

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: A43-02405
Date Received: 6/07/1989
Receipt No: 5007632
Received By: RAA

JUN 7 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: MAR 19, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	27E	20	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	2.880		

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

8. Total consumptive use is 480.0 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	SW	SW		IRR	40.0
			SE	SW		IRR	40.0
Section Acres							80.0

A43-02405

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	20	SW	NW	IRR	40.0
			SE	NW	IRR	40.0
					Section Acres	80.0
					Total Acres	160.0

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:
A43-00177D, A43-00178E, A43-02389

14. Remarks:
TRANS. NO. 1012.

15. Basis of Claim: LICENSE
Water Right Number: 24810

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

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

43-02405
LICENSE
1954
GROUNDWATER
2.88 CFS

e 27

100.3



Water Right Number - 43-02405

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 24810

*** C - CURRENT OWNER ***
BARRETT

JOSEPH W.

1 - P.O. BOX 2517 CONTRY RD. 117

2 -
3 -
City- WEST SACRAMENTO State- CA Zip-
Phone -

Priority Date - 03/19/1954

Region -

Stage -
L - LICENSE

Status -

Source -
GROUNDWATER

Tributary -

TwN Rng Sec Tract Lot RFlg County Point of Diversion Stream Index (Blank if no Index Code)

14S 27E 20 SW NW (31) CASSIA

01 - IRRIGATION
43 - DOMESTIC

2.880

Total Div. Rate - 2.880 + 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	17	SW SW				01	IRRIGATION	(31) CASSIA
14S	27E	17	SE SW				01	IRRIGATION	(31) CASSIA
14S	27E	20	SW NW				01	IRRIGATION	(31) CASSIA
14S	27E	20	SE NW				01	IRRIGATION	(31) CASSIA

Total Acres:

- Diversion Means -

- Non-Irrigation Use -

- Other Rights for Same Use -

TRANS. NO. 1012.

Remarks

- Conditions of Approval -
No Conditions of Approval found.

MICROFILMED
MAR 03 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: 43-2405

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

03/06/2001

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

RIGHT NUMBER: 43-2405

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

SOURCE: GROUND WATER

QUANTITY: 2.88 CFS
616 AFY

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.

RIGHT NOS. 43-02294E, 43-02389, 43-02405, 43-02419, 43-02420B AND 43-04034 ARE LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2480 AF.

PRIORITY DATE: 03/19/1954

POINT OF DIVERSION: T14S R27E S20 SWSWNW 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	2.88 CFS 616.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T14S R27E S17	SWSW	36	T14S R27E S17	SESW	39
T14S R27E S20	SWNW	39	T14S R27E S20	SENW	40

154 ACRES TOTAL

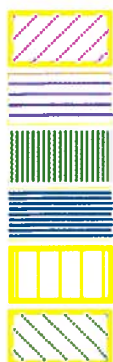
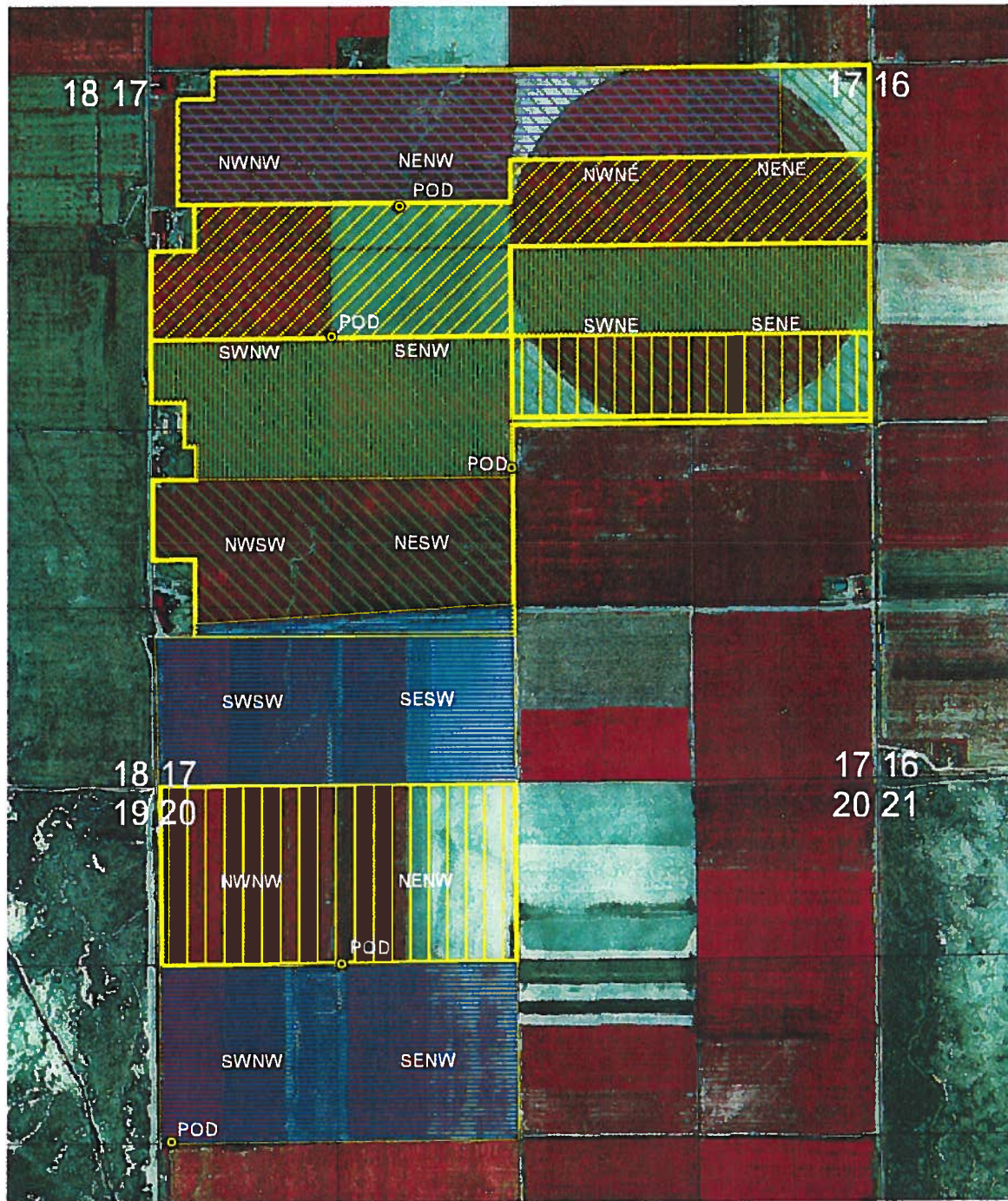
RIGHT NOS. 43-00170C, 43-00173C, 43-00177D, 43-00178E, 43-02294E, 43-02389, 43-02405, 43-02419, 43-02420B, 43-04034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 AND 43-12965 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 620 ACRES IN A SINGLE IRRIGATION SEASON.

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 - License

Warr Brothers Ground Water POU



43-04034

43-02420B

43-02419

43-02405

43-02389

43-02294E

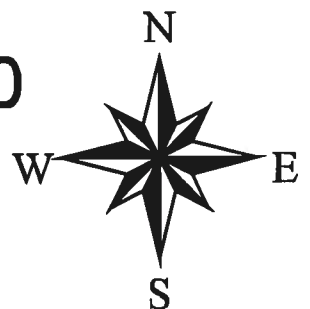
T14S R27E S17 & S20

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

		claim cfs	irrigated acres
1945	43-02294 E	3.436	400
1953	43-02359	1.06	115
1954	43-02405	2.88	160 (155 acres)
1955	43-02419	1.42	100
1955	43-02420B	1.62 (less A portion)	90 (less A portion)
		10.416	

1948 43-04034 2.00 100

Place of use "covered" by licensed rights shown above. Statutory claim indicates claim is based on permit 20586 (No new number assigned) Coping 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 (from 1955) + 1.45 = 11.866 cfs

43-02420 1.62 cfs for 90 ac.

43-02420A owns 5.6 ac. of original p.d.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	4-1-1871	7-1 to 10-1	1.83 cfs
2.225 cfs	2	"	"	"	"

3-6-01

Warr Brothers Ratt 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. *	Acres Limit *	Total Acres
1945	43-02294E	3.436	1500	400 K06	400
1948	43-04034	1.45	400	100 K06	500
1953	43-02389	1.06	400	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

State of Idaho License and Certificate of Water Right

Water License No. 0-24810.....

Amount.....2.88 c.f.s.

Water District No.

Priority March 12, 1954

THIS IS TO CERTIFY that JOSEPH W. BARRETT of Malta, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 19, 1954; that Permit No. 0-24810 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.88 second feet, was issued thereunder on October 5, 1962, showing that said works were completed on the 16th day of March, 1956; and that on the 16th day of March, 1956,

JOSEPH W. BARRETT

of Malta, 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, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. 0-24810 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 12 of Licenses at page 7476, on the 5th day of October, 1962; The right hereby confirmed dates from March 19, 1954;

The Point of Diversion is located in the SW 1/4 NW 1/4, Sec. 20, Tp. 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 2.88 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.	8	NE 1/4	40	40
			SW 1/4	30	30
			SE 1/4	30	30
			SW 1/4	40	40
			SW 1/4	40	15
		20	Total number of acres to be irrigated:	155	

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 5th day of October, 1962

RALPH M. THOMAS
Deputy State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-21810

Proof is for Completion of Works & Beneficial Use In Water District No. _____

Name of applicant Joseph W. Barrett

Source of water supply: Subterranean flow from a well

Location of point of diversion: Is in the SE 1/4 of Section 20

T. 14 S. R. 27 E. B.M. County of Cassia

Describe works as they exist, giving dimensions and capacities of same: _____

Water is used for: Irrigation and Domestic

State whether or not water has been turned into works of diversion: _____

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):

60 acres in the S 1/4 of Sec. 20

40 acres in the NE 1/4 of Sec. 8

30 acres in the N 1/2 SW 1/4 of Sec. 8, all in Twp. 14 S., Rge. 27 E., B.M.

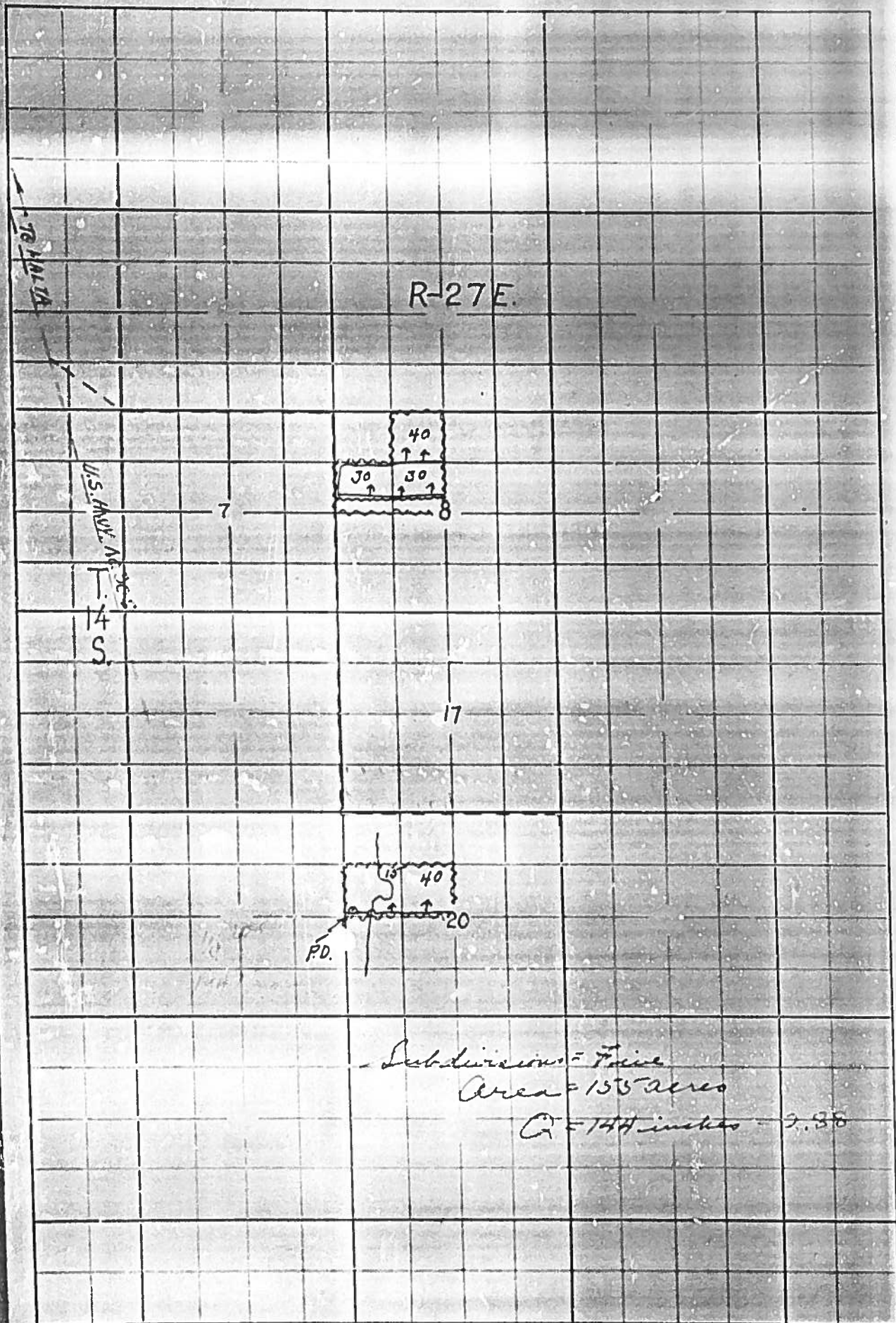
(Submit map on attached plat, showing location and details of above description.)

What large stream would the water here appropriated finally reach?

marks: _____

This examination was made on the 18 day of May, 1956

(Signed) E. H. Humphrey Examiner



NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Joseph W. Barrett of Box 2517 County Road 117
West Sacramento, California has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing him to change the ~~point of diversion~~
~~place of use~~ place of use of the waters of subterranean flow as follows:
Amount: 2.88 cubic feet per second. Priority: March 19, 1954
Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 20, Township 14 S., Range 27 E., E.M.
Place of Use: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2; S $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, T. 14 S., R. 27 E.B.M.

To Be Transferred To

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
Place of Use: S $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17; S $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, T. 14 S., R. 27 E.B.M.

And that on the 27th day of May, 19 63, at 10:00 o'clock A. M.,
at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer,
or his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

GEO. N. CARTER
State Reclamation Engineer

T-1013
43-2405

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of

Joseph W. Barrett
of
Box 2517 County Road 117,
West Sacramento, California

ORDER GRANTING TRANSFER

NO. 1012

For a Transfer of Water Right in
Water District No. 8-B,
Cassia County, Idaho

WHEREAS, On the 27th day of May, 1963, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of Joseph W. Barrett of Box 2517 County Road 117, West Sacramento, California, came on regularly for hearing, pursuant to the published notice, in due and statutory form, and;

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED, that the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho, to be hereunto affixed at Boise, Idaho, this 9th day of July, 1963.

(SEAL)

s/

CARL E. TAPPAN

CARL E. TAPPAN, Acting
State Reclamation Engineer

Box 20
Hart Sacramento, Calif.
Feb. 12 1965

Department of Reclamation

Brins - Shabo -

Dear Sirs: Regarding
License No. 24810 which calls
for use of water on land in sec
8 and 20. I'd like to change
this license to use of all the water
in sec 20. SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$
Would you please advise me as
to the procedure and cost to do so?

Sincerely
Joseph W Barrett

p 7-76

RECEIVED
FEB 18 1965

Department of Reclamation

24810

24810

February 18, 1963

~~Mr. Barrett~~
Joseph W. Barrett
Box 2517 County Road 117
West Sacramento, California

Dear Mr. Barrett:

Your water license noted above is for 2.88 cubic feet per second, priority March 19, 1954.

To transfer your water to only the S.W. 1/4, Sec. 20, T. 14 S., R. 27 E., B.M., you must request the transfer on a form which will be furnished by this department.

The transfer would reduce the amount of water to 1.6 c.f.s. or 80 miner's inches as only one inch is allowable per acre of land. The form for application to transfer the water right is not enclosed as I do not believe you would wish to lose the right to the extra water.

The cost for a transfer is \$1.00 fee in this office plus cost of publication of a legal notice which is generally less than \$10.00.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

21810

R PROOF

CVR

MAPS

PHOTOS

MISC

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