

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: A43-00188
Date Received: 6/05/1989
Receipt No: S007485
Received By: lu

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WOODROW JUSTICE 208-645-2298
Address: HC 61 BOX 1014
MALTA, ID 83342

AND/OR
Name: DOLLY JUSTICE 208-645-2298
Address: HC 61 BOX 1014
MALTA, ID 83342

2. Date of Priority: MAR 01, 1882

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	27E	6	NW	SE			CASSIA

5. Description of diverting works:
HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	27E	6	SW		NE		IRR	30.0
			SE		NW		IRR	30.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
							Section Acres	140.0
							Total Acres	140.0

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:
A43-04004, 02290

14. Remarks:
SEE DECREE FOR FURTHER DESCRIPTION OF P. U.

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

ALBION-IDAHO LAND CO.
Decree Plaintiff

vs

JOBE ADAMS ET AL
Decree 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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Rally Justice* Date: 6-5-89

Date: _____

State of Idaho)
County of *TF*) SS.

Subscribed and sworn (or affirmed) before me this *5* ^{*ck*} day
of *June* 19 *89* *Don White*
Notary Public

Seal

Residing at *TF*
My Commission Expires *5/94*

NOTICE OF ERROR
REPLY

05/10/2001

RECEIVED
JUN 18 2001
Department of Water Resources
Southern Region

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: June15, 2001

Water right number: 43-188

WOODROW JUSTICE

HC 61 BOX 1014

MALTA ID 83342

Telephone Number: (208)645-2298

DOLLY JUSTICE

HC 61 BOX 1014

MALTA ID 83342

Telephone Number: (208)645-2298

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: 5-10-2001

SIGNATURE:

Dolly Justice

Please print your name:

DOLLY JUSTICE

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

VERIFIED BY *[Signature]* 12/8/2000

12/08/2000

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

RIGHT NUMBER: 43-188

NAME AND ADDRESS: DOLLY JUSTICE
WOODROW JUSTICE
HC 61 BOX 1014
MALTA, ID 83342

SOURCE: RAFT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.4 CFS

WHEN COMBINED THE RIGHTS LISTED BELOW SHALL PROVIDE NO MORE
THAN .02 CFS PER ACRE. COMBINED RIGHT NOS.: 43-00188, 43-02290,
& 43-04004.

PRIORITY DATE: 03/01/1882

POINT OF DIVERSION: T13S R27E S6 NWNWSE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	1.40 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T13S R27E S6	SWNE	27	T13S R27E S6 SENW 30
T13S R27E S6	NESE	10	T13S R27E S6 NWSE 37

104 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 94 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 104 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-00188, 43-02290, & 43-04004.

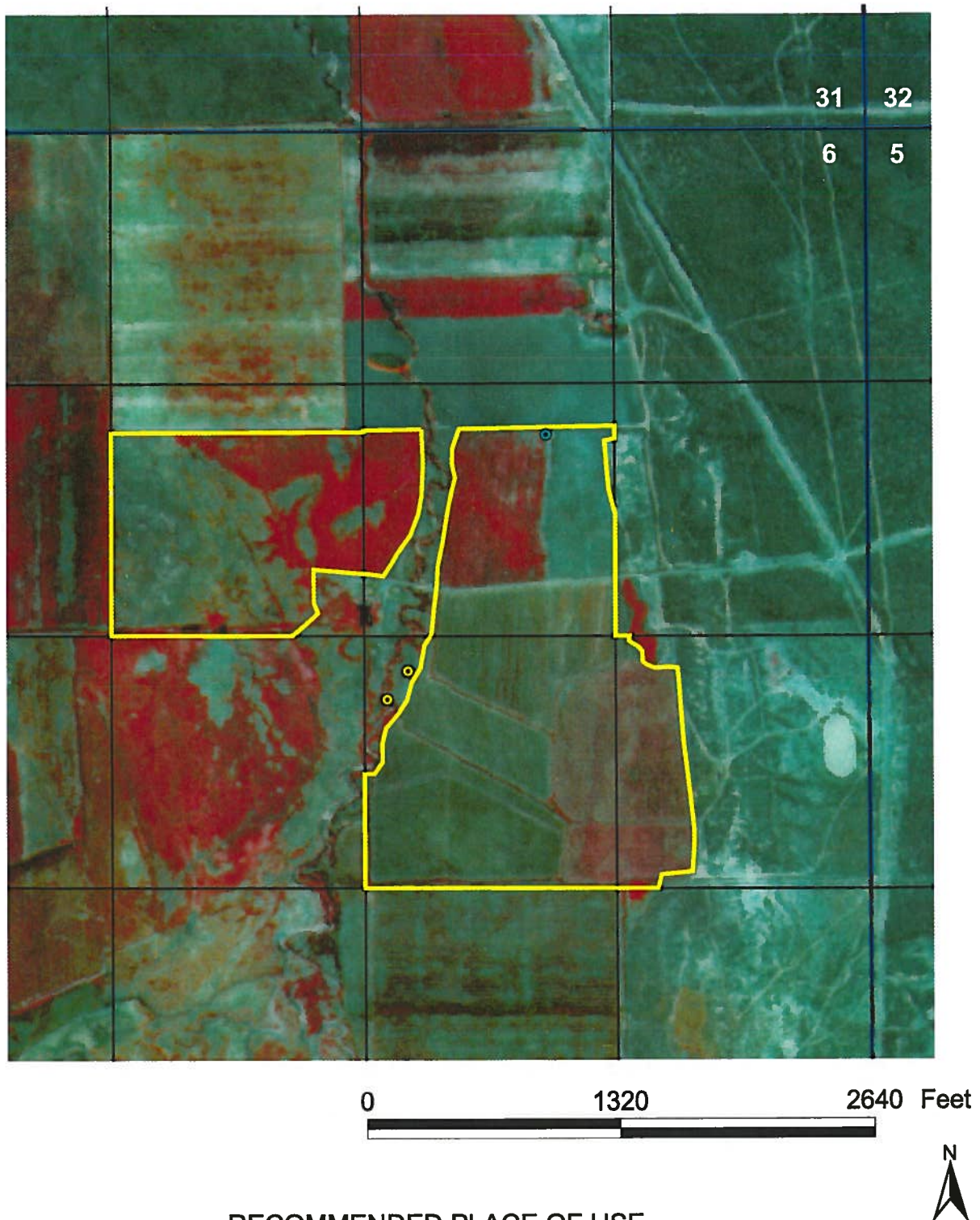
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

Water Right 43-188

43-00188, 43-02290, & 43-04004



RECOMMENDED PLACE OF USE
DATA ENTRY ON DEC. 8, 2000
TWP 13S, RNG 27E, SEC. 6

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

A43-00188 3/1/1882 1.4 cfs 140 Ac.

- original decreed place of use was on 3 of the 4 claimed tracts
- will limit to recommended acres in those 3 tracts which is 94 acres ($1.4 \text{ cfs} \div 94 = 0.014 \text{ cfs/Ac}$)
- called the point of diversion for this headgate the same as that of 43-00189, even though they may not be ... no map in file?

A43-02290 5/27/1943 0.8 cfs 40 Ac.

- license out of Reft River
- no copy of original license here in office or on fiche
- no copy of licensing field exam on fiche either
- no map in file so called point of diversion same as above (and 43-00189)

A43-04004 4/10/1960 2.5 cfs 140 Ac.

- evidence of priority seems to verify claimed priority date
- no time to do actual field exam (desk-top review only)
- used ASCS map to determine field boundaries
- looks like some acres in '62, '68, & '87 aeriels
- arbitrarily placed location of well (no map in file)
- no measurement information received after 2 requests
- theoretical diversion rate = 0.51 cfs
- volume theoretical calculation = 248.4 AF
- GIS of acres = 104
- will recommend theoretical calculations until further information is received

13S, 27E



13S, 27E



13S, 27E



IDAHO
CASSIA
Report ID: ASCS-156EZ

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

FARM 856
Prepared: 12/27/93
Crop Year: 94
Page: 1

OPERATOR: Name, Address & I D No. FARMLAND CROPLAND IRRIGATED
 CROPLAND EFFECTIVE FARM IDENTIFIER STATUS
 CROPLAND
529-26-0019 S 140.0 93.4 93.4 93.4 ACTIVE
ALVIN NEDDO
MALTA ID 83342 0000

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

CROP	ROT.	BASE	CRP REDUCTION	ADJ. BASE	DATE	P&CP		YIELD		
						YEAR		YEAR	NI	IR
BARLEY	1	.0	.0			93	.0	94	25	76
						92	.0	85	25	78
IAM		4.6				91	.0			
NAW		.0				90	.0			
						89	.0	94	76	
						88	23.0	85	78	

----- HWY -----

No. of Tracts: 1

Current Year

TRACT NO.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	HEL	027	A027	W	CW	FW	PC	AW	MW	RW	HG	CWTE	CWNA	PCW
1571	140.0	93.4	93.4	N	N	N	Y	N	N								N
IDENTIFIER				S-6 T-13 R-27 EE-24													
OWNER				1 - WOODROW W JUSTICE													

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:54:57

12/07/00

PAGE: 2
QUICKLOOK INFORMATION

2
CLAIM NUMBER: A43-00188

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	-N							
POINT OF DIV	Y-							
SOURCE	-N							
PLACE OF USE	Y-							
DIV. AMOUNT CFS/VOLUME	-N							
CONSUMPTIVE USE	/							
PURPOSES OF USE	-N							
PERIOD OF USE	-N							
BASIS OF CLAIM	-N							
REMARKS	Y-							

BARCODE UPDATED
WHOM/DATE

R PROOF

CVR

MAPS

PHOTOS

MISC

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SD-0611-2 Basin: 43 Starting Water Right: 00188

S		O				S			
E	Water		Name	W	Priority	STG/	Use	Y	
L	Right No.		Last, First	N	Date	STS	Source	Desc	S
X	43-00188		KOSSMAN, F. M.	C	03/01/1882	D/	RAFT RIVER	IRR	WR
X	A43-00188		JUSTICE, WOODROW	C	03/01/1882	D/	RAFT RIVER	IRR	AJ
			JUSTICE, DOLLY	C					

* Decreed copied to Water Right Database (G6=Print Profile Rpt) (G8=Cancel)
(Enter=Continue) (G1=Print Screen Query) (G7=This Query) (Menu _____)

WR5809NP
No. 43-00188

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/07/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	F. M. KOSSMAN	03/01/1882	IRRIGATION	00/00 00/00	1.400 CFS	

TOTAL DIVERSION: 1.400 CFS

Water Source: RAFT RIVER Tributary to: SNAKE RIVER Stage: DECREED

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: SUM
13S 27E 6	: 1	: 1	: 1	: 1	: 4
Pou County:	CASSIA				

Other Water Rights Listing Overlapping Place(s) of use:
43-00189 43-02290 43-02487A 43-04004

Remarks: GEN SEE DECREE FOR FURTHER DESCRIPTION OF P. U.

Dates: App. Received: 03/01/1882
Proof Due Date:
Exam Made Date:
Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 43B Field Exam Fee:
Audit: 02/11/86 05/28/88 CONVERT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WOODROW JUSTICE	03/01/1982	IRRIGATION	03-15 11-15	1.400 CFS	
C	DOLLY JUSTICE					
HC	61 BOX 1014					
	MALTA ID 83342					
(208)	645-2298					
TOTAL DIVERSION:					1.400 CFS	

Water Source: RAFT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T13S R27E S06

NMSE

CASSIA County

Place of use Legal Description for: IRRIGATION
NE[illegible]

POU County: CASSIA

Other Rights: A43-04004, 02290

Remarks: GEN SEE DECREE FOR FURTHER DESCRIPTION OF P. U.

Dates:	Exam Made Date:	Verified Date:	03/12/1985	Objection Filed Date:
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Misc: Water District Number: 438 Field Inspection Flag:
Presumption Flag:

Audit: 06/05/89 WHITE 03/30/95 POST-STD