

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

RECEIVED

JUN 7 1989

Ident. Number: A43-02289
Date Received: 6/07/1989
Receipt No: 5007632
Received By: Rat

Department of Water Resources
NOTICE OF CLAIM TO A WATER RIGHT
REQUIRED UNDER STATE LAW

1. Name: WARR BROTHERS
Address: ~~HC 72, BOX 2208~~ 223/5 2350E 208-645-2485
MALTA, ID 83342

2. Date of Priority: APR 13, 1943

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	27E	33	SW		NW		CASSIA

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.260		

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

8. Total consumptive use is 39.0 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	32	SW	NE		IRR	13.0
Section Acres							13.0

A43-02289

Page 1

Date: 06/07/89

MICROFILMED

MAR 03 1993

10. Place of Use: Continued

Total Acres 13.0

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:
A43-02301, A43-04003A (PORTION)

14. Remarks:
TRANS. 2978.

15. Basis of Claim: LICENSE
Water Right Number: 19399

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
Wan Bros. Title
Organization, that I have signed the foregoing
document in the space below as Partner of
Wan Bros. Title
Organization and that the statements contained in the
foregoing document are true and correct.

Helen Wan
Signature of Authorized Agent

Partner Wan Bros.
Title and Organization

6-7-89
Date

State of Idaho)
County of Twain Falls.) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of June 19 87

Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1999

EE34

S 32, 33

T 14

R 27

43-02289

LICENSE

1943

GROUND WATER

0.26

1020
T 1657

6.0

29 28

32 33

2
6.5

13

POD

3
71.6

412

5
73.3

6
6.7

MICROFILMED

MAR 13 1954

32 33 34

Water Right Number - 43-02289

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 19399

*** C - CURRENT OWNER ***
WARR BROS. PARTNERSHIP

1 -
2 -
3 -
City- MALTA
Phone -

State- ID Zip- 83342

*** O - ORIGINAL OWNER ***
EKLUND

JOHN EDGAR

1 -
2 -
3 -
City-
Phone -

State- Zip-

MICROFILMED
MAR 03 1993

+ - - - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/13/1943 17 L - LICENSE

+ - - - - Source - - - - - + + - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Twn Rng Sec Tract Lot Rflg County Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - -
14S 27E 33 SW NW (31) CASSIA

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 0.260
43 - DOMESTIC

+ - - - - Total Div. Rate - + - - - Total Div. Volume - + - - - Total Div. Capacity - + - - - Total Consumptive Use - + - - - KW Usage - +
0.260

+ - - - - Twn Rng Sec Tract Lot Acres Place of Use - - - - - Description - - - - - County - - - - -
14S 27E 32 SW NE 13.0 01 IRRIGATION (31) CASSIA

Total Acres: 13.0

+ - - - - Diversion Means -

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use -

+ - - - - Remarks - - - - -
TRANS. 2978.

Adj. flag translation: Standard Water Right Number

[illegible]

+ - - - Decree Plaintiff - - +

+ - - - Decree Defendant - - +

+ - Decree Date
00/00/0000

+- - Audit Fields - 06/03/85

05/28/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-
Start Work Date	-	00/00/0000	Verified Date	-	06/03/1985	DLE/Carey Act	-
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-
Licensed Date	-	07/03/1979	ABPI Received	-	00/00/0000	Transfer/Amended	-
Decree Date	-	00/00/0000					-

MICROFILMED
MAR 03 1993

**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: 43-2289

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:

☒ 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 Resources
Southern Region**

VERIFIED BY *[Signature]* 12/22/00
12/22/2000

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

RIGHT NUMBER: 43-2289

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

SOURCE: GROUND WATER

QUANTITY: 0.26 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.11 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 284 AF. COMBINED RIGHT NOS.: 43-
02289, 43-02301, & 43-04003D.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.45 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 764 AF. COMBINED RIGHT NOS.: 43-
02289, 43-02301, 43-02302, 43-04003D, & 43-10633.

PRIORITY DATE: 04/13/1943

POINT OF DIVERSION: T14S R27E S33 NWSWN 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	0.26 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T14S R27E S32	NENE	40	T14S R27E S32	NWNE	37
T14S R27E S32	SENE	40	T14S R27E S32	SWNE	34
T14S R27E S33	NWNW	32	T14S R27E S33	SWNW	40

223 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 223 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-02289, 43-02301, 43-02302, 43-04003D, &
43-10633.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 71 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-02289, 43-02301, & 43-04003D.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 13 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE 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 - License

VERIFIED BY *JR* 9/19/0

09/19/2000

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

RIGHT NUMBER: 43-2289
NAME AND ADDRESS: WARR BROTHERS
2231 S 2350 E
MALTA, ID 83342
SOURCE: GROUND WATER
QUANTITY: 0.26 CFS

** amendment for - 40030
never received*

1.11
~~1.11~~ USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.42 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 284 AF. COMBINED RIGHT NOS.: 43-02289, 43-02301, & 43-04003D.

3.45
~~3.45~~ USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.76 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 764 AF. COMBINED RIGHT NOS.: 43-02289, 43-02301, 43-02302, 43-04003D, & 43-10633.

PRIORITY DATE: 04/13/1943

POINT OF DIVERSION: T14S R27E S33 NWSWN 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	0.26 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T14S R27E S32	NENE	40	T14S R27E S32	NWNE	37
T14S R27E S32	SENE	40	T14S R27E S32	SWNE	34
T14S R27E S33	NWNW	32	T14S R27E S33	SWNW	40

223 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 71 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02289, 43-02301, & 43-04003D.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 13 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 223 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02289, 43-02301, 43-02302, 43-04003D, & 43-10633.

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

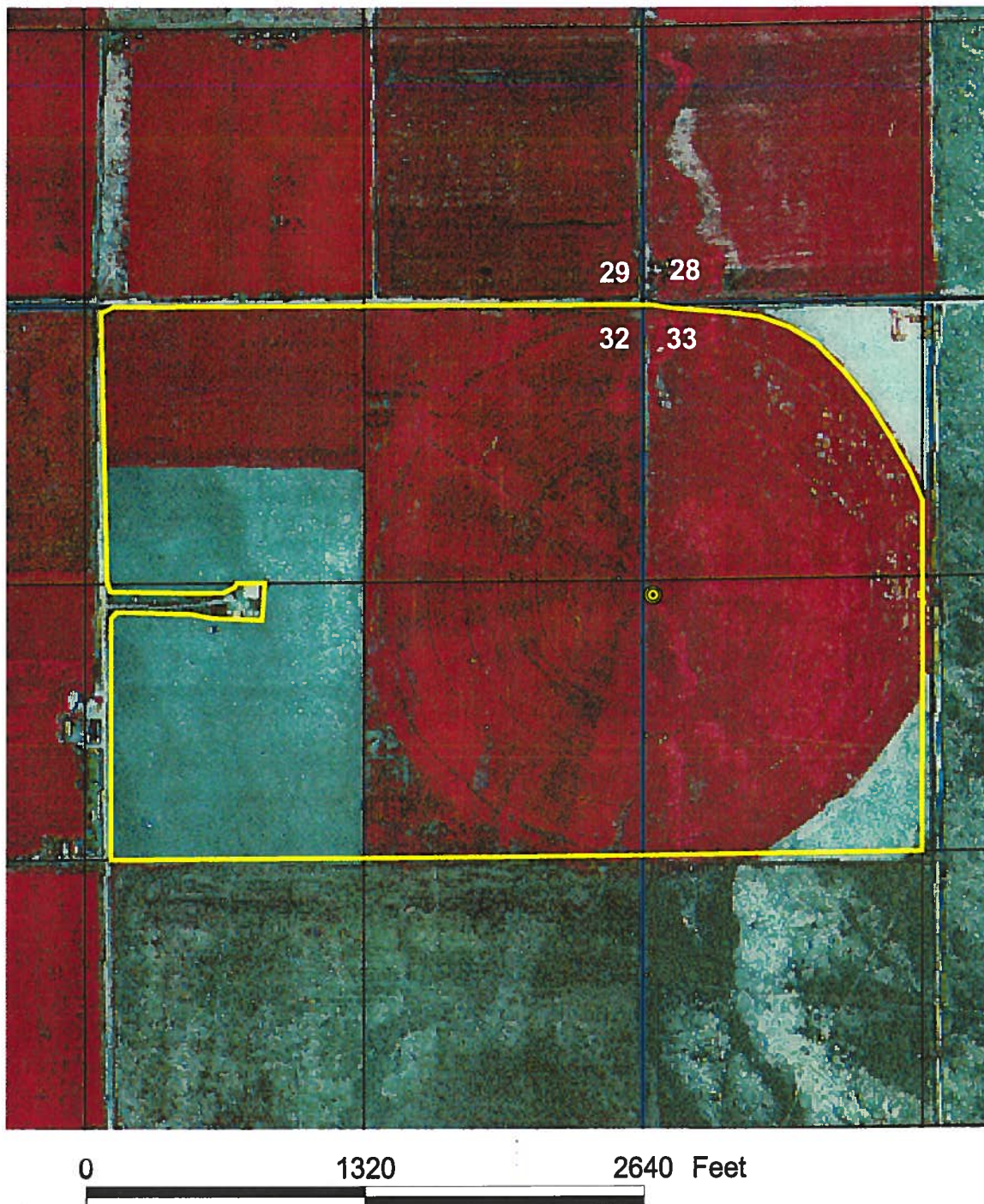
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Water Right 43-2289

Iuano Department of Water Resources

43-02289, 43-02301, 43-02302,
43-04003D, & 43-10633



RECOMMENDED PLACE OF USE
DATA ENTRY ON SEPT. 18, 2000
TWP 14S, RNG 27E, SEC. 32 & 33



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

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

A43-02289 4/13/43 0.26 cfs 13 Ac.

- claimed as licensed and transfer #2978 in 1984 moved PoD to SWNW of Section 33, as claimed.
- two other rights overlap the POU ^(71 Ac. total) so combined limits with 43-02301 & 43-04003D are needed
- gis showed 223 ac in ppu

R43-02289 4/13/43 0.26 cfs / Vol. ^{284 AF} comb. w/ -02301 -04003D 13 Ac. / 223 pp

A43-02301 6/4/47 0.84 cfs 55 Ac.

- claimed as licensed and transfer #2978 in 1984 moved PoD to SWNW of Section 33, as claimed.
- POU overlaps with 43-02289 & 43-04003D so combined limits are needed (71 Ac. total)
- gis showed 223 ac in p.p.u.

R43-02301 6/4/47 0.84 cfs / Vol. ^{284 AF} comb. w/ -02289 -04003D 55 Ac. / 223 pp

A43-04003D 6/23/59 ^{.008 (amended)} ~~0.72 cfs~~ 80 ac.

- gis showed 71 acres irrigated where 80 were claimed
- affidavits in file & '62 & '68 photos support priority date
- out of 71 acres, 16 acres were new & not overlapping w/ -02289 -02301
- field exam for 43-02302 (done 8/26/57) showed 0.86 cfs available system capacity after license
- 16 new acres x .02 = 0.32 cfs needed

R43-04003D 6/23/59 0.32 cfs / Vol. ^{284 AF} comb. w/ -02289 -02301 71 Ac. / 223 pp

amendment never received
- back to .008 cfs

A43-02302 10/12/47 2.34 cfs 120 Ac.

- claimed as licensed except well claimed in SENE of Sec. 32 is no longer used
- system capacity measured @ 3.2 cfs and licensed for 2.34 cfs - leaving 0.86 cfs available
- * recommended to 43-040030⁴
- has expansion claim 43-10633 on it for 32 ac.
- gis showed total of 223 ac. in ppu

R43-02302 10/12/47 2.34 cfs / 480 AF 120/223 ppu

A43-10633 6/30/85 3.44 cfs 57.5 Ac.

- claimed as expansion of 43-02289, 43-02301 & 43-02302 but really only an expansion of 43-02302
- (the 25 Ac. in NWNE of Sec. 32 were covered by Lic. Y.B.4)
- diversion rate $\frac{2.34 \text{ cfs}}{(-02302)} \div \frac{120 + 32}{152} \times 32 \text{ Ac.} = 0.49 \text{ cfs}$
- no volume - combined w/ - 02302
- gis showed total of 223 ac. in ppu

R43-10633 6/30/85 0.49 cfs 32 Ac / 223 ppu

GIS = 223 Ac.
Lic = 175 Ac.
B.U. = 16 new Ac.
EXP = 32 Ac.

37
- 15 from the
- 16 new B.U.

37
- 15 from the
- 16 new B.U.

37
- 15 from the
- 16 new B.U.

37
- 15 from the
- 16 new B.U.

32 33

15 - 02301

~~25 - 10633~~

40 - 04003D

13 - 02289

40 - 02301

40 - 04003D

20 - 02302

20 - 10633

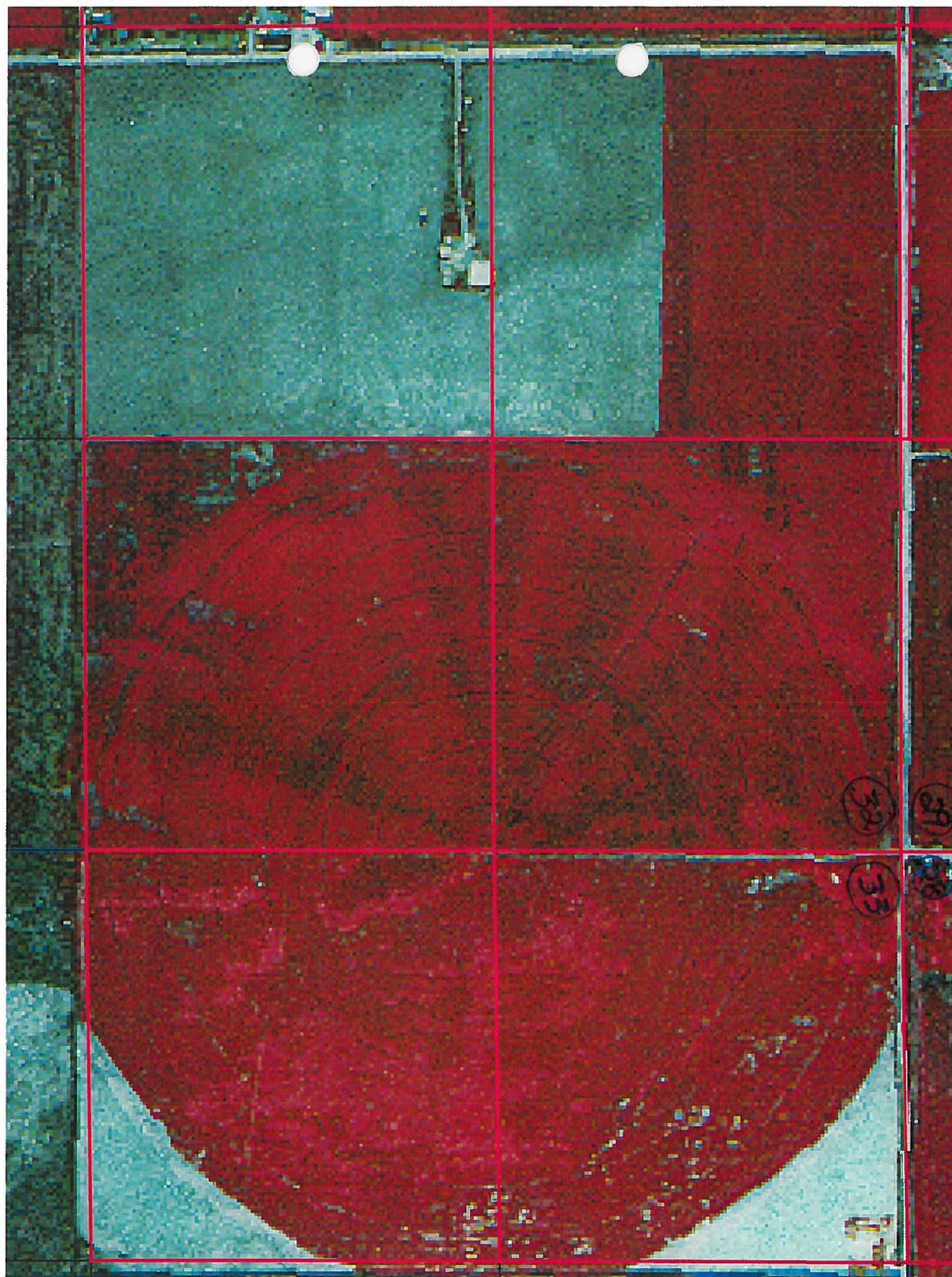
40 - 02302

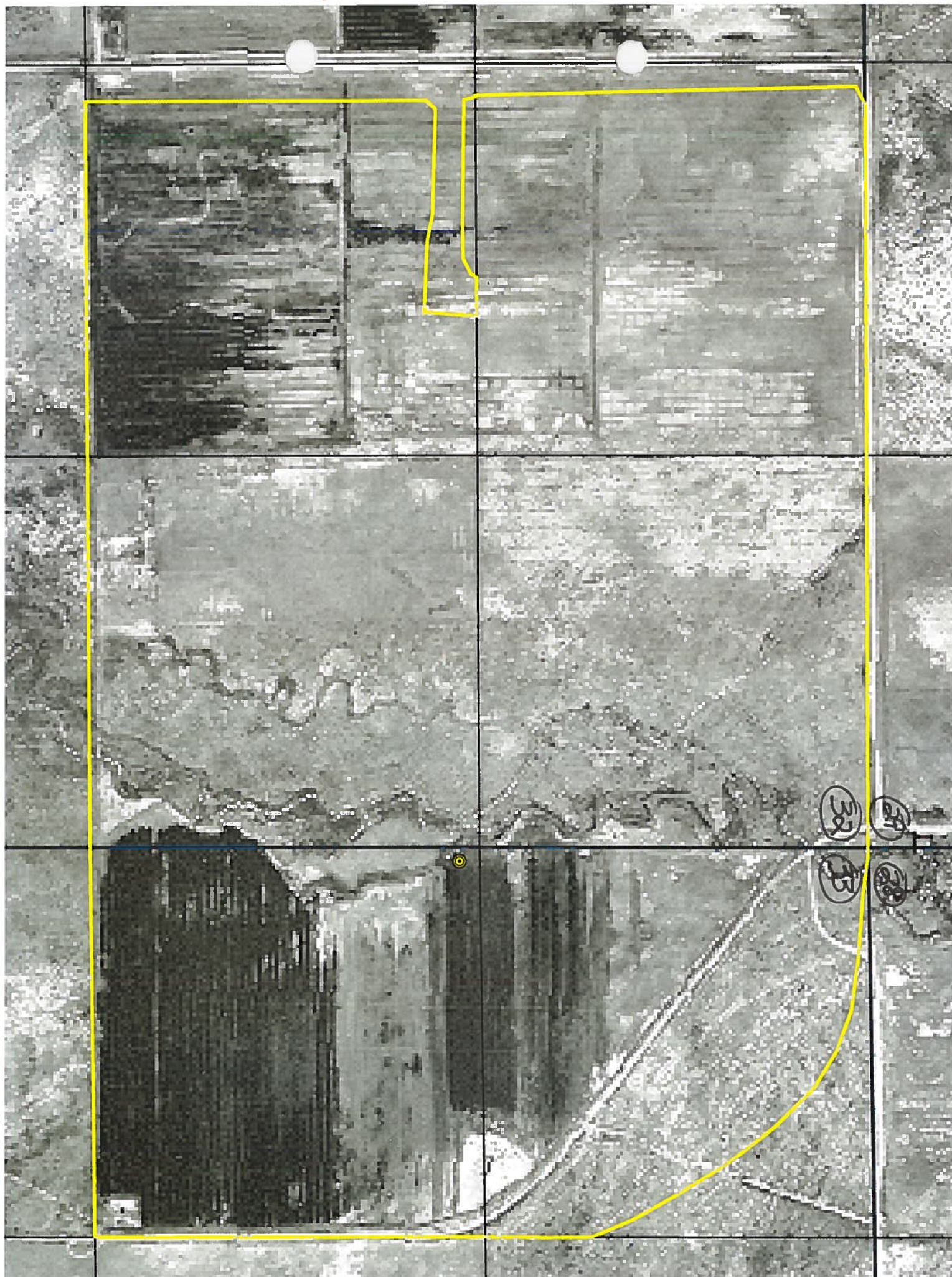
20 - 02302

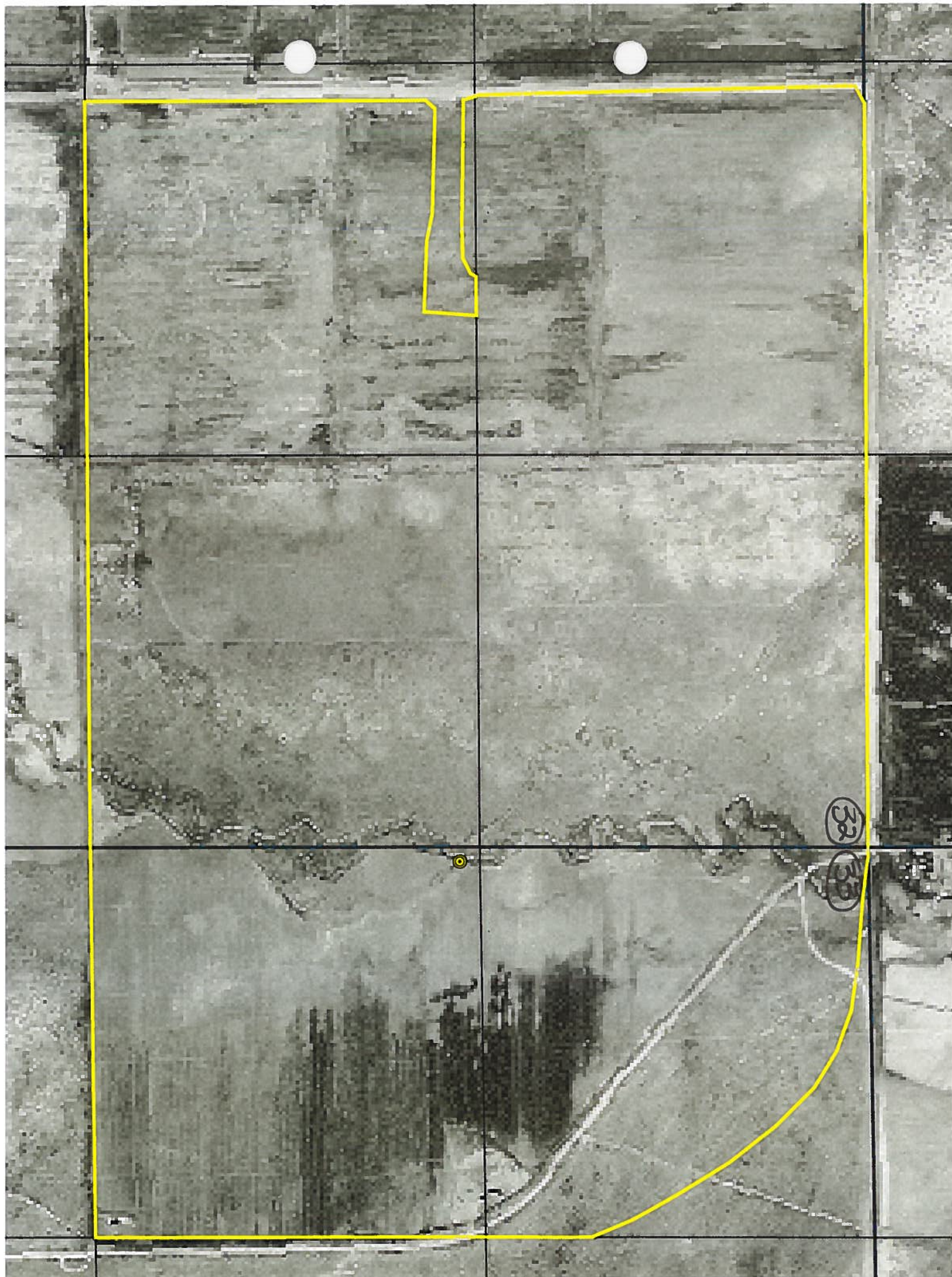
12.5 - 10633

40 - 02302

old well (brims has stockwater at out of)







0
56

2
31.9

NHEL/W

29 28

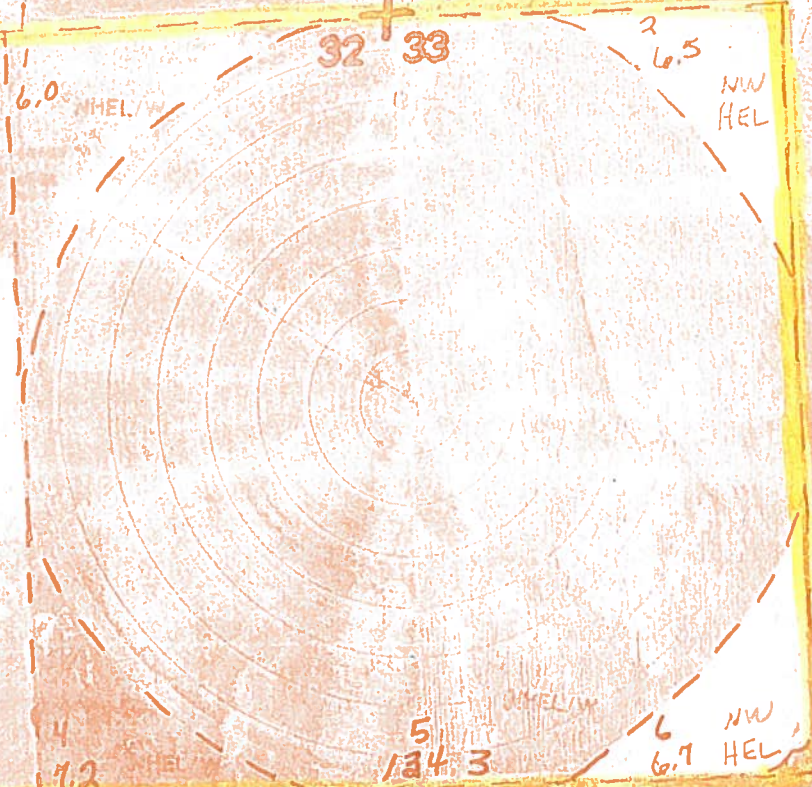
32 33

2
6.5

NW
HEL

1020
T1657

6.0 NHEL/W



5 NHEL/W

3
6.6 NHEL/W

3
71.6

NHEL/W

4
7.2

NHEL/W

5
134.3

NHEL/W

6
6.7 NW
HEL

2587
T1658

1
38.2 NHEL

AW

NHEL/W

32 33 78.8

5 4

NW
HEL

Warr
~~Francis Whitaker~~
10/14/99

Well - pole # 24044

gps # 101419C

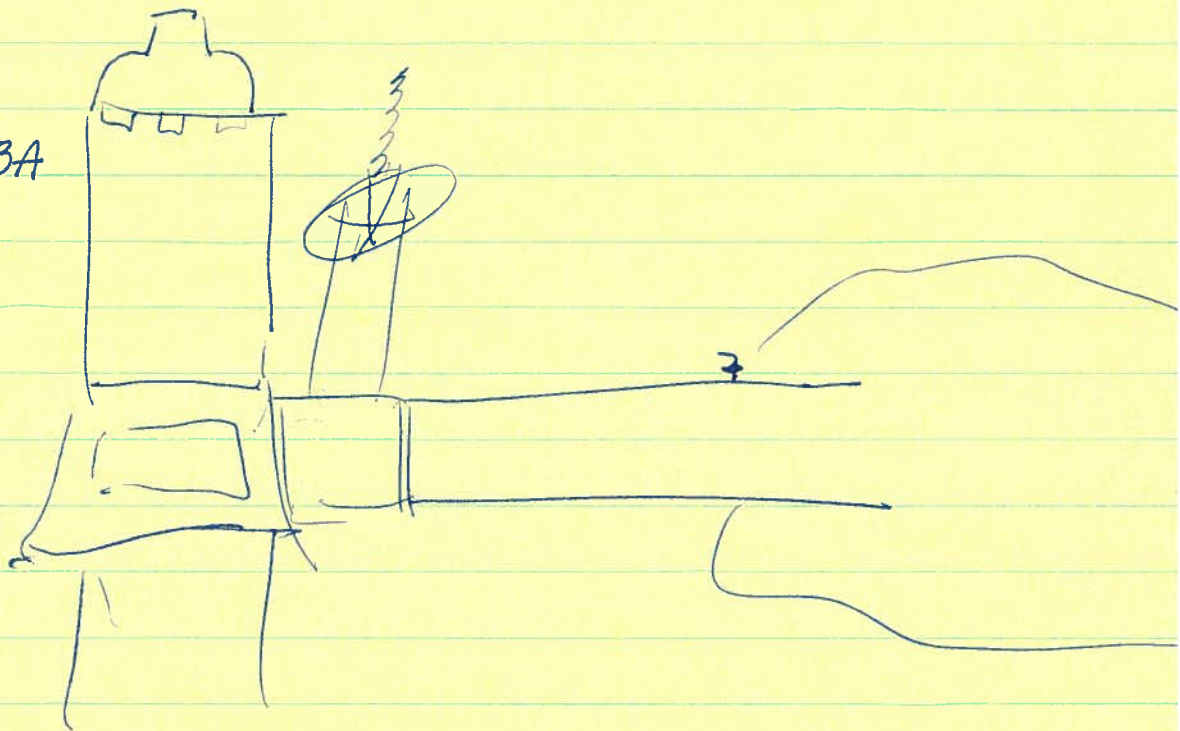
tag # A0004850 (on pole)

GE Motor

mod # 5K365XA73A

30 hp

ser # YKJ1116003



Layne Boulder Pump

ser. # 20644

pics: roll 3

pics 10 → 12

roll 4

pics 1 → 8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:47:01
09/14/00
3

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-02289

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WARR BROTHERS	04/13/1943	IRRIGATION	03-15 11-15	0.260 CFS	284 AFA comb/w - 02301 - 04003
TOTAL DIVERSION:					0.260 CFS	
~~CONSUMPTIVE USE:~~						~~39.00 AFA~~

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T14S R27E S33 NW SWNW

CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
14S	27E	32	:			13	:						:					:					:	13.0
TOTAL ACRES																							13.0	

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: A43-02301, A43-04003A (PORTION)

Remarks: GEN TRANS. 2978.

Dates: Exam Made Date: Verified Date: 06/03/1985 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

+3x4 = 52 AFA
71 x 4 = 284 AFA
(comb. limit)
W - 02301
- 04003D

C18 Cond. Code
Remarks:
POU1: E14 (223), E14 (7)
K06 (13)
QNT: E27 (1.11 cfs, 284 AFA)
E27 (3.45 cfs, 764 AFA)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:46:59
09/14/00

PAGE: 2
QUICKLOOK INFORMATION

2
CLAIM NUMBER: A43-02289

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	- N							
SOURCE	- N							
PLACE OF USE	Y-							
DIV. AMOUNT CFS/VOLUME	Y-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

State of Idaho
License and Certificate of Water Right

Water License No. 19399
Water District No. _____

Amount 0.26 second foot
Priority April 13, 1943

THIS IS TO CERTIFY that JOHN EDGAR REARD
of Bridge, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 13, 1943; that Permit No. 19399
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2 second feet, was issued thereunder on June 11, 1943, showing that said works
were completed on the 3rd day of June, 1943; and that on the 10th
day of August, 1943.

JOHN EDGAR REARD
of Bridge, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
(subterranean), a tributary of _____, for the purpose of irrigation and
domestic use, under Use Permit No. 19399 of the State Reclamation Engineer
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 4210, on the 20th day of March, 1944;
The right hereby confirmed dates from April 13, 1943;

The Point of Diversion is located
in the SW 1/4 32 32 Sec. 32, Twp. 14 S., R. 27 E., B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.26 second foot
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>24</u>	<u>32</u>	<u>32</u>	<u>W 1/4 NE 1/4</u> <u>D 1/4 NW 1/4</u>	<u>80</u> <u>80</u>	<u>15</u> <u>-</u>
Total Number of Acres Actually Irrigated -				-	<u>15</u>

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use
herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer
this 20th day of March, 1944,
affixed at Boise, Idaho,

(SEAL)

JAMES SPOFFORD
Commissioner of Reclamation
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19399

This proof is for Beneficial use

In Water District No.

1. Name of applicant John Edgar Eklund, Aridge, Idaho
2. Source of water supply: Well (subterranean)
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32
T. 14 S. R. 27 E. County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: A dug Well 9'X9'X 15' deep; concrete side walls down 21ft, and thence reduced to 3ft. diameter. Pumping equipment includes a Parma Water Lifter, and "T" model Ford Engine power plant.
Ditches average 1 $\frac{1}{2}$ feet wide and 1 foot deep.
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):
W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 32, Twp. 14 South, Range 27 East, B. M.

(Submit map on attached plat, showing location and details of above description

8. What large stream would the water here appropriated finally reach? None

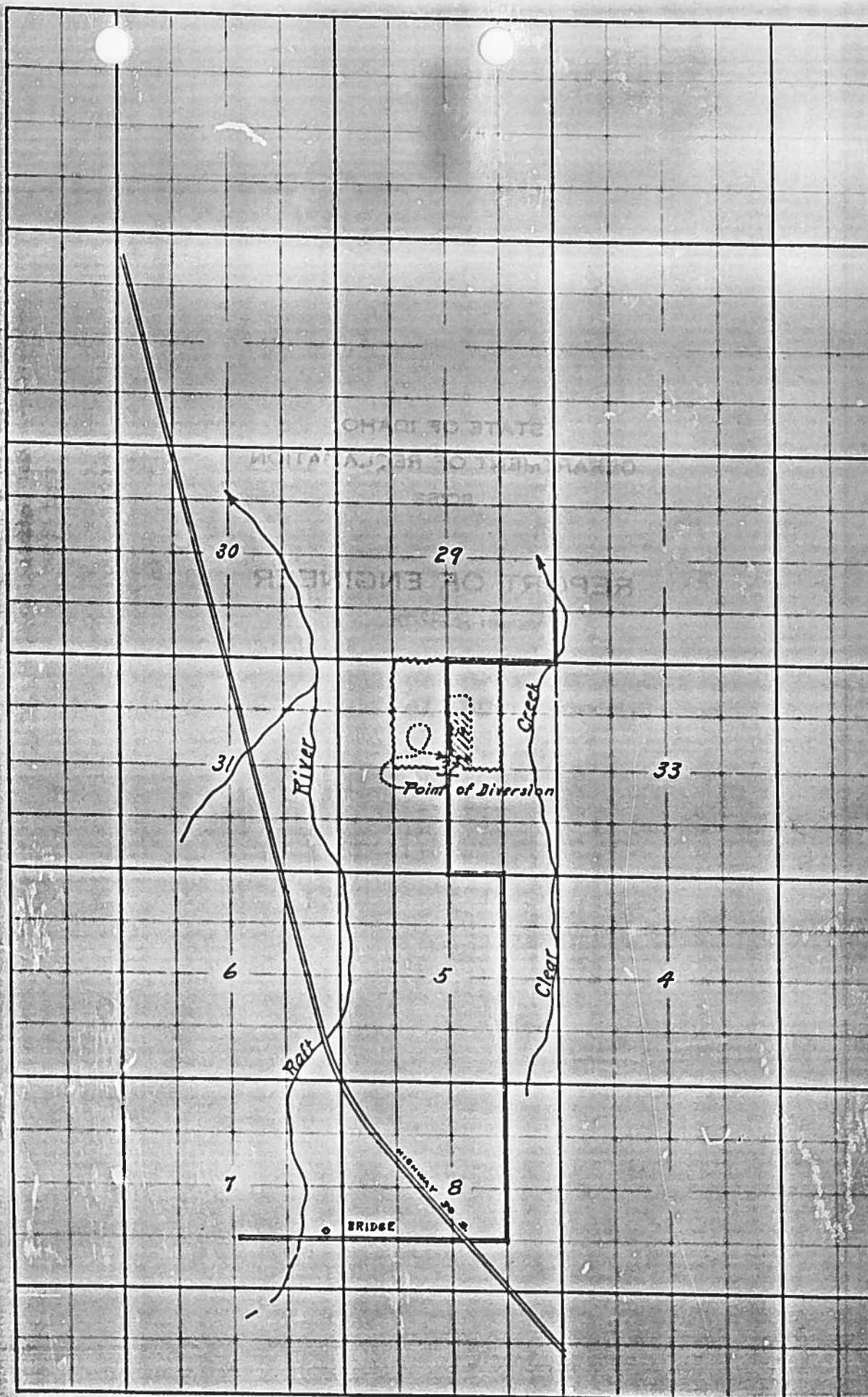
Remarks

Water table was 15ft. below ground surface at this date.

This examination was made on the 29th day of September, 1943

(Signed)

Frederick J. Peterson
Engineer



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

19399

Transfer No. 2978Water Right No. 43-2289

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Harr Bros. Partnership Phone 645-2485Post Office address Malta, ID 83342**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____

b. License No. 43-2289 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenantpurchase of land & water

3. Source of water Groundwater tributary to _____

4. Date of priority 4-13-1943

5. Water is used for the following purposes:

amount 0.26 cfs for irrig. & dom. purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 0.26 cubic feet per second
b. _____ acre feet per annum

7. Location of original point of diversion is SW 1/4 of NE 1/4 of Section 32

Township 14S Range 27E B.M., in Cassia County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>14S</u>	<u>27E</u>	<u>32</u>			<u>13</u>														<u>13</u>

Total number of acres to be irrigated 13

9. Describe any other water rights used for the same purpose as described above _____
43-2301

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use: _____

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
 - a. Amount of water to be diverted 0.26 c.f.s. &/or _____ acre feet
 - b. Description of diverting works Well & pump
 - c. Describe the reasons for the proposed changes Old well no longer provides sufficient water
2. Change in point of diversion

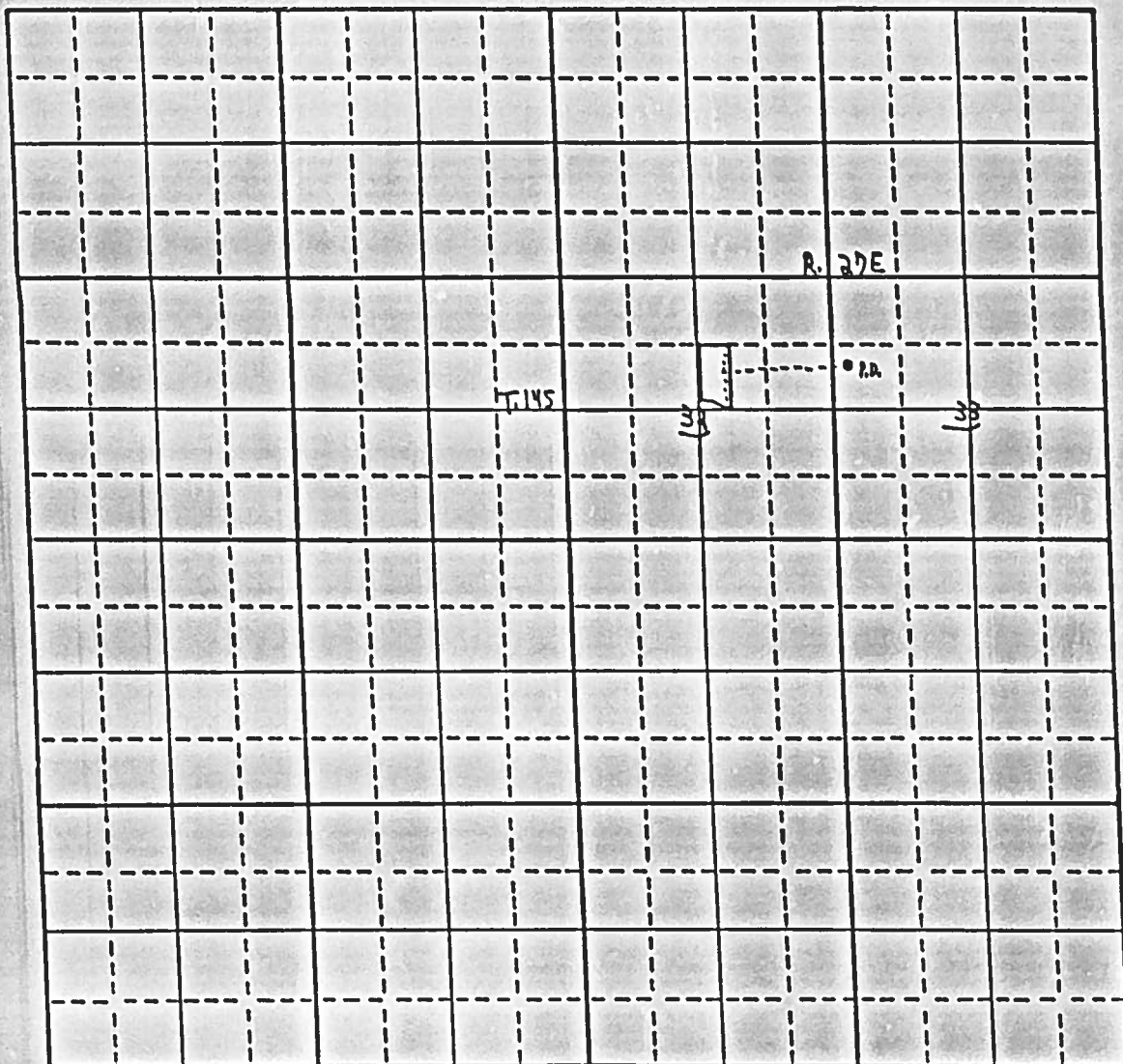
Point of diversion SW 1/4 NW 1/4, Section 33 Township 14S
Range 27E, B.M., Cassia County
Additional points _____
3. Change in place of use No Change
 - a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
 - b. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer

c. Describe the lands / place of use to which the right will be transferred:

TWP	RANGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____
none
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Olene Awan
(Signature of Applicant)

Subscribed and sworn to before me this 12 day of December, 1983

Loren O. Palmer
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2289 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 6th day of April, 1984

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>JA</u>	Date <u>12-12-83</u>	Protest filed by _____
Prelim. check by <u>ADA</u>	Fee <u>\$50.00</u>	_____
Received by <u>JA</u>	Date <u>12-12-83</u> <u>432943</u>	_____
Published in <u>South Lake Press</u>	Copies of protest forwarded by _____	
Pub. dates <u>12/2 + 1/5/84</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for <u>approval</u> <u>denial</u>	
_____ rec'd. _____	by <u>Jen</u>	