

# 63-31203 Claimed Place of Use



T02N, R02W,  
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

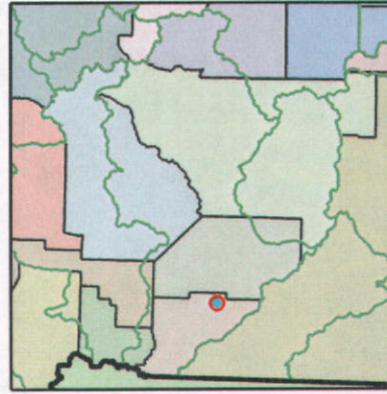
SRBA Recommendation:

**63-31203**

(Irrigation)

## Legend

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



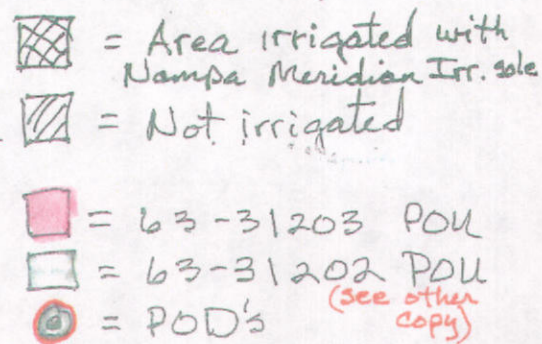
Canyon County  
IDWR Basin 63

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

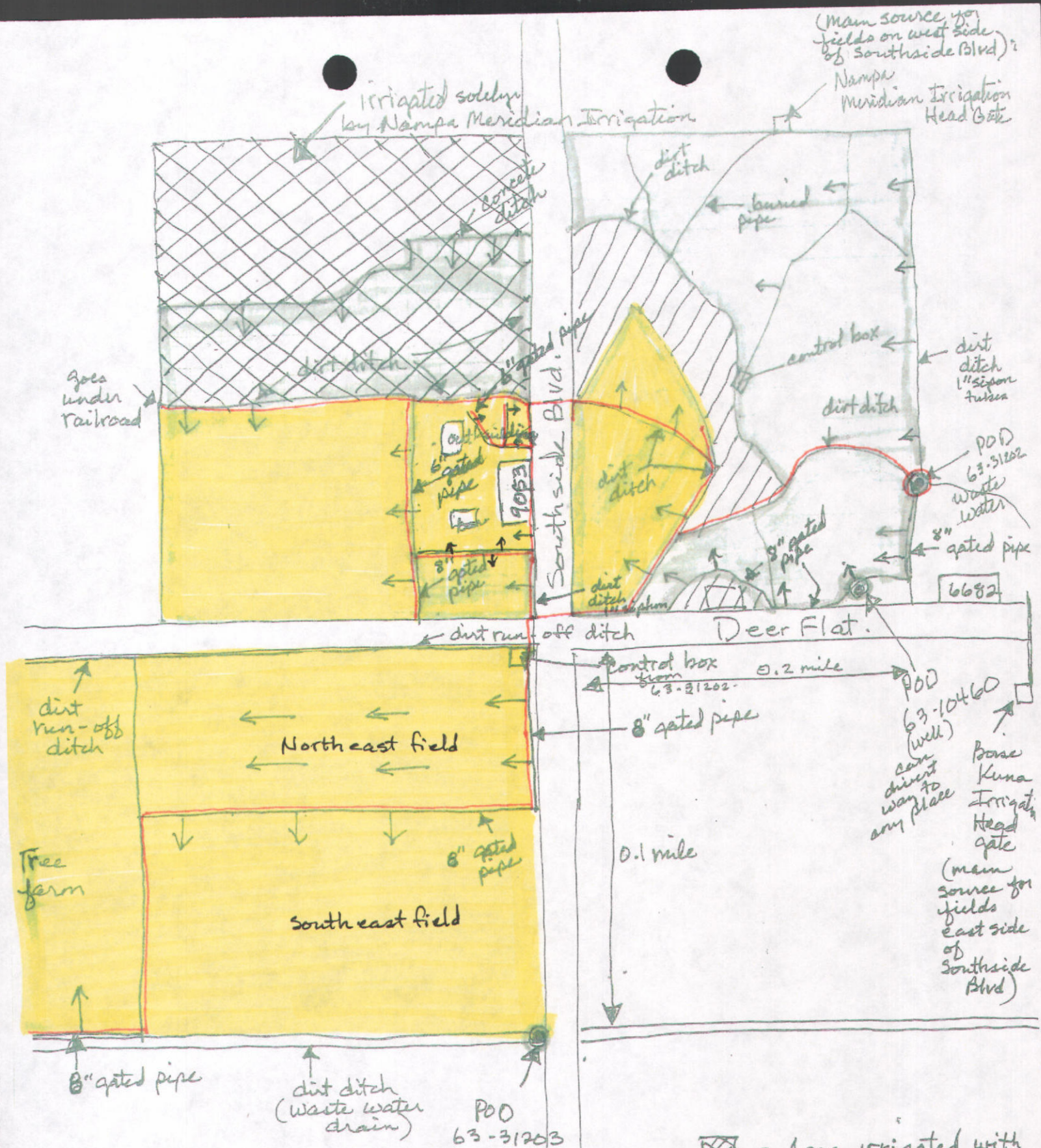
R02W



0 0.1 0.2 Miles



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



N ↑

63-31202 & 63-31203 Warr  
5/25/2006 S.H.

☒ = Area irrigated with Nampa Meridian Irr. sole

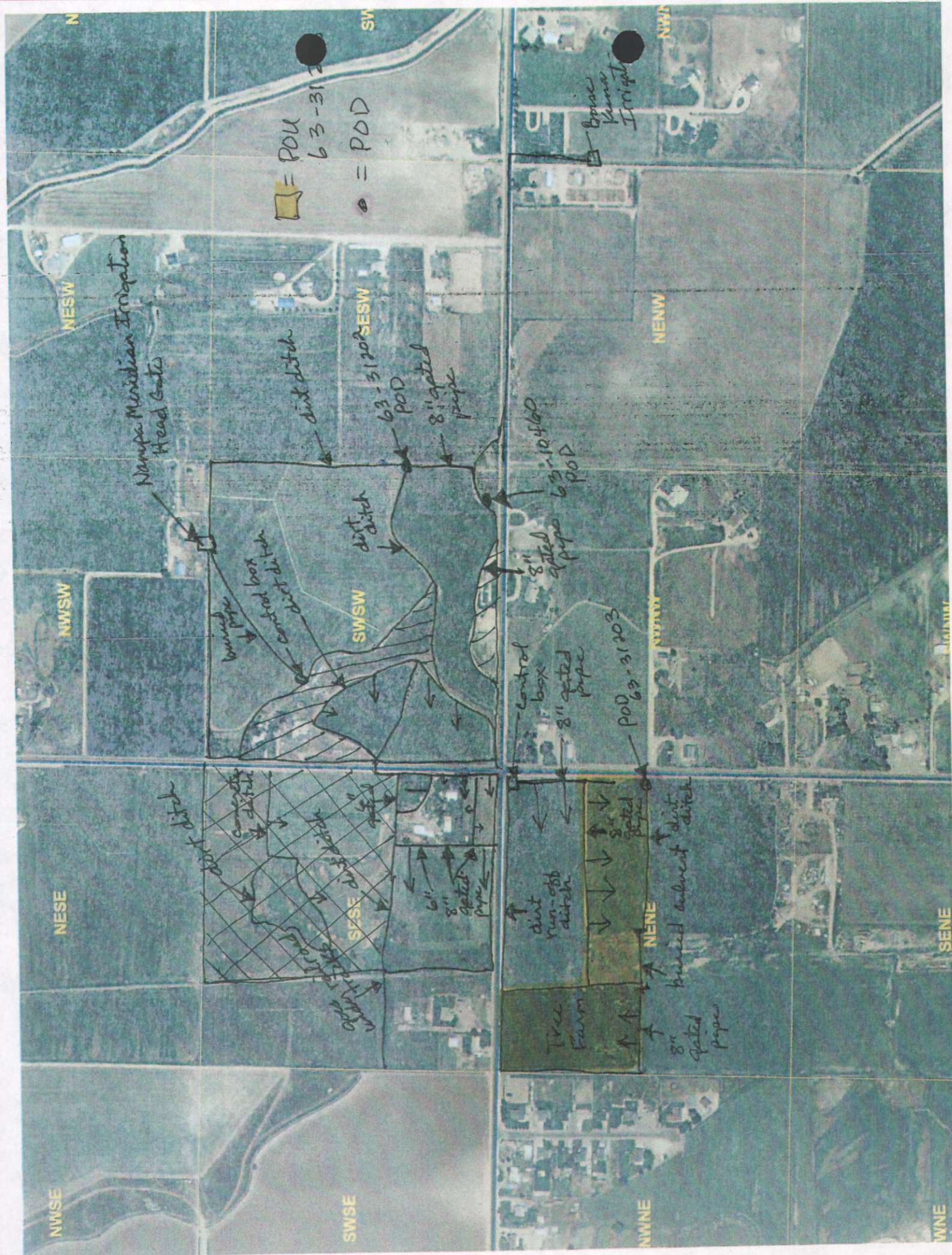
☐ = Not irrigated

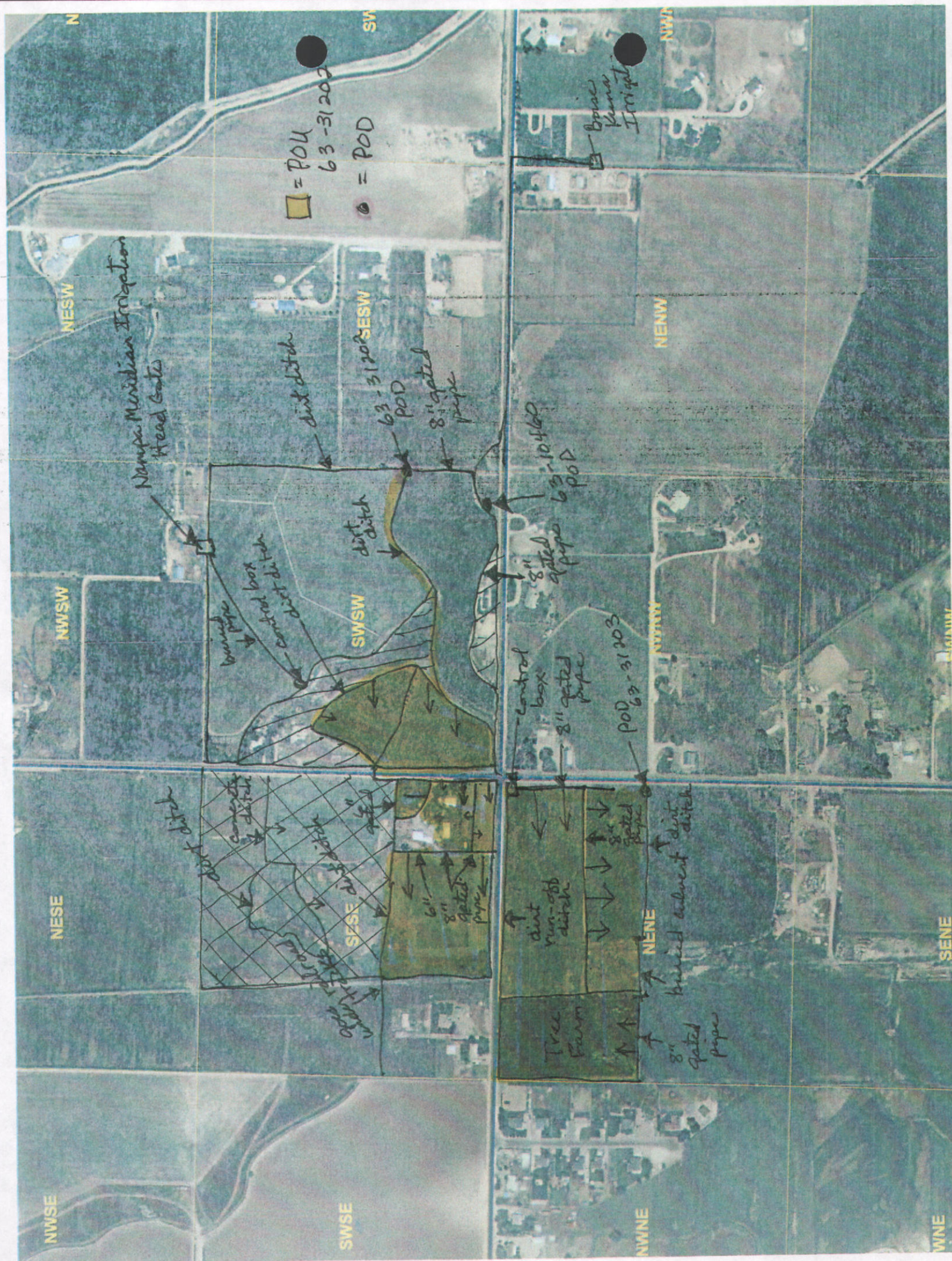
☐ = 63-31203 POD

☐ = 63-31202 POD

⊙ = POD's

(see other copy)







POD:  
open  
discharge  
to  
dirt  
ditch  
12" culvert  
legallons  
in 4 sec.  
(low flow)

SA

May 25, 2006



Tree farm  
8" gated pipe  
east to  
west, gravity  
south to north  
POU

SA

May 25, 2006

POD  
to  
dirt  
ditch

63-31703 Warn



POU:

Tree Farm  
+  
South  
east  
field

25/05/2006

May 25, 2006 SH



southeast  
field  
8"  
gated  
pipe,  
gravity  
flow  
north to  
south

25/05/2006

63-31203 Warr

May 25, 2006 SH

Tree Farm

8"  
gated  
pipe  
gravity  
flow  
south  
to north



8"  
gated  
pipe

25/05/2006

May 25, 2006 SH

POU  
tree  
farm



8" gated  
pipe

POU

south  
east  
field

25/05/2006

63-31203 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 63-31203  
Date Received: 3/28/01  
Receipt No: C052949  
Received By:

**RECEIVED**

**APR 06 2001**

**WATER RESOURCES  
WESTERN REGION**

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

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   | 23      | NE NE                 | CANYON |      |

5. Description of diverting works:

Waste water collected in ditch

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 03/15 | 11/15 | 0.2    |            |

7. Total Quantity Appropriated is:

0.2 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   | 23      | NE         | NE  | IRRIGATION    | 10    |
|          |       |         |            |     | Section Acres | 10    |
|          |       |         |            |     | Total Acres   | 10    |

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 63-31203Date Received 3-28-01 *CA*Receipt Number C052949

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) Barland Drain4. a. Location of existing point of diversion is: Township 2N Range 2W Section 23  
NE 1/4 of NE 1/4 of NE 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of Canyon

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. waste water collected in ditch

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 0.20 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.20 (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  | 2W  | 23  | 10     |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       | 10     |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 10

11. In which county (ies) are lands listed above as place of use located? 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.  
Nampa Meridian Irrigation District or None ( )

14. Remarks:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

POD

23

POD

*Copies: White-State, Yellow-Claimant*

15. Basis of Claim (check one) ☒ Official 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) Duane W. Warm Date 3-28-01

Beverly J. Warm 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

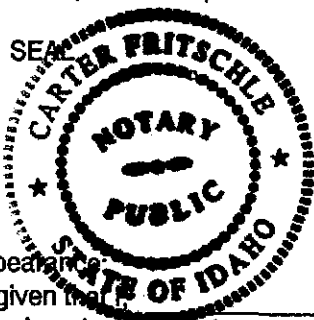
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )  
County of Adair ) SS.

Subscribed and sworn (or affirmed) before me this 28<sup>th</sup> 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 \_\_\_\_\_

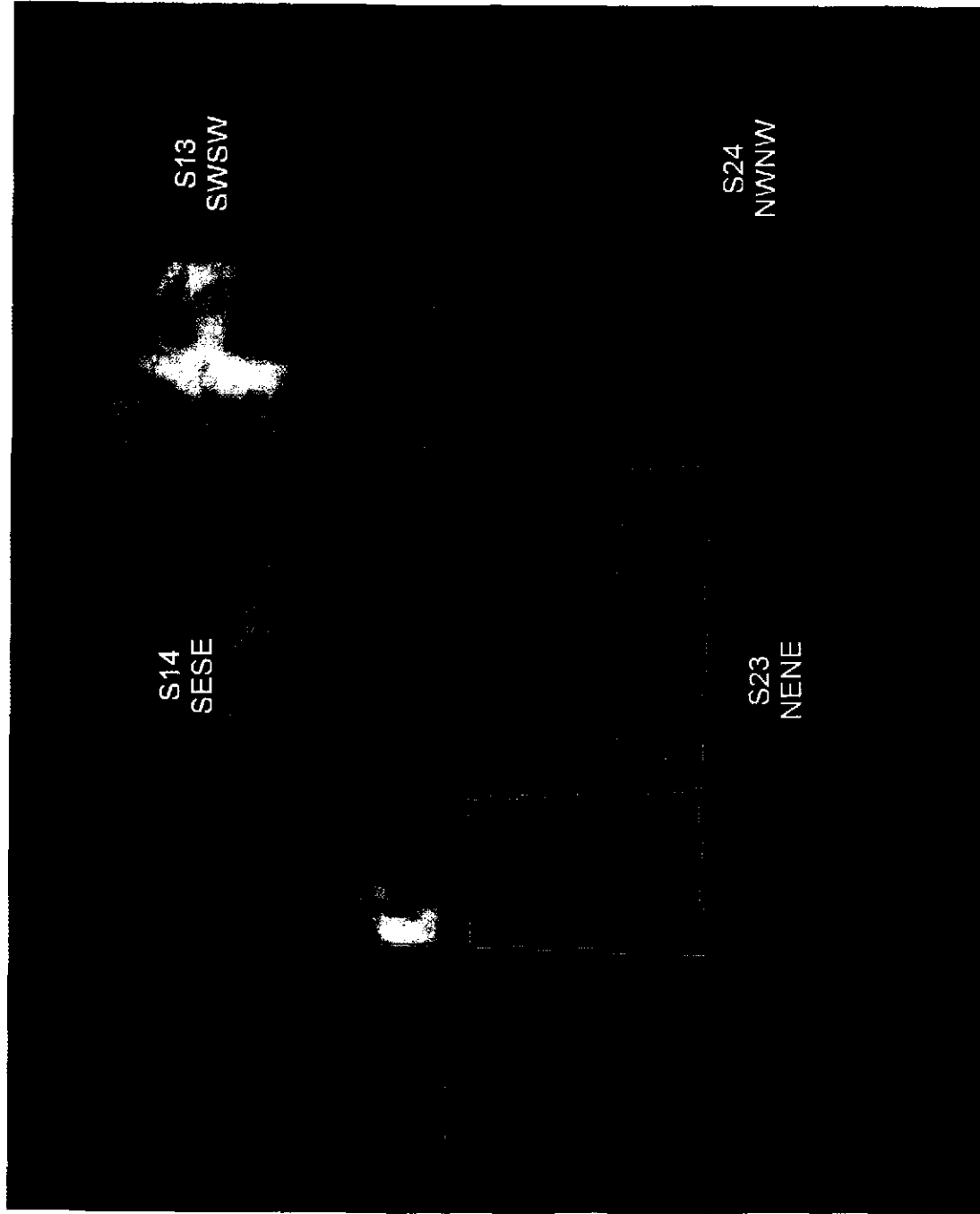
Address \_\_\_\_\_

Date \_\_\_\_\_

Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

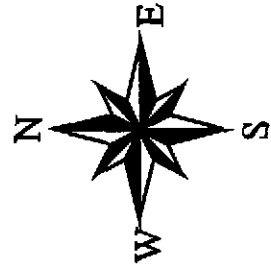
Copies White-State, Yellow-Claimant

# 63-31203 Claimed Place of Use



T02N, R02W,  
S23

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





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)  
County of Ada)ss.

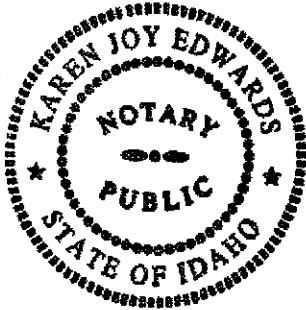
Shelley Ann Davis, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

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)

[Signature]  
(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 April 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: 63-31203

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: 0.200 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 S23 NENE Within CANYON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.200 CFS

PLACE OF USE: IRRIGATION in CANYON County

T02N R02W S23 NENE 10.00

10 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 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.

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 Boise-Kuna Irrigation District.

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

09/29/2006

**NOTICE OF ERROR  
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006**

Water right number: 63-31203

DUANE W WARN  
9053 SOUTHSIDE BLVD  
NAMPA ID 83686  
Telephone Number: (208)466-1819

BEVERLY J WARN  
9053 SOUTHSIDE BLVD  
NAMPA ID 83686  
Telephone Number: (208)466-1819

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

       I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10-18-06

SIGNATURE:                     

Please print your name:                     

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

09/21/2006

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

RIGHT NUMBER: 63-31203

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: 0.200 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 S23 NENE 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          | 0.200 CFS       |

PLACE OF USE: IRRIGATION Within CANYON County

T02N R02W S23 NENE 10.00

10 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 Boise-Kuna Irrigation District.

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



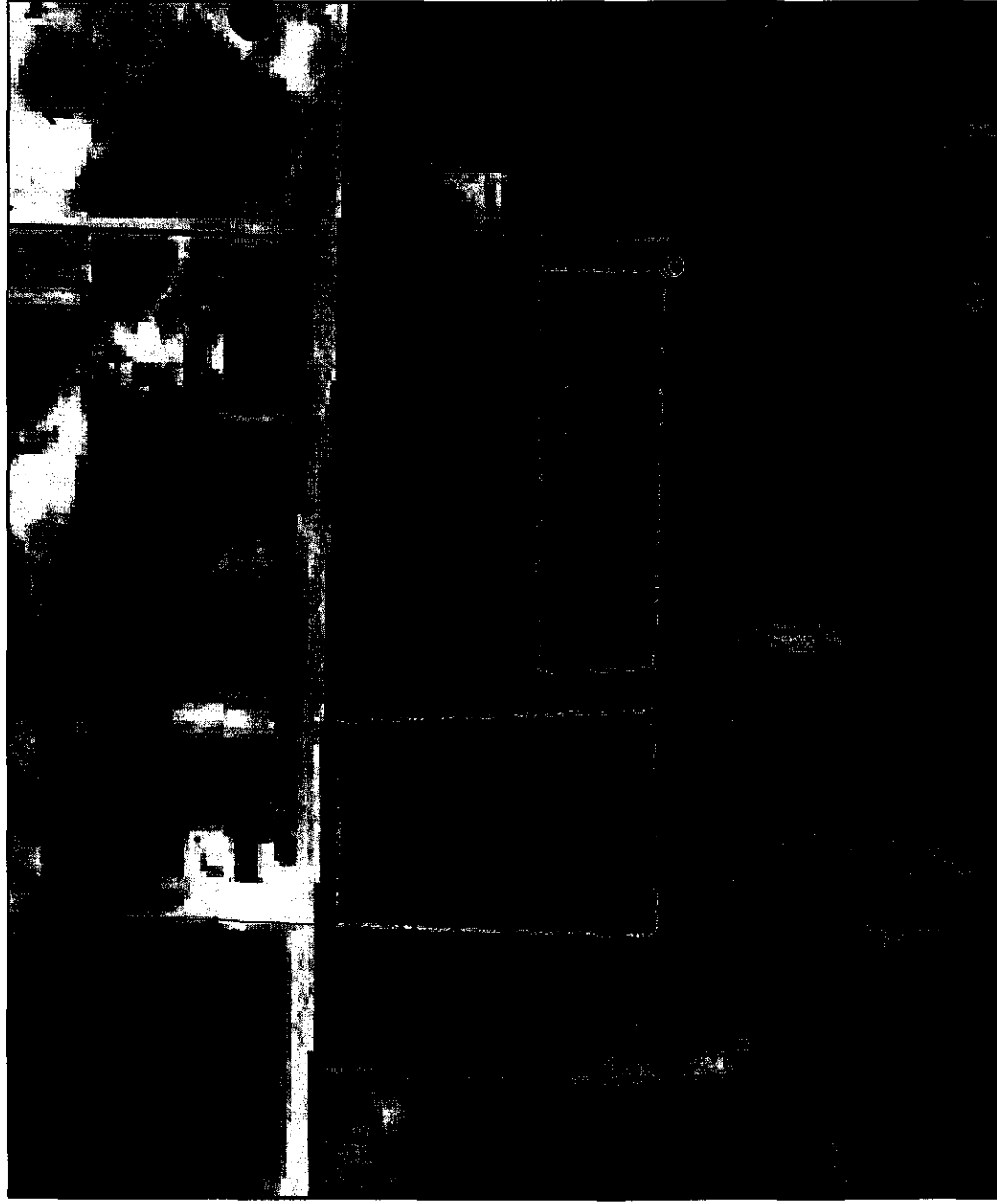
# Idaho Department of Water Resources

SRBA Recommendation:

**63-31203**

(Irrigation)

R02W



T02N

## Legend

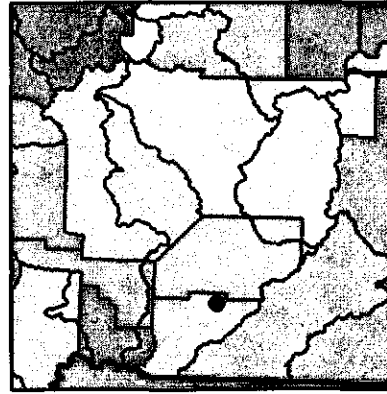
● Point of Diversion

□ 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 0.1 0.2 Miles



## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-31203 V1

WATER RIGHT NUMBER: 63-31203 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                   |
|-------------------|---------------------------------------------------------------------------|
| Current Owner     | DUANE W WARN<br>9053 SOUTHSIDE BLVD<br>NAMPA, ID 83686<br>(208)466-1819   |
| Current Owner     | BEVERLY J WARN<br>9053 SOUTHSIDE BLVD<br>NAMPA, ID 83686<br>(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          | 0.200 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.200 CFS             |                      |

Location of Point(s) of Diversion

|               |            |                                 |
|---------------|------------|---------------------------------|
| WASTE WATER   | NE1/4NE1/4 | Sec. 23, 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 | 23  | 10.0 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 10.0   |

Total Acres: 10

Conditions of Approval:

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

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 63-31203 V1

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 9:08:21 AM      | segbert         |                           |                 | Active        |
| POD            | 9/21/2006 9:41:26 AM      | segbert         |                           |                 | Active        |
| Source         | 9/21/2006 9:42:53 AM      | segbert         |                           |                 | Active        |
| POU            | 9/21/2006 9:43:21 AM      | segbert         |                           |                 | Active        |
| Use            | 9/21/2006 9:44:22 AM      | segbert         |                           |                 | Active        |
| Season         | 9/21/2006 9:44:48 AM      | segbert         |                           |                 | Active        |
| Quantity       | 9/21/2006 9:46:10 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> |
|----------------|------------------------|-----------------|-----------------|
|----------------|------------------------|-----------------|-----------------|

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-31203 V1

|         |                       |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------|-----------------------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POD     | 9/21/2006 9:41:26 AM  | segbert | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the POD?</p> <p>(Yes) 9. Does the file contain all the necessary information to verify the POD?</p> <p>(No) 10. Is a POD remark and/or condition required?</p>                                                                                                                                                                                                                                                                                 |
| General | 9/21/2006 9:08:21 AM  | segbert | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(No) 4. Is the basis of claim decree or license?</p> <p>(No) 7. Is the basis of claim a Application or Permit?</p> <p>(No) 8. Is the basis of claim a posted notice?</p> <p>(No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use?</p> <p>(Yes) 12. Does the claim file contain sufficient evidence of Priority Date?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(No) 16. Is a Priority Date remark and/or condition required?</p> |
| POU     | 9/21/2006 9:43:22 AM  | segbert | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2b. Is the POU required?</p> <p>(No) 3. Is the basis of claim a Application or Permit?</p> <p>(No) 7. Is there evidence that there has been a change in the POU?</p> <p>(Yes) 13. Does the file contain all the necessary information to verify the POU?</p> <p>(No) 14. Is a POU remark and/or condition required?</p>                                                                                                                                                                                                                                               |
| POU     | 9/21/2006 9:43:44 AM  | segbert | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Use     | 9/21/2006 9:44:22 AM  | segbert | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the Purpose of Use?</p> <p>(Yes) 11. Does the file contain all the necessary information to verify the Water Use?</p> <p>(No) 13. Is a Purpose of Use remark and/or condition required?</p>                                                                                                                                                                                                                                                    |
| POD     | 9/21/2006 9:41:50 AM  | segbert | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Summary | 3/31/2006 11:19:58 AM | lharris | <p>(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                         |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-31203 V1

|          |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------|----------------------|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Source   | 9/21/2006 9:42:53 AM | segbert | (No) 1. Is the basis of claim Decree or License?<br>(No) 2. Is the basis of claim an Application or Permit?<br>(No) 6. Is the basis of claim a Posted Notice?<br>(No) 7. Is there evidence that there has been a change in the source?<br>(Yes) 10. Does the file contain all the necessary information to verify the source?<br>(No) 11. Is a Source remark and/or condition required?                                                                                                                                                                                                |
| Season   | 9/21/2006 9:44:49 AM | segbert | (No) 1. Is the basis of claim Decree or License?<br>(No) 2. Is the basis of claim a Application or Permit?<br>(No) 6. Is there evidence that there has been a change in the Period of Use?<br>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?<br>(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?<br>(Yes) 15. Is irrigation claimed as a Purpose of Use?<br>(No) 18. Is a Period of Use remark and/or condition required?               |
| Quantity | 9/21/2006 9:46:10 AM | segbert | (No) 1. Is the basis of this claim a Decree or License?<br>(No) 2. Is the basis of this claim a Application or Permit?<br>(No) 6. Is the basis of claim a posted notice?<br>(Yes) 7. Is a flow measurement required?<br>(No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?<br>(No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use?<br>(No) 12. Is a Quantity remark or condition required?                                                                                         |
| Summary  | 9/21/2006 9:48:23 AM | segbert | (No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?<br>(Yes) 5. Does this right have any combined use limits with other rights?<br>(Yes) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(No) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(Yes) 10. Would you like to set the verification date? |

Water Supply Bank:

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31203

WATER RIGHT NUMBER: 63-31203

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

Priority Date: 04/15/1932

Basis: Beneficial Use

Status: Active

Source

WASTE WATER

Tributary

GARLAND DRAIN

Beneficial Use

IRRIGATION

From To

03/45 to 11/15  
3-1Diversion Rate

0.200 CFS

Annual VolumeTotal Diversion:

0.200 CFS

Location of Point(s) of Diversion

WASTE WATER

CANYON County

NE1/4NE1/4

Sec. 23, Twp 02N, Rge 02W, B.M.

.02/acre

Place of Use

IRRIGATION

|     |     |     |      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|-----|-----|-----|------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rge | Sec | NE   | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 02N | 02W | 23  | 10.0 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 10.0   |

Total Acres: 10

Conditions of Approval:Remarks:Comments:

*Nampa Meridian Irig*  
 (Partial) Overlaps 63-31202 & 63-10460  
 acre limit 63.5 cfs limit 1.27

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) 63-31203

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:
- ☐ If different, when did POD change?

**DIVERSION AND DELIVERY SYSTEM**

Points of Diversion:

| ID # | Govt Lot # | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks<br>GPS ID |
|------|------------|-----|-----|-----|------|------|------|--------|-------------------------------------------|
|      |            |     | NE  | NE  | 23   | 2N   | 2W   | Canyon | N43° 30.062'                              |
|      |            |     |     |     |      |      |      |        | W116° 31.993'                             |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |

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 UsesUse 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: 63-31202 + possibly 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 will supply it.

Delivery System Narrative: \* see attachment

| Well or Diversion Identification No<br>GPS ID | Motor Make | Hp | N/A |  | Pump Make | Pump Serial No. or<br>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, Rt. <sup>off</sup> Stanton, Rt. Happy Valley, Rt. Deer Flat (go 1 mile), Rt. on Southside Blvd. on NW corner of Deer Flat + Southside Blvd intersection 9053 Southside Blvd.

POD: 0.1 mile south of Southside Blvd + Deer Flat intersection, on west side; Northwest of 8778 Southside Blvd.

POU: property north west/North<sup>west</sup> of POD to Southside Blvd. From AFTER EXAM THE FILE SHOULD CONTAIN: Southside Blvd/Deer Flat intersection, property runs almost 0.2 miles west on the south side of the road.

☒ 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: \_\_\_\_\_

Judy Hernandez

**Claim No. and Name: A63-31203 Warn**

**Date of Inspection: 5/25/2006**

**Field Inspector: Sandy Hemenway**

**Measurements/Calculations:**

**Maximum Capacity Pipe Flow:**

12" culvert, maximum pipe capacity = **3.93 cfs**

**Bucket Measurement:**

6 gallon x 60 seconds / 4 second = 90 gpm x 0.00223cfs = **0.20 cfs**

\*\*\*NOTE: This is at low flow, since a lot of times the pipe is totally full (per owner).

**Irrigation:**

**Confirmed acres irrigated:** 10.0 acres x 0.02cfs = **0.20 cfs**

**Season 3/1 - 11/15 = 260 days**

**Required V.i.r** = allowable acres under permit x requirement IDWR chart (figure 2)=

10 acres x 4.5 = **45.0 afa**

**Potential V.d.r.** = max. allowable cfs x permit season x 1.9835 =

0.20 x 260 x 1.9835 = **103.1 afa**

**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:**

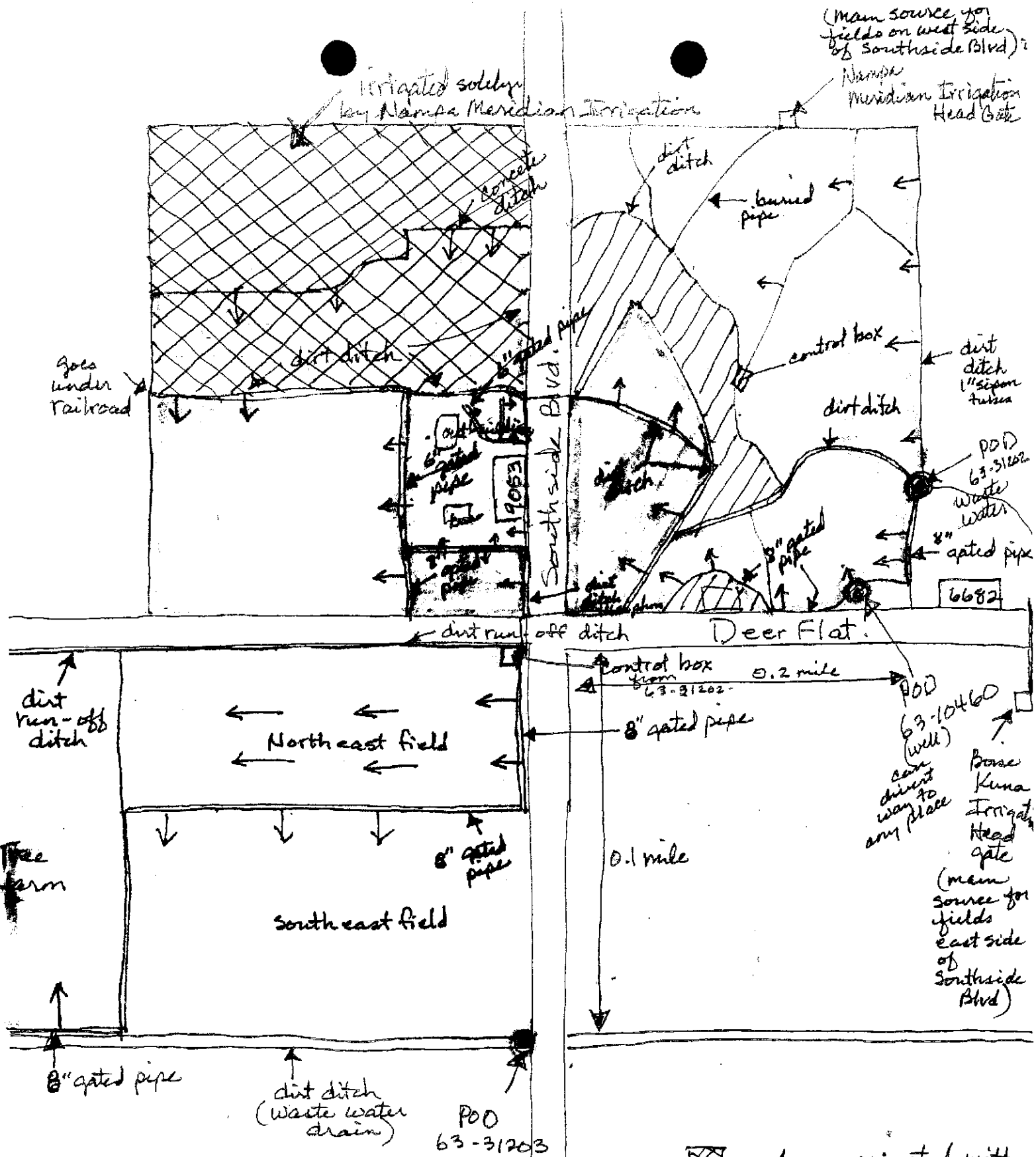
Supplemental Water: Boise Kuna Irrigation is the main source of irrigation for all fields on the east side of Southside Blvd.

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.

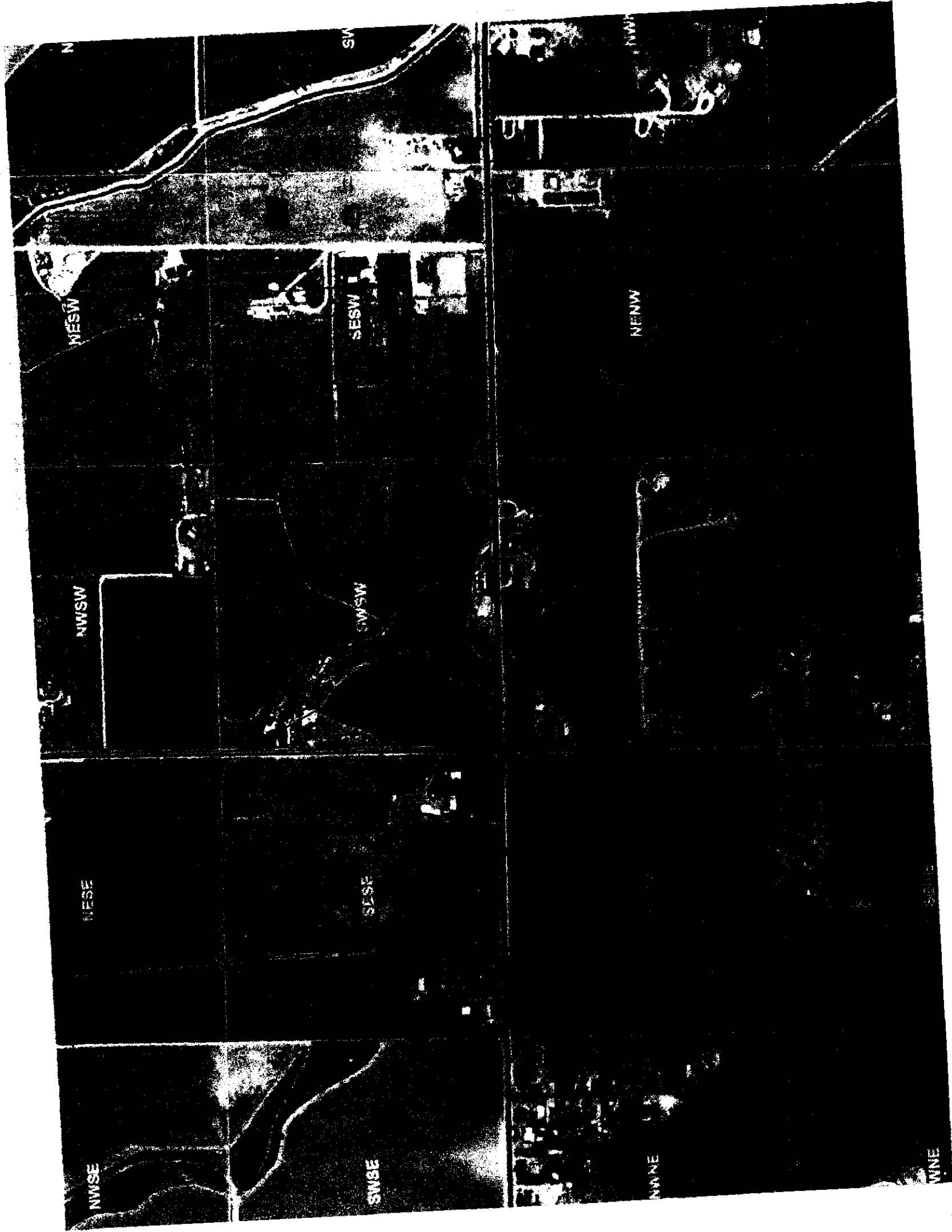
**Both 63-31202 and 63-31203 overlap for the acreage making up the tree farm, and the southeast field (NENE).**





N ↑ 63-31202 + 63-31203 Warr  
5/25/2006 S.H.

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







POD:  
open  
discharge  
to  
dirt  
ditch  
12" culvert  
logallons  
in 4 sec.  
(low flow)

SH

May 25, 2006



Tree farm  
8" gated pipe  
east to  
west, ground  
south to north

POU

SH

May 25, 2006

POD  
to  
dirt  
ditch

63-31203 Warn



POU:

Tree Farm  
+  
South  
east  
field

May 25, 2006 SH



southeast  
field  
8"  
gated  
pipe,  
gravity  
flow  
north to  
south

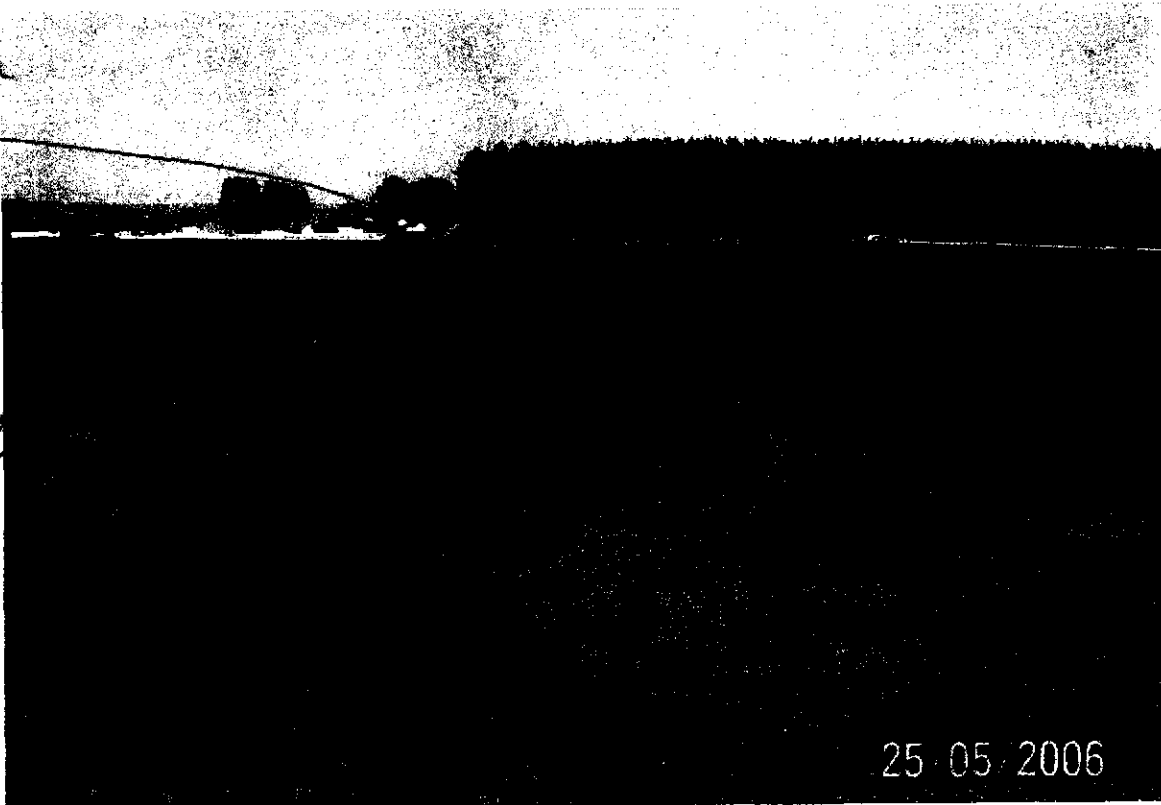
25/05/2006

63-31203 Warn

May 25, 2006 SH

Tree Farm

8"  
gated  
pipe  
gravity  
flow  
south  
to north



8"  
gated  
pipe

25 05 2006

May 25, 2006 SH

POU  
tree  
farm



8" gated  
pipe

POU

south  
cat  
field

25/05/06

63-31203 Warn

May 25, 2006 SH

## FIELD EXAM REQUEST

Water Right No. 63-31202 and 63-31203

Claimant: Duane and Beverly Warn

POD:

✓ Verify location of POD – mark POD on map

POU:

✓ Verify POU

✓ Verify irrigated acres

✓ Attached is a 2004 aerial photo with digitized field boundaries. Mark the fields that are being irrigated or can be irrigated with the wastewater for both water rights and how the wastewater gets to those fields

Acres in the NENE of Section 23 are claimed on both water rights. Do those  
✓ acres overlap or are they separate fields? *Overlap (NENE) for 63-31202 + 63-31203*

✓ PONDS:

None

✓ EVIDENCE OF PRIORITY:

I have evidence in file

✓ OTHER QUESTIONS:

Are they using any surface water? Beverly was in my office and said they used Boise Kuna and Nampa Meridian irrigation. Maybe just verify that one more time.

*both (different areas)*

*NO, 63-31203, but can*

*63-31202  
Yes (areas shown on map)*

RETURN TO SANDY E.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31203

WATER RIGHT NUMBER: 63-31203

| <u>Owner Type</u> | <u>Name and Address</u>                                                   |
|-------------------|---------------------------------------------------------------------------|
| Current Owner     | DUANE W WARN<br>9053 SOUTHSIDE BLVD<br>NAMPA, ID 83686<br>(208)466-1819   |
| Current Owner     | BEVERLY J WARN<br>9053 SOUTHSIDE BLVD<br>NAMPA, ID 83686<br>(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     | 0.200 CFS             |                      |
|                       | <u>Total Diversion:</u> |           | 0.200 CFS             |                      |

Location of Point(s) of Diversion

|               |            |                                 |
|---------------|------------|---------------------------------|
| WASTE WATER   | NE1/4NE1/4 | Sec. 23, Twp 02N, Rge 02W, B.M. |
| CANYON County |            |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE   | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
|-----|-----|-----|------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 02N | 02W | 23  | 10.0 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 10.0   |

Total Acres: 10

Conditions of Approval:

Remarks:

Comments:

*overlaps  
some  
acres are  
irrigated  
by 63-31203  
(need to recalculate  
acres)*

# 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        |
| <b>Payer</b>          |                      | 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 |
|--------|-------|------|-----------------|
|--------|-------|------|-----------------|

**Water Right Information:**

| Basin Number | Sequence Number | Split Suffix | Amount | Type |
|--------------|-----------------|--------------|--------|------|
|--------------|-----------------|--------------|--------|------|

Print Report

## L PROPERTY INQUIRY

+++++

01 6R29706-000- -0 144-00 N SCH131+ 01 14,000 16.23

+++++ 05 100 3.40

WARN, DUANE + 19 .37

+

+

+

+

9053 SOUTHSIDE BLVD +

NAMPA ID 83686 +

+++++

23-2N-2W NE + TOTAL 14,100 20.00

N1/2 NENE

+++++

+ SURVEY INST 9226682

+ DRAIN DR VALUE APPR CTR

+ CLASS REAP 00 MAN UNIT 0

DEER FLAT RD, NA

+ PARCEL 6R02N02W230010 H/O N C/B N

+ PRIOR ACCOUNT 5R29706-000- -0

+ 02 MH on Property NO

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R29706000 0 UNIT 001 TOTAL UNITS

SITE DEER FLAT RD NA SEC/TWN/RNG 23-2N-2W

ASSESSED VALUE 14,100 ACREAGE 20.00

SUB/PARK NAME YEAR/MAKE

CLASS NO BUILDING CLASS SPACE LOT BLOCK

+++++

YR BUILT 0 AIR COND AIR - NONE CARPORT N

STORY NO BLDG HEATING CARPORT SQ FT

FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N

SECOND SQ FT ROOF UNKNOWN POOL? N

BEDS 0 BSMT SQ FT SPA? N

BATHS .00 % 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: 63-31203

03/31/2006

1

| Right # | Type        | Twp | Rge | Sec | QQ | Q  | Lot | Purpose of Use | Acres/Total | Name         |
|---------|-------------|-----|-----|-----|----|----|-----|----------------|-------------|--------------|
| 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 |

April 25, 2006

Idaho Department of Water Resources

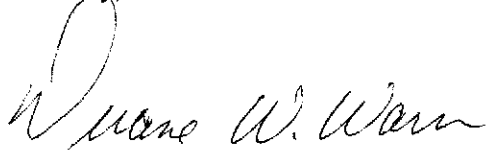
Water Right Number: 63-31202

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

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

By

*Woodrow Wilson*  
*M. O. Le Roy*, Secretary  
*G. L. C. Laman*  
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

22 June 17 1902

05720

KIND: Homestead

NAME: J. C. Oliver

ADDRESS: Thompson, Kansas, Ida. R.R.#1

Section

| SECTION OF LAND | SECTION | TOWNSHIP | RANGE | AREA |
|-----------------|---------|----------|-------|------|
| SE 1/4 SE 1/4   | 14      |          |       |      |
| NE 1/4 NE 1/4   | 23      | 2 N      | 2 W   | 30   |

SERIAL NO.

NOTATIONS

DATE

8/27/13 Proof had before R. & R. -  
 Receipt 11405-80 - \$2.00 Justy-ady.  
 Proof filed for G. & L. D., under Black. E. & R.  
 9/13/13 F. & R. 20073 in dup. filed.  
 Receipt 11406-65 \$2.00  
 Filed under act 8/9/12 applied for G. & L. D.  
 10/27/13 10/27/13 accept. proof  
 Patent 374784 issued.  
 12/14 Patent & Project Manager advised.  
 10/28/14 Patent delivered to Thompson.

NOTATIONS.

DATE.

May 3 1901 Receipt 15330 This entry allowed subject to the provisions of the act of June 17, 1900, (Public 101)  
 July 12 1901 Performance notice issued  
 Aug. 10 1901 Application to have well changed to conform to entry filed, and referred to Reclamation Service.  
 Nov. 18 1901 New plat shown entry a farm unit Thompson advised  
 June 21 1912 Circular 135 sent  
 6/27/13 Meeting mentioned in 135 was 3 yrs from filed  
 6/27/13 Copy sent before R. & R. Aug 27, 1913, and fresh copy to Thompson & Reclamation Service  
 8/9 1/4 filed to patent  
 8/27/13 Copy publication filed

## 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 Kolland 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 Thuras on 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 24t10 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 Garland, of Nampa, Idaho;  
Andrew Peterson, of Kuna, Idaho;  
William M. Phillips, of Nampa, Idaho.

WILLIAM BALDERSTON,

July 15t10p Register.

Serial No. 06406.

## NOTICE FOR PUBLICATION Power Site Withdrawal

## Notice of the Issuance of a Judgment

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

Mar-Mountain Steel  
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,  
Pictor 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.) GE

Clerk of th  
F. M. Kerby & D. L.  
Attorneys for Plai  
Residing at Cra  
City, Idaho, re  
milit

Serial No.

## NOTICE FOR P Republic

Department of the In  
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

ridlan, has filed notic  
make Final Five Ye  
tablish claim to the  
scribed, before the R  
ceiver, U. S. Land Off  
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 T $\frac{1}{2}$  2 North of R-2 West  
entryman

Boise Meridian.

Payette, Boise project,  
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 25, 1915

Notary Public

in and for said County

at

personally appeared XXXX

known to me to be the person

who executed the same

executed the same

in the presence of XXXX who have subscribed to the same and affixed their official seal to the same and XXXX notary public for said County

and acknowledged

My commission expires Dec. 19, 1917.

E. F. Larson.

Notary Public.

(Seal)

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.

Fees, \$...40.

Deputy.



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](http://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,

A handwritten signature in cursive script that reads 'Sally'.

Sally Sherman  
Technical Records Specialist  
Adjudication Bureau

SS:region

Enclosures:

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