

RECEIVED

NOV 14 1994

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources
Eastern District Office

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: A25-04313
Date Received: 11/18/1988
Receipt No: E004203
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: OREGON SHORT LINE RAILROAD CO 402-271-3728
Address: C/O UNION PACIFIC RAILROAD
1416 DODGE ST
OMAHA NE 68179

OR

Name: BALL BROTHERS PRODUCE 208-754-4651
Address: C/O RONALD J BALL SR
PO BOX 69
LEWISVILLE ID 83431-0000

OR

Name: UNION PACIFIC RAILROAD 402-271-3728
Address: 1416 DODGE ST
OMAHA NE 68179

2. Date of Priority: NOV 15, 1942

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	38E	5	SW	SE	SE		JEFFERSON

5. Description of diverting works:
WELL PUMP MAINLINE TO POTATO PROCESSING PLANT.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.110		

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

A.F.A. 17.55

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

WATER USED FOR WASHING POTATOES, AND CULINARY AND BATHROOM USE.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	38E	5	SE SE		COMMER	

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

25-07412

14. Remarks:

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 _____ 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 _____ of
Title

_____, that I have signed the foregoing

Organization

document in the space below as _____ of

Title

_____, and that the statements contained in the

Organization

foregoing document are true and correct.

James A. Bink
Signature of Authorized Agent

Title and Organization

9/13/94
Date

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NOV 1 1994

State of Idaho)
County of JEFFERSON) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of September 19 94

Mary K. Souder
Notary Public

Seal

Residing at Lewisville, Idaho

My Commission Expires 6/27/96

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NOV 07 1994

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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: A25-04313
Date Received: 10/27/1988
Receipt No: 6004203
Received By: Em

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: OREGON SHORT LINE RAILROAD CO.

Address:

N/A, ID

N/A

OR

Name: BALL BROTHERS PRODUCE

Address: C/O RONALD J. BALL, SR.

P.O. BOX 69

LEWISVILLE, ID

83431-0000

OR

Name: UNION PACIFIC RAILROAD

Address:

N/A, ID

N/A

2. Date of Priority: NOV 15, 1942

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot
04N	38E	5	SW	SE	SE	

County
JEFFERSON

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WATER USED FOR WASHING POTATOES, AND CULINARY AND BATHROOM USE

A25-04313

Page

1

Date: 10/27/88

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A2504313

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Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	38E	5	SE	SE		COMMER	

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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 Manager of

Bell Bros. Produce, that I have signed the foregoing
Organization

document in the space below as Manager of

Bell Bros. Produce and that the statements contained in the
Organization
foregoing document are true and correct.

Ronald J. Bell
Signature of Authorized Agent

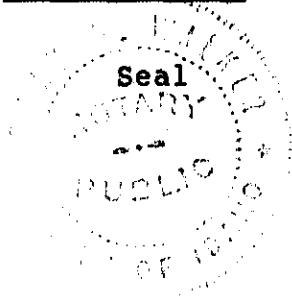
Bell Bros. Produce
Title and Organization

Nov 17 1988
Date

State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of November 1988

Gary D. Walker
Notary Public



Residing at Merion

My Commission Expires June 16, 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

August 30, 1994

CECIL D. ANDRUS
GOVERNOR
KEITH HIGGINSON
DIRECTOR
RECEIVED
SEP 02 1994
Department of Water Resources
Eastern District Office

RONALD J BALL SR
BALL BROTHERS PRODUCE
PO BOX 69
LEWISVILLE ID 83431

RE: Snake River Basin Adjudication (SRBA)
Jefferson County - Notices of Claim #A25-04313 and
A25-07412

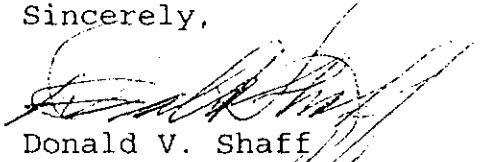
Dear Mr. Ball:

During the course of our work, we noticed a discrepancy in the two notices of claim referenced above which you filed for your property in Jefferson County. Although both of these claims show Oregon Short Line Railroad and Union Pacific Railroad as co-claimants with you, the difficulty with the records now is the railroad companies have no mailing address.

The simplest way to correct our records is for you to file amended claims. Enclosed is a copy of a proposed amended Notice of Claim for each right referenced above. Presuming this solution and format meets your approval, please sign both Notices of Claim in front of a Notary Public and return them to this office as soon as possible.

If you have any questions, please contact me.

Sincerely,


Donald V. Shaff
Manager, Adjudication Section

DVS:ss:state:region:tf
Enclosures:

Amended Notices of Claim A25-04313 and A25-07412

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 30, 1994

RONALD J BALL SR
BALL BROTHERS PRODUCE
PO BOX 69
LEWISVILLE ID 83431

RE: Snake River Basin Adjudication (SRBA)
Jefferson County - Notices of Claim #A25-04313 and
A25-07412

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If you have any questions, please contact me.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:ss:state:region:tf
Enclosures:

Amended Notices of Claim A25-04313 and A25-07412

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NOV 07 1994

Ball Bros.
Our Brand
Potatoes

PHONE 754-4852 — 754-4851

POTATOES — SHEEP — LAMBS
LEWISVILLE, IDAHO

JUNE 3, 1991

MR. ERNEST CARLSEN:

This letter is submitted as evidence of Water Right #A25-04313.

About the middle of November in 1942, BALL BROTHERS, a partnership, began its potato shipping operation. The diversion source for water used in the washing and fluming of potatoes was located adjacent to our rail shipping facility. Two 18-20 ft. sandpoint wells with 1½ horse power electric motors were used to pump groundwater.

In 1962, a fire destroyed the entire facility and all records to that point. By 1963 a new concrete facility had been constructed utilizing the already existing water delivery system. In 1987, as evidenced by Water Right License #25-07412, a 200 ft. deep well was drilled to replace the old dual sandpoint system.

Diversion of water has been continuous since 1942. The original sandpoints are available for inspection.

Of the original three brother partnership, I am the sole remaining partner.

BALL BROTHERS PRODUCE

Ronald J. Ball
RONALD J. BALL

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JUN 5 1991

Department of Water Resources
Eastern District Office

Notary: *Marla Bringer*
Residing at: *Lewistown, ID 83431*
My commission expires: *June 11, 1993*

4319

May 6, 1991

BALL BROTHERS PRODUCE
C/O RONALD J BALL SR
PO BOX 69
LEWISVILLE ID 83431

RE: **Evidence of Priority**

Dear Mr. Ball:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the 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, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, 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**".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by **June 6, 1991**, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

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NOV 10 1992

Ball Brothers Produce
C/O Ronald J Ball Sr

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All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-04313
BALL BROTHERS PRODUCE
C/O RONALD J. BALL, SR.
P.O. BOX 69
LEWISVILLE ID 83431-00

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