

04/11/2005

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

RIGHT NUMBER: 27-7327

NAME AND ADDRESS: OPAL WERNETTE
494 N 600 E
FIRTH ID 83236

FLORIAN WERNETTE
494 N 600 E
FIRTH ID 83236

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.780 CFS
486.500 AFY

The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

PRIORITY DATE: 08/31/1982

POINT OF DIVERSION:

T02S R36E S12 SWNWSE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	2.780 CFS 486.50 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T02S R36E S12	SWNE	5.1	T02S R36E S12	SENE	1.3
T02S R36E S12	NESW	27.5	T02S R36E S12	SESW	19.0
T02S R36E S12	NESE	8.9	T02S R36E S12	NWSE	40.0
T02S R36E S12	SWSE	33.0	T02S R36E S12	SESE	4.2

139 ACRES TOTAL

This water right is appurtenant to the described place of use.

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

This right is subject to all prior water rights and may be forfeited by five years of non-use.

Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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: License

04/11/2005

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

Right includes accomplished change in place of use pursuant to Section
42-1425, Idaho Code.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM SNAKE RIVER
VALLEY IRRIGATION DISTRICT.



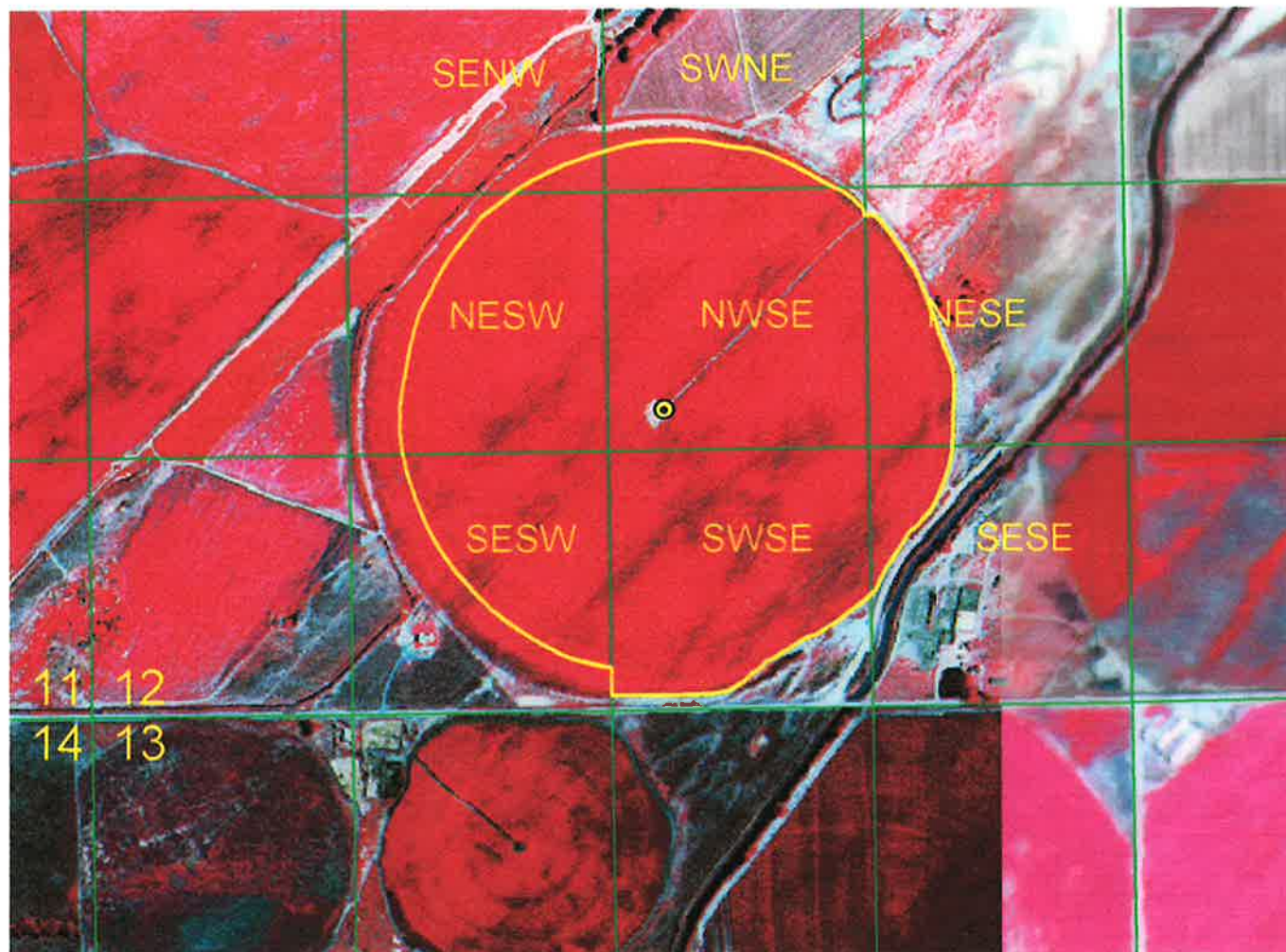
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-7327



900 0 900 1800 Feet

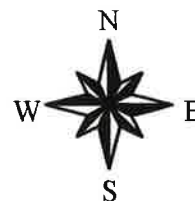
IRRIGATED ACRES 139.0

LEGEND

- Point of Diversion
- Place of Use
- Townships
- Sections
- Quarter-Quarters

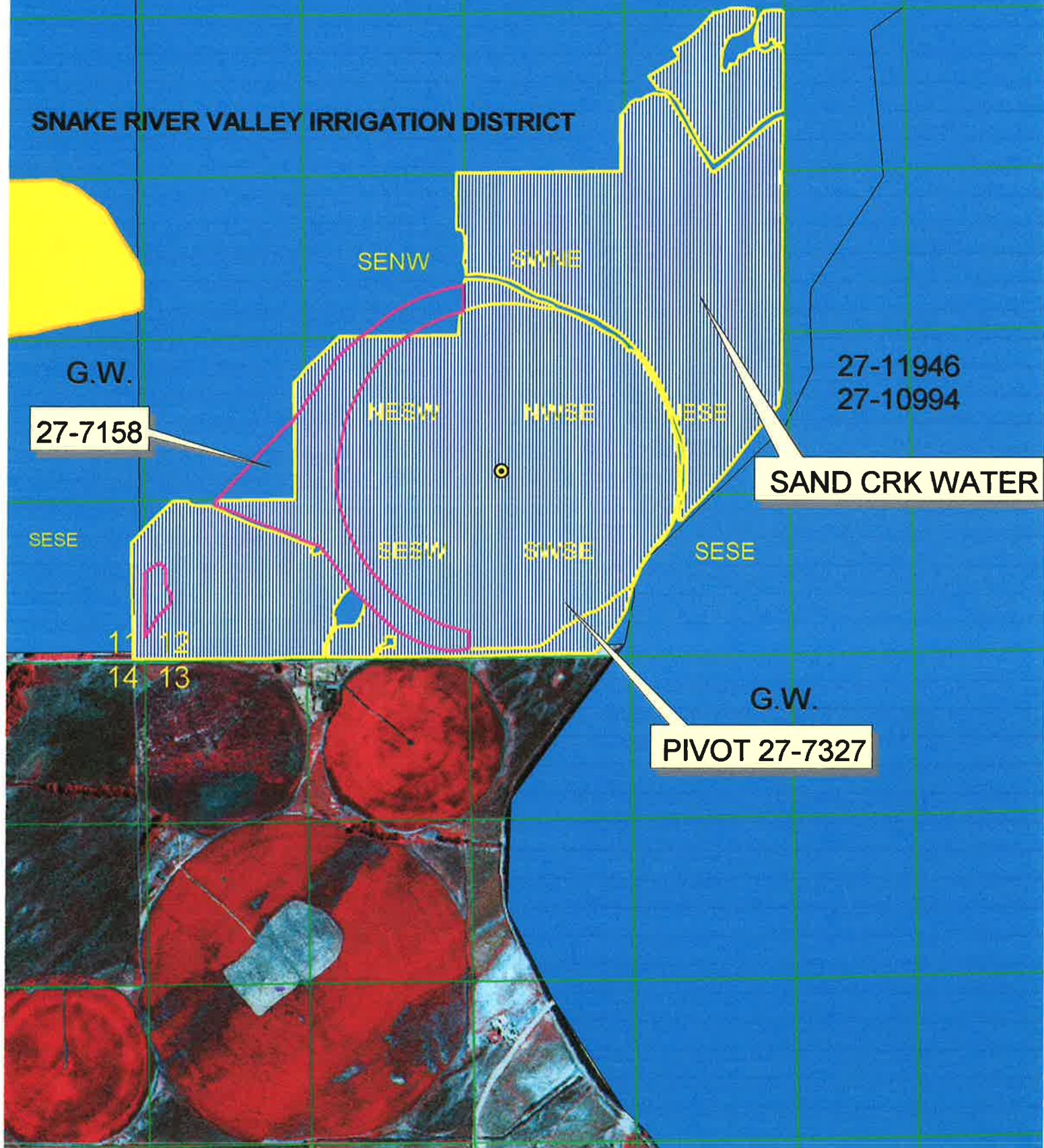
Place of Use: T2S, R36E:
(part of) Sec. 12, SENW, SWNE,
NESW, NWSE, NESE,
SESW, SWSE, SESE.

Point(s) of Diversion: T2S, R36E:
Sec. 12, SWNWSE.



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: April 2005.

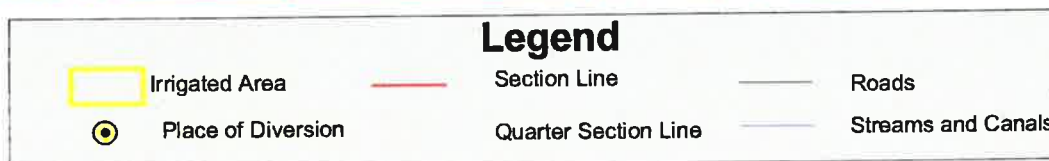
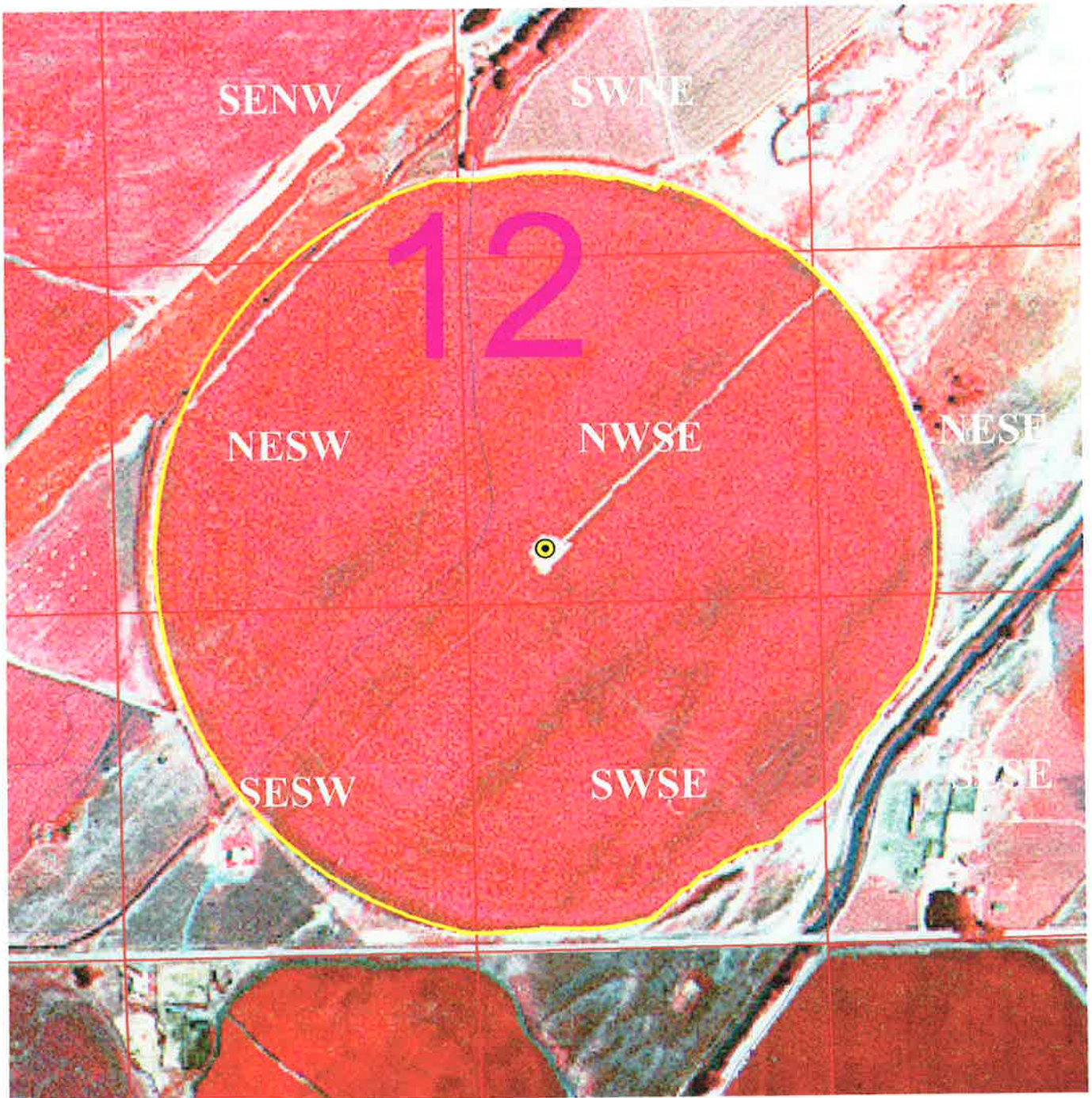
SNAKE RIVER VALLEY IRRIGATION DISTRICT



4/7/05 CB

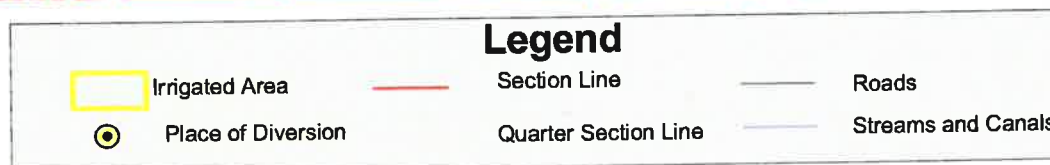
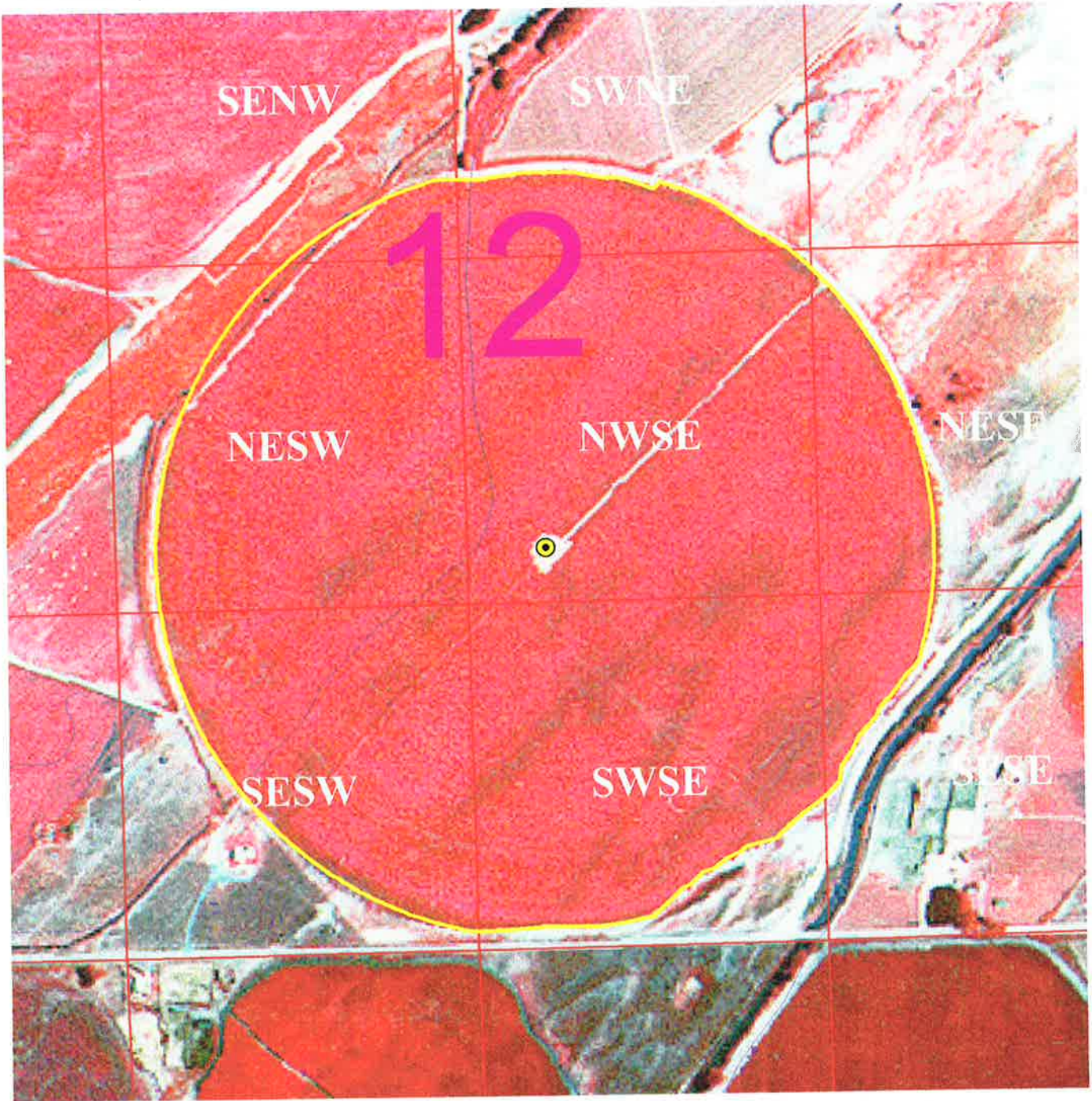
Water Right Claim Number 27-07327
Township , 2S36E

01/02/2001



Water Right Claim Number 27-07327
Township , 2S36E

01/02/2001



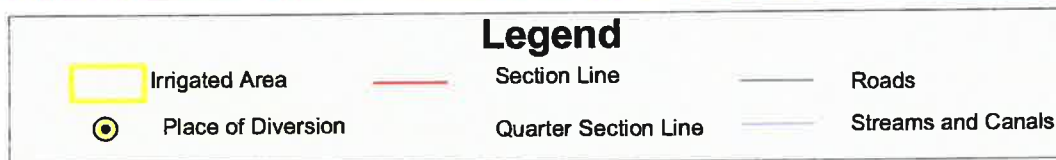
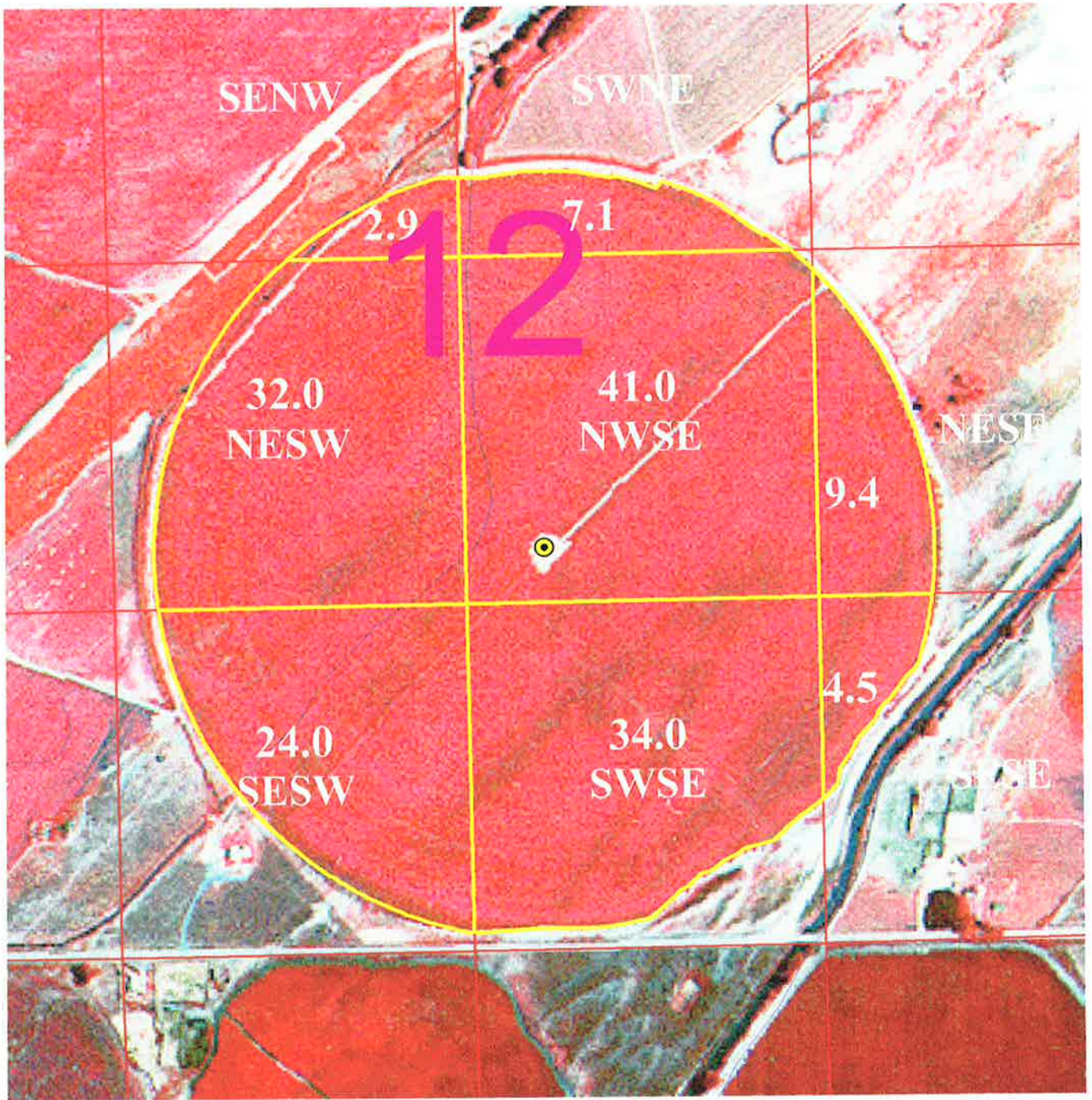
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 27-07327
Township , 2S36E

01/02/2001



(6)
27-7327
05/12/2005

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:

Water right number: 27-7327

OPAL WERNETTE
494 N 600 E
FIRTH ID 83236
Telephone Number: (208) 785-0534

FLORIAN WERNETTE
494 N 600 E
FIRTH ID 83236
Telephone Number: (208) 785-0534

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:

RECEIVED

JUL 11 2005

Department of Water Resources
Eastern Region

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

DATE: 6-13-05 SIGNATURE: Opal Wernette

Please print your name: OPAL WERNETTE

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161



KWJ
7/12

Bird, Cindy

From: Carlsen, Ernie
Sent: Friday, April 08, 2005 9:31 AM
To: Bird, Cindy
Subject: RE: Wernette

All the ground water recommendations should have the following explanatory condition:
Use of this right is combined with water from Snake River Valley Irrigation Dist.

w08

I checked the listing of conditions and remarks at <http://wenet/adjudication/Administrative%20Memorandums/admmemo32template.xls>
065 is a source condition. 079 is inactive and should not be used.

Ernie

-----Original Message-----

From: Bird, Cindy
Sent: Friday, April 08, 2005 9:17 AM
To: Carlsen, Ernie
Subject: RE: Wernette

Should we add anything to recognize the surface water?

-----Original Message-----

From: Carlsen, Ernie
Sent: Friday, April 08, 2005 8:51 AM
To: Bird, Cindy
Subject: RE: Wernette

Cindy the remarks should go on the recommendations for the licenses they pertain too. I think it is inappropriate to add them if they were not on the original right. In the case of Wernette the remark was probably address the use of water from Snake River Valley Irrigation District.

Ernie

-----Original Message-----

From: Bird, Cindy
Sent: Friday, April 08, 2005 8:22 AM
To: Carlsen, Ernie
Subject: Wernette

good morning and happy Friday,
Last night while research Wernette's right some more I discovered more licenses for ground water. These however have conditions that require they use the surface water first (065) and that the surface water can't be sold off the ground (079). What do you think about adding these to their other rights?

Cindy

Notes

Claim A27-07327 - Pivot #6

1/ See comments + photos + GPS data in claim
A27-07158

4/7/05 recommended as noted. 139 acres.
The actual acres in each QA is
different than license. Licensing exam
was done in 1982. This right butts
up to several other licenses for
Winnetto.

emailed layout to Ernie to send
out the preliminary report early.
so HKM can review the recommendation.

Snake River Valley Irrigation District.
Ernie discussed with Ernie that Winnetto
is being assessed for water in section 12.
27-11946 & 27-10994 is also developed
across this pivot.

Need to add conditions to cover the additional
S.W. on this place.

SCANNED

JUL 20 2001

Log for claim 27-07327

Spatial Dynamics LTD

1/2/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s36e	12	SWNE	6	7.1	
02s36e	12	SENE	4	2.9	
02s36e	12	NESE	10	9.4	
02s36e	12	NWSE	40	41	
02s36e	12	NESW	26	32	
02s36e	12	SESE	6	4.5	
02s36e	12	SWSE	38	34	
02s36e	12	SESW	24	24	
Totals:			154	154.9	

Pivot # 6

AJ5809NP
No. A27-07327

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 139

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FLORIAN WERNETTE	08/31/1982	IRRIGATION	03-15 11-15	3.080 CFS	
C	OPAL WERNETTE					
	494 N 600 E					
	FIRTH ID 83236					
	(208) 785-0534					
TOTAL DIVERSION:					3.080 CFS	
CONSUMPTIVE USE:						462.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T02S R36E S12 SWNWSE BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
02S	36E	12	:			06	:				04	:		26		24	:		10	40	38	06	:	154.0
																							TOTAL ACRES	154.0

POU County: BINGHAM

Non-Irrigation Uses: NONE

Other Rights: A27-10994

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A27-07158

Other Water Rights Listing Overlapping Place(s) of Use:

A01-00038 A01-00039 A01-00075Z1 A01-00076Z1 A01-00171 A01-00172 A01-00250 A01-00312Z1 A01-00328 A01-00368Z1
A01-00369Z1 A01-00370Z1 A01-10247 A25-00224Z1 A27-07158 A27-07339 A27-10994

Conditions of Approval:

- 01C - A flow measurement port or other device as specified by the
- Department shall be installed by the right holder to provide for
- the installation of measuring equipment and the determination of
- the rate of diversion by the Department.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 05/31/89 VERNER 01/17/95 JTHOMPSO 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 27-07327

Priority: August 31, 1982

Maximum Diversion Rate: 2.78 CFS
Maximum Diversion Volume:¹ 486.5 AF

This is to certify, that FLORIAN WERNETTE
OPAL WERNETTE

P.O. BOX 181
FIRTH, ID 83236

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 31, 1982; and has submitted Proof of Beneficial Use on December 2, 1982. An examination indicates that the works have a diversion capacity of 3.100 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	2.78 CFS	486.5 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 12, Township 02S, Range 36E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S 36E 12	SWNE 5	SENW 1	NESW 25	
	SESW 18	NESE 9	NWSE 40	
	SWSE 36	SESE 5		139

Total number of acres irrigated: 139

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

MICROFILMED

APR 17 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 27-07327

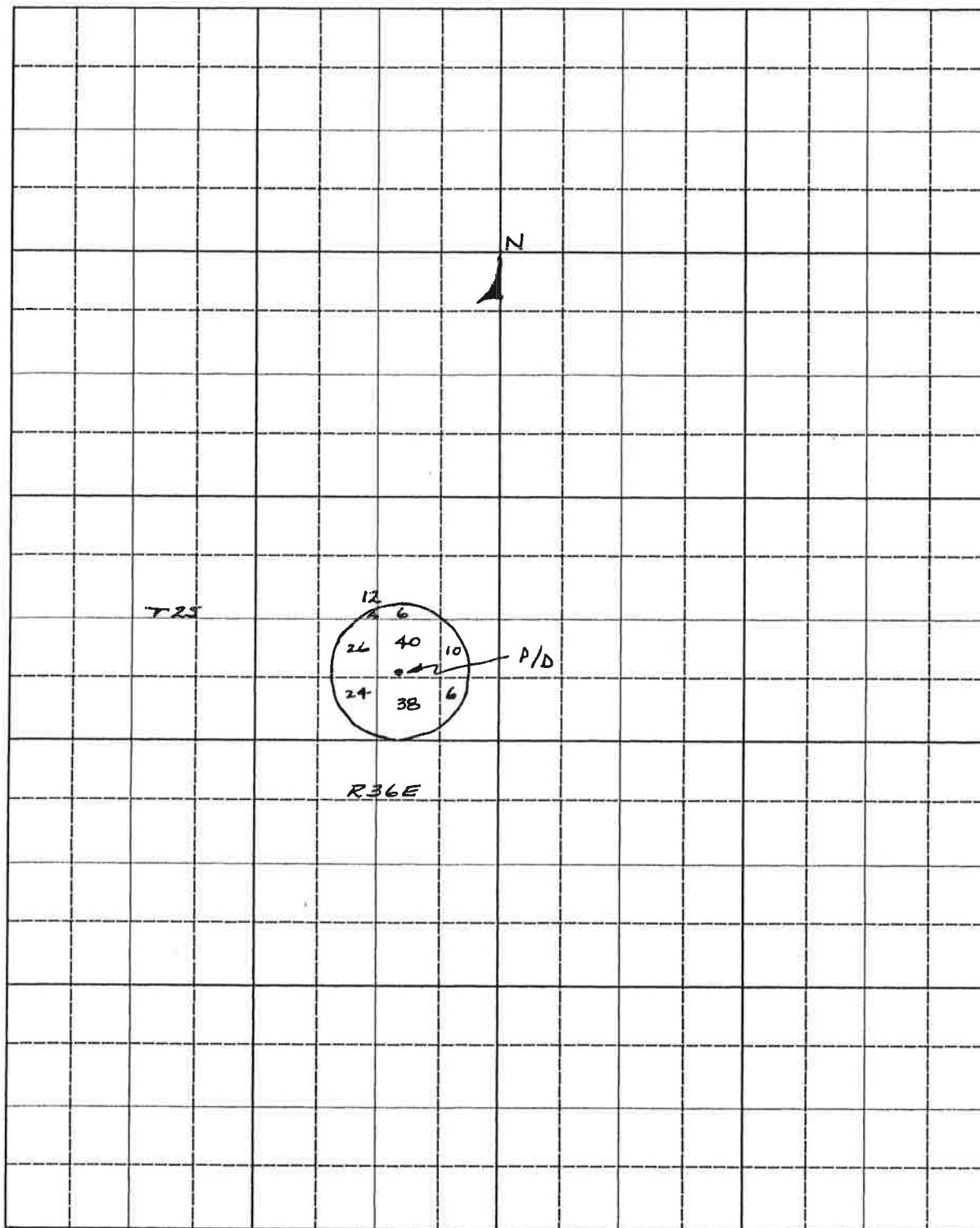
This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 4TH
day of APRIL, 1990.

Acting for R. Keith Higginson, Director

RECORDED

APR 17 1990

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Opal Whennette
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Florian or Opal Wernette Phone 785-0534

Post office address Box 181, Firth, Idaho 83236

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12 Township 2S

Range 36E B.M. Bingham County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.08 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 3.08 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump to circular sprinkler

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 16 inches; proposed depth of well is 120 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be

supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

*

27-7327

EASTERN

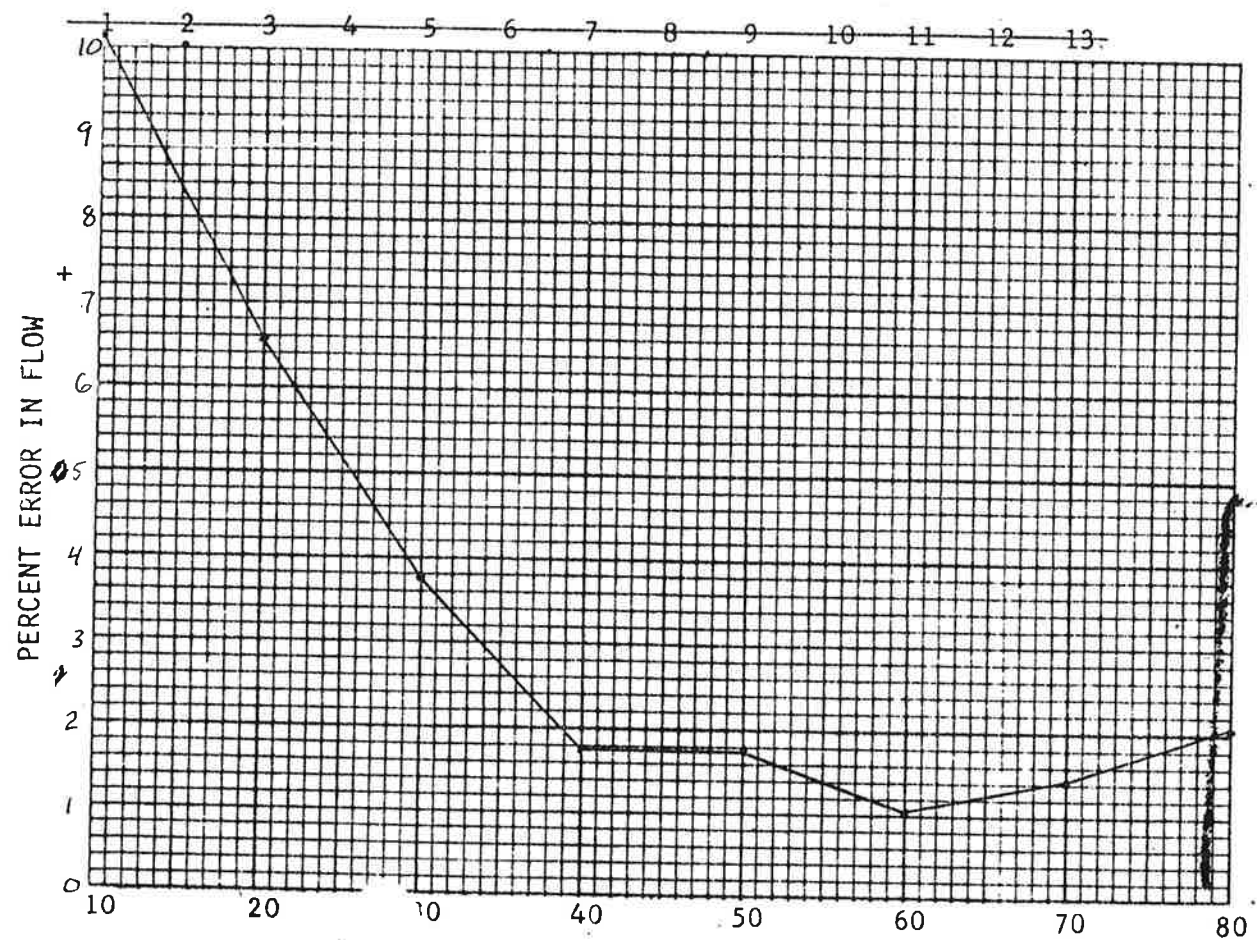
14
4

METER NO. 091471

RANGE 10-80

DATE TESTED 5/29/84

APPLIED PRESSURE			METER READING	FLOW ERROR (%)	FLOW CORRECTION FACTOR
UPSCALE	DOWNSCALE	AVERAGE			
8.59	7.89	8.24	10	+10.16	.908
18.02	17.20	17.61	20	+6.57	.938
28.57	27.15	27.86	30 ²³³	+3.77	.964
39.42	37.81	38.62	40 ⁵	+1.78	.983
49.02	47.54	48.28	50	+1.77	.983
59.85	57.67	58.76	60	+1.05	.990
68.47	67.64	68.06	70	+1.42	.986
76.90	76.71	76.81	80	+2.06	.980



APR 14 1984

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

JAN 13 1988

Permit No.

27-7327

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$0.970 \text{ correction factor} \times 33 \text{ " meter reading} = 32.01 \text{ "}$

$(8 \text{ " ID})^2 \times 3.85 \times \sqrt{32.01} = 1394.06 \text{ gpm or } 3.106 \text{ cfs capacity}$

$139 \text{ acres} \times 0.02 \text{ cfs} = \underline{2.78 \text{ cfs}}$

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 139 \text{ acres} \times 3.5 \text{ af/a} = 486.5 \text{ af/a}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.78 \text{ cfs} \times 214 \times 1.9835 = 1180.02$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{486.5 \text{ af/a}}$

- c) Volume Calculations for Other Uses:

2. Overlap Review

- a) Other water rights with same place of use: N.A.

- b) Other water rights with same point of diversion: N.A.

- c) Analysis:

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APR 17 1990

JAN 13 1986

Department of Water Resources

1. Owner: Florian Wernette Phone No. 785-0534
Current Address: Rt. 1 Firth, ID.
2. Accompanied by: Ken Wernette EXAM. DATE: 6-6-84
Address: _____ Phone No. _____
Relationship to Permit Holder: Son
3. Source: Groundwater tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	US Electric	75	R-6327-04-284	HA	NA
				Amara	

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

well/pump to mainline + 8 tower lockwood pivot

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Eagle Eye meter				091471		6-29-84
Annubar				191138	7-9"	

7. Measurements 8" ID mainline 7.9" Annular ☐ Additional data/computation sheets attached
 Large Meter # 091471 — 33" Reading (meter)

- | | | |
|---------------------------|----------------------------------|------------|
| 8. Point(s) of Diversion: | Indicate Method of Determination | ASCS Photo |
|---------------------------|----------------------------------|------------|

[illegible]

9. Place(s) of Use: Irrigation - give acres served by system at time of exam.
Indicate Method of Determination *ASCS Photo*

[illegible]

RJGE

2
11

B-411
+11-B

A.
6.5
B.
15.0
C.
6.5

H.
14.0

J.
22.0

K.
15.3

T2S,

APR 17 1990

FILED

Point of Div.

(18)

(36)

(5)

(19)

(9)

N
120.7

74 13

B-341

87-7327

12 7

NOT TO SCALE

JUL 20 2001

8 54⁰⁰

X

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: A27-07327

Date Received: 5/31/1989

Receipt No: 6008457

Received By: ESJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FLORIAN WERNETTE
Address: 494 N. 600 E.
FIRTH, ID

208-785-0534

83236

OR

Name: OPAL WERNETTE
Address: 494 N. 600 E.
FIRTH, ID

208-785-0534

83236

2. Date of Priority: AUG 31, 1982

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	36E	12	SW	NW	SE		BINGHAM

5. Description of diverting works:
PUMP TO SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.080		

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

A.F.A.

8. Total consumptive use is 462.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A27-07327

Page 1

Date: 05/31/89

A2707327



MICROFILMED

NOV 12 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02S	36E	12	SW		NE		IRR	6.0
			SE		NW		IRR	4.0
			NE		SW		IRR	26.0
			SE		SW		IRR	24.0
			NE		SE		IRR	10.0
			NW		SE		IRR	40.0
			SW		SE		IRR	38.0
			SE		SE		IRR	6.0

Section Acres 154.0

Total Acres 154.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
A27-10994

14. Remarks:

15. Basis of Claim: PERMIT

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): *Therian Wernette* Date: *May 31, 1989*
Opal Wernette Date: *May 31, 1989*

State of Idaho)
County of *Bonneville*) SS.

Subscribed and sworn (or affirmed) before me this *31* day

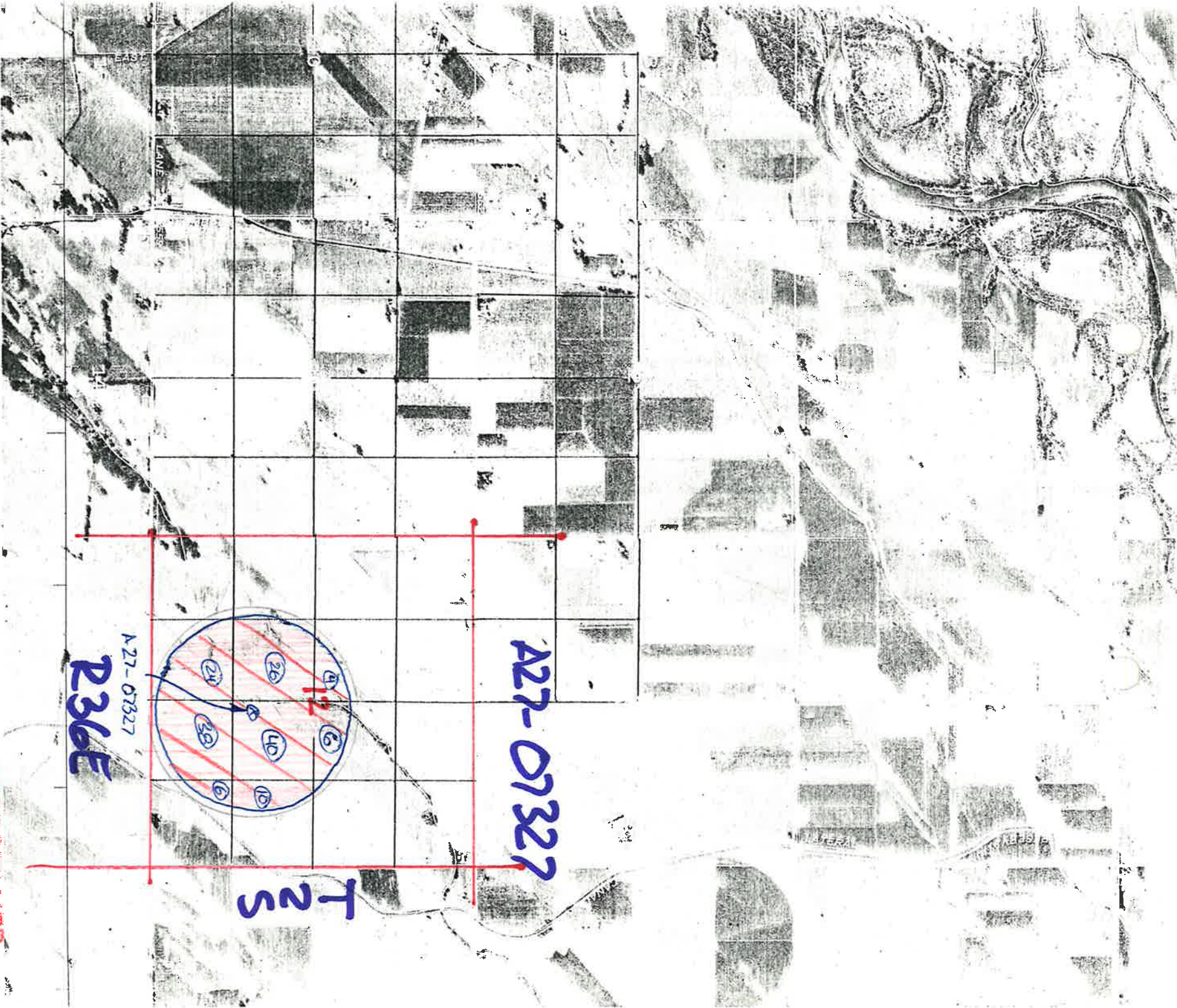
of *May* 19 *89*

Seal

[Signature]
Notary Public

Residing at *Idaho Falls, ID*

My Commission Expires *22 Aug 1994*



A27-07327

TNS

A27-07327

R36E

operation

-scale
1974

Idaho coordinate

SCALE 1:24 000

NOV 12 1992

MICROFILMED

