

C015806

03/21/90
13:25:03

WARR BROTHERS/OLENE

ADJUDICATION FEE

0410162 9337 6490

\$158.00

\$158.00

CHECK 3208

WR/NO: A43-10633

Idaho Department of Water Resources

Region: STATE

Signature: _____

MICROFILM

MAR 05 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

A43-10633
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

MICROFILM

MAR 05 1992

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: A43-10633
Date Received: 3/12/1990
Receipt No: C015806
Received By: C. Wong

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WARR BROTHERS
Address: HC 72, BOX 2208
MALTA, ID

83342

208-654-2485

2. Date of Priority: JUN 30, 1985

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Department of Water Resources

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

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.440		

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

A.F.A.

8. Total consumptive use is 143.7 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	32	NE	NE		IRR	20.0
			NW	NE		IRR	25.0
Section Acres							45.0

A43-10633

Page

1

Date: 03/12/90

MICROFILM

MAR 05 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	27E	33	NW	NW		IRR	12.5
Section Acres							12.5
Total Acres							57.5

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:

THIS CLAIM IS BASED ON IDAHO CODE 42-1416B, EXPANSION IN A CRITICAL GROUNDWATER AREA. THIS CLAIM IS AN EXPANSION OF WATER RIGHTS DESCRIBED IN SRBA CLAIMS A43-02289, A43-02301 AND A43-02302. THE AMOUNTS OF WATER HAVE NOT INCREASED; HOWEVER, AN ADDITIONAL 57.5 ACRES ARE NOW BEING IRRIGATED .

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

Clene Warr
Signature of Authorized Agent

Partner Warr Brothers
Title and Organization

3/20/90
Date

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 20 day
of March 19 90

M. Geronimo Burgess
Notary Public

Seal

Residing at Burley

My Commission Expires 1/5/92

A43-106033

Expanded
Across

FE 34

S 32, 33

T 14

R 27

(47-04003A)

STAT. CLAIM

1959

GROUNDWATER

4.97 CFS

(IF CLAIMED -
SPLIT RIGHT)

1020
FIG 57

40

(25)

(40)

(13)

40 (13)

3
71.6

6.0

(20)

32 33

2
6.5

(12.5)
(20)

(40)

1260
CFS

6.7

5
73.43

POD IN
SE SE
SEC 6
T 155
R 27E

MICROFILM

MAR 05 1993

32 33

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: 43-10633

WARR BROTHERS
2231 S 2350 E
MALTA ID 83342
Telephone Number: (208)645-2485

RECEIVED

JUN 14 2001

Department of Water Resources

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6-12-01 SIGNATURE: *Olene Wan*
Please print your name: Olene Wan

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, (208)736-3033

RECEIVED

JUN 18 2001

Department of Water Resource
Southern Region

VERIFIED BY *jl* 12/22/2000

12/22/2000

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

RIGHT NUMBER: 43-10633

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

SOURCE: GROUND WATER

QUANTITY: 0.49 CFS

USE OF THIS RIGHT WITH RIGHT NO. 43-02302 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, & 43-10833.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION: T14S R27E S33 NWSWN Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.49 CFS

PLACE OF USE:

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

223 ACRES TOTAL

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

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 32 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. 43-02302 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

VERIFIED BY

09/19/2000

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

RIGHT NUMBER: 43-10633

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

SOURCE: GROUND WATER

QUANTITY: 0.49 CFS

USE OF THIS RIGHT WITH RIGHT NO. 43-02302 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, & 43-10833.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION: T14S R27E S33 NWSWN Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	0.49 CFS

PLACE OF USE:

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

223 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 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 32 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

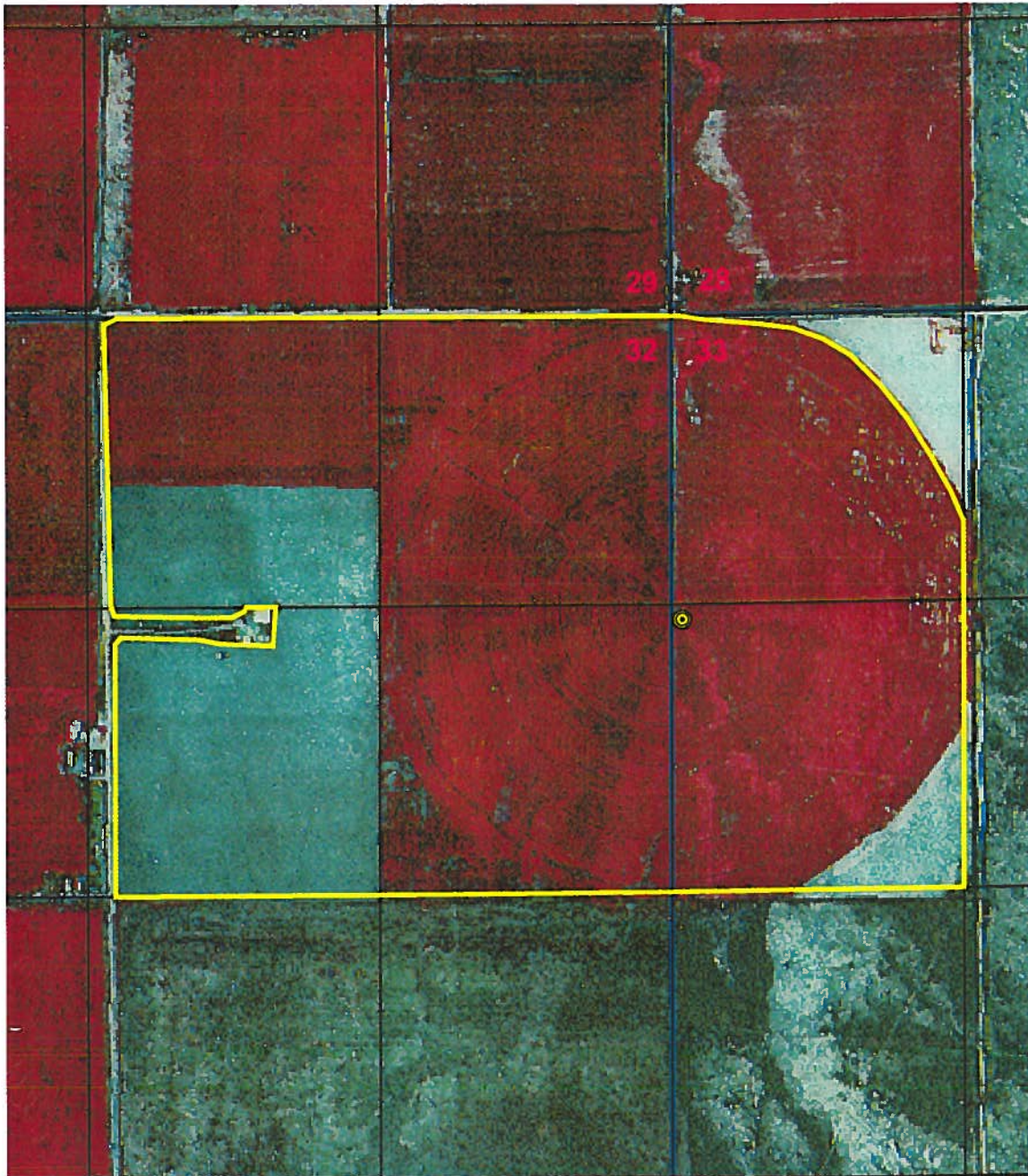
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 43-02302 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Iowa Department of Water Resources

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 license for 2.34 cfs - leaving 0.86 cfs available
- * recommended to 43-040030⁴
- has expansion claim 43-10633 on it for 32 ac.
- gis showed total of 223 ac. in ppu

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

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.)
- 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 Ae
B.U. = 16 new Ac.
EXP = 32 Ac.

15
1
5
6
204
8
+ 6

37
-15 from the
-16 new bill.

72	
60	
12.	

old well (minus has identification at entry)

(33)

(32)

20-02302
12.5-10633

20-02302
20-10633

15-02301
~~25-10633~~
40-04003D

40-02302

40-02302

13-02289
40-02301
40-04003D

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:47:17
09/14/00
15

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-10633

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WARR BROTHERS	06/30/1985	IRRIGATION	03-15 11-15	3.440 CFS	
TOTAL DIVERSION:					3.440 CFS	
~~CONSUMPTIVE USE:~~					0.49	~~143.70 AFA~~

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

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

CASSIA County

Place of use Legal Description for: IRRIGATION

NE								NW								SW								SE								
T	R	S	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	32	20		25																									45.0		
14S	27E	33									12																			12.5		
TOTAL ACRES																												57.5				

POU County: CASSIA

Other Rights: NONE

Remarks: GEN THIS CLAIM IS BASED ON IDAHO CODE 42-1416B, EXPANSION IN A CRITICAL GROUNDWATER AREA. THIS CLAIM IS AN EXPANSION OF WATER RIGHTS DESCRIBED IN SRBA CLAIMS A43-02289, A43-02301 AND A43-02302. THE AMOUNTS OF WATER HAVE NOT INCREASED; HOWEVER, AN ADDITIONAL 57.5 ACRES ARE NOW BEING IRRIGATED .

copy to comments

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

C18 Cond. Code

Remarks:
POU E 14(223)
K 06(32)

QNT E 27(3.76 cfs, 764)
E 25(2.34 cfs, 48)

GEN K 04

(-02302)
↓
 $2.34 \text{ cfs} \div (120 + 32) \times 32 = 0.49 \text{ cfs}$

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:46:59
09/14/00

PAGE: 2
QUICKLOOK INFORMATION

14
CLAIM NUMBER: A43-10633

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	Y -							
CONSUMPTIVE USE	/							
PURPOSES OF USE	- N							
PERIOD OF USE	- N							
BASIS OF CLAIM	- N							
REMARKS	Y -							

BARCODE UPDATED
WHOM/DATE

R PROOF

CVR

MAPS

PHOTOS

MISC