBY ID USA 83442

2. Date of Priority: 04/01/1938

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	38E	12	SE SE SE	JEFFERSON	

5. Description of diverting works:

SAND POINT WELL LOCATED IN WELL HOUSE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.09	9
STOCKWATER	01/01	12/31	0.02	0.7

7. Total Quantity Appropriated is:
0.11 C.F.S. and/or 9.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 30 head horses and beef cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	38E	12	SE	SE	IRRIGATION	3
					Section Acres	3
					Total Acres	3

- 11. Place of use in counties: JEFFERSON
- 12. Do you own the property listed above as place of use? Yes
- 13. Other Water Rights Used:
- 14. Remarks:
DOMESTIC RIGHT FOR RESIDENCE IS 25-11713
- 15. Basis of Claim: Beneficial Use

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 25-14072Date Received 6-9-04Receipt Number E029932

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Van H Warner and/or Karen Warner Phone (208) 745-7438Mailing Address 403 N 3900 E Rigby ID Zip 834422. Date of Priority (Only one (1) per claim) 4/01/19383. Source of water supply (a) Ground Water
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township T4N Range R38E Section 12,
SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Jefferson

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Sand point well locatedin well house.

6. Water is claimed for the following purposes:
- (both dates are inclusive)
- (cfs)
- (acre feet)
- For Irrigation purposes from 4-1 to 10-31 amount .09 or 9.0
- For Stock Water purposes from 1-1 to 12-31 amount .02 or 0.7
- For _____ purposes from _____ to _____ amount _____ or _____
- For _____ purposes from _____ to _____ amount _____ or _____
7. Total quantity claimed (a) ~~0.11~~ 0.11 cfs (cfs) and/or (b) ~~25~~ 9.7 (acre feet)
8. Total consumptive use claimed is _____ acre feet per annum.
9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 30 head horses + beef cattle
10. Description of place of use:
- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				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	
<u>4N</u>	<u>38E</u>	<u>12</u>																<u>3</u>	<u>3</u>

Total number of acres irrigated 3

11. In which county (ies) are lands listed above as place of use located? Jefferson
12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (☒)
14. Remarks: Domestic right for residence is 25-11713
- _____
- _____
- _____
- _____

Scale: 2 inches equals 1 mile

[illegible]

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Jan Warner Date 6-9-04

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____

Title

Organization

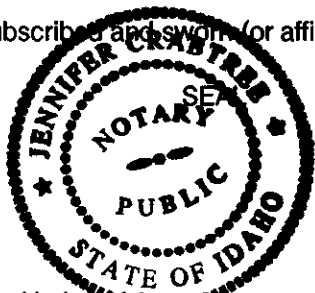
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or T)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 9 day of June 18 2004



Notary Public Jennifer Crobtree

Residing at Idaho Falls

My Commission Expires 9/23/09

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Warner Ident. Number _____

Copies White-State, Yellow-Claimant

My name is Ruth Warner Harrop. I lived in the home now occupied by Van and Karen Warner in Rigby, Idaho from about 1938 until my marriage in 1950.

My parents, William C. and Katherine V. Warner had a large yard and irrigated it with well water. There was a large garden, plus pasture for various animals {dairy cattle, sheep, pigs, chickens and horses) which surrounded the south, west, and north sides of the homestead.

Date:

April 27, 2004

Signed:

Ruth Warner
Harrop

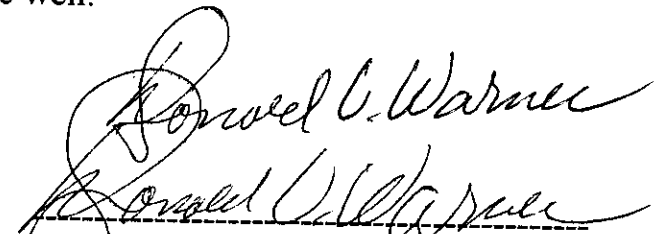


Joeline Hendricks
Bonneville County
Idaho State
7-7-09 Expire

4-27-04

I, Donald V Warner, state that I have personal knowledge concerning the irrigation history surrounding the Van H Warner property.

I lived on that property from about 1938 through 1951 with my parents, William C. and Katherine V. Warner. I remember that we had pasture, chicken run, horse paddock, and a vegetable garden and berry patch, which were irrigated with water from the well.


Donald V Warner

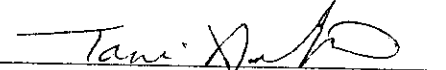
INDIVIDUAL ACKNOWLEDGMENT

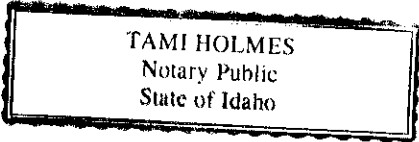
STATE OF Idaho

COUNTY OF Teton

On this 26 day of April in the year 2004, before me, a Notary Public in and for said State, personally appeared Donald V Warner known to me to be the person who executed the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for the State of Idaho
Residing at: Rigby
My Commission Expires: 3-9-06



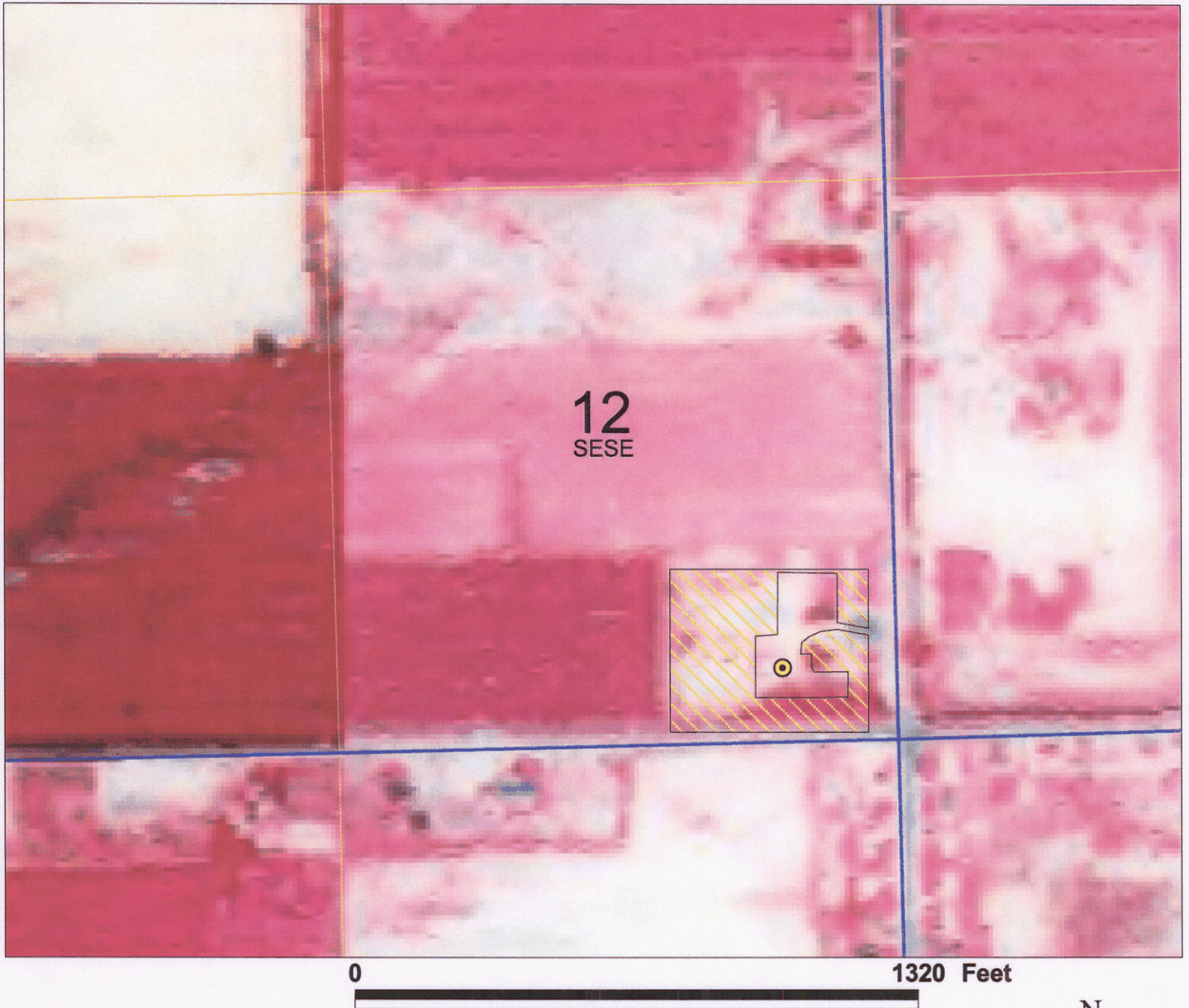


State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 25-14072



- Point of Diversion
- ▨ Place of Use
- ▭ Sections
- ▭ QQ

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: April 2004

Van Warner

