

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: A43-04034
Date Received: 6/07/1989
Receipt No: 5007632
Received By: RBT

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: AUG 07, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	27E	17	SE	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	04/01	08/01	2.000		

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

8. Total consumptive use is 300.0 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	NE	NE		IRR	20.0
			NW	NE		IRR	20.0
			NE	NW		IRR	10.0

A43-04034

Page 1

Date: 06/07/89

MICROFILMED
MAR 05 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	27E	17	NW	NW		IRR	10.0
			SW	NW		IRR	20.0
			SE	NW		IRR	20.0
						Section Acres	100.0
						Total Acres	100.0

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:
A43-10381, 00177, 00173

14. Remarks:
CHANGES IN THE PLACE OF USE FROM THE ORIGINAL STATUTORY CLAIM
ARE DUE TO WHAT CLAIMANT BELIEVES WERE ERRORS IN THE ORIGINAL
FILING. 100 ACRES NOW LISTED IS CORRECT LOCATION OF PROPERTY
PURCHASED FROM MR. PASKETT. LANDS IDENTIFIED ON ORIGINAL STAT.
CLAIM WEREN'T OWNED BY MR. PASKETT.

15. Basis of Claim: STATUTORY CLAIM

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

Alene Warr
Signature of Authorized Agent

Partner Warr 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

John Stangor
Notary Public

Seal

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

43-04034
STAT. CLAIM
1948
GROUNDWATER
2.0 CFS

R 27



MICROFILMED
MAR 05 1993

MICROFILMED
MAR 05 1993

Old (D) Number -

100

+

↓
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↓
↓

KW Usage - 7

1
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1
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7



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

A43-04034
WARR BROTHERS
HC 72, BOX 2208

MALTA

ID 83342

RE: Evidence of Priority

RESPONSE DEADLINE
FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit.** The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 05 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: 43-4034

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: 43-4034

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

SOURCE: GROUND WATER

QUANTITY: 1.45 CFS
386.8 AFY

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.

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: 08/07/1948

POINT OF DIVERSION: T14S R27E S17 NWSENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	1.45 CFS 386.80 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T14S R27E S17	NENE	19	T14S R27E S17	NWNE	20
T14S R27E S17	NENW	10	T14S R27E S17	NWNW	7.7
T14S R27E S17	SWNW	20	T14S R27E S17	SENE	20

96.7 ACRES TOTAL

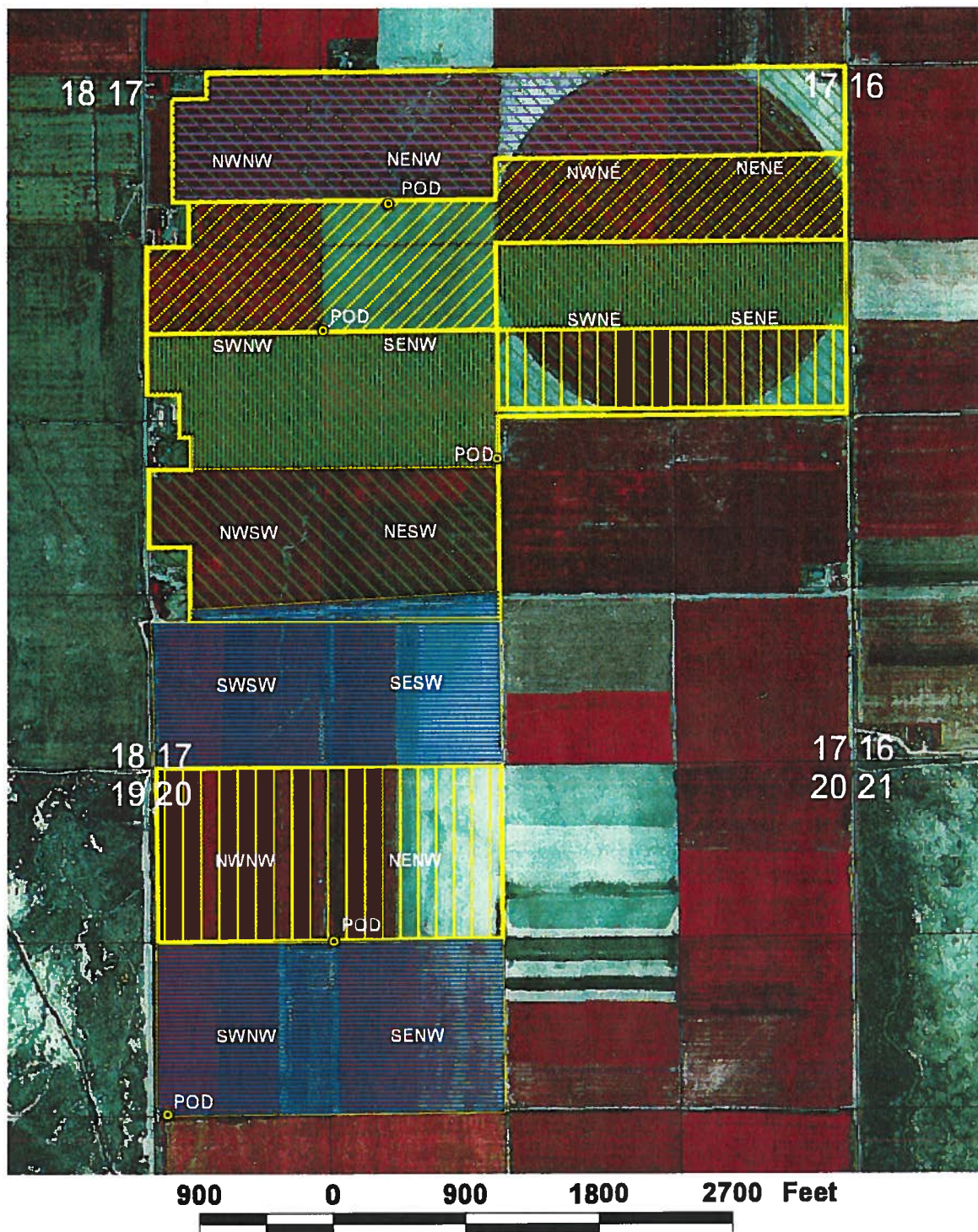
RIGHT NOS. 43-00170C, 43-00173C, 43-00177D, 43-00178E, 43-02294E, 43-02389, 43-02405, 43-02419, 43-02420B, 43-04034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 AND 43-12965 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 620 ACRES IN A SINGLE IRRIGATION SEASON.

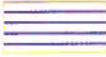
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - Beneficial Use

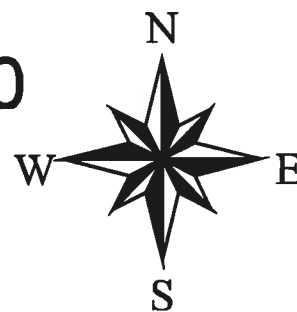
Warr Brothers Ground Water POU



-  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 black ink, appearing to read 'Carter Fritschle', is written over a horizontal line.

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

Enclosures: Amended Claims

		210 + 9 cfs	210 + 9 cfs
1945	43 - 02297 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 (0.10 cfs) (less A portion)	90 (5.6 ac) (less A portion)
		10.416	

1948 43 - 04034 2.00 100

Area of use "covered" by increased 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 (new (1948)) + 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	4 - 1 - 1879	7 - 1 to 10 - 1	1.83 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
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
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
5-24-1909	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 Acres
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

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Cassia

ss.

Edwin H. Paskett

, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 20586, and that his postoffice address is Kalta

State of Idaho

Second: That the name of the stream ^{which} said water is to be ~~directed~~ ^{diverted} is
subterranean well

Third: That the point of diversion of said water is 120 rods south of the northwest corner of Section 17 Twp 14 Range 27 E.B.M. thence 150.0 feet east.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Nov-7-1948, 19.

Fifth: That the use for which said water is intended is ^{use} irrigation & domestic

Sixth: That on the date above mentioned, the works constructed under said permit were (~~xxxxxx~~) fully completed and consisted of the following:

I. Kind of works: open well, and ditch
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width two feet, height 1 1/2 feet.

(d) Conduit ditch width at bottom 1 1/2 feet, width at water line 2 feet, depth of water 1 feet; diameter of pipe inches, average grade per mile is 15 feet. Length of conduit is 1/2 miles.

Seventh: That said works are capable of conducting to the place of intended use 1.5 second feet of water.

Eighth: That water appropriated under said permit is available for 100

acres of land described as follows: NE 1/4, NE 1/4 -- 20 acres

SE 1/4, NE 1/4 -- 20 acres NE 1/4, NE 1/4 -- 20 acres

NE 1/4, NW 1/4 -- 10 acres

NW 1/4, NW 1/4 -- 10 acres

SW 1/4, NE 1/4 20 acres all in Sec 17

Ninth: Remarks: That Twp 14S. Range 27 E.B.M.

well and works completed and I wish to proceed with final proof at once.

Edwin H. Paskett
(Sign Here)

Subscribed and sworn to before me this 6 day of November, 1948

My commission expires January 20-1949.

Notary Public.

20586

SEC 7

House →

SEC 18

↑ well

SEC 17 Twp R 27 C.B.M

Permit Map No. 24586

As Approved

MAY 7 1948

MARK R. KULP

Professional Engineer

7. White. Idaho
9/10-67

W. Keith Higgins
107 State House
Boise Idaho.

SEP 19 1967
Department of the Interior

Dear Sir;

In regards to permit # 20586 and your letter dated August 2, 1967, I thought this had been completed years ago and filed with Roy W. Thompson of the Reclamation office. This well has been in operation over the years and is still being used each year. We must do what ever is necessary to keep this in force and do what is necessary to get it in good standing.

Will you please inform me as the course to proceed

Yours truly
Edwin Haskett

20586

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

CLAIM TO A WATER RIGHT
Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim for a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Edwin H. Paskett
post office address Malta, Idaho
2. The point of diversion is in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 17 Township 14 S Range 27E B.M. located on XXXXXXXXXXXX ground water
(name of source)
tributary to _____ in Cassia County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
 - a. Date of priority claimed:
August 7, 1948 amount: 2.0 c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.
 - b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:
use Irrigation period of use from 4-1 to 8-1 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).
4. Description of diverting works:
 - a. Surface water diversion dam and/or headgate: material is composed of _____, length is _____ feet; height is _____ feet; width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known: _____
 - b. Underground water diverting works: is well flowing or pumped Pumped, depth of well is 350 feet; diameter of well is 16/14 inches; type of pump is Layne and Bowler; capacity of pump is 200 g.p.m.; name and address of well driller is Dean Rogers and Edward Smith

43-4034

c. Conveying works: length of ditch to place of use is 1320/3960; width of ditch at top is 4
width of bottom of ditch is 1 feet; depth of water is _____ feet; grade of ditch per 100
feet is _____ feet; material through which ditch passes is Soil
maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____
type of pipe _____; grade of pipe per 100 feet is _____
Please explain any changes or increase in size of conveying system since water was first appropriated, giv-
ing date and dimensions if possible _____

d. If water is stored: name of reservoir No
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____

If feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

5. c. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated 100

Explain any significant increases in area irrigated since first use, give dates and acreages if known.

5. Do you get water through a ditch owned by several users? No If yes, give the name of the ditch. The other users and their respective interests in the ditch are (if known):

6. Where water is used for stock watering, give number of each kind of stock watered Not applicable

7. Where water is used for domestic or municipal purposes give number of families served Not Applicable name of town supplied.

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities.

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
I had completed the works and filed it and applied the water to beneficial use under Permit 20586 and I thought all had been done but apparently it had not been.

State of Idaho }
County of Cassia } ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 23rd

Edwin H. Smith Claimant
day of June 19 70
William A. Parsons Notary Public
Residing at Burley, Idaho

My commission expires 7-20-70

For Department Use Only

Exception filed by:

Forwarded to claimant by:

Date:

CGWMA -List to pull on September 7, 2000

43-07208	Scott Knudsen
43-07209	Roland Allen Land & Livestock
43-07211	Kirtland Yates
43-07212	Warr Bros
43-07218	D. Jay Harper
43-07220	Glen Parke
43-07299	Interstate Feeders Inc
45-07576	Conrad Land & Livestock
45-07578	Howard Conrad
45-07579	Hepworth Farms
45-07607	Lambert Produce Inc
45-07665	Lambert Produce Inc
45-07666	Lambert Produce Inc.
45-07667	Lambert Produce Inc.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 2, 2000

RE: Application for Permit in Critical Ground Water Area

Dear Applicant:

Our office has initiated a review of applications for permits to appropriate the public waters of the State of Idaho that have been held without action for many years. One type of application being held is those which propose development of ground water within an established critical ground water area. Our records indicate you have filed such an application. (Please find attached a computer printout describing your application)

Our office intends to dispose of all applications seeking ground water development in critical areas by denying the applications. Before initiating this action our office intends to provide you opportunity to withdraw your application and request a refund of the filing fees that have been paid.

Please review this matter and if you wish to withdraw your application please complete the enclosed form. If our office does not receive a withdrawal by September 1st, 2000 your application will be forwarded to the IDWR State Office with a recommendation it be denied. Any denial will be in the form of a preliminary order which you may request reconsideration or judicial review pursuant to procedural rules.

If you have questions, please feel free to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Allen Merritt'.

Allen Merritt, PE
Southern Region Manager



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

A13-04034 JR

February 10, 2000

Second Notice

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WARR BROTHERS
HC 72 BOX 2208
MALTA ID 83342

RE: Information about historical water diversion flow rate

Dear Wateruser:

This past December IDWR sent a letter to you requesting your assistance in providing information about flow rates from certain diversions (copy attached). These letters are being sent to claimants with identified rights that have not previously been confirmed (measured) either through the licensing process or by decree. IDWR desires to make the most accurate recommendation to the SRBA Court and this requires your participation and cooperation, pursuant Idaho Code §42-1410.

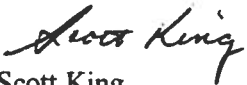
One advantage of providing good, verifiable information to us is that the flow rate that we recommend will be the full measure of your water right as developed. Another benefit is that disputes over the recommendation are minimized. Lastly, documentation for flow rate will likely be dated and may support evidence of priority determination.

In the absence of good information about historical diversion flow rates IDWR may conclude any of three less desirable alternatives:

- 1) Recommend disallowal of right.
- 2) Recommend a flow rate limited to a licensed rate, if a licensed diversion is part of the system, but with additional diversion volume if the use and diversion capacity is documented to have occurred before 1963.
- 3) Recommend the right as an expansion in a critical ground water area, §42-1416B I.C., which limits the flow rate AND volume to the licensed quantity. This provision also sets the priority at 6/30/1985, regardless of development date between 1963 and 1985.

Thank you for your attention to this matter and we look forward to your quick response and documentation relating to this request. Water Resource Agents from the department may be contacting you in the near future should field work be required to finalize recommendations. Inquiries related to this diversion rate information request should be made to Scott King or Cindy Bird at (208) 327-7900. Inquiries about other aspects of your claim should be made to the Southern Region Office (208) 736-3033.

Sincerely,


Scott King

Enclosures

Identification No.

Claim No. 43 4654

Map No.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Edwin H. Paskett
post office address Malta, Idaho 83342

2. The point of diversion is in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 17 Township 14 S
Range 27E B.M. located on XXXXXXXXXXXXX ground water
(name of source)

tributary to _____ in Cassia County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

August 7, 1948 amount: 2.0 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Irrigation period of use from 4-1 to 8-1 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____, length is _____ feet, height is _____ feet, width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well _____ or pump Pumped, depth of well is 360 feet, diameter of well is 16/14 inches; type pump Layne and Bowler
capacity of pump is 200 g.p.m.; name and address of well driller Dean Rogers and
Barrett

15, 1034

c. Conveying works: length of ditch to place of use is 1320/3960; width of ditch at top is 4 feet; width of bottom of ditch is 1 feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is Soil; _____; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____.

d. If water is stored: name of reservoir? No
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated 100

Explain any significant increase in area irrigated since first use, give dates and acreage if known.

6. Do you get water through a ditch owned by several users? No If yes, give the name of the ditch
The other users and their respective
interests in the ditch are (if known) _____

7. Where water is used for stock watering, give number of each kind of stock watered Not applicable

8. Where water is used for domestic or municipal purposes give number of families served Not Applicable
name of town supplied _____

9. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities. _____

10. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
I had completed the works and filed it and applied the water to
beneficial use under Permit 20586 and I thought all had been done
but apparently it had not been.

State of Idaho

County of Cassia } ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the
foregoing claim to a water right, together with all attached information, and that the matters and facts therein are
true to the best of the affiants knowledge.

Sworn to before me this 23rd

day of June

19 70

Edwin H. Tackett
Claimant

William A. Parsons
Notary Public

Residing at Burley, Idaho

My commission expires 7-20-70

For Department Use Only

Received by _____ Date _____

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Examined by: Oliver Date 6-25-70

Examined by: _____ Date _____ Fee 5.00

Examined for publication by: _____

Examined by: Donch Allen Dates 7-2-70

Parsons W. A.

12-103

Idaho Department of Water Resources
 Estimated Pumping Rate Documentation Form
 Flow Analysis Performed by: **Scott King**

ed 1/6/2000

Date: **8/8/2000**

Page 1 of 1

Record ID	280	Measured Flow:	
Water Right No.	A43-04034	Designed Flow:	
Name	Warr Brothers	HP/Eff Flow:	1.45 cfs <--Max
pod	14S 27E 17 SENW	Sprinkler Flow:	
year:	Current	Pivot/System Flow:	
Flow Measurement:		gpm	=
Curve/Pump Design:		gpm	=
Horsepower / Efficiency Method			
Horsepower	60	hp	nameplate horsepower of current motor
PWL	150	ft	estimated pumping water level
Disch Psi	60	psi	estimated pressure for sprinkler system
PUMP Eff Estimate	0.79	%	
TDH	289	ft	
OHP	47.4	hp	
Flow	650	gpm	= 1.45 cfs
System Method:			
No Lines		Nozzle Equation: $Q = C \cdot A \cdot \sqrt{2 \cdot g \cdot h} / \sqrt{1 - r^4}$	
Birds per line		C=	1.00 Nozzle coefficient; typical 0.97 to 1.00
Ttl no nozzles	0	r=	0.0000 ft Nozzle radius
Nozzle size		A=	0.00000 ft^2 Nozzle area
Nozzle pressure		h=	0 ft Head
Flow per nozzle	0.00	g=	32.2 ft/sec^2 Gravitational constant
Sprinkler Flow	0	Q=	0.000 cfs Flow per nozzle
Percent Leaks		=	0.000 gpm Flow per nozzle
Total Flow	0	gpm	=
Pivot / System rating		gpm	=

Comments / Data Supplied:

snk 8/8/2000

Review of original claim indicates an open-discharging system, but I could not find any indication of original horsepower or pumping water level. The claim does state a measurement of 200 gpm, but also claims a flow of 2.0 cfs, which may have been some confusion on the claimants part. Per June 28, 2000 visit to system, current is 60-hp well pump delivering water to pressurized system, although we were not sure what the system consists of (claimant was not present during visit). However, claimant has stated that the pump is severely worn and requires immediate refurbishing, and therefore we did not measure the flow rate of the pump. Claimant stated he would send us information regarding historic pumping rates, but we have not yet received any data from them. The above theoretical calculations should be fairly representative of capacity of the current pumping system if pump was in good operating condition.

Water Right Number - A43-04034

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***

WARR BROTHERS

1 - HC 72 BOX 2208

2 -

3 -

City- MALTA

State- ID Zip- 83342

Phone - 208-645-2485

*** O - ORIGINAL OWNER ***

PASKETT

EDWIN H

1 -

2 -

3 -

City- MALTA

State- ID Zip- 83342

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
08/07/1948 17 SOUTHERN S - STATUTORY CLAIM

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

Point of Diversion							Diversion Name
Twn	Rng	Sec	Tract	Lot	RFlg	County	
14S	27E	17	SE NW		(31)	CASSIA	3420 -2294E 2420? 2119

Water Use		Diversion Rate		Diversion Volume
Code	Description	Period From	Period To	
01 - IRRIGATION		04/01	08/01	2.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2.000 300.0

Place of Use							Description	County
Twn	Rng	Sec	Tract	Lot	Acres	Code		
14S	27E	17	NE NE		20.0	01	IRRIGATION	(31) CASSIA
14S	27E	17	NW NE		20.0	01	IRRIGATION	(31) CASSIA
14S	27E	17	NE NW		10.0	01	IRRIGATION	(31) CASSIA
14S	27E	17	NW NW		10.0	01	IRRIGATION	(31) CASSIA
14S	27E	17	SW NW		20.0	01	IRRIGATION	(31) CASSIA
14S	27E	17	SE NW		20.0	01	IRRIGATION	(31) CASSIA

Total Acres: 100.0

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - A43-10381, 00177, 00173

Water right number - A43-04034

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Remarks - - - - - +

GEN CHANGES IN THE PLACE OF USE FROM THE ORIGINAL STATUTORY CLAIM
ARE DUE TO WHAT CLAIMANT BELIEVES WERE ERRORS IN THE ORIGINAL
FILING. 100 ACRES NOW LISTED IS CORRECT LOCATION OF PROPERTY
PURCHASED FROM MR.PASKETT. LANDS IDENTIFIED ON ORIGINAL STAT.
CLAIM WEREN'T OWNED BY MR. PASKETT.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

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

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 06/07/89 SSRBA 03/30/95 POST-STD

+ - - - - Comments - - - - - +
No Comments Found

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

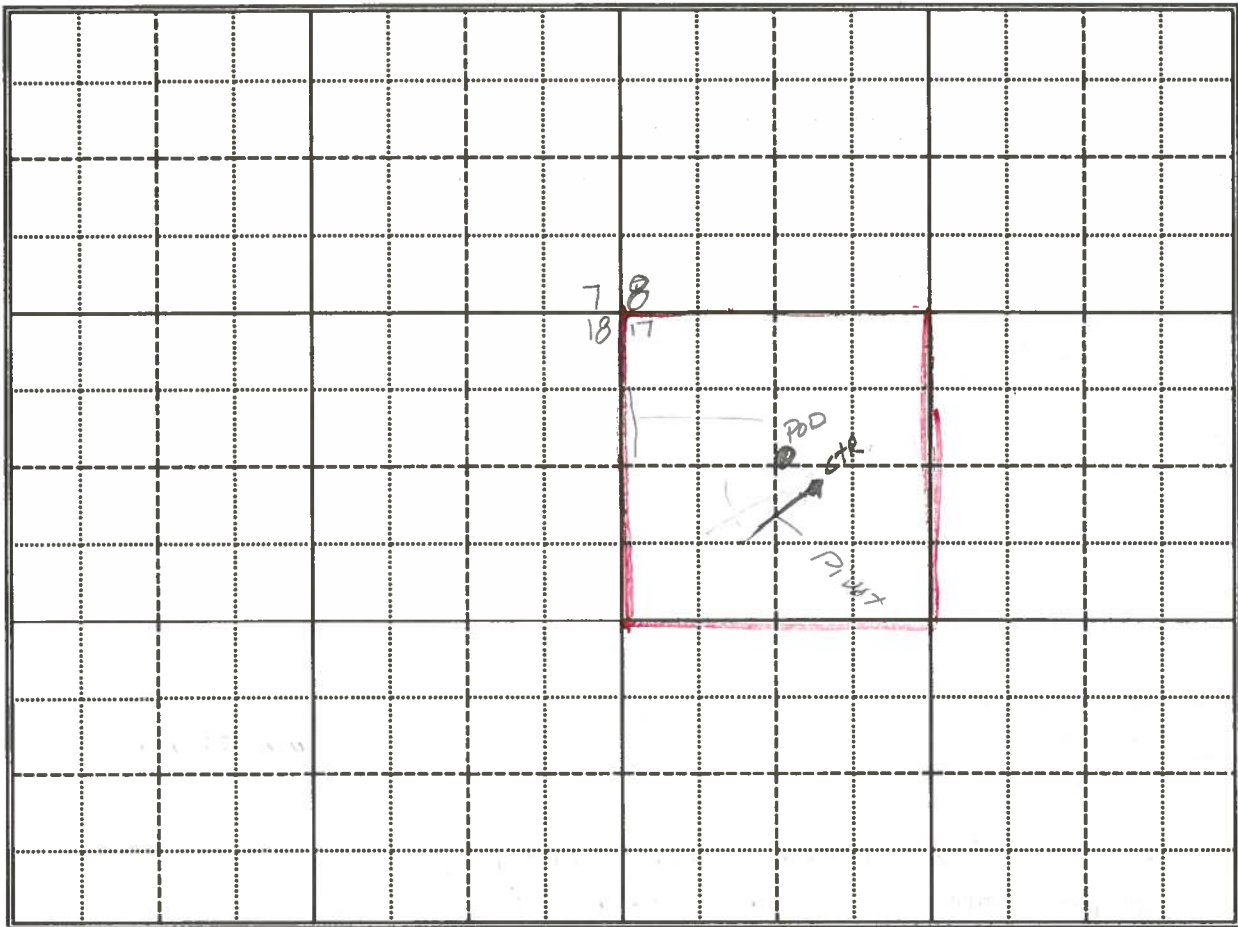
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 06/03/1985	Old Judicial District	-
Claim Received Date	- 06/07/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S007632	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

Warr Brothers
A43-04034
June 28, 2000



Figure 10. Warr Brothers POD. T14SR27E Sec 17.

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Diff. to Read Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
A0007917 pole 24039	US Electric	60	36(9700)?	Layne & Bowler	21789

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: 43 psi - discharge pressure

E. NARRATIVE/REMARKS/COMMENTS

Power Info: Reg # 1277492.

Sangam Electric Co. 39133 854.

$K_f = 4.8$; 480 V.; 60 Hz; 3 W.; t-15; $R_r = 41 \frac{2}{3}$

5 Rev. 83 sec.

$$K_w = 1.18 * 40 = 47.2$$

83 sec.

Pressure:

43 PSI (Burke's gage) 44 PSI (AJ's gage), 8" discharge Pipe.
8" valve.

$$KW = 3.6 * 4.8 * \frac{40}{83 \text{ sec}} * 5 \text{ rev} = 41.6 \text{ Kw}$$

$$hp * .746 = Kw$$

$$hp = \frac{Kw}{.746} = \frac{41.6}{.746} = 55.7 \text{ hp}^{\text{input}}$$

Pump was running when we were out. The pivot south of the pump was not operating. We spoke with O'Leary Warr at 10:10 AM at Raft River Electric Co. and he said the pump is running badly and has to be rebuilt. We didn't measure the flow. He will provide some historical records for what it has pumped in the past. The pump appeared to be operating handlines.

Have conditions of permit approval been met? ☐ yes ☐ no

F. FLOW CALCULATIONS

 Additional Computation Sheets Attached

Measured Method:

*Theoretical for 60-hp
Estimate pwl = 150 ft
psi = 60 psi
Q = 1.45 cfs*

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
			Totals:	_____

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None
___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name *Scott King* Date *8/8/2000*

Reviewer _____ Date _____

SEAL