

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: A29-04035
Date Received: 4/23/1990
Receipt No: E013554
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHIRLEY BALL AMBROSE 206-542-8136
Address: 1118 NW 201 ST.
SEATTLE, WA 98177

2. Date of Priority: AUG 01, 1912

3. Source: SPIDER CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	37E	31	NW	NE			BANNOCK

5. Description of diverting works:
DAM TO SETTLING BOX OR DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		
DOMESTIC	01/01	12/31	0.040		See Amendment
STOCKWATER	01/01	12/31	0.020	✓	12/1/94

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

8. Total consumptive use is 2.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOME S/ 4 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	37E	31				DOMEST STOCK	

A29-04035

Page 1

Date: 04/26/90

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A2904035



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	37E	31	NW	NE	IRR	0.7
Section Acres						0.7
Total Acres						0.7

*Amended CRR
12/8/94*

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
#39576

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 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: _____

03/20/2001

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

RIGHT NUMBER: 29-4035

NAME AND ADDRESS: SHIRLEY BALL AMBROSE
2500 E SPIDER CREEK RD
INKOM, ID 83245

SOURCE: SPIDER CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 08/01/1912

POINT OF DIVERSION: T07S R37E S31 SWNWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01-01 12-31	0.06 CFS

PLACE OF USE:

DOMESTIC Within BANNOCK County
T07S R37E S31 NWNE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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 - Beneficial Use

PARCEL NO. R4017004300

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
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CIVIL CASE NUMBER: 39576

Ident. Number 1529-04035Date Received 4-23-90Receipt Number E013554

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 23 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

- Name of Claimant (s) Shirley Ball Ambrose Phone (206) 542-8136
Mailing Address 1118 NW 201st, Seattle, WA Zip 98177
- Date of Priority (Only one (1) per claim) August 1, 1912 (as shown in Frank Ball's claim #29 4035)
- Source of water supply (a) Spider Creek
which is tributary to (b) Portneuf River
- a. Location of existing point of diversion is: Township 07S Range 37E Section 31,
SW 1/4 of NW 1/4 of NE 1/4, Govt. Lot, B.M., County of Bannock
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township 07S Range 37E Section 31, SW 1/4 of NW 1/4 of NE 1/4,
Govt. Lot B.M., County of Bannock
ending point is: Township 07S Range 37E Section 31, SW 1/4 of NW 1/4 of
NE 1/4, Govt. Lot B.M., County of Bannock
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____
Diversion points:
1. Concrete dam and settling box for domestic use
2. Small wooden check dam used to divert water into 1000 ft. ditch for irrigation use
Instream:
1. Small wooden check dam used to collect flow for watering animals, with overflow
design for surplus
(Please see drawing attached to Map of Project.)

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6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Domestic purposes from 1-1 to 12-31 amount 0.020 or _____

For Irrigation purposes from 4-1 to 11-1 amount 0.040 or _____

For Stock water purposes from 1-1 to 12-31 amount 0.020 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.08 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive* use claimed is _____ acre feet per annum.

*Irrigation is non-consumptive because it flows back into Pidcock ditch

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic: 1 household; Stock water: 4 horses; Wildlife: deer, birds
(including many game birds) and small animals

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
07S	37E	31		D		W	W		W										
				S															
				3/4															
				W															

Total number of acres irrigated 3/4

11. In which county (ies) are lands listed above as place of use located? Bannock

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Pidcock - Irrigation Permit #32506 or None ()

14. Remarks:

Spider Creek has been our farm's total source of water since 1912 when my father, Frank Ball, and his father, Francis Ball, started its homesteading. Frank Ball used it for domestic, irrigation, and stock water until 1950 when he no longer kept stock, and continued to use the two former until his death in 1976. My husband and I then inherited, have had family members living there year round, are now planning on retiring to the farm, and will again keep stock. We therefore wish to substantiate our former claim, #29 4035 of July 8, 1974, and request adding to it the use of stock water.

Last Name Ambrose Ident No. 39576

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 29 4035 (name of Frank Ball)

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 One

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Shirley Ball Ambrose Date 4-18-90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

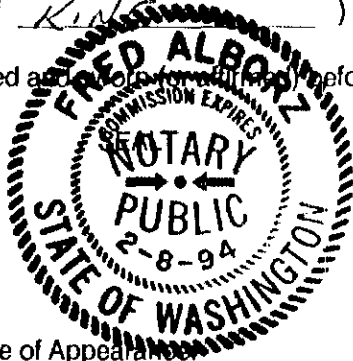
Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or WASHINGTON)

County of KING) SS.

Subscribed and sworn to before me this 18 day of April 19 90



Notary Public [Signature]

Residing at MTLK TERRACE WA

My Commission Expires 2-8-94

Please Print Name

17. Notice of Appearance

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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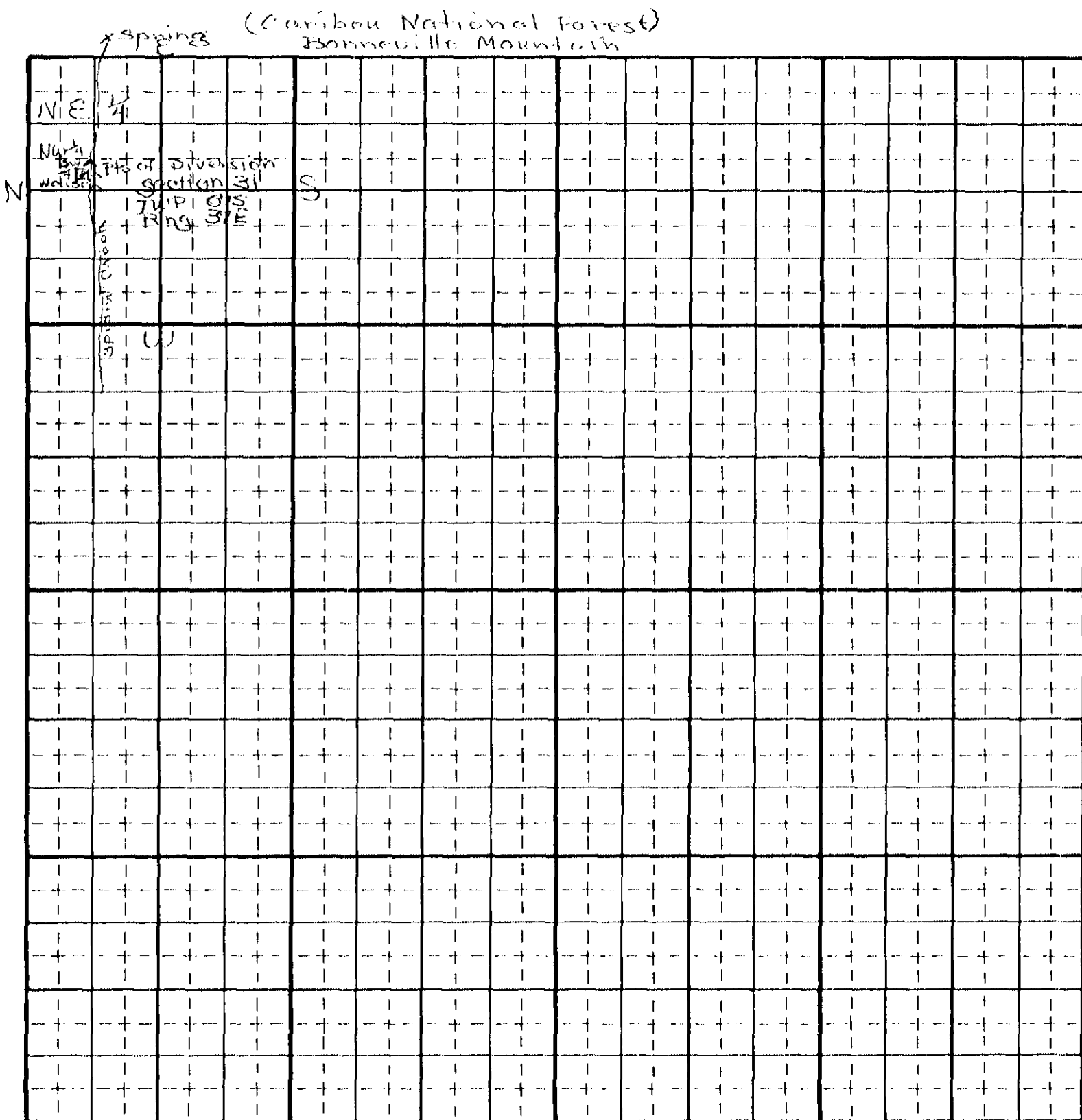
NOV 13 1992

Last Name Ambrose Ident. Number 39576

Copies White-State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



Please see attached Blow-up Sketch

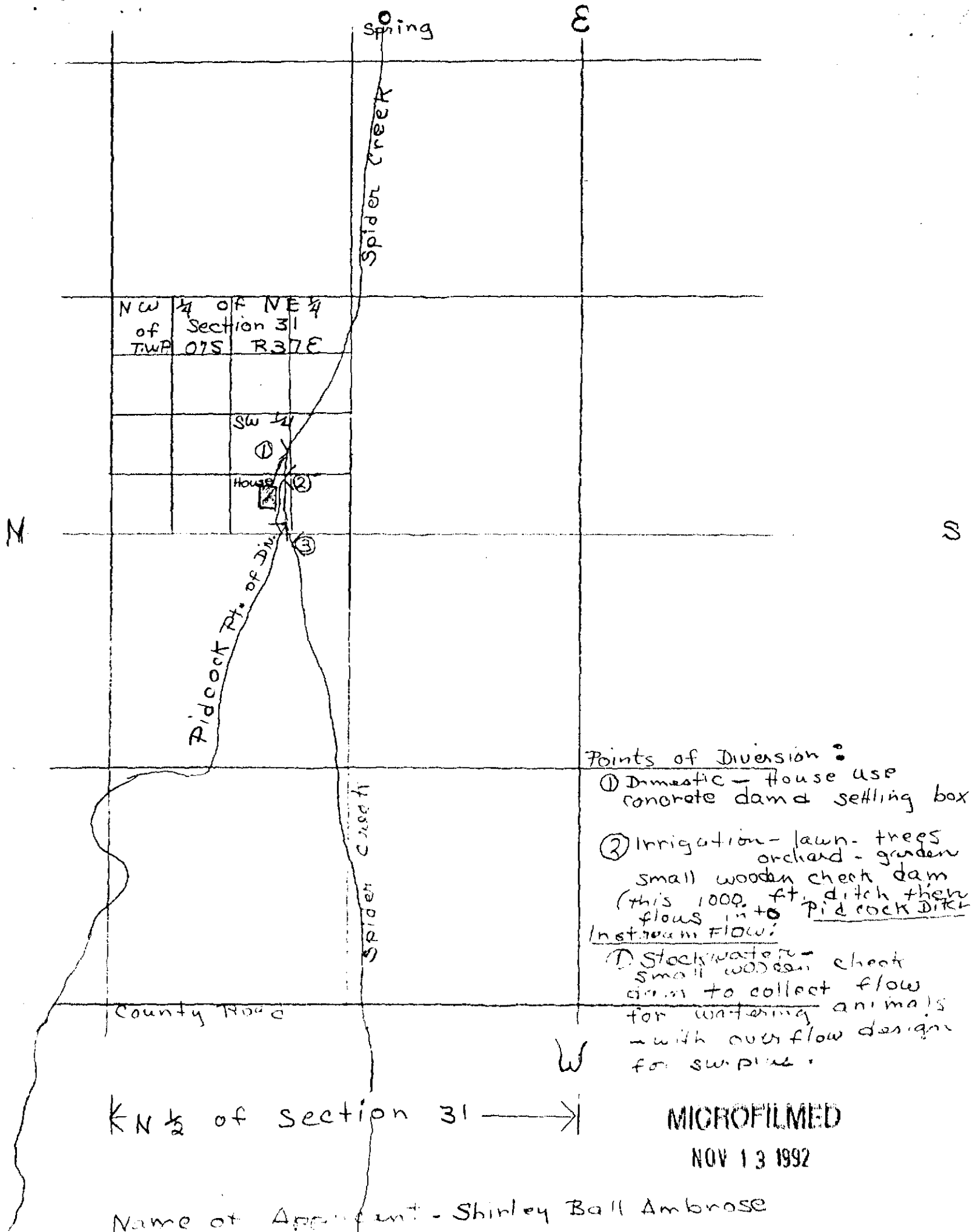
MICROFILMED
NOV 13 1992

Last Name Ambrose

Ident No. 39576

Copies: White-State, Yellow-Claimant

Caribou National Forest
Mount Bonneu



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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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: **A29-04035**
Date Received: 4/23/1990
Receipt No: E013554
Received By: 2 Dec 1994.

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SHIRLEY BALL AMBROSE 208-775-4407
Address: 2500 SPIDER CREEK RD
INKOM ID 83245

2. Date of Priority: AUG 1, 1912

3. Source: SPIDER CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	37E	31	SW	NW	NE		BANNOCK

5. Description of diverting works:
DAM TO SETTling BOX OR DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOME, DRINKING WATER FOR 6 HORSES, IRRIGATION OF YARD.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	37E	31	NW	NE		DOMEST	

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
#39576

14. Remarks:

SPIDER CREEK HAS BEEN OUR FARMS TOTAL SOURCE OF WATER SINCE 1912 WHEN MY FATHER, FRANK BALL, AND HIS FATHER, FRANCIS BALL, STARTED ITS HOMESTEADING. FRANK BALL USED IT FOR DOMESTIC, YARD IRRIGATION, AND STOCK WATER UNTIL 1950 WHEN HE NO LONGER KEPT STOCK, BUT CONTINUED THE TWO FORMER USES UNTIL HIS DEATH IN 1976. MY HUSBAND AND I THEN INHERITED, AND HAVE HAD FAMILY MEMBERS LIVING THERE YEAR AROUND SINCE 1976.

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 Individuals:

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

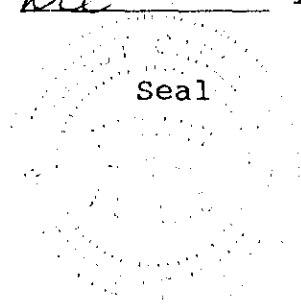
Signature of Claimant(s): Shirley Ball Ambrose Date: Dec. 2, 1994

Date: _____

State of Idaho)
County of Bonneville.) SS.

Subscribed and sworn (or affirmed) before me this 2 day
of Dec 19 94

Ernest Carlson
Notary Public



Residing at Idaho Falls
My Commission Expires 6-14-2000

I wish this document to
become part of my application
- A29-04035 - Civil Case #139576 -
as a proof that the Ball family
has used Spider Creek since 1912.

The land was officially
granted to my grandfather,
Francis Ball, in 1917 after
he had completed the necessary
years of working it. (I
have requested from Washington
D.C. the Homesteading
permission papers, but have
not yet been answered.)

o Shirley Ball (Ankove)
2500 Spider Creek Road
Ankove, MD 83245
775-4407

October 3, 1995

THE UNITED STATES OF AMERICA,
To all to whom these presents shall
come Greeting;

WHEREAS, A certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office, whereby it appears that full payment has been made by the claimant Francis Ball according to the provisions of the Act of Congress of April 24, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the Acts supplemental thereto, for the

northeast quarter of Section thirty-one
in Township seven south of Range thirty-
seven east of the Boise Meridian, Idaho,
containing one hundred sixty acres.

according to the official Plat of the Survey of the said land, returned to the GENERAL LAND OFFICE by the Surveyor-General;

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature, thenceforth belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of court; and there is reserved from the lands hereby granted right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Woodrow Wilson, President of the United States of America, have caused these letters to be made patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the TWENTY-SEVENTH day of April, in the year of our Lord one thousand nine hundred and SEVENTEEN and of the Independence of the United States, the one hundred and FORTY-FIRST.

By the President; Woodrow Wilson,

By, M.P. LeRoy, Secretary.

L.Q.C. Lamar, Recorder of the General Land Office.

(SEAL)

1313506

Record of Patents; Patent Number 581911

DEPARTMENT OF THE INTERIOR,

GENERAL LAND OFFICE

WASHINGTON, D.C. SEP 15, 1928.

I hereby certify that this photograph is a true copy of the patent record which is in my custody in this office.

M.P. LeRoy, Recorder

Recorded Oct 2, 1928 at 3:07 PM in Book 60 of Deeds page 109 Records of Bannock County, State of Idaho. At the request of B.T.A.Co.

Lillian Sponberg, Recorder

Fee \$1.00

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

12/04/97 11:40:44
Page 1

Water Right Number - R29-04035

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

AMBROSE

SHIRLEY BALL

1 - 2500 E SPIDER CREEK RD

2 -

3 -

City- INKOM

State- ID Zip- 83245

Phone - 208-775-4407

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
08/01/1912 15 EASTERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SPIDER CREEK PORTNEUF RIVER

+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
07S 37E 31 SW NW NE (5) BANNOCK

+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.060

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.050 0.0

+ - - - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 37E 31 NW NE 43 DOMESTIC (5) BANNOCK

Total Acres:

+ - - Diversion Means - DAM TO SETTLING BOX OR DITCHES

+ - - Non-Irrigation Use - 1 HOME

+ - - Other Rights for Same Use - #39576

+ - - - - - - - - - - - - - - - Remarks - - - - - +

EXP PARCEL NO. R4017004300

+ - - - - - - - - - - - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - - - - - - - - - - - Conditions of Approval - - - - - +
N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Prefix Translation: RESEARCH

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +

Date: 09/30/1997 User Id: AJU4-ECA Subject: DOMESTIC 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME". CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Date: 12/04/1997 User Id: DSMITH Subject: COPIED FROM REMARKS
SPIDER CREEK HAS BEEN OUR FARMS TOTAL SOURCE OF WATER SINCE 1912 WHEN MY FATHER, FRANK BALL, AND HIS FATHER, FRANCIS BALL, STARTED
ITS HOMESTEADING. FRANK BALL USED IT FOR DOMESTIC, YARD IRRIGATION, AND STOCK WATER UNTIL 1950 WHEN HE NO LONGER KEPT
STOCK, BUT CONTINUED THE TWO FORMER USES UNTIL HIS DEATH IN 1976. MY HUSBAND AND I THEN INHERITED, AND HAVE HAD FAMILY MEMBERS
LIVING THERE YEAR AROUND SINCE 1976.

+ - - Audit Fields - - +

12/04/97 DSMITH

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 12/04/1997 | Old Judicial District | - |
| Claim Received Date | - 04/23/1990 | Last Amended Date | - 12/02/1994 | Temporary Right | - P |
| | | Receipt Number | - E013554 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - AND | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Verification Source: COMPACT