

07/11/2005

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

RIGHT NUMBER: 37-328

NAME AND ADDRESS: JOHN F VARIN
PO BOX 190
FAIRFIELD ID 83327

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.600 CFS

PRIORITY DATE: 04/01/1885

POINT OF DIVERSION:

T05S R16E S28 NWNE Within LINCOLN County

T05S R16E S28 NWSW Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.600 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R16E S28	SWNE	24.0	T05S R16E S28	NESW	39.0
T05S R16E S28	NWSW	34.0	T05S R16E S28	SWSW	11.0
T05S R16E S28	SESW	7.5	T05S R16E S28	NWSE	38.0
T05S R16E S28	SWSE	3.8			

157.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 157.3 acres in a single irrigation season.
Combined Right Nos.: 37-326, 37-328, 37-1127 and 37-21485

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.

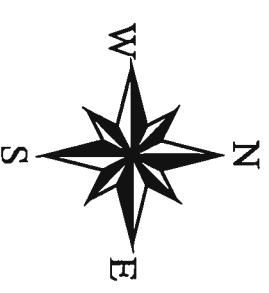
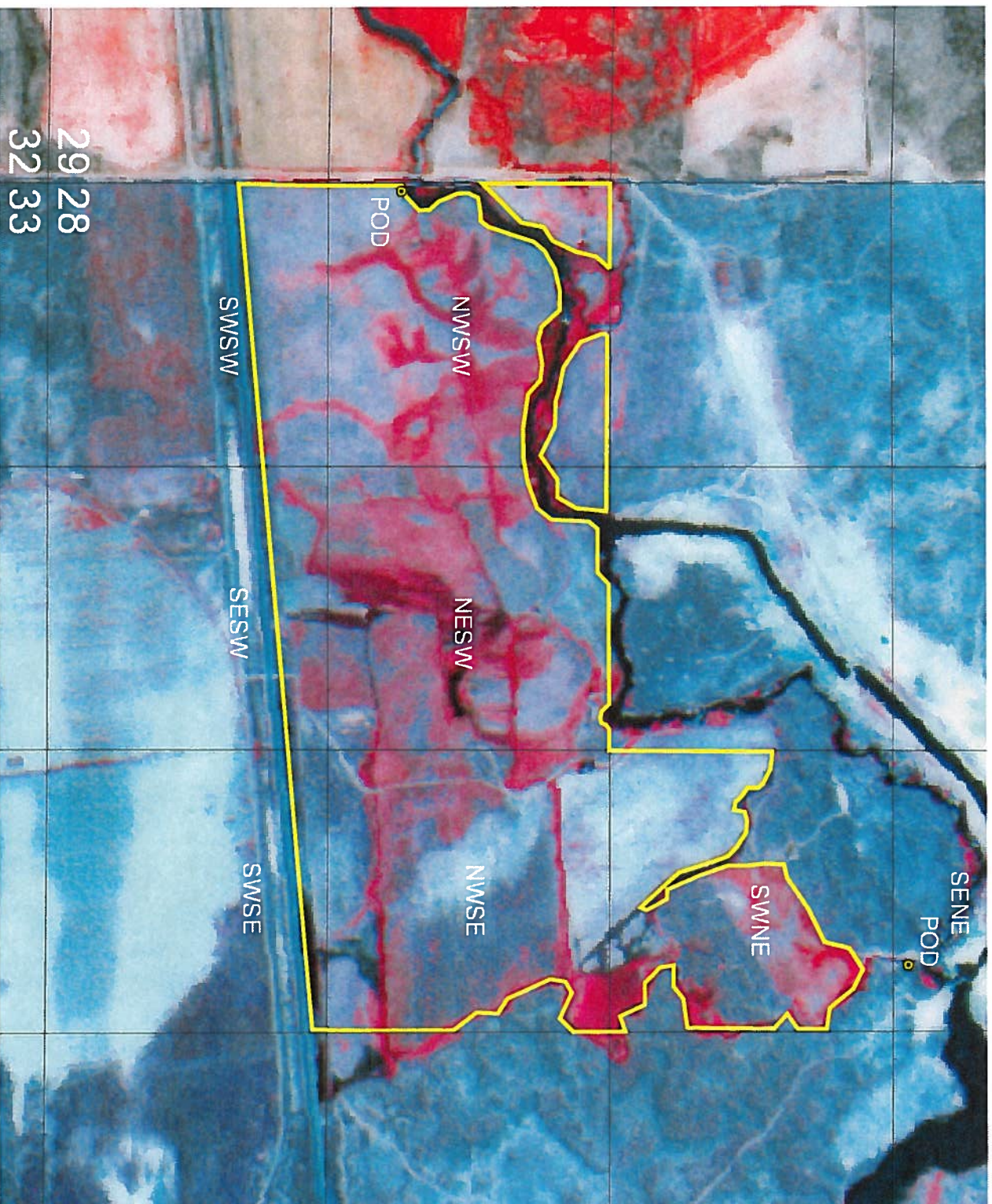
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of this right is combined with water from American Falls Reservoir Dist. No. 2.

Water is delivered through the Winters Ditch or Winters Ditch Pump.

37-326 37-328 37-1127 & 37-21485

**T05S R16E
S28**



1000 0 1000 2000 3000 Feet

Map prepared by: Carter Fritschle
Date prepared: 02/17/05 - Revised 07/11/05
1987-1988 NAPP photography
Idaho Department of Water Resources

RECEIVED

JUL 07 2005

Department of Water Resources

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 37-328
Date Received: 5/26/1989
Receipt No: S007361
Received By:

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

1. Name of Claimant(s)

JOHN F VARIN Phone: (208)764-2285
PO BOX 190
FAIRFIELD ID 83327

2. Date of Priority: 04/01/1885

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	16E	28	NW NE	LINCOLN	
05S	16E	28	NW SW	LINCOLN	

5. Description of diverting works:

WINTERS DIVERSION NO. 80 AND WINTERS PUMP DIVERSION NO. 80-P

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.6	

7. Total Quantity Appropriated is:
0.6 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05S	16E	28	SW NE	IRRIGATION	24
			NE SW	IRRIGATION	39
			NW SW	IRRIGATION	34
			SW SW	IRRIGATION	11
			SE SW	IRRIGATION	7.5
			NW SE	IRRIGATION	38
			SW SE	IRRIGATION	3.8
Section Acres					157.3
Total Acres					157.3

37-328

~~37-328~~

06/27/2005

1

11. Place of use in counties: LINCOLN

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

37-326, 37-1127, 37-21485 and American Falls Reservoir District No. 2

14. Remarks:

15. Basis of Claim: Decreed

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: 7/5/05
_____ Date: _____

State of Idaho)
County of Gooding) SS.

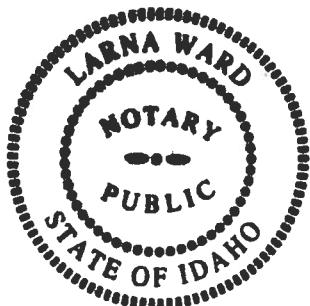
Subscribed and sworn (or affirmed) before me this 5th day
of July 2005

Larna Ward

Notary Public

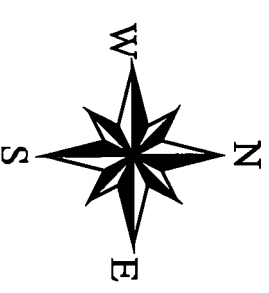
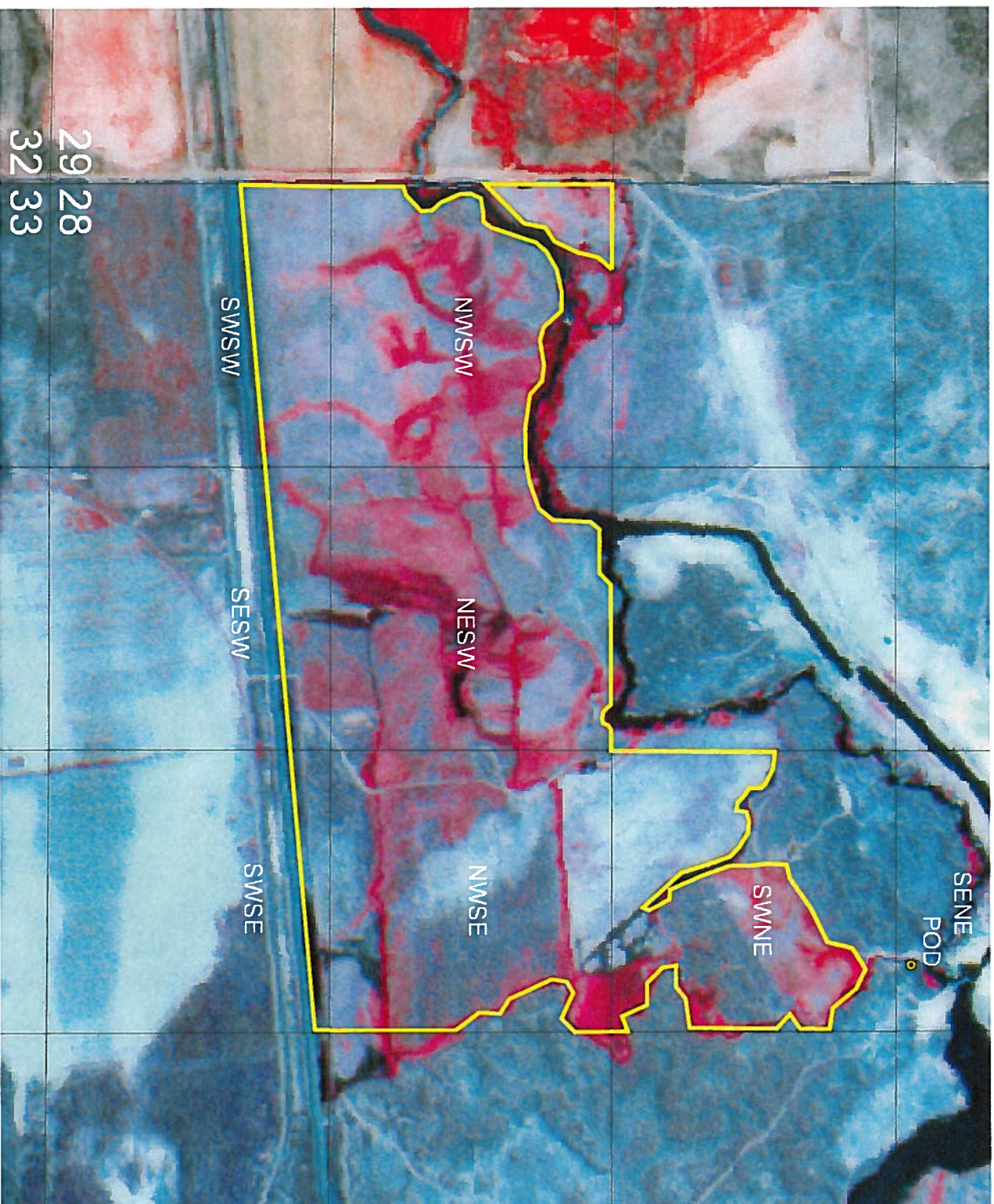
Residing at Hagerman, Idaho

My commission Expires 3-30-2011



37-326 37-328 & 37-1127

T05S R16E
S28



Map prepared by: Carter Fritschle
Date prepared: 02/17/05
1987-1988 NAPP photography
Idaho Department of Water Resources

02/17/2005

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

RIGHT NUMBER: 37-328

NAME AND ADDRESS: JOHN F VARIN
PO BOX 190
FAIRFIELD ID 83327

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.600 CFS

PRIORITY DATE: 04/01/1885

POINT OF DIVERSION:

T05S R16E S28 NWNE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.600 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R16E S28	SWNE	24.0	T05S R16E S28	NESW	38.0
T05S R16E S28	NWSW	31.0	T05S R16E S28	SWSW	11.0
T05S R16E S28	SESW	7.5	T05S R16E S28	NWSE	38.0
T05S R16E S28	SWSE	3.8			

153.3 ACRES TOTAL

Right nos. 37-326 37-328 and 37-1127 are limited to the irrigation of a combined total of 153.3 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:

Water is delivered through the Winters Ditch.

Use of this right is combined with water from American Falls Reservoir Dist. No. 2.

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 37-328
Date Received: 5/26/1989
Receipt No: S007361
Received By:

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

1. Name of Claimant(s)

JERRY A VARIN Phone: (208)934-5883

1842 E 1400 S
GOODING ID USA 83330

CHARVELLA VARIN Phone: (208)934-5883

1842 E 1400 S
GOODING ID USA 83330

JOHN F VARIN Phone: (208)764-2285

PO BOX 190
FAIRFIELD ID USA 83327

2. Date of Priority: 04/01/1885

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	16E	28	NW NE	LINCOLN	

5. Description of diverting works:

WINTERS #80 HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.6	

7. Total Quantity Appropriated is:
0.6 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	16E	28	SW	NE	IRRIGATION	24
			NE	SW	IRRIGATION	38
			NW	SW	IRRIGATION	31
			SW	SW	IRRIGATION	11
			SE	SW	IRRIGATION	7.5
			NW	SE	IRRIGATION	38
			SW	SE	IRRIGATION	3.8
Section Acres						153.3
Total Acres						153.3

11. Place of use in counties: LINCOLN

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

12/17/2004: AMENDED POU TO ADD ACRES NORTH OF RR RIGHT OF WAY. ADDED OWNER PER TAX STMTS.

P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
ALL 3 CLAIMS USED ON 125 ACRES WITH A TOTAL OF 2.6 CFS.

15. Basis of Claim: Decreed

16. Signature(s)



For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): [Signature] Date: 12/17/04

Date: _____

State of Idaho)
County of San Joaquin) SS.

Subscribed and sworn (or affirmed) before me ^{17th} this day of DEC 2004



[Signature]

Notary Public

Residing at Buhl Idaho

My commission Expires 5-7-2009

waiting for signed copy

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: A37-00328
Date Received: 5/26/1989
Receipt No: S007361
Received By: _____

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

1. Name: CHARVELLA VARIN 208-934-5883
Address: 1842E 1400S
GOODING, ID 83330

AND/OR

Name: JERRY A. VARIN 208-934-5883
Address: 1842E 1400S
GOODING, ID 83330

2. Date of Priority: APR 01, 1885

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	16E	28	NW	NE			LINCOLN

5. Description of diverting works:
WINTERS #80 HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.600		

7. Total Quantity Appropriated is:
0.600 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
05S	15E	7	SW	NE		IRR	24.0
			NE	SW		IRR	40.0
			NW	SW		IRR	37.0
			NW	SE		IRR	24.0
						Section Acres	125.0
						Total Acres	125.0

11. Place of use in counties: LINCOLN

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A37-00326, A37-01127

14. Remarks:
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
ALL 3 CLAIMS USED ON 125 ACRES WITH A TOTAL OF 2.6 CFS.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

S. C. FROST, ET. AL.
Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.
Decree Defendant

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A37-00328
Date Received: 9/30/1988
Receipt No: 5007361
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JERRY A. VARIN 208-934-5883
Address: 1842E 1400S
GOODING, ID 83330

AND/OR

Name: CHARVELLA VARIN 208-934-5883
Address: 1842E 1400S
GOODING, ID 83330

2. Date of Priority: APR 01, 1885

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	16E	28	NW	NE			LINCOLN

5. Description of diverting works:
WINTERS #80 HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.600		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A37-00328

Page 1

Date: 03/21/89

This is a
copy. Waiting
for Original to
be returned.
9-11-89 Good Luck -
12-27-90

MICROFILMED
FEB 22 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	7	SW	NE		IRR	24.0
			NE	SW		IRR	40.0
			NW	SW		IRR	37.0
			NW	SE		IRR	24.0
						Section Acres	125.0
						Total Acres	125.0

11. Place of use in counties: LINCOLN

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A37-00326, A37-01127

14. Remarks:
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
ALL 3 CLAIMS USED ON 125 ACRES WITH A TOTAL OF 2.6 CFS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

S. C. FROST, ET. AL.
Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.
Decree Defendant

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: 5007361

Date: 05/26/89
Time: 15:19:06

Received

From: VARIN, JERRY OR JOHN

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$275.00
LATE FEE	0410162 9337 6490	\$150.00
	Total	\$425.00

CHECK 616

WR/NO: A37-01127 A37-00326 A37-00328

Idaho Department of Water Resources

Region: SOUTHERN

Signature: _____

Lon White

MICROFILMED
FEB 22 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 19, 1989

Re: A37-01127
A37-00326
A37-00328

JERRY A VARIN
1842 E 1400 S
GOODING ID 83330

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in black ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
FEB 22 1993