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NOV 14 1994

Department of Water Resources

Eastern District Office

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: A25-07412
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: 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
OR
Name: OREGON SHORT LINE RAILROAD CO 402-271-3728
Address: C/O UNION PACIFIC RAILROAD
1416 DODGE ST
OMAHA NE 68179
2. Date of Priority: SEP 30, 1986
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 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 | 0.450 | | |
7. Total Quantity Appropriated is:
0.450 C.F.S. (and/or) A.F.A. MICROFILMED
8. Total consumptive use is Acre Feet Per Annum. NOV 08 1990

9. Non-irrigation uses:
C/POTATO PROCESSING PLANT.

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:
25-4313

14. Remarks:
REINSTATED 4-20-1988.
SUBJECT TO BENEFICIAL USE FIELD EXAMINATION.

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 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.

Harold J. Paul

Signature of Authorized Agent

Title and Organization

9/13/94

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NOV 08 1996

State of Idaho)
County of JEFFERSON) SS.

Subscribed and sworn (or affirmed) before me this 13th day

of September 19 94

Mary K. Snyder
Notary Public

Seal

Residing at Lewisville, Idaho

My Commission Expires 6/27/96

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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: A25-07412
Date Received: 10/27/1988
Receipt No: 6004203
Received By: Ed

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

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Department of Water Resources
Eastern District Office

2. Date of Priority: SEP 30, 1986
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 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	0.450		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
C/POTATO PROCESSING PLANT.

A25-07412

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Date: 10/27/88

A2507412



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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:
25-4313

14. Remarks:
REINSTATED 4-20-1988.
SUBJECT TO BENEFIECIAL USE FIELD EXAMINATION.

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 Organizations:

I do solemnly swear or affirm that I am Manager of Bar Bar Produce Organization, that I have signed the foregoing document in the space below as Manager of Bar Bar Produce Organization and that the statements contained in the foregoing document are true and correct.

Bar Bar Produce
Signature of Authorized Agent
Bar Bar Produce
Title and Organization
11-17-1988
Date

State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 17th day of November 19 88
Larry D. Heller
Notary Public



Residing at Idaho
My Commission Expires June 16, 1992.

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NOV 07 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

CECIL D. ANDRUS
GOVERNOR

KEITH HIGGINSON
DIRECTOR

August 30, 1994

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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

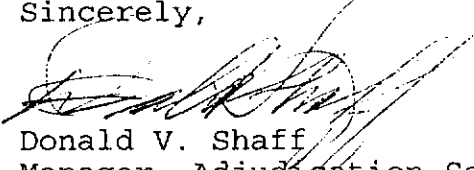
Dear Mr. Ball:

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

WATER RIGHT LICENSE

WATER RIGHT NO. 25-07412

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JAN - 5 1994

Department of Water Resources
Eastern District Office

Priority: September 30, 1986

Maximum Diversion Rate:

0.45 CFS

Maximum Diversion Volume:

2.3 AF

This is to certify, that OREGON SHORT LINE RAILROAD CO
BALL BROTHERS PRODUCE
UNION PACIFIC RAILROAD

ID has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 8, 1986; and has submitted Proof of Beneficial Use on November 23, 1987. An examination indicates that the works have a diversion capacity of .460 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>
COMMERCIAL	01/01 to 12/31	0.45 CFS	2.3 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE, Sec. 5, Township 04N, Range 38E
JEFFERSON County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

04N 38E 5 SESE

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.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. Commercial use is for a potato processing plant.

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 23RD day of DECEMBER, 1993.

Acting for  R. Keith Higginson, Director

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