

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: A43-00170C
Date Received: 6/07/1989
Receipt No: 5007632
Received By: RAJ

RECEIVED

JUN 7 1989

Department of Water Resources
Southern Region Office
**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

208-645-2485

1. Name: WARR BROTHERS
Address: HC 72, BOX 2208 2231 S 2350 E
MALTA, ID 83342

2. Date of Priority: APR 01, 1881

3. Source: RAFT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	27E	7	SW	NE			CASSIA
		20	NW	SW			CASSIA

5. Description of diverting works:
HEADGATE AND LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.300		

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

8. Total consumptive use is 80.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	27E	17	NW	NE		IRR	40.0
			SW	NE		IRR	40.0

Section Acres 80.0

A43-00170C

Page 1

Date: 06/07/89

MICROFILMED

MAR 02 1993

10. Place of Use: Continued

Total Acres 80.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
 A43-00169B(PORTION).

14. Remarks:

15. Basis of Claim: DECREED
 Case Number:
 Court :
 Decree date:

Decree Plaintiff

vs

Decree Defendant

MICROFILMED
MAR 02 1993

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

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Partner of _____ Title

Wan Bros. Organization, that I have signed the foregoing

document in the space below as Partner of _____ Title

Wan Bros. Organization and that the statements contained in the

foregoing document are true and correct.

Olene Wan
Signature of Authorized Agent

Partner Wan Bros.
Title and Organization

6-7-89
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 7th day

of June 19 89

Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public

Residing at Boise, Idaho

My Commission Expires December 1, 1994

27

↑
POD IN
SEC 7
ALSO

THIS IS NOT
PART OF CLAIMANTS
PROPERTY
POD

MICROFILMED
5
1784
MAR 02 1993

Water Right Number - 43-00170
Adj. Flag Translation: Standard Water Right Number
Old (D) Number -
Last Name -
First Name -
Address -
Status -
*** C - CURRENT OWNER ***
WARR
CHARLES, ET. AL.
1 -
2 -
3 -
City-
Phone -
State- Zip-
1 -
2 -
3 -
City-
Phone -
State- Zip-

WARR, ET. AL.
CHARLES
1 -
2 -
3 -
City-
Phone -
State- Zip-

*** O - ORIGINAL OWNER ***
INTERNATIONAL MORTGAGE BANK
1 -
2 -
3 -
City-
Phone -
State- Zip-

Priority Date - +
04/01/1881
Region - +
D - DECREASED
Stage - +
Tributary -
Snake River
Status - +

Source - +
RAFT RIVER
Stream Index (Blank if no Index Code)
Diversion Rate
Diversion Volume
16 trds
20 owned

Twn Rng Sec Tract Lot RFlg County Point of Diversion
14S 27E 7 SW NE (31) CASSIA
14S 27E 20 NW SW (31) CASSIA
Code Description Period From Period To Water Use Diversion Rate Diversion Volume

01 - IRRIGATION
2.400
Total Div. Rate - + Total Div. Volume - + Total Div. Capacity - + Total Consumptive Use - + KW Usage - +

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
13S	27E	31	SW SE			01	IRRIGATION	(31) CASSIA	
14S	27E	5	NE SW			01	IRRIGATION	(31) CASSIA	
14S	27E	5	NW SW			01	IRRIGATION	(31) CASSIA	
14S	27E	5	SW SW			01	IRRIGATION	(31) CASSIA	
14S	27E	5	SE SW			01	IRRIGATION	(31) CASSIA	
14S	27E	6	NE NE	1		01	IRRIGATION	(31) CASSIA	
14S	27E	6	NW NE	2		01	IRRIGATION	(31) CASSIA	
14S	27E	6	SE NE			01	IRRIGATION	(31) CASSIA	
14S	27E	6	SW NE			01	IRRIGATION	(31) CASSIA	
14S	27E	7	NW NE			01	IRRIGATION	(31) CASSIA	

IF CLAIMED - SPLIT RIGHT

MICROFILMED
MAR 02 1993

Water right number - 43-00170 Adj. flag translation: Standard Water Right Number

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14S	27E	8	NE NW				01	IRRIGATION	(31) CASSIA
14S	27E	8	NW SE				01	IRRIGATION	(31) CASSIA
14S	27E	8	SW SE				01	IRRIGATION	(31) CASSIA
14S	27E	17	NW NE				01	IRRIGATION	(31) CASSIA
14S	27E	17	SW NE				01	IRRIGATION	(31) CASSIA
14S	27E	18	SE NE				01	IRRIGATION	(31) CASSIA

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 43-0169B

+ - - SEE TRANS. 665 & 2505.

+ - - Conditions of Approval -
No Conditions of Approval found.

+ - - Decree Plaintiff - - - +
ALBION-IDAHO LAND CO.
JOBE ADAMS ET AL
+ - Decree Date - +
10/18/1928

+ - - Audit Fields - 05/06/85 05/28/88 CONVERT

	Water Rights Dates and Flags Area	Field Exam Made	Field Exam Fee
Proof Due Date	- 00/00/0000	- 00/00/0000	-
Approved/Denied	- 00/00/0000	- 00/00/0000	-
Proof Made Date	- 00/00/0000	- 00/00/0000	- P
Start Work Date	- 00/00/0000	- 05/06/1985	-
Order Show Cause	- 00/00/0000	-	-
Licensed Date	- 00/00/0000	-	-
Decree Date	- 10/18/1928	-	-

MICROFILMED
MAR 02 1993

05/11/2001

**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: June 15, 2001

Water right number: 43-170C

WARR BROTHERS

2231 S 2350 E

MALTA ID 83342

Telephone Number: (208)645-2485

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:

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

DATE: 6-12-01 SIGNATURE: Olene Warr
Please print your name: Olene Warr

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, (208)736-3033

RECEIVED

JUN 18 2001

**Department of Water Resource
Southern Region**

03/09/2001

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

RIGHT NUMBER: 43-170C

NAME AND ADDRESS: WARR BROTHERS
2231 S 2350 E
MALTA, ID 83342

SOURCE: RAFT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.3 CFS

RIGHT NOS. 43-00170C, 43-00173C, 43-00177D, 43-02294E, 43-02389, 43-02405, 43-02419, 43-02420B, 43-04034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 AND 43-12965 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 14.01 CFS.

PRIORITY DATE: 04/01/1881

POINT OF DIVERSION: T14S R27E S20 NWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-01	0.30 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T14S R27E S17	NWNE	40	T14S R27E S17	SWNE	40

80 ACRES TOTAL

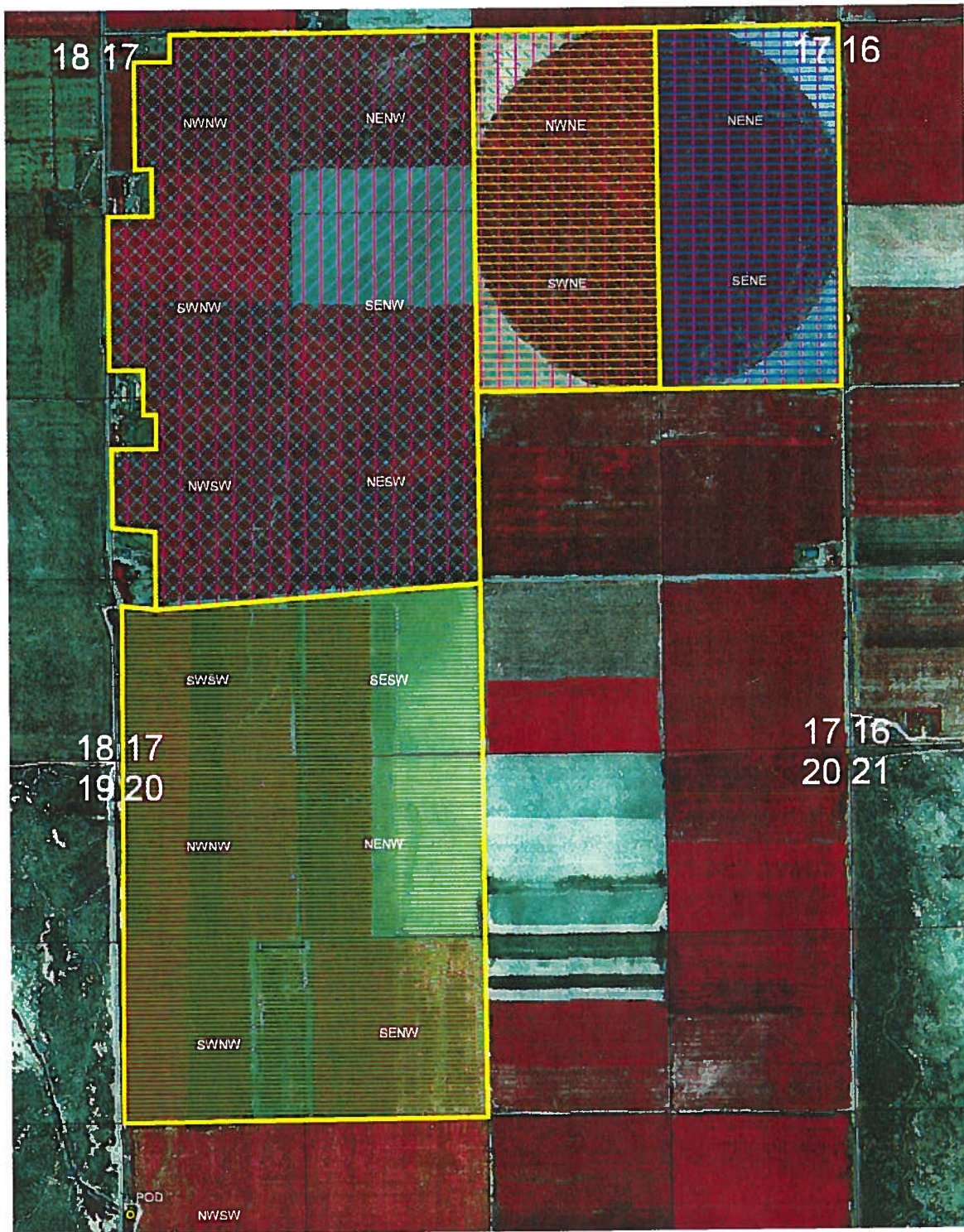
RIGHT NOS. 43-00170C, 43-00173C, 43-00177D, 43-00178E, 43-02294E, 43-02389, 43-02405, 43-02419, 43-02420B, 43-04034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 AND 43-12965 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 620 ACRES IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

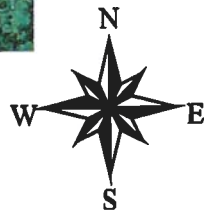
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO
CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Warr Brothers Surface Water POU



1000 0 1000 2000 3000 4000 Feet

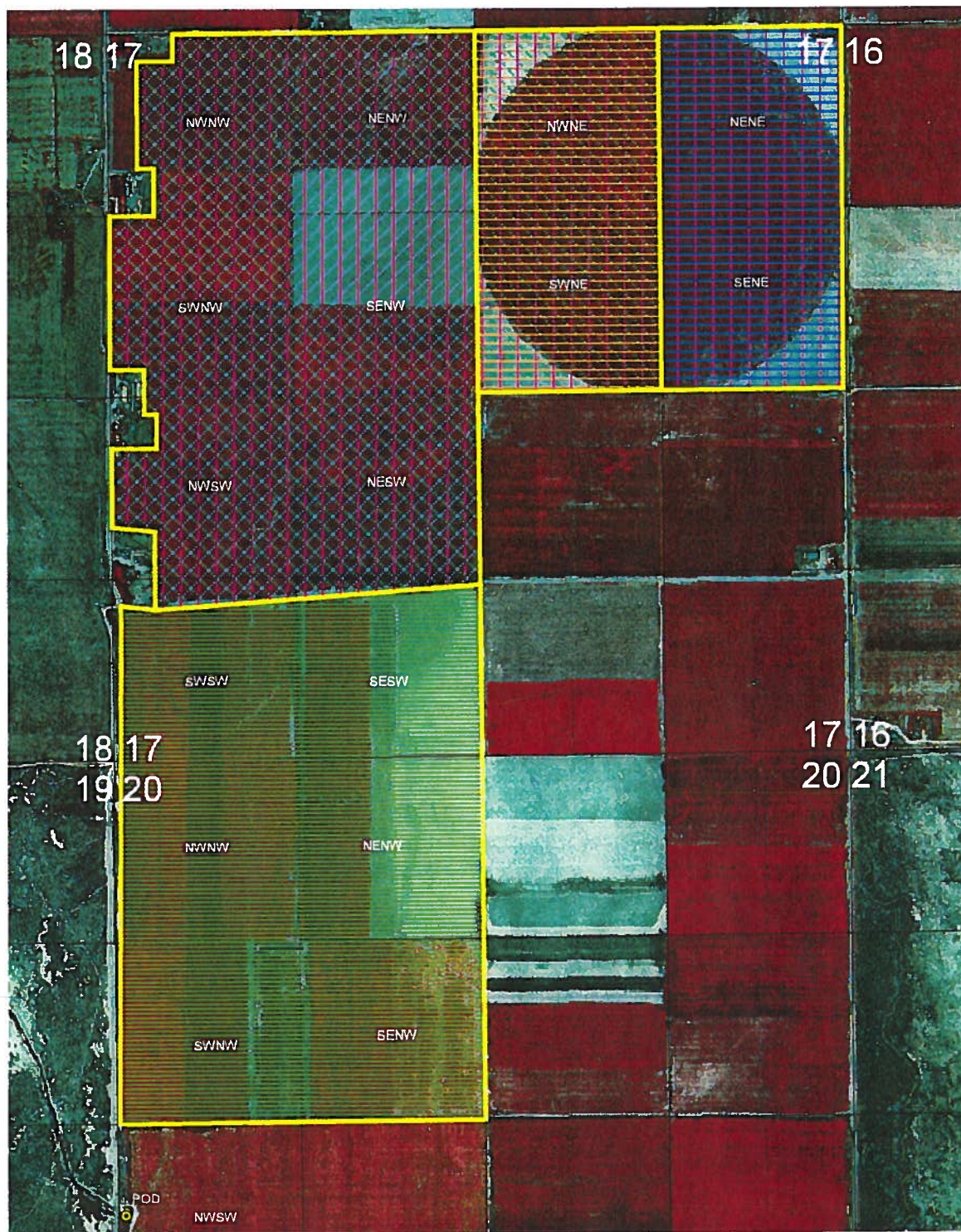


-  43-00170C
 43-00173C
 43-00177D
 43-00178E
 43-10388
 43-12961, 43-12962, 43-12963, 43-12964 & 43-12965

T14S R27E S17 & S20

Map Prepared by: Carter Fritschle
Date prepared: 03/13/01
1987-1988 NAPP photography
Idaho Department of Water Resources

Warr Brothers Surface Water POU



1000 0 1000 2000 3000 4000 Feet



-  43-00170C
-  43-00173C
-  43-00177D
-  43-00178E
-  43-10388
-  43-12961, 43-12962, 43-12963, 43-12964 & 43-12965

T14S R27E S17 & S20

Map Prepared by: Carter Fritschle
 Date prepared: 03/13/01
 1987-1988 NAPP photography
 Idaho Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 6, 2001

Warr Brothers
2231 S 2350 E
Malta, ID 83342

RE: Snake River Basin Adjudication (SRBA)

Dear Claimants:

I am reviewing the claims you filed in the SRBA, and I have found that your claims to water from the Raft River appear to be for lesser amounts than are appurtenant to your land. I have enclosed amended claims that reflect the amount of water that my calculations show you are entitled. I have also split two of your claims, 43-10381 and 43-10387, into five claims because of the differences in the seasons of use of the water rights that were combined to make these claims. The new claim numbers are 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965.

I have also added a remark that would allow you to use these rights within a permissible place of use. This can be useful in that it generally more accurately reflects the way water is applied when a number of water rights are used in combination with each other. If you do not wish to have these rights recommended as a permissible place of use, please line through the remark that describes the number of acres the right is for within the North 1/2 and SW 1/4 of Section 17 and the NW 1/4 of Section, Township 14 South, Range 27 East.

Additionally, I have enclosed amended claims for your ground water rights that will allow them to be recommended as a permissible place of use. If you do not want these rights recommended with a permissible place of use, do not sign and return these claims.

Any claims you do wish to amend, should be signed, notarized and returned to me or our Southern Region Office in Twin Falls as soon as possible. We are hoping to start printing preliminary recommendations for Basin 43 (the Raft River Drainage) on March 12, 2001.

If you have any questions, please contact me at (208) 327-7939.

Sincerely,

A handwritten signature in cursive script, reading 'Carter Fritschle'.

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

Enclosures: Amended Claims

		1210 # 2 cfs	21000 acres
1945	43-02227 E	3.436	400
1953	43-02359	1.06	115
1954	43-02405	2.88	160 (155 acres)
1955	43-02417	1.42	100
1955	43-02420B	1.62 (less A portion)	90 (less A portion)
		10.416	

1948 43-04034 200 100

Area of use "covered" by increased rights shown above. Statutory claim indicates claim is based on parcel 00586 (No new number assigned)

Copiering with present system calculated at 7.5 cfs.

Total irrigated acres = 392 + 155 + 79 = 626

626 acres x 0.02 cfs/ac 12.52 cfs

10.416 (less 1.45) + 1.45 = 11.866 cfs

43-02420 1.62 cfs for 90 ac.

43-02420A owns 5.6 ac. of original p.o.u.

$\frac{1.62 \text{ cfs}}{90 \text{ ac}} \times 5.6 \text{ ac} = 0.10 \text{ cfs}$

43-02420B = 1.52 cfs on 85 ac.

43-10381	1	43-12961	4-1-1871	4-30 to 7-1	0.705 cfs
1.945 cfs					
240 acres	2	43-12962	4-1-1871	3-15 to 11-15	0.10 cfs
	3	43-12963	4-1-1871	4-1 to 7-1	2.02 cfs
43-10387	1	43-12964	4-1-1879	7-1 to 10-1	1.83 cfs
2.225 cfs	2	43-12965	11-1-1879	11-1 to 10-1	0.11 cfs

3-6-01

Warr Brothers Salt River rights

		Apportioned cfs	Claimed cfs	Amended Claim cfs
4-1-1881	43-00170C	0.46	0.30	0.46
4-1-1882	43-00173C	1.22	0.914	1.22
x 4-1-1871	43-10381	2.825	1.945	
✓ Child 1	43-12961	0.705	0.705	0.705
✓ Child 2	43-12962	0.10	0.10	0.10
✓ Child 3	43-12963	2.02	1.14	2.02
x 4-1-1879	43-10387	2.44	2.225	
✓ Child 1	43-12964	1.83	1.83	1.83
✓ Child 2	43-12965	0.61	0.395	0.61
✓ 6-1-1879	43-10388	2.44	1.971	2.44
5-24-909	43-00177D	<u>4.628</u>	4.628	
		14.013		
12-12-1911	43-00178E	8.00	7.871	8.00

Warr Brothers Ground water rights

		Rec. cfs	Vol. *	Acre Limit *	Total Acre
1945	43-02294E	3.436	1600	400 K06	400
1948	43-04034	1.45	400	100 K06	500
1953	43-02389	1.06	460	115 K06	615
1954	43-02405	2.88	-	155	-
1955	43-02419	1.42	-	100	-
1955	43-02420B	<u>1.52</u>	-	84	-
		11.766			

* If amended to permissible P.O.U

Warr Bros

IDAHO
CASSIA
Report ID: ASCS-156EZ

U.S. Dept. of Agriculture
Agri. Stab. & Conserv. Svc.
Abbreviated 156 Farm Record

FARM 1020
Prepared: 12/27/93
Crop Year: 94
Page: 1

OPERATOR: Name, Address & I D No.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	EFFECTIVE CROPLAND	FARM IDENTIFIER	STATUS
82-6039543 E WARR BROTHERS % OLENE WARR MALTA	885.0	848.1	848.1	848.1		ACTIVE
ID 83342 0000						

CRP: .0
IFM: N
RECON. REF. NO.: 000000
OFAY NORMAL PLANTED ACRES: .0

CROP	ROT.	BASE	CRP REDUCTION	ADJ. BASE	DATE	-----P&CP-----		-----YIELD-----		
						YEAR		YEAR	NI	IR
WHEAT	1	135.7	.0			93	135.8	94	25	74
						92	135.8	85	25	80
						91	135.4			
						90	135.7	----- HWY -----		
						89	135.9	94	74	
						88	136.0	85	80	
BARLEY	1	386.8	.0			93	386.6	94	25	83
						92	386.9	85	25	87
						91	386.8			
						90	386.3	----- HWY -----		
						89	387.3	94	83	
						88	385.7	85	87	
OATS	1	.2	.0			93	.1	94	35	68
						92	.1	85	35	71
						91	.1			
						90	.5	----- HWY -----		
						89	.0	94	35	
						88	.0	85	35	

IDAHO
CASSIA
Report ID: ASCS-156EZ

U.S. Dept. of Agriculture
Agri. Stab. & Conserv. Svc.
Abbreviated 156 Farm Record

FARM 1020
Prepared: 12/27/93
Crop Year: 94
Page: 2

No. of Tracts: 2

Current Year

TRACT NO.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	HEL	027	A027	W	CW	FW	PC	AW	MW	RW	MG	CWTE	CWNA	PCW
1647	645.0	615.8	615.8	N	N	N	N	N	N	—							N
IDENTIFIER				S-17.20	T-14	R-27	EE-30-32										
OWNER	1 - WARR BROTHERS																
1657	240.0	232.3	232.3	Y	Y	Y	N	N	N	—							N
IDENTIFIER				S-32.33	T-14	R-27	EE-34										
OWNER	1 - WARR BROTHERS																

- well in corner & well in Sec. 20
pump into pond
also RR sta

⑦⑧

①⑧

①⑦

10-04034
40-10381
30-02420B
40-10387
40-00178E
40-02294E
40-10388

10-04034
40-10381
30-02420B
40-00178E
40-10387
40-02294E
40-10388

20-04034
40-00170C
20-02420B
40-00178E
40-02294E
40-10388

20-04034 ①⑦
40-00173C
10-02420B
40-00178E
40-02294E

20-02419
20-04034
40-10381
40-10387
40-00178E
40-02294E
40-10388

20-02419
20-04034
40-10381
40-10387
40-00178E
40-02294E
40-10388

20-02419
40-00170C
10-02389
40-00178E
40-02294E
40-10388

20-02419
40-00173C
10-02389
40-00178E
40-02294E

40-10381
40-10387
10-02419
40-00178E
40-02294E
40-10388

40-10381
40-10387
10-02419
40-00178E
40-02294E
40-10388

40-00177D
15-02389
40-02405 ①⑦

40-00177D
20-02389
40-02405

②⑦

40-00177D
20-02389

40-00177D
40-02389

①⑦

②⑦

40-00177D
40-02405

40-00177D
40-02405

R PROOF

CVR

MAPS

PHOTOS

MISC
