

63-31202 Claimed Place of Use



T02N, R02W,
S13, S14 & S23

Map prepared by: Carter Fritschle
Date prepared: 04/03/01
1987-1988 NAPP photography
Idaho Department of Water Resources





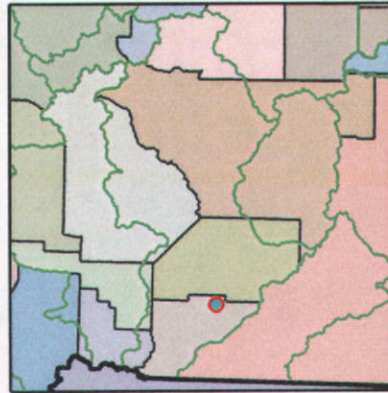
Idaho Department of Water Resources

SRBA Recommendation:

63-31202
(Irrigation)

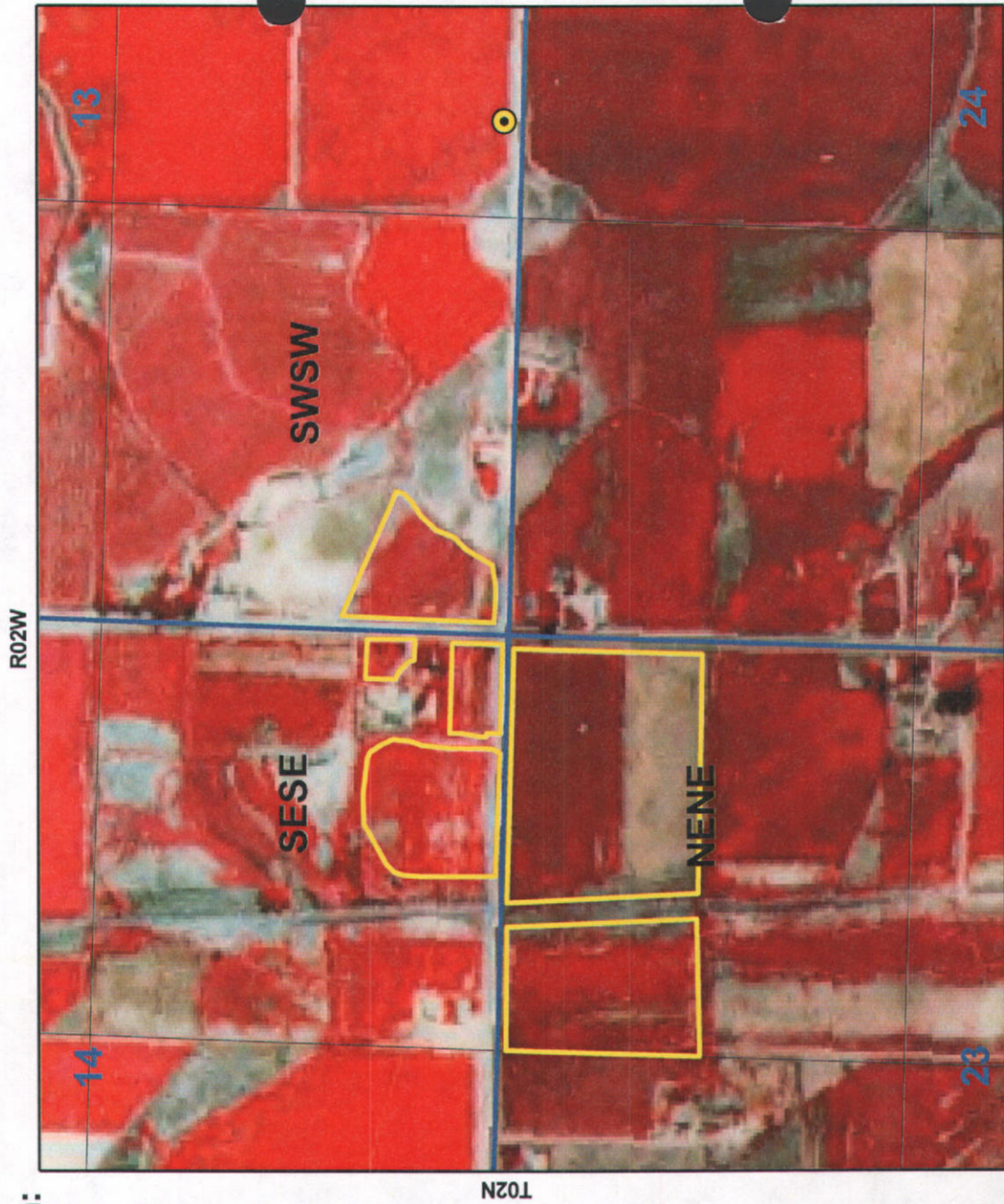
Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by S. Egbert
On Monday, October 23, 2006
1987/88 Aerial Photography



0 0.2 0.4 Miles



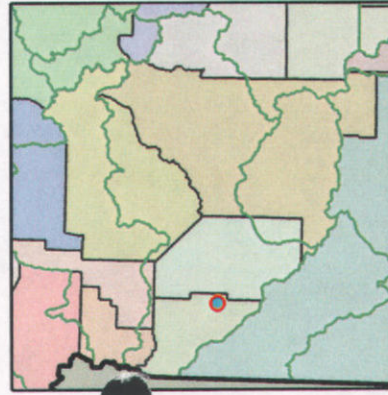
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SRBA Recommendation:

63-31202
(Irrigation)

Legend

- Point of Diversion
- Place of Use
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Canyon County
IDWR Basin 63

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0 0.2 0.4 Miles



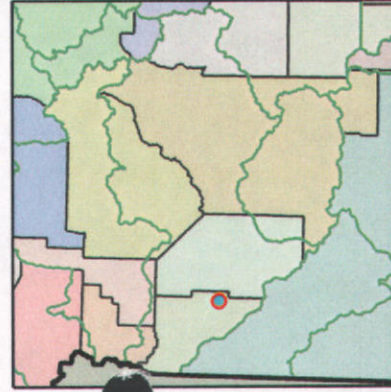
Idaho Department of Water Resources

SRBA Recommendation:

63-31202
(Irrigation)

Legend

- Point of Diversion
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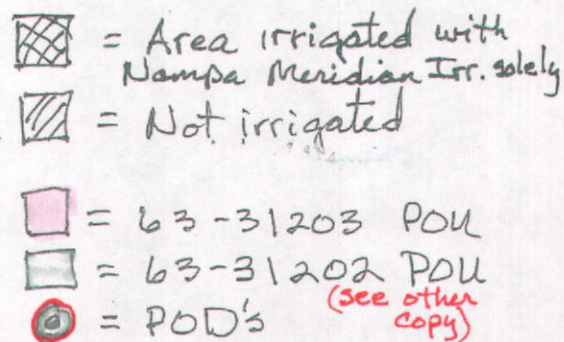
Canyon County
IDWR Basin 63

Prepared by S. Egbert
On Thursday, September 21, 2006
1987/88 Aerial Photography



 = Area irrigated with Nampa Meridian Irr. solely
 = Not irrigated
 = 63-31203 POU
 = 63-31202 POU
 = POW's





 = 63-31203 POW
 = 63-31202 POW
 = POW's (see other copy)



POU
63-91202
across the
street, or
east of
9053
Southside
Blvd.



POD
63-10460
groundwater
12" casing
21" above gnd.
4" discharge
to 8" gated
pipe
reduced to
6" (grainy 5 to N)
at bottom 5 to N)

N43° 30.187' W 116° 31.714'

May 25, 2006 SH



POU
63-10460

POD
63-10460
groundwater

Warn

May 25, 2006 SH



POD:
waste
water
drain
63-31202

The source
is a
supplemental
source.
Main
source is
Boise
Kuna
Irrigation

Located NE of 63-10460 POD/well
0.2 mile east of Southside Blvd,
+ NW of 6682 Deer Flat

May 25, 2006 SH



POD:
only irrigate
with this
source when
fields above
are being
irrigated

This source
could never
be the sole
source for
irrigation

17" Culvert
to pond
(capacity
pond depth
3'-4' with
usual
flow in
pipe 4-5",
but have
times with
full pipe
capacity)

63-31202 Warn

May 25, 2006 SH



orchard
north of
house in
immediate
yard area

6" gated
pipe, gravity
flow south
to north +
west to east

9/20/2006 SHT



around
house +
yard,
dirt
ditch
to
garden
area,
gravity
flow
east
to west

63-31202 Warn

9/20/2006 SHT



dirt
ditches
in yard
gravity
flow
1" siphon
tubes

9/20/2006 STH



east to
west
dirt
ditch
1" siphon
tubes

63-31202 Warn

9/20/2006 STH

dirt ditch
that drains
west under
railroad tracks

POU:
field
west of
house
(9053
Southside
Blvd).



SESE
area
irrigated
by
Nampa
Meridian
Irrigation

8" to
6" gated
pipe.
gravity
flow
east to
west

SA

63-31202 Warn

May 25, 2006

POU:

Tree
Farm



May 25, 2006 SH

POU:
upper/
northeast
field

POU:
lower
southeast
field



63-31202 Warn

May 25, 2006 SH

buried
pipe crossed
street to
control
valve

(SW corner
of
Southside
Blvd. +
Deer
Flat
intersection)

w/ 8" -
gated pipe
running
north to
south then
turning
east to
west
(gravity flow
north to
south)



POU:
Tree
Farm

May 25, 2006 SH



POU

PDD
63-31203

63-31202 Warn

May 25, 2006 SH

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 63-31202
Date Received: 3/28/01
Receipt No: C052949
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 06 2001

WATER RESOURCES
WESTERN REGION

1. Name of Claimant(s)

DUANE W WARN Phone: (208)466-1819

9053 SOUTHSIDE BLVD
NAMPA ID USA 83686

BEVERLY J WARN Phone: (208)466-1819

9053 SOUTHSIDE BLVD
NAMPA ID USA 83686

2. Date of Priority: 04/15/1932

3. Source: WASTE WATER Trib. to: GARLAND DRAIN

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	02W	24	NE NW	CANYON	

5. Description of diverting works:

Waste water is collected in a pond and ditched to the place of use.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.56	

7. Total Quantity Appropriated is:

0.56 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	02W	13	SW	SW	IRRIGATION	3
					Section Acres	3
02N	02W	14	SE	SE	IRRIGATION	8
					Section Acres	8
02N	02W	23	NE	NE	IRRIGATION	17
					Section Acres	17
					Total Acres	28

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

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 63-31202
Date Received 052949 3-28-01
Receipt Number 0052949

RECEIVED

MAR 28 2001

Department of Water Resources

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Duane and/or Beverly Warn Phone (208) 466-1819Mailing Address 9053 Southside Blvd. Nampa ID Zip 836862. Date of Priority (Only one (1) per claim) April 15, 19323. Source of water supply (a) Waste water
which is tributary to (b) Garland Drain4. a. Location of existing point of diversion is: Township 2N Range 2W Section 24,
1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of CanyonAdditional 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. waste water is collected at
a pond and ditched to the place of use.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-15 to 11-15 amount 0.56 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.56 (cfs) and/or (b) _____ (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.) _____

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	
2N	24	13											3						3
		14																8	8
		23	17																17

Total number of acres irrigated 28

11. In which county (ies) are lands listed above as place of use located? County Canyon

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

Boise Kuua Irrigation District and Nampa Meridian Irr. District or None ()

14. Remarks:

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

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) Diane W. Warr Date 3-28-01

Beverly J. Warr Date 3-28-01

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

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

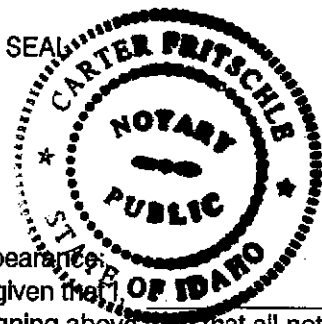
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 28th day of March 2001



Notary Public Carter Fritschle

Residing at Kuna Id

My Commission Expires 3-21-06

Please Print Name

17. Notice of Appearance

Notice is hereby given that _____ 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 _____

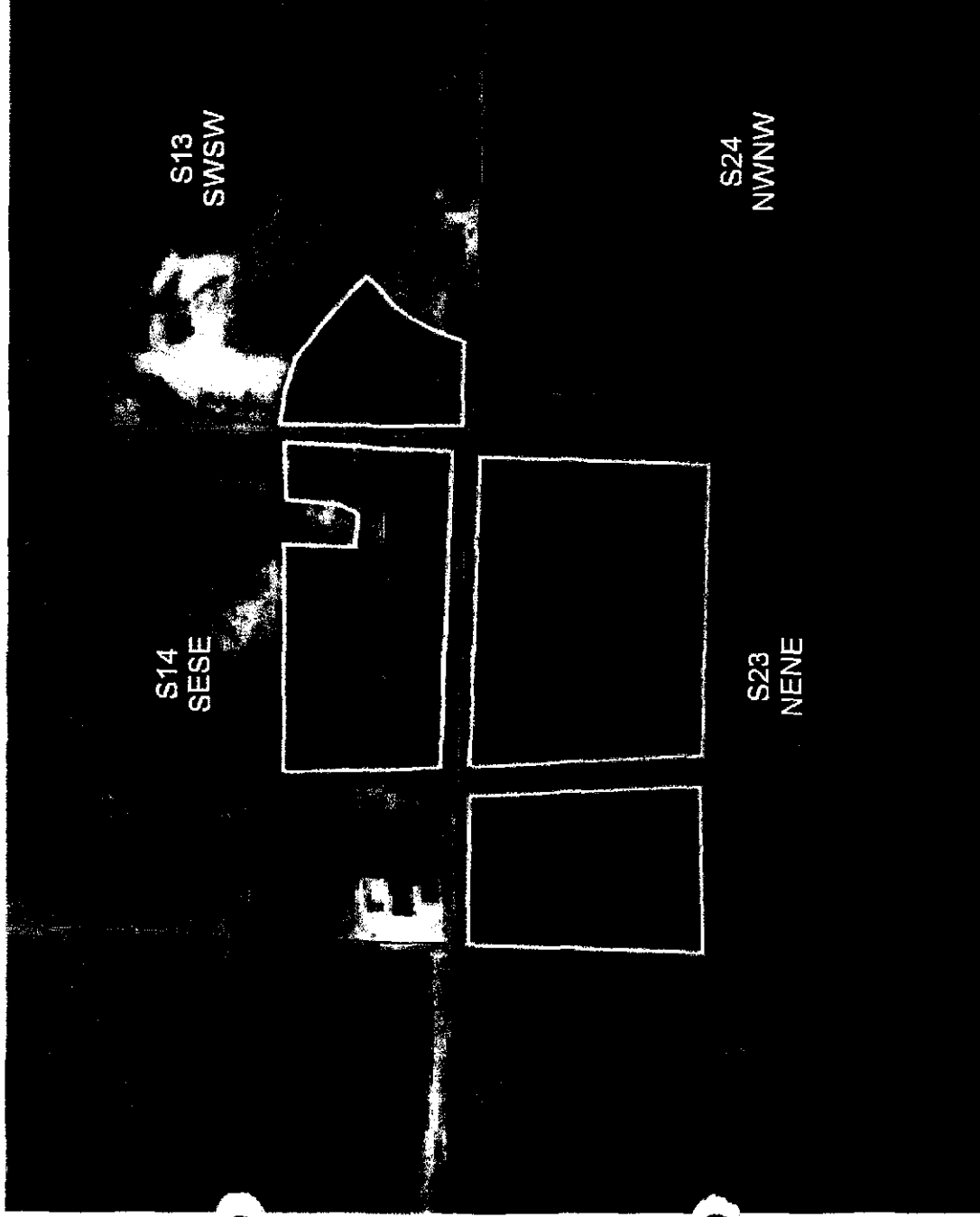
Address _____

Date _____

Last Name _____ Ident. Number _____

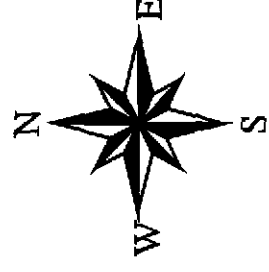
Copies White-State, Yellow-Claimant

63-31202 Claimed Place of Use



T02N, R02W,
S13, S14 & S23

Map prepared by: Carter Fritschle
Date prepared: 04/03/01
1987-1988 NAPP photography
Idaho Department of Water Resources



1000 0 1000 2000 Feet



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) A. Subcase 63-31202
(Insert water right number)
)
Case No. 39576)
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Boise-Kuna Irrigation District
Address: 129 North School Avenue
Kuna, ID 83634
Daytime Phone: 208-922-5608

Name & Address of Attorney, if any:

Shelley M. Davis
Barker Rosholt & Simpson, LLP
1010 W. Jefferson, Ste. 102, Boise ID 83702

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Duane and Beverly Warn
Address: 9053 Southside Blvd.
Nampa, ID 83686

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☒ **Source**

Should be: The source should be described as waste waters, and waste waters belong to the Boise-Kuna Irrigation District.

3. ☐ **Quantity** ☐

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point of Diversion**

Should be: _____

6. ☐ **Instream Flow Beginning and Ending Point**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: Land Subject to Boise-Kuna Irrigation Water Right

10 ☐ **I object because:**

☒ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): There has been no lawful appropriation of this right. The description of the source should have been waste water. The waste waters belong to the Boise-Kuna Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Boise-Kuna Irrigation District. The place of use is covered by an existing Boise-Kuna Irrigation District water right, which is the primary water right for the place of use. Proposed wastewater remark does not sufficiently protect original appropriator.

F. VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Ada)

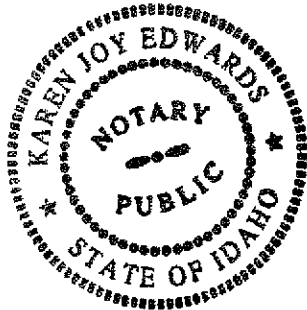
Shelly M. Davis, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

S. M. Davis
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/18/07



Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 8/2/2012

Karen Joy Edwards

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 18, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Duane and Beverly Warn
Address: 9053 Southside Blvd.
Nampa, ID 83686

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf

12/10/2006

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

RIGHT NUMBER: 63-31202
NAME AND ADDRESS: DUANE W WARN
9053 SOUTHSIDE BLVD
NAMPA ID 83686

BEVERLY J WARN
9053 SOUTHSIDE BLVD
NAMPA ID 83686

SOURCE: WASTE WATER TRIBUTARY: GARLAND DRAIN
QUANTITY: 0.510 CFS

Right Nos. 63-31202, 63-10460 and 63-31203 are limited to a total combined diversion rate of 1.27 cfs.

PRIORITY DATE: 04/15/1932
POINT OF
DIVERSION: T02N R02W S13 SESW Within CANYON County
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.510 CFS

PLACE OF USE: IRRIGATION in CANYON County

T02N R02W S13	SWSW	3.00	T02N R02W S14	SESE	5.50
T02N R02W S23	NENE	17.00			
25.5 ACRES TOTAL					

Right Nos. 63-31202, 63-10460 and 63-3123 are limited to the irrigation of a combined total of 63.5 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. Section 42-1412(6), Idaho Code.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Nampa Meridian Irrigation District.

Use of this right is combined with water from Boise-Kuna Irrigation District.

09/21/2006

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

RIGHT NUMBER: 63-31202

NAME AND ADDRESS: DUANE W WARN
9053 SOUTHSIDE BLVD
NAMPA ID 83686

BEVERLY J WARN
9053 SOUTHSIDE BLVD
NAMPA ID 83686

SOURCE: WASTE WATER

TRIBUTARY: GARLAND DRAIN

QUANTITY: 0.510 CFS

Right Nos. 63-31202, 63-10460 and 63-31203 are limited to a total combined diversion rate of 1.27 cfs.

PRIORITY DATE: 04/15/1932

POINT OF DIVERSION:

T02N R02W S13 SESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.510 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T02N R02W S13	SWSW	3.00	T02N R02W S14	SESE	5.50
T02N R02W S23	NENE	17.00			

25.5 ACRES TOTAL

Right Nos. 63-31202, 63-10460 and 63-3123 are limited to the irrigation of a combined total of 63.5 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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Nampa Meridian Irrigation District.

Use of this right is combined with water from Boise-Kuna Irrigation District.

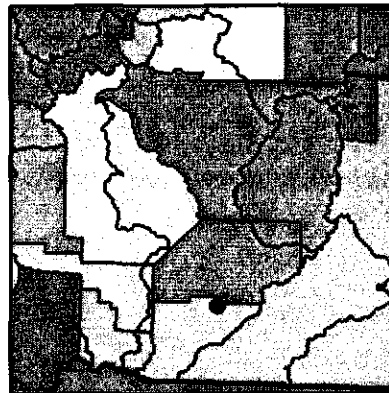


Idaho Department of Water Resources

SRBA Recommendation:
63-31202
 (Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
 IDWR Basin 63

Prepared by S. Egbert
 On Monday, October 23, 2006
 1987/88 Aerial Photography

R02W



T02N



0.4 Miles

0.2

0



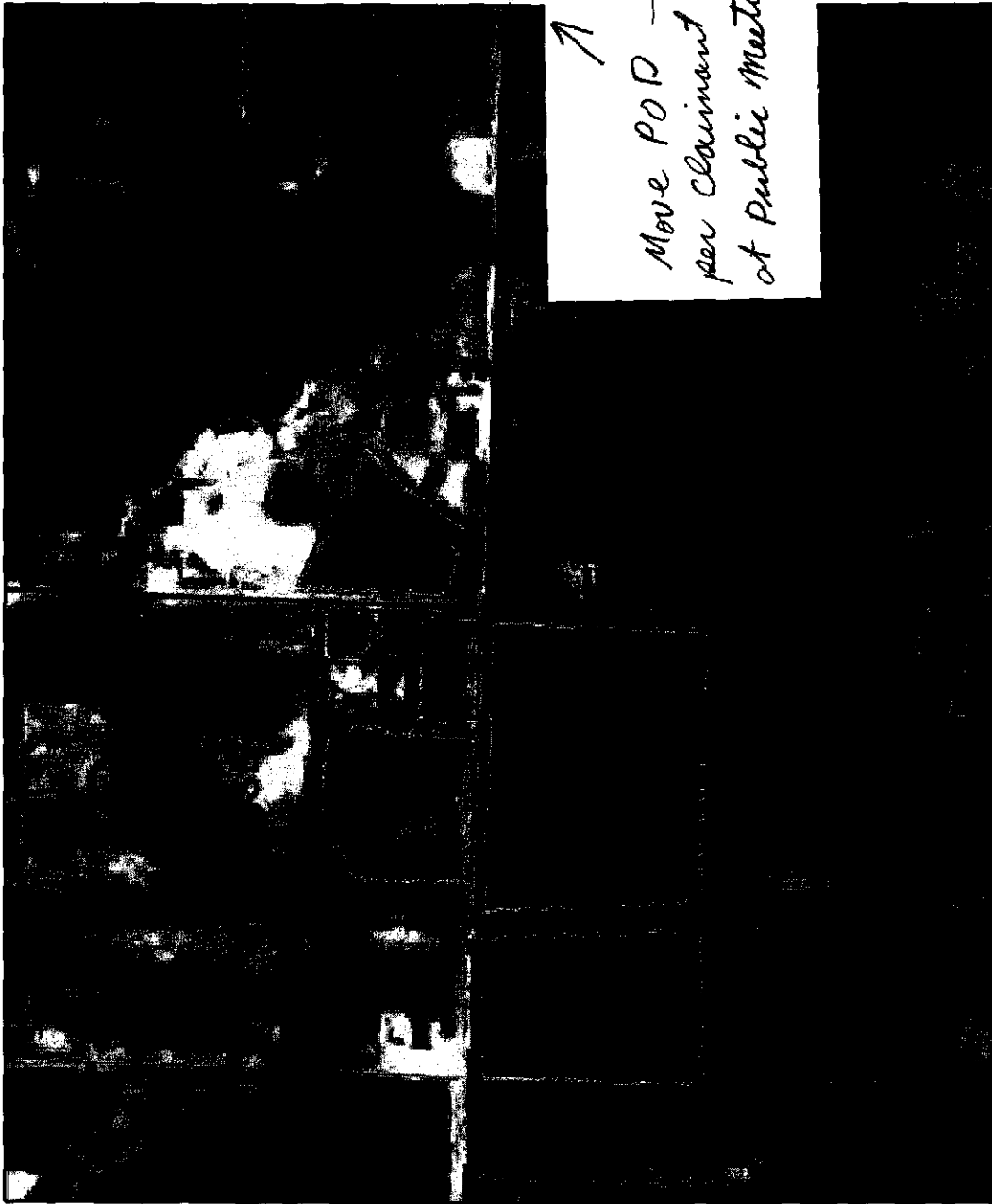
Idaho Department of Water Resources

SRBA Recommendation:

63-31202

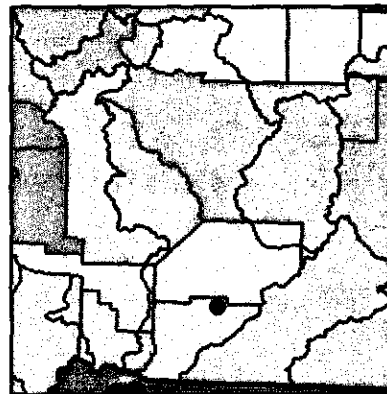
(Irrigation)

R02W



Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by S. Egbert
On Thursday, September 21, 2006
1987/88 Aerial Photography

0 0.2 0.4 Miles



Idaho Department of Water Resources

SRBA Recommendation:

63-31202

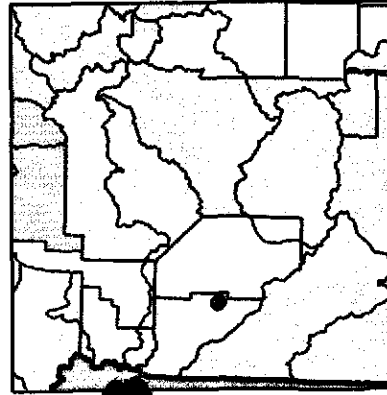
(Irrigation)

R02W



Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63



0.4 Miles

0.2

0

Prepared by S. Egbert
On Thursday, September 21, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31202 V1

WATER RIGHT NUMBER: 63-31202 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DUANE W WARN 9053 SOUTHSIDE BLVD NAMPA, ID 83686 (208)466-1819
Current Owner	BEVERLY J WARN 9053 SOUTHSIDE BLVD NAMPA, ID 83686 (208)466-1819

Priority Date: 04/15/1932

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	GARLAND DRAIN

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.510 CFS	
	<u>Total Diversion:</u>	0.510 CFS	

Location of Point(s) of Diversion

WASTE WATER	SE1/4SW1/4	Sec. 13, Twp 02N, Rge 02W, B.M.
CANYON 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	
02N	02W	13											3.0						3.0
02N	02W	14															5.5		5.5
02N	02W	23	17.0																17.0

Total Acres: 25.5

Conditions of Approval:

1. C18 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31202 V1

2. E55 Right Nos. 63-31202, 63-10460 and 63-3123 are limited to the irrigation of a combined total of 63.5 acres in a single irrigation season.
3. E51 Right Nos. 63-31202, 63-10460 and 63-31203 are limited to a total combined diversion rate of 1.27 cfs.
4. W51 Use of this right is combined with water from Nampa Meridian Irrigation District.
5. W45 Use of this right is combined with water from Boise-Kuna Irrigation District.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.27		63.5
Combined Water Rights: 63-31202 , 63-31203 , 63-10460		

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			03/31/2006	lharris	Active
Priority Date	9/21/2006 8:39:19 AM	segbert			Active
POD	9/21/2006 8:39:39 AM	segbert			Active
Source	9/21/2006 8:41:40 AM	segbert			Active
POU	9/21/2006 8:41:58 AM	segbert			Active
Use	9/21/2006 8:43:48 AM	segbert			Active
Season	9/21/2006 8:44:14 AM	segbert			Active
Quantity	9/21/2006 8:45:07 AM	segbert			Active
Summary			09/21/2006	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31202 V1

General	9/21/2006 8:39:19 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	9/21/2006 8:39:40 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	9/21/2006 8:41:41 AM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required?
POU	9/21/2006 8:41:59 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
Use	9/21/2006 8:43:49 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31202 V1

Season	9/21/2006 8:44:15 AM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	9/21/2006 8:45:08 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	3/31/2006 11:19:10 AM	lharris	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?
POD	9/21/2006 8:40:25 AM	segbert	Updated shape
POU	9/21/2006 8:42:55 AM	segbert	Updated shape for Active POU
Summary	9/21/2006 9:01:16 AM	segbert	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31202

WATER RIGHT NUMBER: 63-31202

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DUANE W WARN 9053 SOUTHSIDE BLVD NAMPA, ID 83686 (208)466-1819
Current Owner	BEVERLY J WARN 9053 SOUTHSIDE BLVD NAMPA, ID 83686 (208)466-1819

Priority Date: 04/15/1932 *see patent in file & Homestead entry & affidavit*
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	GARLAND DRAIN

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15		0.560 CFS	
	3-1			
	<u>Total Diversion:</u>		0.560 CFS	
			51	

Location of Point(s) of Diversion

WASTE WATER
CANYON County

NE1/4NW1/4
SESW

Sec. 24, Twp 02N, Rge 02W, B.M.
13

Place of Use
IRRIGATION

*corrected POD per field exam
 Field examiner stated to me that
 the POD should have been recorded
 in S13 since that is where the water
 enters the property.*

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	02W	13													3.0
02N	02W	14													
02N	02W	23													17.0

Total Acres: ~~26~~
25.5

Conditions of Approval:Remarks:

Boise Meridian & Nampa Meridian

*Partial overlap w/ 63-31203 & 63-10460
 acre limit = 63.5 CFS limit 1.27*

*reduced acres
 per field exam
 map - most of
 this 20 irrigated
 by Nampa Meridian*

Field Exam Date 5/25/2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

RECEIVED

SEP 20 2006

WATER RESOURCES
WESTERN REGION

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-31202

Owner: Duane W or Beverly J. Warr Phone No. (208) 466-1819

Current Address: 9053 Southside Blvd, Nampa, Id 83686

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER

- ☒ No change Address
- ☐ NEW ADDRESS

- ☒ How long owned property? her father bought house + property in 1932, Beverly bought it from her dad in 1972

Accompanied by: Beverly Warr

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 4/15/1932

(If priority date, based on your exam, seems questionable, explain below.)

Her father bought the house + property in 1932.

Source: Waste Water Tributary to Garland Drain

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed:

POINT OF DIVERSION

- ☐ No change
- ☐ POD found is different than claimed: it used to be a dirt ditch, but now piped
- ☐ If different, when did POD change?

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

63-31202

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
			SW	SW				Canyon	N43°30.252'
									W116°31.681'

Description of diverting works

* see attachment

OVERLAP REVIEW

Other water rights with the same point of diversion: None

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

☐ No change

☐ Different Uses

Use Irrigation From 3/1 To 11/15 Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only N/A

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

☐ No Change

☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: 63-31203 + possibly w/ 63-10460

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Different sources for same acres - in the event the water is not available from one source, another source will supply it.

Delivery System Narrative: * See attachment

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

* See attachment

Directions: I-84, Garrity off ramp in Nampa, under over pass going south, Lt. Stanton, Rt. Happy Valley, Rt. Deer Flat (op 1 mile), Rt. on Southside Blvd, on NW corner of Deer Flat + Southside Blvd intersection 9053 Southside Blvd.

POD: 0.2 miles east of Southside + Deer Flat intersection, Northwest of 6682 Deer Flat.

POU: Property west + northwest of 6682 Deer Flat to Southside, then crossing Southside, property south of 9053 Southside to the highway + north of 9053 Southside, then going west almost 0.2 miles. The yard + garden surrounding 9053 Southside Blvd.

- AFTER EXAM THE FILE SHOULD CONTAIN:
- ☒ Completed claim checklist
 - ☒ Photographs of POD's and POU
 - ☒ GPS readings
 - ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: _____

9/18/2006

FIELD EXAMINER: _____

Andy Hemenway

Property NW of 8772 Southside Blvd + then going west.

Claim No. and Name: A63-31202 Warn

Date of Inspection: 5/25/2006

Field Inspector: Sandy Hemenway

Measurements/Calculations:

Maximum Capacity Pipe Flow:

17" culvert, maximum pipe capacity = 7.85cfs

Flow From Partially Filled Pipe:

GPM = (factor) (D squared) x (L)

D = diameter of pipe = 17"

F = amount of pipe not filled = 12"

L = length (estimated to be 9" per owner)

F/D = 0.70 = 79% = Factor on Chart = 0.253

GPM = (0.253) (17) squared x (9) = 658.053 gpm x 0.00223 = 1.467 = **1.50 cfs**

***NOTE: This would be an average to low flow, since there are occasions when the entire pipe is full.

63-31202, 63-31203 Warn

Date of Inspection: 5/25/2006

Inspector: Sandy Hemenway

Description of Diverting Works:

63-31202:

From the Southside Blvd. And Deer Flat intersection (0.2 miles east), Northwest of 6682 Deer Flat, a previously dirt ditch, but currently piped with a 17" culvert carries the waste water, usually with 4-5" in the pipe, with the capacity of the pond being 3'-4' deep.

NOTE: There have been many occasions when the 17" culvert has been completely full. This source is a supplemental source. The Main source is the Boise Kuna Irrigation. This source could never be the sole source for irrigation, since this source is dependent on irrigation being conducted up-line.

63-21203:

South 0.1 mile, from the Southside Blvd. And Deer Flat intersection, Northwest of 8778 Southside Blvd. A 12" culvert open discharges to a dirt ditch running east to west, where the flow empties into a buried culvert that converts into 8" gated pipe running east to west (gravity flow for the tree farm), or converts into 8" gated pipe that runs south to north, then turns east (gravity flow north to south for the southeast field).

NOTE: Before they started using gated pipe on this field, they used to dam up the dirt ditch with a tarp at different points, and use 1" siphon tubes to gravity flow irrigate the field.

Delivery System Narrative:

63-31202:

There is an outlet on the south end of the pond, discharging the waste water into a dirt ditch, where it is tarped off to route water into a dirt ditch that travels north, northwest, then southwest, to another dirt ditch that runs laterally north and south. At the northern end, it turns west, crosses Southside Blvd through a culvert that discharges into another dirt ditch that continues to run east to west (gravity flow north to south) going under the railroad tracks, or at that same point can travel north to south along the east boarder with gravity flow east to west in the yard, garden area, with the ditch cutting through the garden going east to west, the ditch is tarped with water going into 8" gated pipe traveling south to north, and converting to 6" further north (gravity flow east to west). There is a small loop of 6" gated pipe that is located north of the house that runs through the apple orchard, with gravity flow west to east, and north to south along the south side. At the southeast corner of the garden, the ditch is piped under Deer Flat, and open discharges into a control box, then 8" gated pipe traveling north to south (gravity flow east to west in the northeast field), then turning west, with gravity flow north to south (located in the southeast field), then turning south till it runs into the waste water drain for 63-31203, where it turns west (in the southwest corner), continuing in 8" gated pipe, with gravity flow south to north.

63-21203:

The 12" culvert open discharges to a dirt ditch running east to west, where the flow empties into a buried culvert that converts into 8" gated pipe running east to west (gravity flow for the tree farm), or converts into 8" gated pipe that runs south to north, then turns east (gravity flow north to south for the southeast field).

NOTE: Before they started using gated pipe on this field, they used to dam up the dirt ditch with a tarp at different points, and use 1" siphon tubes to gravity flow irrigate the field.

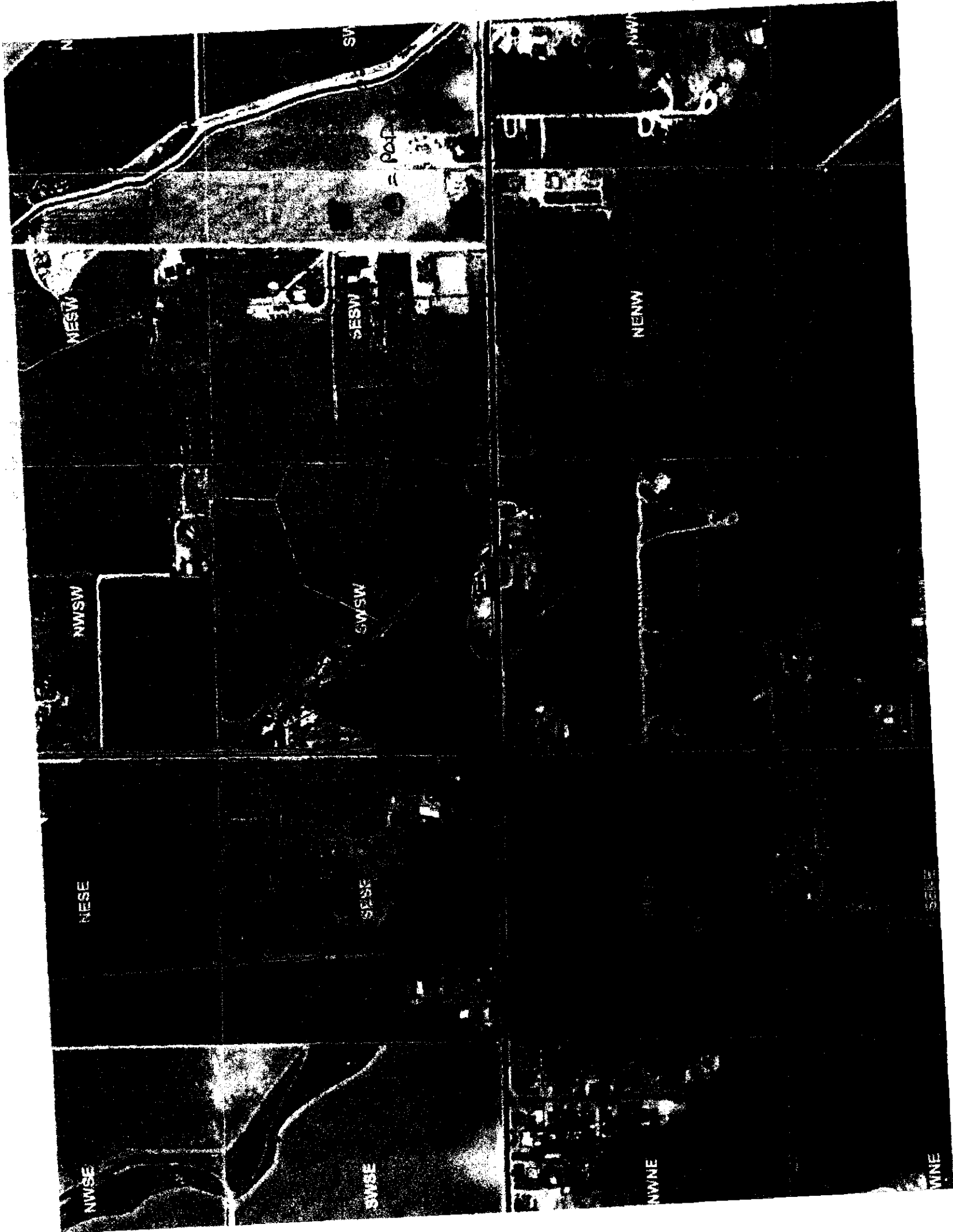
Comments:

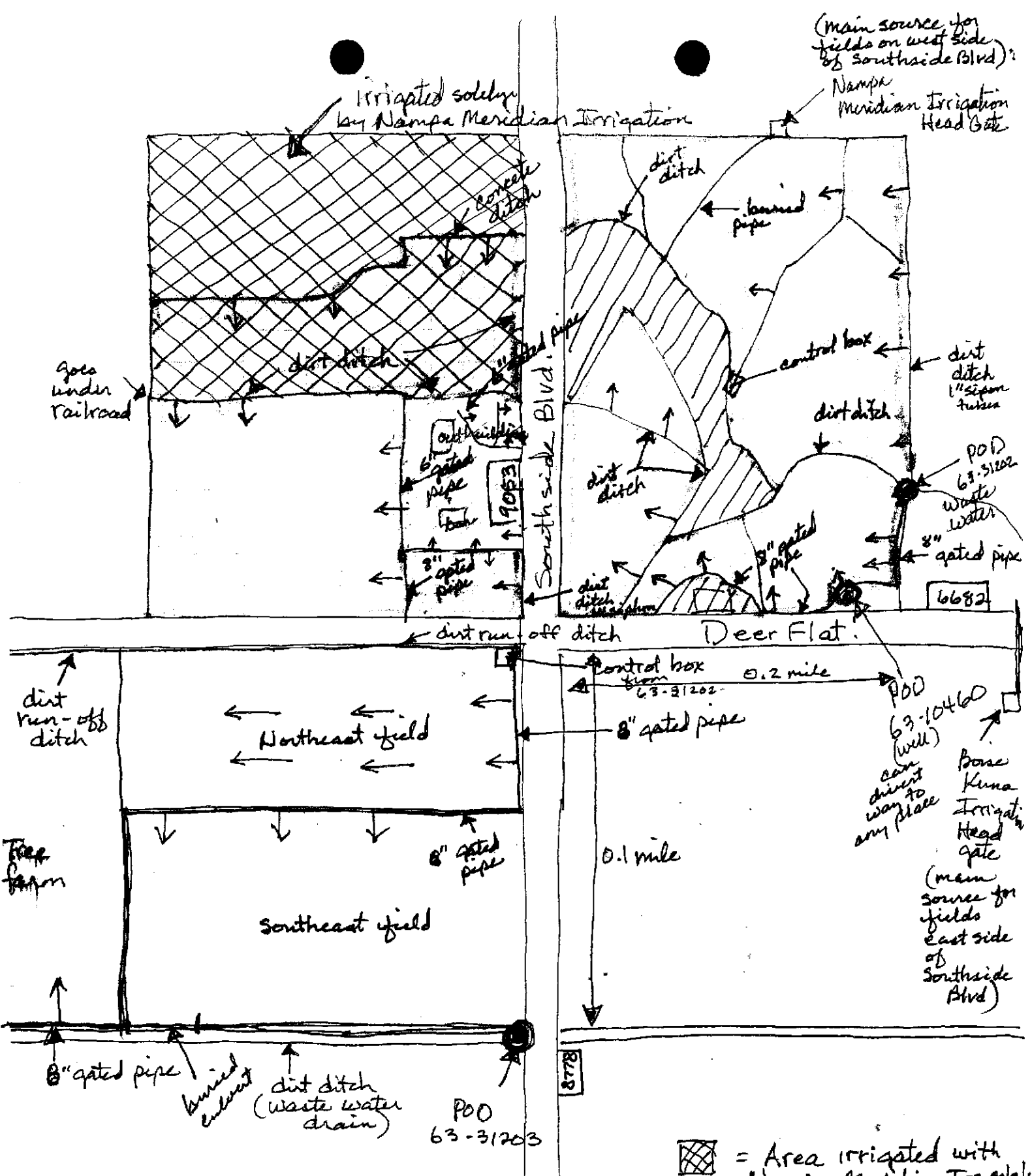
Supplemental Water: Boise Kuna Irrigation is the main source of irrigation for all fields on the east side of Southside Blvd.

Supplemental Water: Nampa Meridian Irrigation is the main source of irrigation for all fields on the west side of Southside Blvd.

Per Mr. Warn, in the event that no water was available from Boise Kuna Irrigation and Nampa Meridian Irrigation, he stated that the groundwater source from WR 63-10460 could irrigate the entire area, due to ditch design, and piping.

Both 63-31202 and 63-31203 overlap for the acreage making up the tree farm, and the southeast field (NENE).

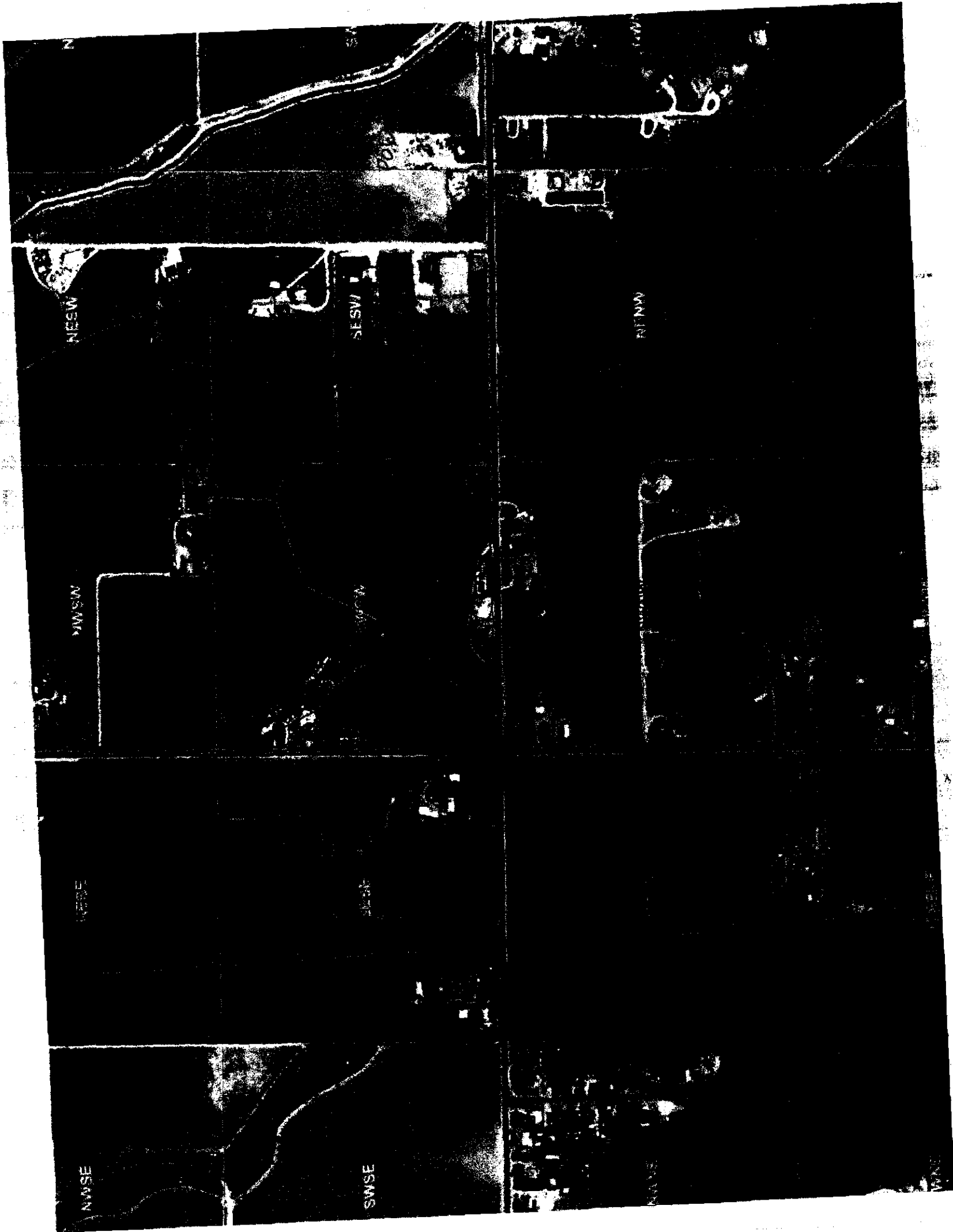




N ↑

63-31202 + 63-31203 Warm
5/25/2006 S.H.

- = Area irrigated with Nampa Meridian Irr. solely
- = Not irrigated
- = 63-31203 POU
- = 63-31202 POU (see other copy)
- = POD's



POU
63-91202
across the
street, or
east of
9053
Southside
Blvd.



POD
63-10460
groundwater
12" casing
21" above gfd.
4" discharge
to 8" apted
pipe
reduced to
6" (gravelly E to N)
at bottom S to N)

N43°30.187' W116°31.714'

May 25, 2006 SH



POU
63-10460

POD
63-10460
groundwater

Warn

May 25, 2006 SH



located NE of 63-10460 POD/well
0.2 mile east of Southside Blvd,
+ NW of 6682 Deer Flat

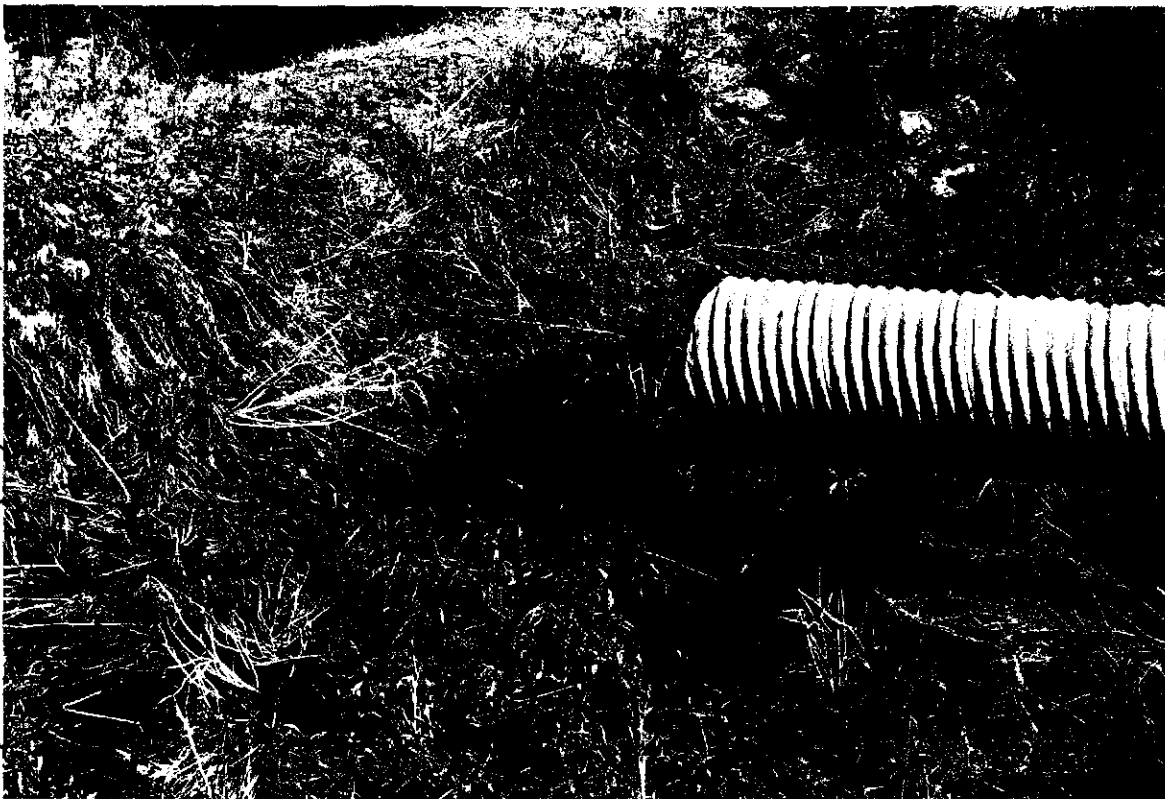
May 25, 2006 SH

POD:

waste
water
drain
63-31202

The source
is a
supplemental
source.

Main
source is
Boise
Kuna
Irrigation



17" culvert
to pond
(capacity
pond depth
3'-4' with
usual
flow in
pipe 4-5",
but have
times with
full pipe
capacity)

63-31202 Warn

May 25, 2006 SH

POD:

only irrigate
with this
source when
fields above
are being
irrigated

This source
could never
be the sole
source for
irrigation



orchard
north of
house in
immediate
yard area

6" gated
pipe, gravity
flow south
to north +
west to east

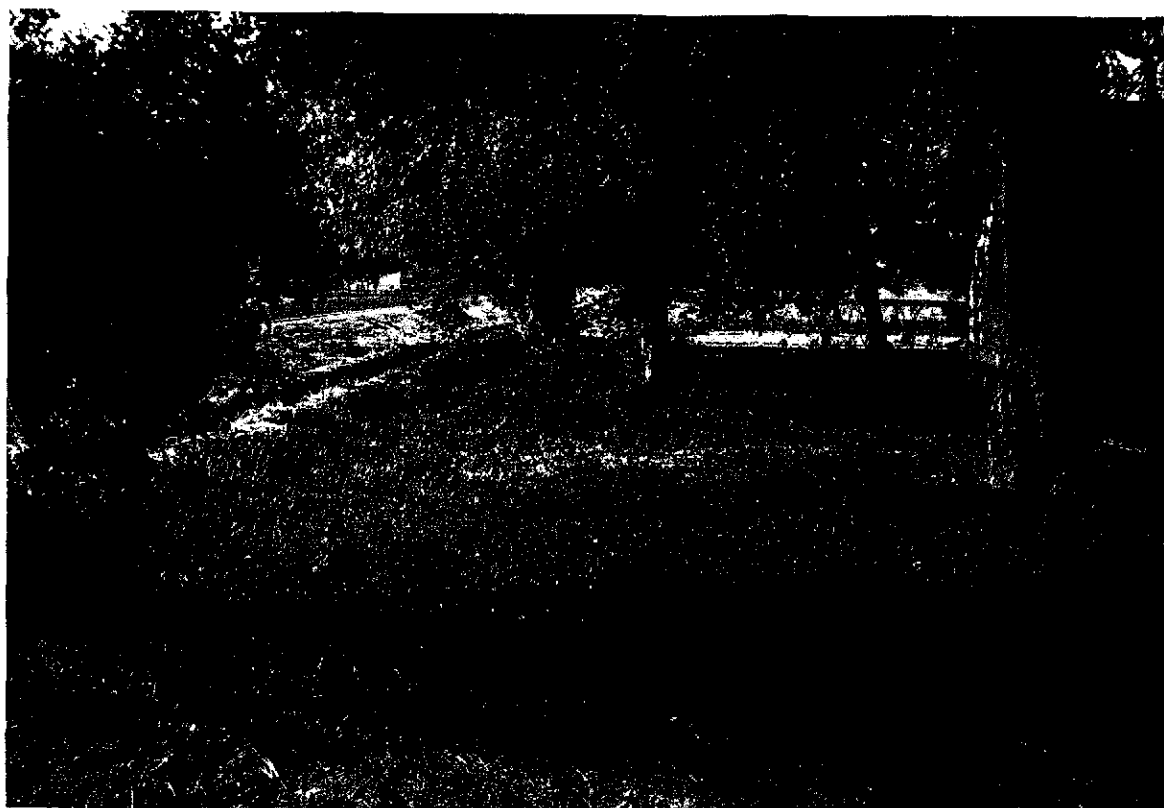
9/20/2006 SH



around
house +
yard,
dirt
ditch
to
garden
area,
gravity
flow
east
to west

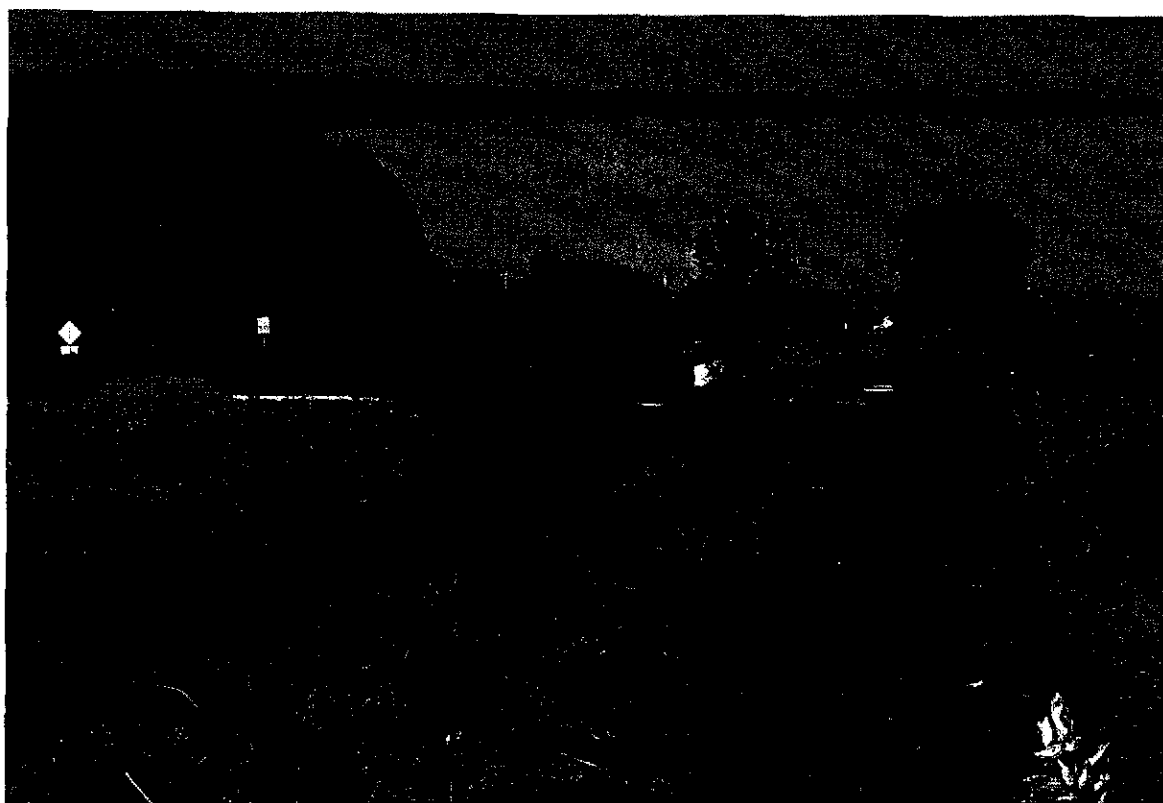
63-31202 Warn

9/20/2006 SH



— dirt
ditches
in yard
gravity
flow
1" siphon
tubes

9/20/2006 SH



— east to
west
dirt
ditch
1" siphon
tubes

63-31202 Warn

9/20/2006 SH

dirt ditch
that drains
west under
railroad tracks

PO4:
field
west of
house
(9053
Southside
Blvd).



SESE
ea
irrigated
by
Nampa
Meridian
Irrigation

8" to
6" gated
pipe
gravity
flow
east to
west

SFA

63-31202 Warn

May 25, 2006

POU:

Tree
Farm



May 25, 2006 SH

POU:

upper/
north east
field

POU:

lower
southeast
field



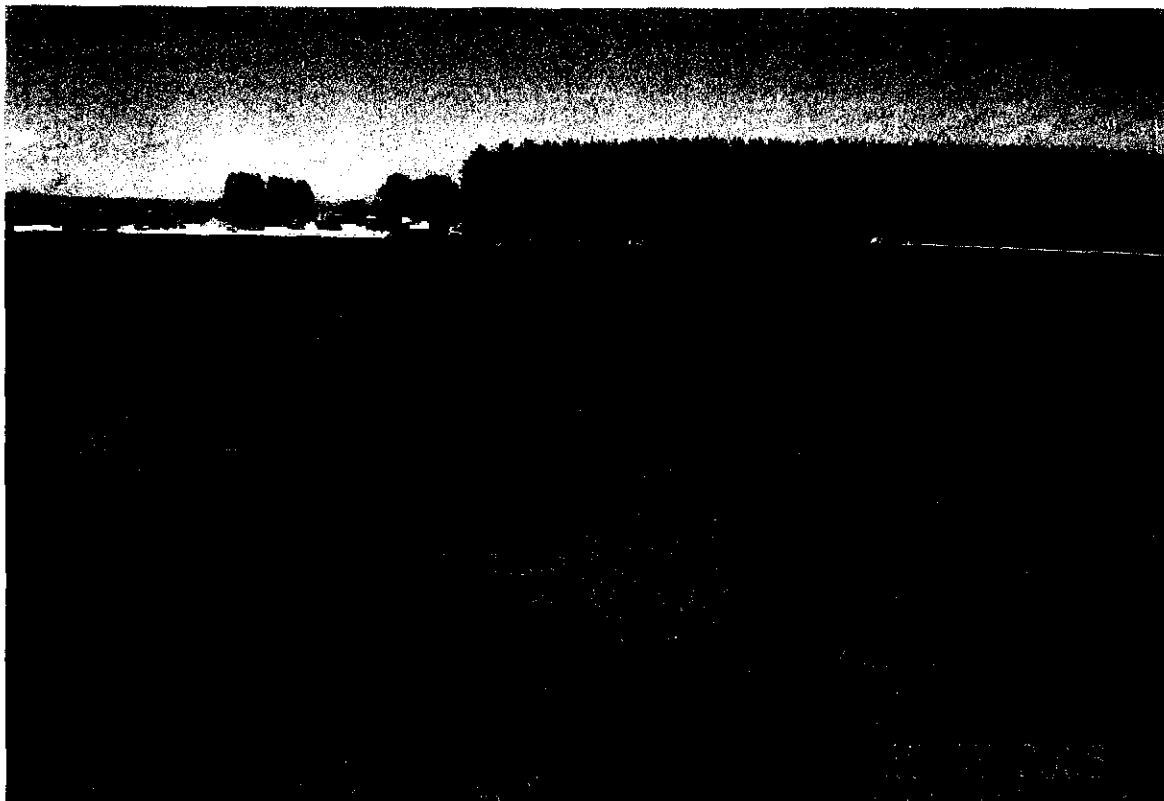
63-31202 Wam

May 25, 2006 SH

buried
pipe crossed
street to
control
valve

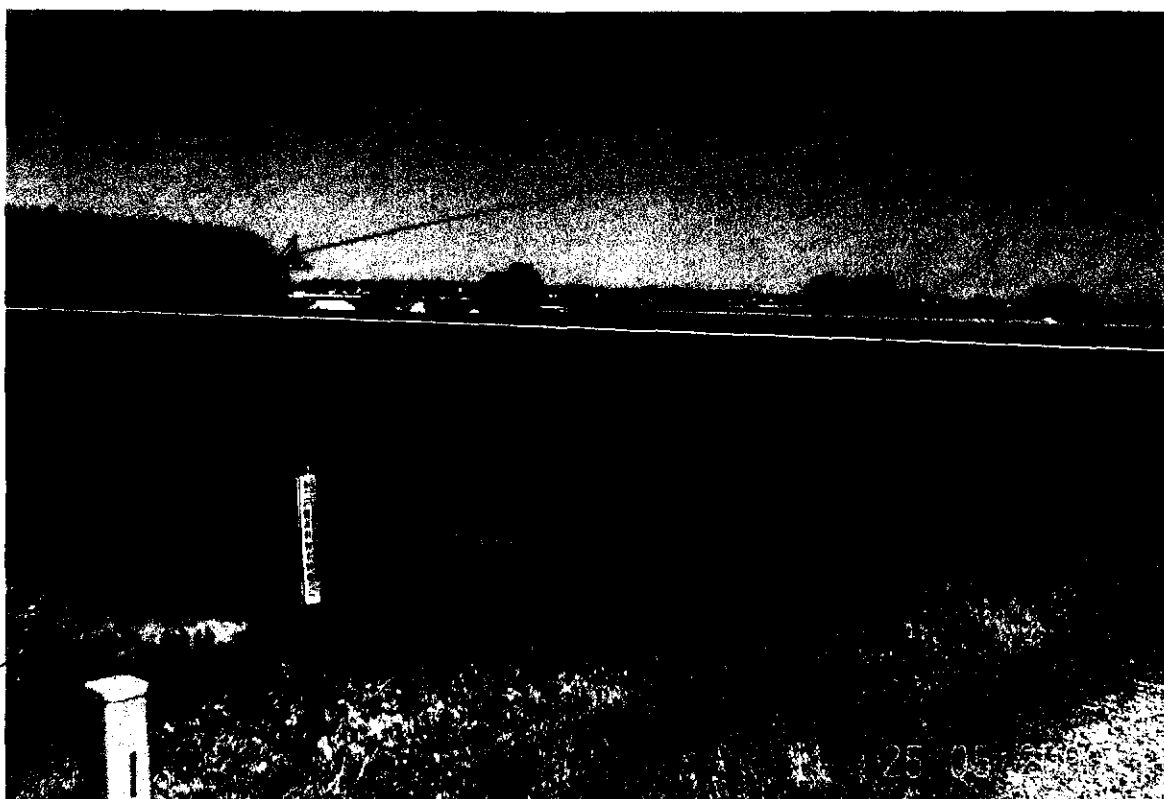
(SW corner
of
Southside
Blvd. +
Deer
Flat
intersecting)

w/ 8"
gated pipe
running
north to
south then
turning
east to
west
(gravity flow
north to
south)



POU:
Tree
Farm

May 25, 2006 SH



POU

POD
63-31203

63-31202 Warn

May 25, 2006 SH

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31202

WATER RIGHT NUMBER: 63-31202

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DUANE W WARN 9053 SOUTHSIDE BLVD NAMPA, ID 83686 (208)466-1819
Current Owner	BEVERLY J WARN 9053 SOUTHSIDE BLVD NAMPA, ID 83686 (208)466-1819

Priority Date: 04/15/1932
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	GARLAND DRAIN

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15	11/15	0.560 CFS	
	<u>Total Diversion:</u>		0.560 CFS	

<u>Location of Point(s) of Diversion</u>	<u>SW 3/4</u>	
WASTE WATER	NE 1/4 NW 1/4	Sec. 24, Twp 02N, Rge 02W, B.M.
CANYON 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	
02N	02W	13											3.0						3.0
02N	02W	14															8.0		8.0
02N	02W	23																	17.0
Total Acres: 28																			

Conditions of Approval:

Remarks:

*Overlap
Need to
re calculate
acreage
(10+ acres are
the same acres
as 63-31203)
these need
to be recalculated
also*

April 25, 2006

Idaho Department of Water Resources

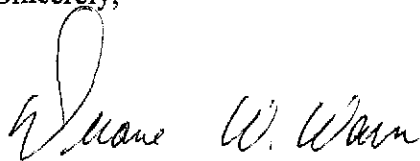
Water Right Number: 63-31202

Water Right Number: 63-31203

Evidence of Priority

My Grandfather, William Frederick Warn, purchased this farm on 04/15/1932 and it's been in the family ever since. The property has two drain ditches flowing through that runs into the live water used to irrigate the farm. In the 1960's several different neighbors rented several fields that used this water. Unfortunately, these neighbors are either deceased or "medically unable to remember" any details. However, I have participated in irrigating this property from the early 1950's to the present. We have always taken the responsibility of ditch upkeep for this water.

Sincerely,

A handwritten signature in cursive script that reads "Duane W. Warn". The signature is written in dark ink and is positioned below the word "Sincerely,".

Duane W. Warn

Accession/Serial #: 374784 BLM Serial #: IDB 0005720

Names

Patentee: JENS C CLIVER

Survey

State: IDAHO

Acres: 80

Metes/Bounds: No

Title Transfer

Issue Date: 1/3/1914

Land Office: Boise City

Cancelled: No

U.S. Reservations: Yes

Mineral Reservations: No

Authority: June 17, 1902: Homestead-Reclamation (32 Stat. 388)

Document Numbers

Document Nr.: 05720

Accession/Serial Nr.: 374784

BLM Serial Nr.: IDB 0005720

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
SESE	14/	2-N	2-W	No	Boise	ID	Canyon	
Remarks: FARM UNIT D								
NENE	23/	2-N	2-W	No	Boise	ID	Canyon	
Remarks: FARM UNIT D								

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, the Act of Congress approved August 9, 1912, entitled "An Act providing for patents on reclamation entries, and for other purposes," provides—

"That every patent and water-right certificate issued under this Act shall expressly reserve to the United States a prior lien on the land patented or for which water right is certified, together with all water rights appurtenant or belonging thereto, superior to all other liens, claims or demands whatsoever for the payment of all sums due or to become due to the United States or its successors in control of the irrigation project in connection with such lands and water rights."

And it is further provided:

"That no person shall at any one time or in any manner, except as hereinafter otherwise provided, acquire, own or hold irrigable land for which entry or water-right application shall have been made under the said reclamation Act of June seventeenth, nineteen hundred and two, and Acts supplementary thereto and amendatory thereof, before final payment in full of all installments of building and betterment charges shall have been made on account of such land in excess of one farm unit as fixed by the Secretary of the Interior as the limit of area per entry of public land or per single ownership of private land for which a water right may be purchased respectively, nor in any case in excess of one hundred and sixty acres, nor shall water be furnished under said Acts nor a water right sold or recognized for such excess; but any such excess land acquired at any time in good faith by descent, by will, or by foreclosure of any lien may be held for two years and no longer after its acquisition; and every excess holding prohibited as aforesaid shall be forfeited to the United States by proceedings instituted by the Attorney General for that purpose in any court of competent jurisdiction; and this proviso shall be recited in every patent and water-right certificate issued by the United States under the provisions of this Act."

And WHEREAS, it appears from a Certificate of the Register at Boise, Idaho, that Jens C. Cliver is, under the provisions of said Act, entitled to a patent for the Farm Unit "D," according to the Farm Unit Plat, or the southeast quarter of the southeast quarter of Section fourteen and the northeast quarter of the northeast quarter of Section twenty-three in Township two north of Range two west of the Boise Meridian, Idaho, containing eighty acres,

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of

374784

Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said
Jens C. Oliver,

and to **his** heirs, the Tract above described, together with the right to the use of water from the **Boise**

Reclamation Project as an appurtenance to the irrigable lands in said tract; TO HAVE AND TO HOLD
 the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said
Jens C. Oliver

and to **his** heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other
 purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local cus-
 toms, laws, and decisions of courts; but excepting, nevertheless, and reserving unto the United States, rights of way over, across, and through said
 lands for canals and ditches constructed, or to be constructed, by its authority, all in the manner prescribed and directed by the Act of Congress
 approved August 30, 1890 (26 Stat., 391). To secure payment to the United States, or its successors in the ownership or control of the works
 constituting and appertaining to the said reclamation project, of all sums due or to become due the United States or its successors in control of said
 reclamation project in connection with said land and water rights, a lien prior and superior to all other liens, claims, or demands whatsoever upon
 the lands herein and hereby described and conveyed, upon all water rights thereto appurtenant, and upon the right to receive and use water from the
 reservoirs and canals of said reclamation project, is expressly reserved

IN TESTIMONY WHEREOF, I **Woodrow Wilson**

President of the United States of America, have caused these letters to be made
 Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **THIRD**

(SEAL)

day of **JANUARY** in the year of our Lord one thousand
 nine hundred and **FOURTEEN** and of the Independence of the
 United States the one hundred and **THIRTY-EIGHTH.**

By the President:

Woodrow Wilson

By

M. C. Le Roy, Secretary

L. L. P. Lamer

(—244)

Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number

374784

The lands above described are subject to all rights under an applica-
 tion by the Boise, Nampa and Cwyhee Railroad, approved July 20, 1897, under

ELECTRIC DROP NEWS

Mrs. D. Martin and Misses Hazel and Garnet who have been at the Martindale ranch for a few days returned to Boise Sunday, taking with them Mr. and Mrs. Frank Martin and little daughter, Dorothy. Mr. and Mrs. J. J. Petty are moving onto the ranch which they bought recently.

Mrs. A. Brunzell of Bowmont gave a dinner Sunday for the Martin family as a farewell reception.

Miss Blanche Kloefer was injured last Saturday when a horse she was riding fell, throwing her to the ground. Her ankle was badly sprained.

Mr. Frank Crone lost a valuable cow last week, she having died of bloat.

The ice cream social at the Pleasant Valley school house last Saturday evening was a grand success regardless of the rainy weather. A sum of \$23.25 was taken in, the proceeds to go toward purchasing lamps for the school house and for the building of a hitching rack.

Mrs. Neal Gross is very sick. She is being attended by Dr. Calonge of Nampa.

Mrs. Maud Kollaad is visiting at Poplar heights with the Kloefer family.

Maud Crone is visiting her parents for a few days.

Mrs. N. Murray left for Wichita, Kansas, in answer to a telegram stating her brother-in-law was very sick at that place. On her return she will reside in Nampa.

The Brothers family are preparing to leave for the mountains for the summer.

BOWMONT

Mrs. Alma Williams was a Nampa visitor Monday.

Serial No. 07462.

NOTICE FOR PUBLICATION Reclamation

Department of the Interior,

U. S. Land Office at Boise, Idaho.

June 12, 1913.

Notice is hereby given that Thurlston Elroy Halverson, of Guffey, Idaho, who, on October 20, 1909, made Homestead Entry, No. 07462, for W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 30, W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 31, Township 1 South, Range 1 West, Boise Meridian, has filed notice of intention to make Final Three Year Proof, to establish claim to the land above described, before The Register and Receiver U. S. Land Office, at Boise, Idaho, on the 30th day of July, 1913.

Claimant names as witnesses:

August Olson, of Guffey, Idaho;

Thomas Duffy, of Guffey, Idaho;

Martin O'Hara, of Guffey, Idaho;

Mary Finnigan, of Guffey, Idaho.

WILLIAM BALDERSTON,

June 24 1913 Register

Serial No. 05720.

NOTICE FOR PUBLICATION Reclamation

Department of the Interior,

U. S. Land Office at Boise, Idaho.

June 27, 1913.

Notice is hereby given that Jens C. Cliver, of Kuna, Idaho, who, on March 13, 1909, made Homestead Entry No. 05720, for SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Township 2 North, Range 2 West, Boise Meridian, has filed notice of intention to make Final Three Year Proof, to establish claim to the land above described, before the Register and Receiver United States Land Office, at Boise, Idaho, on the 27th day of August, 1913.

Claimant names as witnesses:

Thomas B. Dakan, of Nampa, Idaho;

Richard Garjand, of Nampa, Idaho;

Andrew Peterson, of Kuna, Idaho;

William M. Phillips, of Nampa, Idaho.

July 15 1913 Register

WILLIAM BALDERSTON,

July 15 1913 Register

Serial No. 06406.

NOTICE FOR PUBLICATION Power Site Withdrawal

Notice of the Issuance

In the District Court
Judicial District
Idaho, in and for
Canyon.

Inter-Mountain State
Corporation, Plaintiff,

Vs.

L. L. Miller and Pict
endants.

State of Idaho, Coun

Notice is hereby g

6th day of March A.

ment was issued in

action against the

aforesaid defendant,

Picton W. Duffes, fo

hundred and fifty

with interest thereon

per cent per annum

of August, 1912, to

costs of this action,

neys fees.

Witness my hand

said district court,

day of March A. D. 1

(Seal.) GEN

Clerk of th

F. M. Kerby & D. L.

Attorneys for Plain

Residing at Cran

City, Idaho, re

mitt

Serial No.

NOTICE FOR P

Republic

Department of the I

U. S. Land Office at

Notice is hereby g

O. Young, of Kuna,

October 3, 1906, made

try No. 9511, Serial N

2 and SW $\frac{1}{4}$ NE $\frac{1}{4}$, t

ship 1, North, Range 1

ridian, has filed notic

make Final Five Ye

ablish claim to the

scribed, before the R

ceiver, U. S. Land Offi

ho, on the 30th day o

Claimant names as

Franklin J. Sprag

Idaho;

Instrument No. 66002.

ACCEPTANCE OF TERMS AND CONDITIONS OF RECLAMATION EXTENSION ACT.

(Approved August 13, 1914).

I, Jens C. Cliver,

owner of SE $\frac{1}{4}$ of Sec. 14 and NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 23 in Twp. 2 North of R-2 West
entryman } of Bois e Meridian,

desiring to secure the benefits of the Reclamation Extension Act, approved August 13, 1914, (Public No. 170), and Public Notice thereunder having been duly issued as provided by said act, do hereby accept the terms and conditions of said act.

It is understood and agreed that this acceptance will operate to amend and reform any water-right application made to the United States for above-described lands and now in force and effect, to conform to the terms and conditions of said act in so far as such terms and conditions may be applicable to such lands and to said application.

Jens C. Cliver.

(Execution of this instrument must be acknowledged in all cases except reclamation homestead entries).

ACKNOWLEDGMENT

(Form to be that required by State law).

STATE OF IDAHO, } ss.
County of Canyon, }

Subscribed and sworn to before me this 20th day of March 1915, by

Jens C. Cliver.

Witness my hand, and notarial seal at Nampa, Idaho, March 20, 1915.

Notary Public

at _____, in and for said County of _____,

personally appeared _____, known to me to be the person

who subscribed to the within instrument and acknowledged to me that he

executed the same for the purposes and consideration therein expressed.

My commission expires

Dec. 19, 1917.

E. F. Larson.

Notary Public.

STATE OF IDAHO, } ss.
County of Canyon, }

I hereby certify that this instrument was filed for record at the request of Citizens National Bank,
at 24 minutes 9 o'clock A.M., this 25 day of March, 1915.

L. C. Knowlton.
Ex-Officio Recorder.

Deputy.

Fees, \$ 40.

Accession/Serial #: 365953 BLM Serial #: IDB 0001272

Names

Patentee: ANDREW PETERSON

Survey

State: IDAHO

Acres: 80

Metes/Bounds: No

Title Transfer

Issue Date: 11/19/1913

Land Office: Boise City

Cancelled: No

U.S. Reservations: Yes

Mineral Reservations: No

Authority: June 17, 1902: Homestead-Reclamation (32 Stat. 388)

Document Numbers

Document Nr.: 01272

Misc. Doc. Nr.: 0

Accession/Serial Nr.: 365953

BLM Serial Nr.: IDB 0001272

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
W½SW	13/	2-N	2-W	No	Boise	ID	Canyon	

Remarks: FARM UNIT B OR WEST HALF OF SW QUARTER

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, the Act of Congress approved August 9, 1912, entitled "An Act providing for patents on reclamation entries, and for other purposes," provides—

"That every patent and water-right certificate issued under this Act shall expressly reserve to the United States a prior lien on the land patented or for which water right is certified, together with all water rights appurtenant or belonging thereto, superior to all other liens, claims or demands whatsoever for the payment of all sums due or to become due to the United States or its successors in control of the irrigation project in connection with such lands and water rights."

And it is further provided:

"That no person shall at any one time or in any manner, except as hereinafter otherwise provided, acquire, own or hold irrigable land for which entry or water-right application shall have been made under the said reclamation Act of June seventeenth, nineteen hundred and two, and Acts supplementary thereto and amendatory thereof, before final payment in full of all installments of building and betterment charges shall have been made on account of such land in excess of one farm unit as fixed by the Secretary of the Interior as the limit of area per entry of public land or per single ownership of private land for which a water right may be purchased respectively, nor in any case in excess of one hundred and sixty acres, nor shall water be furnished under said Acts nor a water right sold or recognized for such excess; but any such excess land acquired at any time in good faith by descent, by will, or by foreclosure of any lien may be held for two years and no longer after its acquisition; and every excess holding prohibited as aforesaid shall be forfeited to the United States by proceedings instituted by the Attorney General for that purpose in any court of competent jurisdiction; and this proviso shall be recited in every patent and water-right certificate issued by the United States under the provisions of this Act."

And WHEREAS, it appears from a Certificate of the Register at **Boise, Idaho,**

that **Andrew Peterson** is, under the provisions of said Act, entitled to a patent for **the Farm Unit "B," according to the Farm Unit Plat, or the west half of the southwest quarter of Section thirteen in Township two north of Range two west of the Boise Meridian, Idaho, containing eighty acres,**

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General.

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of

Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said

Andrew Peterson

and to **his** heirs, the Tract above described, together with the right to the use of water from the **Boise**

Reclamation Project as an appurtenance to the irrigable lands in said tract; TO HAVE AND TO HOLD, the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereto belonging, unto the said

Andrew Peterson

and to **his** heirs and assigns forever; subject to any vested and secured water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; but excepting, nevertheless, and reserving unto the United States, rights of way over, across, and through said lands for canals and ditches constructed, or to be constructed, by its authority, all in the manner prescribed and directed by the Act of Congress approved August 30, 1890 (26 Stat., 391). To secure payment to the United States, or its successors in the ownership or control of the works constituting and appertaining to the said reclamation project, of all sums due or to become due the United States or its successors in control of said reclamation project in connection with said land and water rights, a lien prior and superior to all other liens, claims, or demands whatsoever upon the lands herein and hereby described and conveyed, upon all water rights thereto appurtenant, and upon the right to receive and use water from the reservoirs and canals of said reclamation project, is expressly reserved.

IN TESTIMONY WHEREOF, I

Woodrow Wilson

President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **NINETEENTH**

(SEAL)

day of **NOVEMBER** in the year of our Lord one thousand nine hundred and **THIRTEEN** and of the Independence of the United States the one hundred and **THIRTY-EIGHTH**

By the President:

Woodrow Wilson

By

M. O. Keary

Secretary

L. L. C. Lamar

Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number

365953

The lands above described are subject to all rights under an application by the Boise City and Nampa Irrigation, Land and Lumber Company, approved May 16, 1896, under the Act of March 3, 1891, being an application for right of way for canal.

Receipt Details for ID C052949

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/28/2001 11:10:05 AM	3/29/2001 1:11:06 PM	STATE	\$103.00	Check
Payer		WARN DUANE OR BEVERLY		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
4331			
Card Expiration Date	Credit Card Transaction #		

Comment CIVIL CASE NO 39576

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$103.00	ADJUDICATION FILING FEE	41503	0337			1155

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
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Print Report

REAL PROPERTY INQUIRY

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+++++
01 6R29555-000- -0 144-00 N SCH131+ 01 8,100 12.35
+++++
WARN, DUANE + 02 2,100 7.00
+ 05 100 2.00
+ 10 31,300 1.00
+ 19 2.76
+ 31 83,400
+ 32 7,700

9053 SOUTHSIDE BLVD +
NAMPA ID 83686 +
+++++
14-2N-2W SE + TOTAL 132,700 25.11
SE SE LESS W OF OSL RR ++++++
+ SURVEY INST 9226682
+ DRAIN DR VALUE APPR MKB
+ CLASS 2 REAP 00 MAN 99 UNIT 1
9053 SOUTHSIDE BLVD, NA + PARCEL 6R02N02W149000 H/O N C/B N
+ PRIOR ACCOUNT 5R29555-000- -0
+ 02 MH on Property NO

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MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R29555000 0 UNIT 001 TOTAL UNITS 1

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SITE 9053 SOUTHSIDE BLVD NA SEC/TWN/RNG 14-2N-2W
ASSESSED VALUE 132,700 ACREAGE 25.11
SUB/PARK NAME YEAR/MAKE
CLASS 2 OWNER / OCCUPIED HOUSE CLASS ' 2' SPACE LOT BLOCK
+++++
YR BUILT 1918 AIR COND AIR - NONE CARPORT N
STORY 1 STORY HEATING OIL CARPORT SQ FT
FIRST SQ FT 1536 EXTERIOR HARDBOARD DECK/PATIO? Y
SECOND SQ FT 494 ROOF WOOD SHAKES POOL? N
BEDS 2 BSMT SQ FT SPA? N
BATHS 1.00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT

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+++++
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

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MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

System User- IDWRR Date 03/31/2006 Time 11:12

REAL PROPERTY INQUIRY

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+++++
01 6R29539-000- -0 144-00 N SCH131+ 01 20,700 24.00
+++++
WARN, DUANE + 02 3,000 9.58
+ 05 25 1.00
+ 10 31,300 1.00
+ 19 3.00
+ 31 51,200
+ 32 14,000

9053 SOUTHSIDE BLVD +
NAMPA ID 83686 +
+++++
13-2N-2W SW + TOTAL 120,225 38.58
SWSW LS TX 97196,97197 ++++++
+ SURVEY INST 9226683
+ DRAIN DR VALUE APPR CTR
+ CLASS R2 REAP 00 MAN 99 UNIT 1
9190 SOUTHSIDE BLVD, NA + PARCEL 6R02N02W136000 H/O N C/B N
+ PRIOR ACCOUNT 5R29539-000- -0
+ 02 MH on Property NO

```

ACCOUNT NUMBER R29539000 0 UNIT 001 TOTAL UNITS 1

SITE 9190 SOUTHSIDE BLVD NA SEC/TWN/RNG 13-2N-2W

ASSESSED VALUE 120,225 ACREAGE 38.58

SUB/PARK NAME YEAR/MAKE

CLASS R2 RENTAL HOUSE CLASS '2' SPACE LOT BLOCK

YR BUILT	1900	AIR COND	HEAT PUMP	CARPORT	N
STORY	1 STORY	HEATING	ELECTRIC FA	CARPORT SQ FT	
FIRST SQ FT	1453	EXTERIOR	METAL SIDING	DECK/PATIO?	N
SECOND SQ FT		ROOF	COMP	POOL?	N
BEDS	3	BSMT SQ FT		SPA?	N
BATHS	1.50	% BSMT FIN		LOT SIZE	
FRPLC	0	GARAGE	N	NEIGHBORHOOD	0
		GARAGE SQ FT			

COMMENTS	MOBILE HOME ONLY
	WIDTH/LENGTH
	EXPANDO

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31202**

03/31/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
10460	Claim	02N	02W	13	SW	SW		IRRIGATION	32/62	DUANE W WARN
31202	Claim	02N	02W	13	SW	SW		IRRIGATION	3/28	DUANE W WARN
10460	Water Right	02N	02W	13	SW	SW		IRRIGATION	32/62	DUANE W WARN
19348	Water Right	02N	02W	13	SW	SW		STOCKWATER		BEVERLY J WARN
19348	Water Right	02N	02W	13	SW	SW		DOMESTIC		BEVERLY J WARN
10460	Claim	02N	02W	14	SE	SE		IRRIGATION	16/62	DUANE W WARN
31202	Claim	02N	02W	14	SE	SE		IRRIGATION	8/28	DUANE W WARN
10460	Water Right	02N	02W	14	SE	SE		IRRIGATION	16/62	DUANE W WARN
19349	Water Right	02N	02W	14	SE	SE		STOCKWATER		DUANE W WARN
19349	Water Right	02N	02W	14	SE	SE		DOMESTIC		DUANE W WARN
10460	Claim	02N	02W	23	NE	NE		IRRIGATION	14/62	DUANE W WARN
31202	Claim	02N	02W	23	NE	NE		IRRIGATION	17/28	DUANE W WARN
31203	Claim	02N	02W	23	NE	NE		IRRIGATION	10/10	DUANE W WARN
10460	Water Right	02N	02W	23	NE	NE		IRRIGATION	14/62	DUANE W WARN



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

4/4/2006

DUANE AND BEVERLY WARN
9053 SOUTHSIDE BLVD
NAMPA ID 83686

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): 63-31202, 63-31203

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated printout of the claim(s) for your reference only, it is not necessary to return this printout or re-file it. You indicated, when these claims were filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. This claim(s) has not been confirmed by a previous filing with the Idaho Department of Water Resources (IDWR) since there is no decree, license, or permit on file to verify the use of this water. For this reason, IDWR is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date.**"

If no evidence of this priority date is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. The required evidence supporting the priority date(s) requested needs to be submitted by APRIL 28, 2005.

Please let me know if you have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Sincerely,

Sandy Egbert
GIS Specialist

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 3, 2001

Duane and Beverly Warn
9053 Southside Blvd.
Nampa, ID 83686

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim #63-31202 and 63-31203

Dear Claimants:

Enclosed are computer-generated copies of Notices of Claim #63-31202 and 63-31203 which you filed for your property in Canyon County. Also enclosed is your receipt #C052949 for the filing fees. Please keep these documents for your records.

Please contact us if you have an address or owner change to ensure you receive important water right information in the future. Please contact me at 1/208-327-7862 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosures:

Notices of Claim #63-31202 and 63-31203
Receipt #C052949