

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: A43-02302
Date Received: 6/07/1989
Receipt No: 5007432
Received By: RAB

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

1. Name: WARR BROTHERS
Address: HC 72, BOX 2208 22315 2350 E 208-645-2485
MALTA, ID 83342

2. Date of Priority: OCT 12, 1947

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	27E	32		SE	NE		CASSIA
		33		SW	NW		CASSIA

5. Description of diverting works:
HEADGATE, LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.340		

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

8. Total consumptive use is 360.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14S	27E	32	NE	NE		IRR	20.0
			SE	NE		IRR	40.0

Section Acres 60.0

A43-02302

Page 1

Date: 06/07/89

MICROFILMED

MAR 03 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	27E	33	NW	NW		IRR	20.0
			SW	NW		IRR	40.0
						Section Acres	60.0
						Total Acres	120.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 20173

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

Alene War
Signature of Authorized Agent

Partner War 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 81
Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

MICROFILMED
MAR 03 1993

EE34

S 32, 33

T 14

R 27

43-02302

ICENSE

1947

GROUNDWATER

2.34 CFS

1020
T 1657

6.0

29 28

32 33

2
6.5

20

20

40
POD

40
POD

3
71.6

412

5
73.3

6
6.7

MICROFILMED

MAR 17 1953

32 33

Water Right Number - 43-02302 Adj. Flag Translation: Standard Water Right Number Old (D) Number - 20173
Last Name - First Name - Address -
*** C - CURRENT OWNER *** HAROLD G.
OMAN 1 -
2 -
3 -
City- YOST State- UT Zip-
Phone -

Priority Date - 10/12/1947 Region - 17 Stage - L - License - Status -
Tributary -

Source - GROUNDWATER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Stream Index (Blank if no Index Code)
14S	27E	32	SE NE			(31)	CASSIA	
14S	27E	33	SW NW			(31)	CASSIA	

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION					2.340	
43 - DOMESTIC						

Total Div. Rate - 2.340
Total Div. Volume -
Total Div. Capacity -
Total Consumptive Use -
KW Usage -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14S	27E	32	NE NE		20.0		01	IRRIGATION	(31) CASSIA
14S	27E	32	SE NE		40.0		01	IRRIGATION	(31) CASSIA
14S	27E	33	NW NW		20.0		01	IRRIGATION	(31) CASSIA
14S	27E	33	SW NW		40.0		01	IRRIGATION	(31) CASSIA

Total Acres: 120.0

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

Remarks -
No Remarks found.

Conditions of Approval -
No Conditions of Approval found.

MICROFILMED
MAR 03 1993

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: 43-2302

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 Resources
Southern Region

12/22/2000
12/22/2000

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

RIGHT NUMBER: 43-2302

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

SOURCE: GROUND WATER

QUANTITY: 2.34 CFS

USE OF THIS RIGHT WITH RIGHT NO. 43-10633 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.34 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 480 AF.

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: 10/12/1947

POINT OF DIVERSION: T14S R27E S33 NWSNW 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	2.34 CFS 480.00 AFY

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.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 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

RIGHT NO. 43-10633 IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION 42-1416B, IDAHO CODE.

VERIFIED BY. 9/19/00

09/19/2000

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

RIGHT NUMBER: 43-2302
NAME AND ADDRESS: WARR BROTHERS
2231 S 2350 E
MALTA, ID 83342
SOURCE: GROUND WATER
QUANTITY: 2.34 CFS

USE OF THIS RIGHT WITH RIGHT NO. 43-10633 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF ~~2.34~~ CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 480 AF.

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: 10/12/1947

POINT OF DIVERSION: T14S R27E S33 NWSNW Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	2.34 CFS 480.0 AFY

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.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

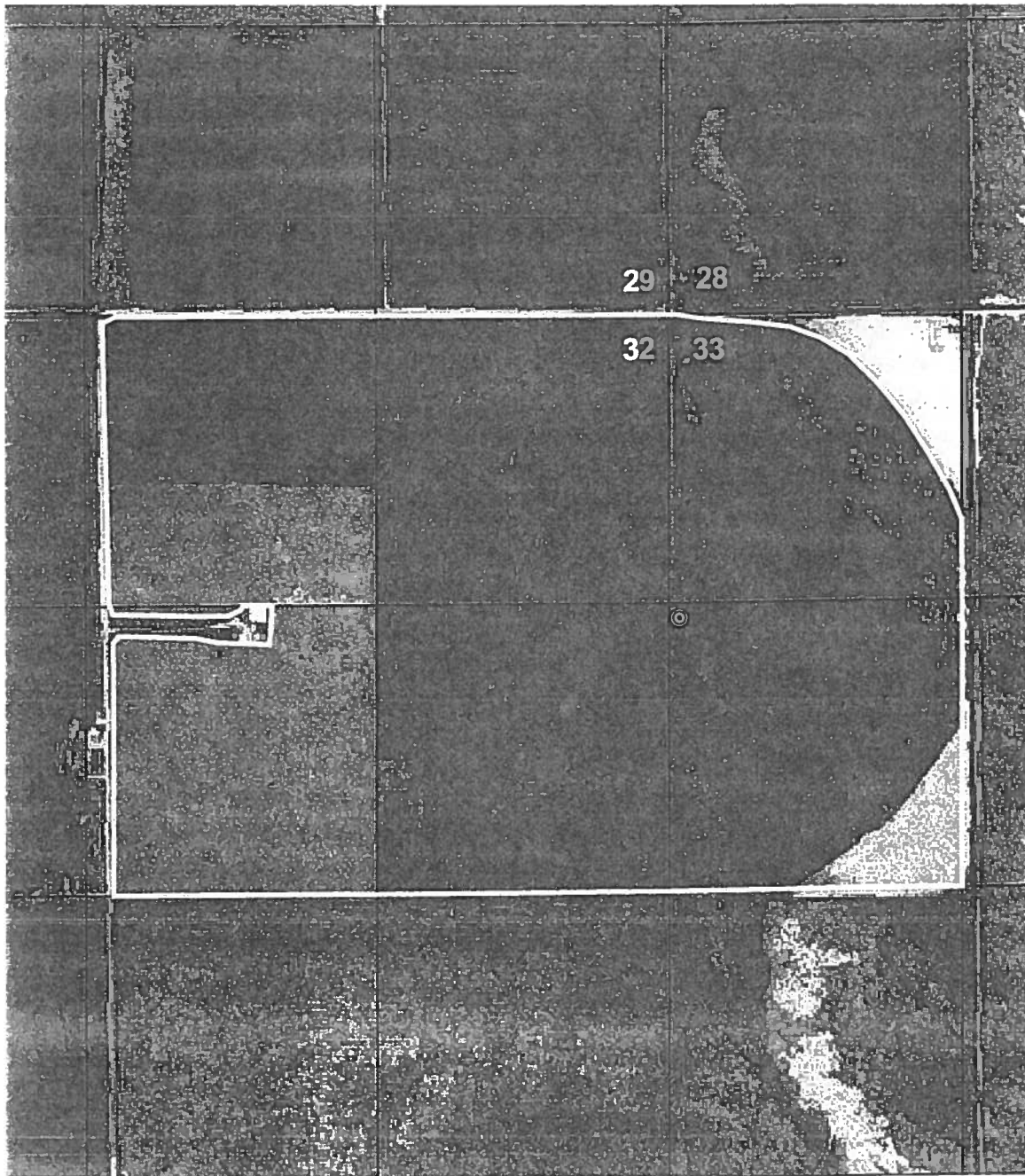
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

RIGHT NO. 43-10633 IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION 42-1416B, IDAHO CODE.

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



0 1320 2640 Feet

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

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

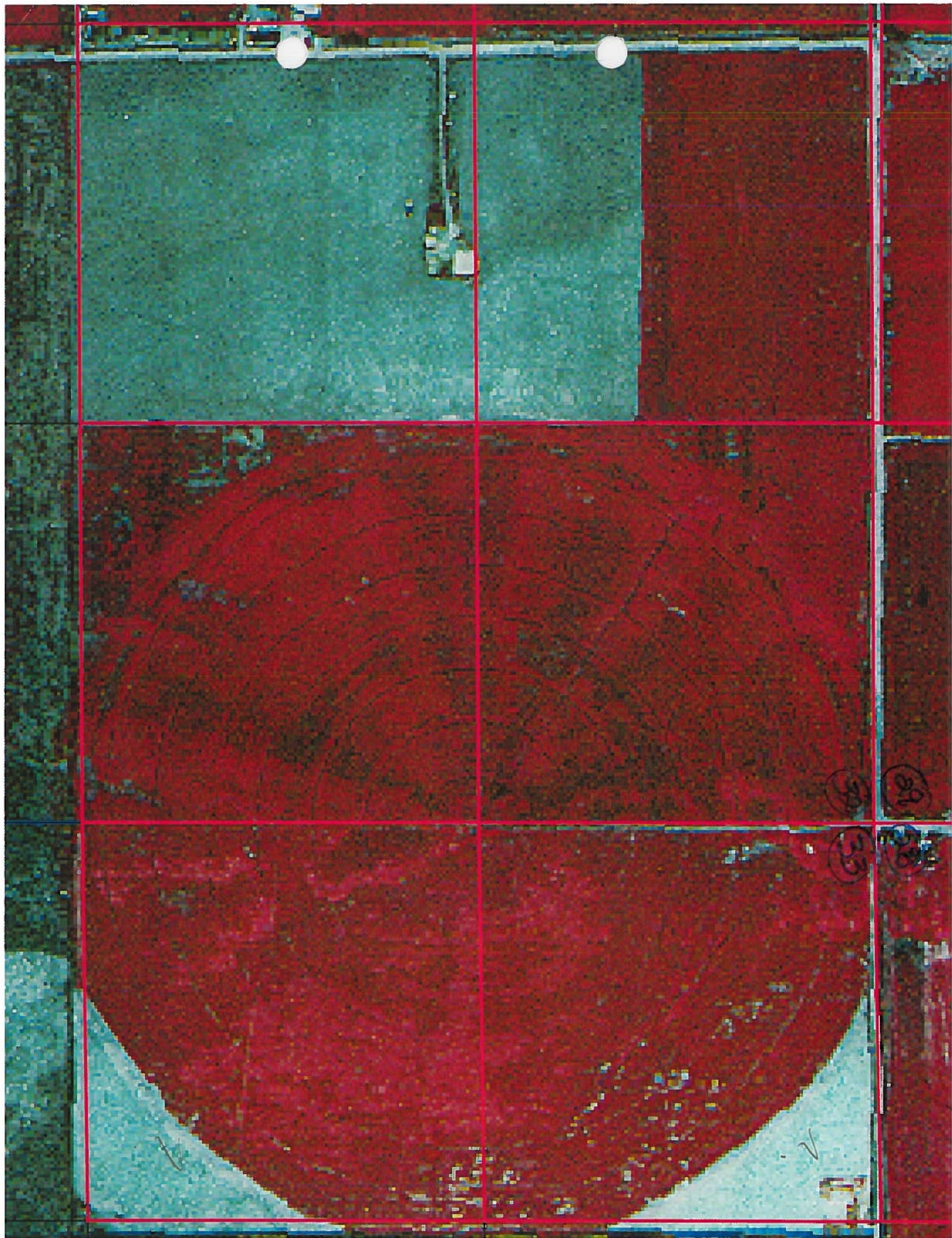
- claimed as licensed except well claimed in SENE of Sec. 32 is no longer used
- system capacity measured @ 3.2 cfs and licensed for 2.34 cfs - leaving 0.86 cfs available
- * recommended to 43-040030^K
- has expansion claim 43-10633 on it for 32 ac.
- gis showed total of 223 ac. in ppu

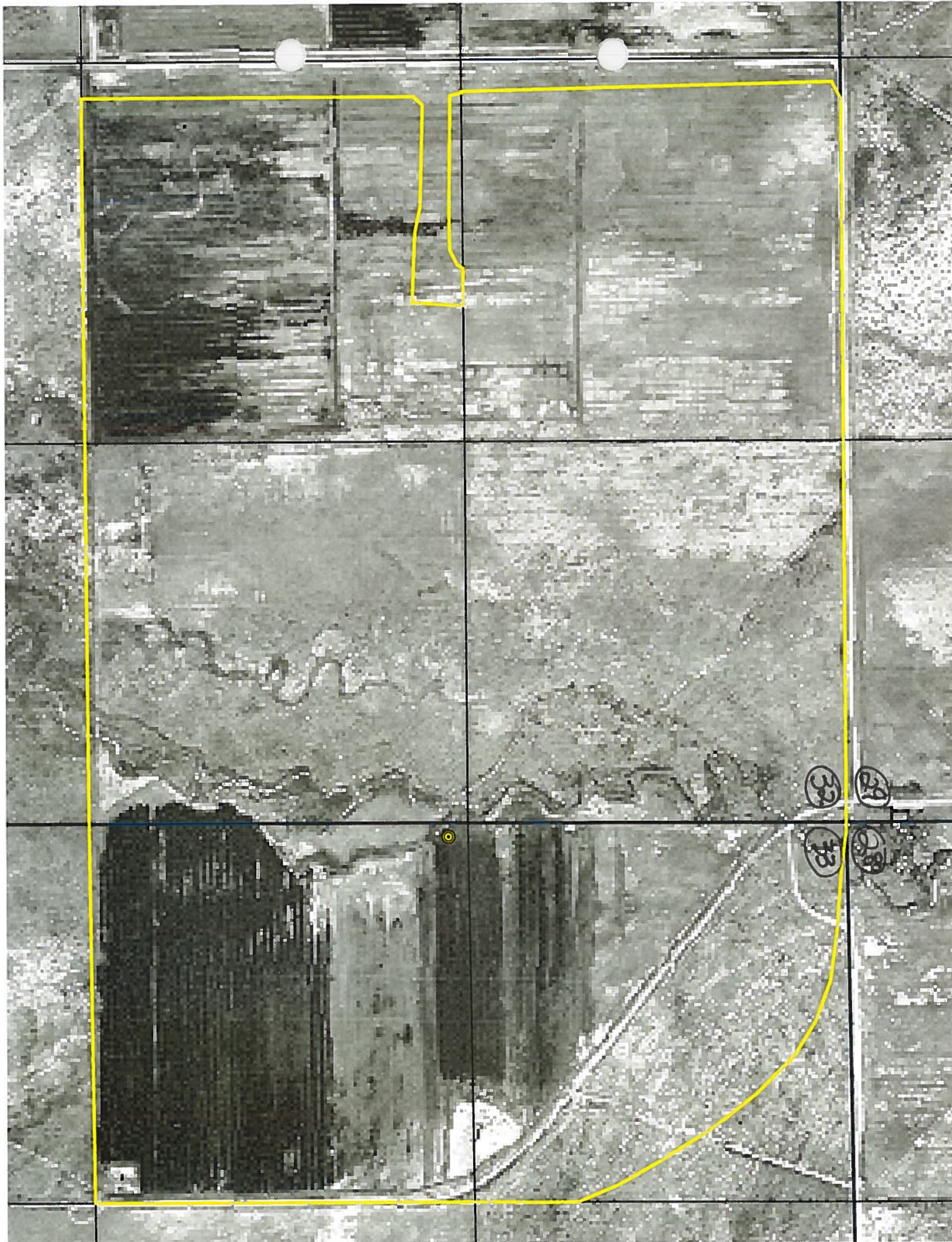
R43-02302 10/12/47 2.34 cfs / 480 AF 120/223 p.p.u

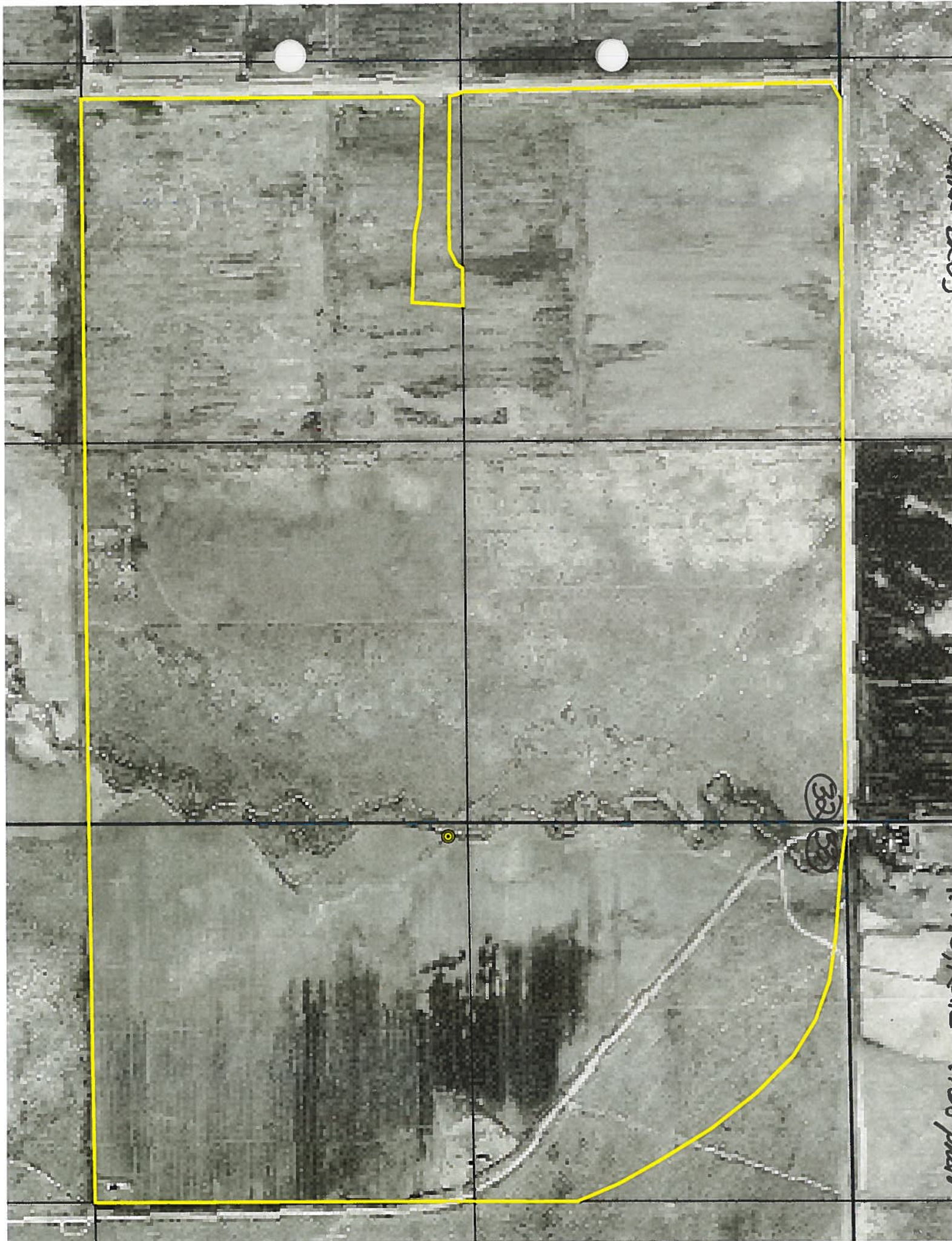
A43-10633 6/30/85 3.44 cfs 57.5 Ac.

- 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.U.)
- 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







G/S = 223 Ac.
Lic = 175 Ac
B.U. = 16 new Ac.
EXP = 32 Ac.

2045 (eq)
80
+ 6 lic

37
- 15 from bill.
- 16 new bill.

12.5 (e)

[illegible]

Edwell (Linnus) has identification at area

33

32

20-02302

12.5-10633

20-02302

20-10633

15-02301

~~25-10633~~

40-04003D

13-02289

40-02301

40-04003D

40-02302

40-02302

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:47:09
09/14/00
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PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-02302

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WARR BROTHERS	10/12/1947	IRRIGATION	03-15 11-15	2.340 CFS	480 AF
TOTAL DIVERSION:					2.340 CFS	
~~CONSUMPTIVE USE:~~						~~360.00 AFA~~

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T14S R27E S32 SENE-
S33 NW SWNW

~~CASSIA County~~
CASSIA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE																
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE	
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	SUM		
14S	27E	32	:	20				40																						60.0		
14S	27E	33	:									20	40																	60.0		
																												TOTAL ACRES	120.0			

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: NONE

Dates: Exam Made Date: Verified Date: 02/11/1985 Objection Filed Date:

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

(120x4 = 480 AF)

C18 Cond. Cooke
Remarks:
POU1- E14 (223)
K06 (120) 764 AF)
QNT- E27 (3.45 cfs, 480 AF)
E25 (2.34 cfs, 480 AF)
EXP- K03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:46:59
09/14/00

PAGE: 2
QUICKLOOK INFORMATION

8
CLAIM NUMBER: A43-02302

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	~~Y -~~							
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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State of Idaho License and Certificate of Water Right

Water License No. 20173

Amount 2.34 c.f.s.

Water District No.

Priority October 12, 1947

THIS IS TO CERTIFY that HAROLD G. OWAN
of Yost, Utah, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 15, 1947; that Permit No. 20173
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.20 second feet, was issued thereunder on February 27, 1950, showing that said works
were completed on the 8th day of February, 1950; and that on the 5th
day of March, 1956, HAROLD G. OWAN

of Yost, State of Utah, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of 2 wells
, a tributary of subterranean, for the purpose of Irrigation and domestic use
, under Use Permit No. 20173 of the Department of Reclamation
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 State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 6080, on the 26th day of August, 1957.
The right hereby confirmed dates from October 12, 1947;

The Point of Diversion ^{are} located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33 and
in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32, Twp. 14 S. R. 27 E., B. M. County Carina

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 2.34 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 S.	27 E.	33	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	20
		32	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	20
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
Total number of acres irrigated - - -				120	

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, affixed at Boise, Idaho, this
26th day of August, 1957.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 20173

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Harold G. Olsen

2. Source of water supply: Surface flow from 2 driven wells
SE corner of SW 1/4 of Sec. 33. SW corner of

3. Location of point of diversion: Is in the SE 1/4 of Section 33

T. 11 S. R. 27 E., B.M. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: East well has 20 hp U. S. Motor serial No. 880783. Perona Turbine Pump, serial No. A 1784. Well is 280' deep by 16" diameter cased to the bottom. H=40'. Lift is 80'. 8" by 4' discharge to the East to open ditch to fields by gravity. West well is 75' deep by 16" diameter, cased to the bottom. H=20'. 10 hp U. S. Motor 883520. Delivery through 8" by 26' pipe up over the bank to the North to the ditch to the fields by gravity. This outfit sets in an open excavation pit similar to a silo pit. This motor had a burned out bearing and a measurement was not made of this particular well.

5. Water is used for: Irrigation and Domestic

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 other than irrigation):

SW 1/4 of Sec. 33., 80 acres E 1/2 of Sec. 32., 80 acres, all in

Twp. 11 S., Rgp. 27 E., B.M.

See the Map.

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

8. What large stream would the water here appropriated finally reach?

Remarks:

East well measured at 57"
West is not in repair. Motor has a burned out bearing. Water was standing in well at approx. 20' from level of ground.

Pump in 2nd well can lift 60" from 57 feet.

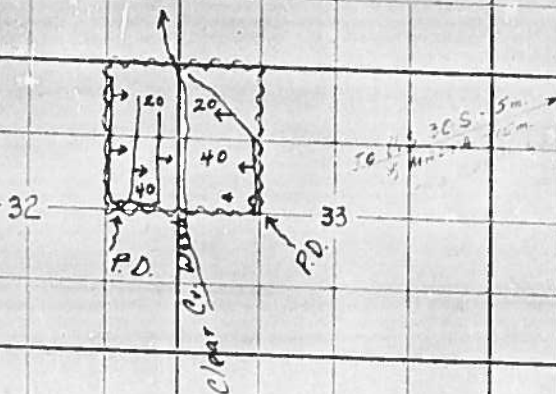
This examination was made on the 15 day of August, 1938

(Signed) E. N. Humphrey
Examiner.

20173

R-27E.

T.
14
S.



Sub divisions = four
Area = 120 acres.
Q = 117"

Sub 4
120
117"

24000 30
1.2 x 60 2