

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: **A43-10132**  
Date Received: 5/ 2/1989  
Receipt No: S006993  
Received By: \_\_\_\_\_

**COPY FOR  
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

**COPY FOR  
YOUR FILES**

1. Name: BRIAN HANSEN  
Address: HC 72 BOX 2380  
MALTA ID

83342

AND

Name: DARLA HANSEN  
Address: HC 72 BOX 2380  
MALTA ID

83342

2. Date of Priority: JUN 30, 1985

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     | SW     | NE  |     | CASSIA |

5. Description of diverting works:  
20"X 595' WELL, TURBINE PUMP, 3600 GPM.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 10/31 | 0.380 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 14S      | 27E   | 17      | NE     | SE  |     | IRR | 1.0   |

10. Place of Use: Continued

| Township | Range | Section | 1/4           | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|---------------|----|-----|-----|-----|-------|
| 14S      | 27E   | 17      | NW            |    | SE  |     | IRR | 2.0   |
|          |       |         | SW            |    | SE  |     | IRR | 3.0   |
|          |       |         | SE            |    | SE  |     | IRR | 2.0   |
|          |       |         | Section Acres |    |     |     |     | 8.0   |
|          |       | 20      | NE            |    | NE  |     | IRR | 2.0   |
|          |       |         | NW            |    | NE  |     | IRR | 3.0   |
|          |       |         | SW            |    | NE  |     | IRR | 3.0   |
|          |       |         | SE            |    | NE  |     | IRR | 3.0   |
|          |       |         | Section Acres |    |     |     |     | 11.0  |
|          |       |         | Total Acres   |    |     |     |     | 19.0  |

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:  
A43-04065

14. Remarks:

A43-04065 LICENSE IS FOR 293 ACRES. IMPROVED IRRIGATION SYSTEM WITH SPRINKLERS AND INCREASED THE ACRES TO 311.7. THIS CLAIM REPRESENTS THE 19 ACRE EXPANSION WITH THE 6/30/1985 PRIORITY ENACTED FOR CRITICAL GROUNDWATER AREA EXPANSIONS BY HOUSE BILL #285.

THIS RIGHT WITH A43-04065 SHALL NOT EXCEED 6.0 CFS.

\*\*\*\*\*

5/24/99 TF; OWNERSHIP CHANGED ANGUS FARMS TO HANSEN PER 1409(6) AND WARRANTY DEEDS REC'D 3/26/99.

15. Basis of Claim: BENEFICIAL USE



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

May 24, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

BRIAN HANSEN  
DARLA HANSEN  
HC 72 BOX 2380  
MALTA ID 83342

RE: SRBA Claim(s) A43-04065, A43-10132

Dear Mr. and Mrs. Hansen:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, reading 'Trish Fawcett'.

Trish Fawcett  
Technical Records Specialist

enc.

cc: Land Title & Escrow Inc., Burley

RECEIVED

MAR 26 1999

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES  
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources  
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
Incomplete forms will be returned.

1. Water Right Number(s) A43-04065 A43-10132  
Adjudication Claim Number(s) \_\_\_\_\_
2. The following REQUIRED information must be submitted with this form.
  - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
AND
  - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)  
OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Colin S. Bowcut and Carla Bowcut  
527 East 400 South, Burley, Idaho 83318
4. New Owner/Claimant(s) Brian Hansen and Darla Hansen  
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR  
New Mailing Address HC72 Box 2380  
City, State and ZIP Code Malta, Idaho 83344  
New Telephone Number ( ) -
5. Date you acquired the property October 14, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.  
Number of acres actually irrigated \_\_\_\_\_ Number and type of stock \_\_\_\_\_  
Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
cubic feet per second  
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Brian Hansen Date 10-16-98  
Darla Hansen Date 10-16-98
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)  
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

27

CRP

3  
7.2

4  
129.5

5  
7.4

80

BCS98  
2  
3.0

71649

6  
228.2

1  
79.3

BCS98

8  
7.1

371

3  
38.3

16

20 21

11  
6.6

4  
78.6

5  
78.4

30.4

AFTER RECORDING PLEASE RETURN TO:  
 OLSON & HOGGAN, P.C.  
 88 W CENTER  
 P O BOX 525  
 LOGAN UT 84323-0525

RECEIVED

MAR 26 1999

Department of Water Resources  
 Southern Region

261585

SPACE ABOVE LINE FOR COUNTY RECORDER ONLY

# WARRANTY DEED

COLIN S. BOWCUT and CARLA BOWCUT, husband and wife, Grantors of Malta, County of Cassia, State of Idaho, hereby CONVEY and WARRANT to BRIAN HANSEN and DARLA HANSEN, husband and wife, as joint tenants with rights of survivorship, Grantees of Malta, Idaho, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described tracts of land in Cassia County, State of Idaho:

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE  
 MERIDIAN, CASSIA COUNTY, IDAHO

Section 17: SE 1/4

Section 20: NE 1/4

TOGETHER WITH ALL WATER RIGHTS, DITCH RIGHTS USED THEREON  
 OR APPURTENANT THERETO INCLUDING BUT NOT LIMITED TO WATER  
 RIGHTS UNDER THE STATE OF IDAHO, DEPARTMENT OF WATER  
 RESOURCES NO. A43-04065.

WITNESS, the hand of said Grantors, this 16th day of October, A.D. 1998.

Witness

Colin S. Bowcut

Carla Bowcut

STATE OF IDAHO )  
 : ss.  
 County of Cassia )

On the 16th day of October, A.D. 1998, personally appeared before me COLIN S. BOWCUT and CARLA BOWCUT, the signers of the within instrument, who duly acknowledged to me that they executed the same.

LARRY ROBERTS  
 ☆ NOTARY PUBLIC ☆  
 STATE OF IDAHO

RESIDING AT BUPLEY, ID  
 MY COMMISSION EXPIRES 6-30-03

Notary Public

201499

20410

WARRANTY DEED

FOR VALUE RECEIVED, ANGUS FARMS LIMITED PARTNERSHIP, an Idaho Limited Partnership, acting by and through its general partners, J. Reid Angus and Iris N. Angus, hereinafter called the "Grantor", does hereby grant, bargain, sell and convey unto Colin S. Bowcut and Carla Bowcut, husband and wife, of Malta, Idaho, hereinafter called the "Grantee", all the following property located in Cassia County, Idaho, described as follows:

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE  
MERIDIAN, CASSIA COUNTY, IDAHO

Section 17: SE½

Section 20: NE½

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs, successors and assigns forever. The Grantor does hereby covenant to and with the said Grantee that the Grantor is the owner in fee simple of said premises; that the said premises are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 20<sup>th</sup> day of April, 1989.

ANGUS FARMS LIMITED PARTNERSHIP,  
AN IDAHO LIMITED PARTNERSHIP

By: J. Reid Angus

J. Reid Angus

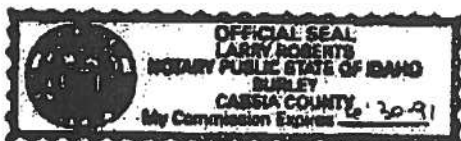
By: Iris N. Angus  
Iris N. Angus

STATE OF IDAHO )  
County of Cassia ) ss.

On this 24<sup>th</sup> day of April, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared J. REID ANGUS and IRIS N. ANGUS general partners in Angus Farms Limited Partnership, an Idaho Limited Partnership, and acknowledged to me that they executed the same on behalf of said partnership.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

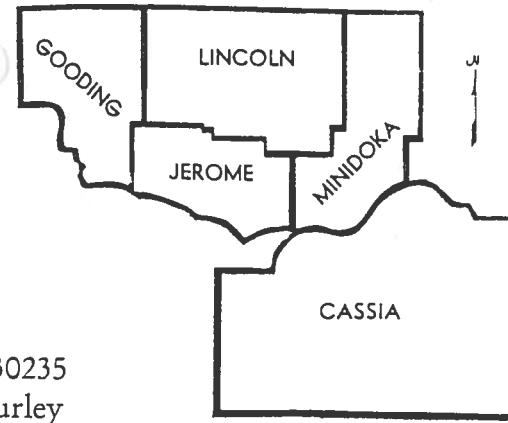
Larry Roberts  
Notary Public for Idaho  
Residing at Burley, Idaho  
Commission Expires: 6.30.91



201499  
LAND TITLE & ESCROW  
APR 26 2 40 PM 1990  
CASSIA COUNTY, IDAHO  
FRANK E. REID  
RECORDS  
LAND TITLE & ESCROW

# Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #30235  
OFFICE: Burley

March 25, 1999

Idaho Dept. of Water Resources  
1341 Fillmore St., Suite 200  
Twin Falls, Idaho 83301-3380

**RECEIVED**

**MAR 26 1999**

Department of Water Resources  
Southern Region

Re: Notice of Change of Water Right Ownership

Dear Sir/Madam:

Enclosed with this letter please find the original executed Notice of Change on property located in Cassia County along with an aerial photo and copy of the recorded Warranty Deed.

Would you please make the necessary changes in your records to indicate Brian and Darla Hansen as the new owners for future water assessments. Please send a receipted copy to this office.

Should you have any questions concerning this matter, please don't hesitate to contact me.

Very truly yours,  
LAND TITLE AND ESCROW, INC.

A handwritten signature in cursive script that reads "Nancy Garrett".

Nancy Garrett  
Reconveyance Department

/nrg  
enc.

BOX 177, BURLEY, IDAHO 83318  
PHONE 678-3524 - FAX 678-4435

BOX 348, JEROME, IDAHO 83338  
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330  
PHONE 934-8477 - FAX 934-5880

BOX 111, RUPERT, IDAHO 83350  
PHONE 436-0806 - FAX 436-1199

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: A43-10132  
Date Received: 5/02/1989  
Receipt No: S006993  
Received By: tw

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: ANGUS FARMS LIM. PARTNERSHIP 208-645-2418  
Address: C/O J. REID-IRIS N.  
HC 72 BOX 2224  
MALTA, ID 83342
2. Date of Priority: JUN 30, 1985
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     | SW     | NE  |     | CASSIA |
5. Description of diverting works:  
20"X 595' WELL, TURBINE PUMP, 3600 GPM.
6. Water is used for the following purposes:
- | Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 10/31 | 0.380 |      |        |
7. Total Quantity Appropriated is:  
0.380 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 14S      | 27E   | 17      | NE     | SE  |     | IRR | 1.0   |
|          |       |         | NW     | SE  |     | IRR | 2.0   |
|          |       |         | SW     | SE  |     | IRR | 3.0   |

A43-10132

Page 1

Date: 05/02/89

MICROFILMED  
MAR 04 1993

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 14S      | 27E   | 17      | SE     | SE  |     | IRR           | 2.0   |
|          |       |         |        |     |     | Section Acres | 8.0   |
|          |       | 20      | NE     | NE  |     | IRR           | 2.0   |
|          |       |         | NW     | NE  |     | IRR           | 3.0   |
|          |       |         | SW     | NE  |     | IRR           | 3.0   |
|          |       |         | SE     | NE  |     | IRR           | 3.0   |
|          |       |         |        |     |     | Section Acres | 11.0  |
|          |       |         |        |     |     | Total Acres   | 19.0  |

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:  
A43-04065

14. Remarks:

A43-04065 LICENSE IS FOR 293 ACRES. IMPROVED IRRIGATION SYSTEM WITH SPRINKLERS AND INCREASED THE ACRES TO 311.7. THIS CLAIM REPRESENTS THE 19 ACRE EXSPANSION WITH THE 6/30/1985 PRIORITY ENACTED FOR CRITICAL GROUNDWATER AREA EXPANSIONS BY HOUSE BILL #285. THIS RIGHT WITH A43-04065 SHALL NOT EXCEED 6.0 CFS.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do        do not   /   wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:                     

For Organizations:

I do solemnly swear or affirm that I am Chris N. Angus of Angus Farm & Livestock Partnership that I have signed the foregoing document in the space below as Chris N. Angus of Angus Farm & Livestock Partnership and that the statements contained in the foregoing document are true and correct.

Chris N. Angus  
Signature of Authorized Agent  
Angus Farm & Livestock Partnership  
Title and Organization  
May 2, 1989  
Date

State of Idaho                                )  
County of TF                                ) SS.

Subscribed and sworn (or affirmed) before me this 2<sup>nd</sup> day  
of May 19 89  
Lori White  
Notary Public

Seal

Residing at TF  
My Commission Expires 5/94



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83304 (208) 736-3033

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

09-Dec-1991

RITA ANGUS  
PO BOX 173  
ALBION ID 83311

RE: ADJUDICATION CLAIM NO. A43-04065, A43-10132

Dear Mrs. Angus:

Enclosed is a NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form. Please complete it, attach proof of ownership - Warranty Deed - if necessary, and return them to me. I will then make the necessary changes in our computer records and forward copies back to you.

Sincerely,

Jeanie Robertson  
Records Clerk

/jr  
Enclosures

MICROFILMED  
MAR U 4 1993



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

A43-10132  
ANGUS FARMS LIM. PARTNERSHIP  
C/O J. REID-IRIS N.  
HC 72 BOX 2224  
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 U 4 1993

07/13/2001 15:25 2087363033

IDWR SOUTHERN REGION

PAGE 04

07/13/2001

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: July 18, 2001

Water Right Number: 43-10132

BRIAN HANSEN  
26705 N ONE MILE CANYON RD  
MALTA, ID 83342  
Telephone Number: (208)827-5743

DARLA HANSEN  
26705 N ONE MILE CANYON RD  
MALTA, ID 83342  
Telephone Number: (208)827-5743

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 those portions:

X I AGREE with this proposed recommendation; no changes need to be made.

DATE: July 18, 2001

SIGNATURE:

Brian Hansen

Please print your name:

Brian Hansen

IDWR Regional Office: 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 2087363033

07/13/2001

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

RIGHT NUMBER: 43-10132

NAME AND ADDRESS: BRIAN HANSEN  
DARLA HANSEN  
26705 N ONE MILE CANYON RD  
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 0.38 CFS

USE OF THIS RIGHT WITH RIGHT NO.43-4065 IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 5.93 CFS AND TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 1186.5 AF.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION: T14S R27E S20 SWSWNE 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          | 0.38 CFS        |

PLACE OF USE:

IRRIGATION Within CASSIA County

|               |      |    |               |      |    |
|---------------|------|----|---------------|------|----|
| T14S R27E S17 | NESE | 38 | T14S R27E S17 | NWSE | 40 |
| T14S R27E S17 | SWSE | 38 | T14S R27E S17 | SESE | 38 |
| T14S R27E S20 | NENE | 40 | T14S R27E S20 | NWNE | 40 |
| T14S R27E S20 | SWNE | 39 | T14S R27E S20 | SENE | 39 |

312 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 19 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.

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 43-4065 PURSUANT TO  
SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

## ***NOTE TO FILE***

**From:** Vikie Hancock

7-13-2001

**Regarding:** Claim 43-4065 expanded by 43-10132

**Contact:** Scott King re: Brian Hansen well

I forwarded to Scott King the information I received July 5<sup>th</sup> from Layne Pumps about the Brian Hansen well located in SWNE Sec 20, T14E, R27E.

Scott's review of the information caused him to conclude that changes in the system had occurred since 1956, but that the evidence submitted supported a diversion rate of 6 cfs developed under open discharge conditions in 1956, as claimed. He noted that the system that currently existed would probably not produce the claimed diversion amount under sprinkler irrigation, even when working efficiently.

Based upon IDWR policy to allow the documented developed diversion amount used under less efficient flood irrigation methods, I am recommending a diversion rate for irrigation of 1 inch per acre for the claimed 293 acres. This number of acres matches the statutory claim filed in 1976 by Reid Angus, predecessor of Brian Hansen. An additional 19 acres are claimed under expansion claim 43-10132 with no additional diversion rate or volume allowed. The full 6 cfs claimed for irrigation will not be allowed as it would be over the 1 inch per acre standard, however information on the original 1976 statutory claim indicates that there was an historical diversion for stockwater in addition to that used for irrigation. The total diversion rate for this claim then will be recommended as 5.93 cfs and 1186.5 afa.

### **STOCKWATER**

$13,000 \text{ gpd} \times 365 = 4,745,000 \text{ gal per year}$

$325,850 \text{ gal} = 1 \text{ af}$

$4745000 / 325850 = \underline{14.5} \text{ afa for stockwater}$

02/21/2001

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

RIGHT NUMBER: 43-10132

NAME AND ADDRESS: BRIAN HANSEN  
DARLA HANSEN  
HC 72 BOX 2380  
MALTA, ID 83342

*Address chg  
per NOE  
see 43-2341*

SOURCE: GROUND WATER

QUANTITY: 0.38 CFS

USE OF THIS RIGHT WITH RIGHT NO.43-4065 IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 4.5 CFS AND TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 1172 AF.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION: T14S R27E S20 SWSWNE 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          | 0.38 CFS        |

PLACE OF USE:

| <u>IRRIGATION Within CASSIA County</u> |      |    |               |      |    |
|----------------------------------------|------|----|---------------|------|----|
| T14S R27E S17                          | NESE | 38 | T14S R27E S17 | NWSE | 40 |
| T14S R27E S17                          | SWSE | 38 | T14S R27E S17 | SESE | 38 |
| T14S R27E S20                          | NENE | 40 | T14S R27E S20 | NWNE | 40 |
| T14S R27E S20                          | SWNE | 39 | T14S R27E S20 | SENE | 39 |

312 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 19 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.

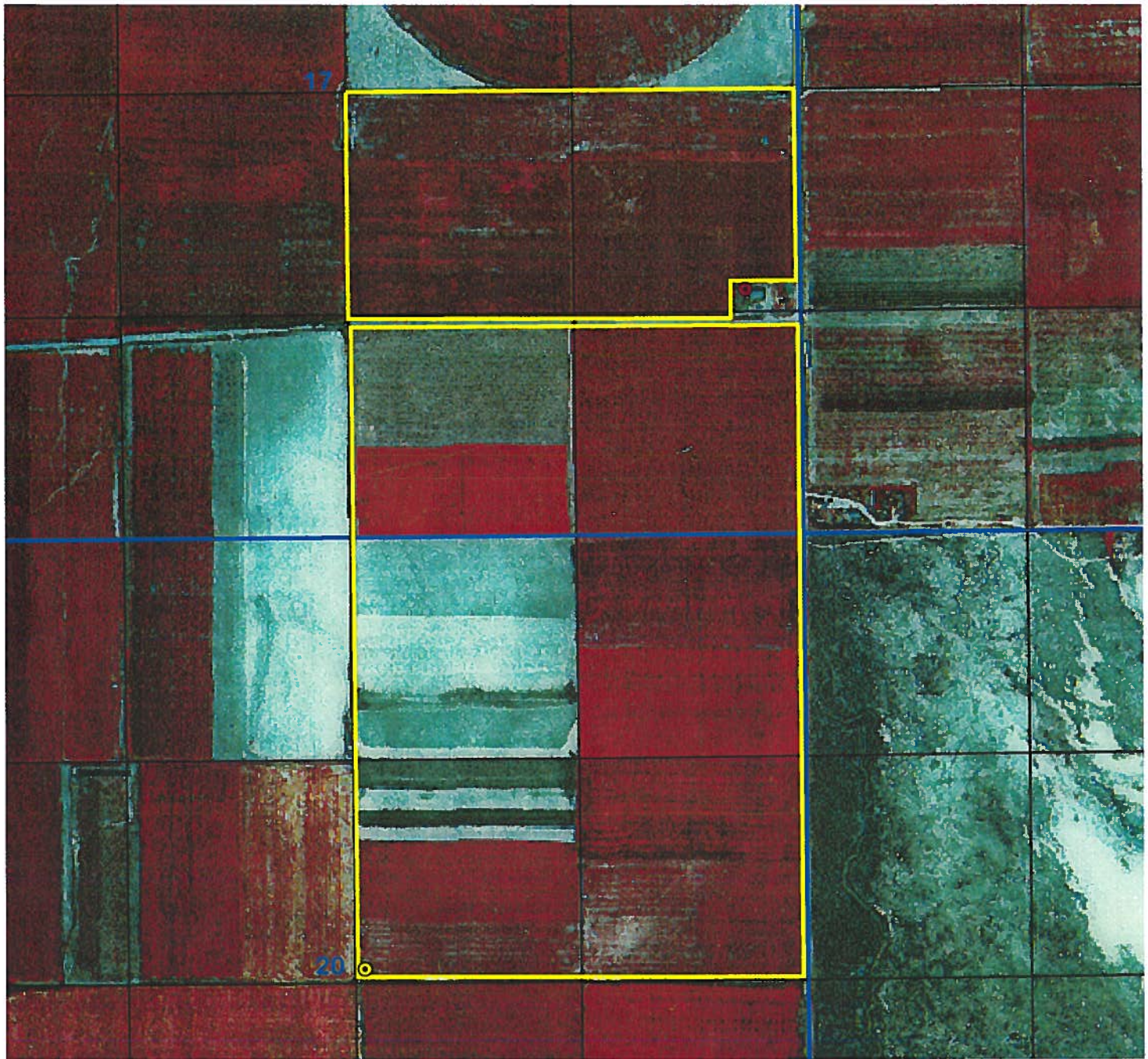
THIS RIGHT IS AN EXPANSION OF RIGHT NO. 43-4065 PURSUANT TO  
SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

*Quant  
Comb limits  
increased per  
info rec'd  
DHA  
7-13-01*

RIGHTS: 43-4065, 43-10132

RECOMMENDED PLACE OF USE  
TWP 14S, RNG 27E,  
Data entry on February 20, 2001



0 2640 5280 Feet

-  RECOMMENDED POINT OF DIVERSION
-  RECOMMENDED PLACE OF USE
-  SECTION LINES
-  QUARTER/QUARTER LINES



GIS PLACE OF USE PRESENTATION  
1987/1988 NAPP AERIAL PHOTOGRAPHY  
DATA ENTRY BY VIKIE HANCOCK

AJ5809NP  
No. A43-10132

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/20/01  
PAGE: 2

| OWNER<br>CODE    | NAME & ADDRESS | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | BRIAN HANSEN   | 06/30/1985       | IRRIGATION | 04-01 10-31           | 0.380 CFS         |                     |
| C                | DARLA HANSEN   |                  |            |                       |                   |                     |
| HC               | 72 BOX 2360    |                  |            |                       |                   |                     |
|                  | MALTA ID 83342 |                  |            |                       |                   |                     |
| TOTAL DIVERSION: |                |                  |            |                       | 0.380 CFS         |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: 114S R27E S20

SWSME

CASSIA County

Place of use Legal Description for: IRRIGATION

|             | NE                        | NW                        | SW                        | SE                        | SUM    |
|-------------|---------------------------|---------------------------|---------------------------|---------------------------|--------|
| T R S       | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : SUM  |
| 14S 27E 17  | : 02                      | : 03                      | : 03                      | : 03                      | : 8.0  |
| 14S 27E 20  | : 02                      | : 03                      | : 03                      | : 02                      | : 11.0 |
| TOTAL ACRES |                           |                           |                           |                           | 19.0   |

POU County: CASSIA

Other Rights: A43-04065

Remarks: GEN A43-04065 LICENSE IS FOR 293 ACRES. IMPROVED IRRIGATION SYSTEM WITH SPRINKLERS AND INCREASED THE ACRES TO 311.7. THIS CLAIM REPRESENTS THE 19 ACRE EXPANSION WITH THE 6/30/1985 PRIORITY ENACTED FOR CRITICAL GROUNDWATER AREA EXPANSIONS BY HOUSE BILL #285. THIS RIGHT WITH A43-04065 SHALL NOT EXCEED 6.0 CFS. \*\*\*\*\* 5/24/99 TF; OWNERSHIP CHANGED ANGUS FARMS TO HANSEN PER 1409(6) AND WARRANTY DEEDS REC'D 3/26/99.

*Comb Lem 4065 { 4.8 cfs 10132 1172*

Dates: Exam Made Date: Verified Date: Objection Filed Date:  
Misc: Water District Number: Field Inspection Flag: Presumption Flag:

## RECOMMENDATION NOTES

**From:** Vikie Hancock

*VH*

2/20/01

Regarding: 43-4065 and 43-10132

43-4065 is based upon a statutory claim filed in 1976 claiming a priority date of 1956 and a diversion rate of 6 cfs on 293 acres.

Two affidavits in the file evidence that the well which is still used as POD for this and claim 43-10132 was drilled in 1956. Although historical estimates of diversion capacity of this well range from 6 cfs to 8 cfs, no actual measurements were ever submitted to the file to document the capacity of the well. During a field exam in June of 2000, IDWR personnel measured a flow of 4.12 cfs and also calculated a theoretical capacity of between 4.5 and 4.8 cfs for the well. If the middle figure is used, a diversion rate of 4.5 cfs would be recommended.

43-10132 is a claim for expansion of an additional 19 acres over that developed under 43-4065. Combined diversion limits for 43-10132 and 43-4065 are 4.5 cfs and ~~1244~~ afa.

*1172*

1962 aerial photos indicate that 293 acres were developed on the claimed tracts prior to 1962. 1987 NAPP aerial photos verify that an additional 19 acres were being irrigated prior to 1987. Based on information available to me, I see no reason to change the priority date for either right as claimed.

*See SRBA Claim File 43-4065 for  
documentation*

27

ASCS  
1993/94

1067  
T1649

T8593

See EE30

1  
19.3

NHEL/W

Nw

NHEL/W

12A  
8.0

2  
37.1

NHEL/W

3  
38.3

NHEL/W

17

16

3  
75.7

20

21

NHEL/W

12B  
60.0

12C  
60.0

NHEL/W

12D  
7.9

NHEL/W

NHEL/W

4  
78.6

NHEL/W

5

78.4

NHEL/W

922

T1650

NHEL/W

2