

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: A22-12339
Date Received: 12/14/1988
Receipt No: E005225
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENDALL LEE BALLARD 208-356-3487
Address: 1220 N 2000 W
REXBURG, ID 83440

2. Date of Priority: DEC 31, 1949

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
06N	39E	12	SW SW		MADISON

5. Description of diverting works:
HOUSEHOLD/150' DEEP, PLUS 1 30' BACKUP WELL IN YARD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A.
IRRIGATION	01/01	12/31	0.030	
DOMESTIC	01/01	12/31	0.040	

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

8. Total consumptive use is 2.5 Acre Feet Per Annum.

9. Non-irrigation uses:
WATER FOR HOUSE, AND APPROX ONE ACRE OF LAWN AND GARDEN

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	39E	12	SW SW		DOMEST	
			SW SW		IRR	1.0

Section Acres 1.0

A22-12339

Page 1

Date: 12/29/88

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NOV 06 1992



10. Place of Use: Continued

Total Acres 1.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
NONE

14. Remarks:
ONE SHARE ISLAND WARD CANAL COMPANY

15. Basis of Claim: BENEFICIAL USE

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 _____

T.O.

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: 39356

Ident. Number A22-12339Date Received 12/14/88 *Extension granted*Receipt Number E005225

RECEIVED

DEC 14 1988

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

AUG 29 1988

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Kendall Lee Ballard Phone (208) 356-3487Mailing Address 1220 No 2000 West Rexburg, Idaho Zip 834402. Date of Priority (Only one (1) per claim) 12-31-493. Source of water supply (a) GROUND WATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 6N Range 39E Section 12,
_____ 1/4 of SW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of MadisonAdditional points of diversion if any: None

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

5. 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.Household well 150 foot deep (Plus one 30foot backup well in yard)

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1 Jan to 31 Dec amount ~~2.5~~ 104 or _____

For LAWN IRRIGATION purposes from 1 JAN to 31 Dec amount .03 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) ~~2.5~~ 104 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

Water for house and approx one acre of lawn and garden.

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
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
06N	39E	12											D						
06N	39E	12											ONE						

Total number of acres irrigated ONE

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

12. Do you own the property listed above as place of use? Yes YES 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.
One Share Island Ward Canal Company or None ()

14. Remarks:

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Last Name BALLARD Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

Last Name

BAIRD

Ident No.

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 _____

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 _____

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

Signature of Claimant (s) Kendall Lee Bullard Date 8/26/88

_____ 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 Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 26 day of Aug. 19 88

SEAL

Notary Public Jane Allister

Residing at St. Anthony Valley Bank

My Commission Expires 7-5-1994

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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Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

Log for claim 22-12339

Spatial Dynamics BTD

7/16/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06n39e	12	SWSW	1	33	POD placement? / Indiscernible
Totals:			1	33	

SRBA CLAIMS RECEIVING CHECKLIST

CLAIM ID NO. A22-12339

CK: 三

AMOUNT \$

YES

NO

. Is the name and address complete with zip code?

. Is a priority date entered?

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

EXPLAIN IN COMMENTS.

3. (a) Is a source entered?

(b) Is a tributary to entered? (if required) N/A

4. Is the legal description of the p.d. sufficient?

5. Is there a description of the diverting works?

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. . . .

Is the period of use included?

Is a quantity claimed for each use?

7. Is a total quantity claimed entered?

8. If required is a consumptive use entered? N/A

Is the consumptive use correct? N/A

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A

10. Is (are) the place(s) of use and purpose(s) indicated?

11. Is (are) the county(ies) entered?

12. Is the ownership of p.u. checked?

13. Are other water rights listed or "none" indicated?

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A

15. Is the basis of the claim indicated?

16. Is the claim signed by the claimant, and is the signature appropriate?
(If an individual is the claimant, has that individual signed the claim,
or if an organization is the claimant, is the organization signature
block complete?)

Has the claim been signed, sealed, and dated by a notary?

Was this claim filed on time, or was an extension granted?

Is the fee enclosed correct? Exempt

If this claim is based on an existing water right, has the identification number been entered?

Should this claim be receipted and data entered?

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Claim checked by:

~~NOV 06 1992~~

Comments:

Date Received

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

RECEIVED
DEC 07 1988

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Kendall Lee Ballard

Name of Claimant

2120 No 2000 West

Post Office Address

Rexburg, Idaho 83440

City, State, Zip Code

Madison

County(s) where Place of Use is located

Aug 25 1988

Date Claim Originally Due

Ground Water for Residence

Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

~~I had talked on the phone a couple times with your office trying to work out all of the details of my residence. I had no intention of not filing and~~

~~I did not procrastinate the filing. My first problem was the large lawn which I visited with the people on the phone with. One said I had to pay \$50.00 another said just \$25. I figured the fifty. Then I did not have the property grid correct and~~
Claimant requests an extension to 12/16, 1988.

I feel with the efforts I made that the fine for late is not justified in my case. I will return the claim immediately upon hearing from you. ~~visited with you one that.~~

Signature

Kendall Lee Ballard
Property owner

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

granted denied,
and the filing deadline extended to 12/16, 1988.

Signed this 7 day of December, 1988.

Director or his designated NOV 16 1992

DAVID B. SHAW

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State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

December 2, 1988

Kendall Lee Ballard
1220 N. 2000 W.
Rexburg, ID 83440

RE: Extension of Time

A22-12339

Dear Mr. Ballard:

Enclosed is the Request for Extension of Time to File an Adjudication Claim, requested 12/2/88. If the \$50.00 late-fee is to be waived, you must attach an approved extension of time to your water right claim when you return it to the Idaho Falls office.

You must complete the request and send it to Boise for either approval or denial. The address is:

Dept. of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, ID 83720

You must explain why an extension of time is requested as you explained to me on the telephone on 12/2/88. I have attached a copy of my 11/29/88 letter, however, I could not find any earlier correspondence you referred to in our telephone conversation.

Once the Boise office has contacted you, if the request is approved, please send the claim to the Idaho Falls office along with the regular filing fee. If the request is denied, the claim must contain the regular filing fee plus the \$50.00 late-fee.

Sincerely,

Tony Olenichak
Water Right Agent, SR

Enclosure

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NOV 06 1992

State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Date: November 29, 1988

Kendall Lee Ballard
1220 N. 2000 W.
Rexburg, ID 83440

RE: Water Right Claim Returned

Dear Mr. Ballard:

The Idaho Department of Water Resources (IDWR) is returning your money order #16445 and Notice of Claim to Water Rights because of insufficient information and fees. All items on the claim form must be correctly completed and fees submitted before the IDWR can process the claim.

Please complete or correct the claim form items identified below and return the form to the IDWR if you wish to enter your water right claim into the Snake River Basin Adjudication.

- Item #2: The month/day/year must be entered. If you do not know the precise day, you must make an estimate or apply the last day of the year, i.e. Dec. 31, 1949.
- Item #3: The source of water supply must be entered. The source of water for a well is "groundwater".
- Item #8: The total consumptive use for one acre of irrigation is 2.5 acre feet per annum (domestic use is considered negligible). If you wish to claim some other amount, you must attach documentation (i.e. SCS data) supporting the claimed amount.
- Insufficient Fee: The filing deadline for Madison County was August 25, 1988. The claim was postmarked Aug. 26, 1988. A \$50.00 late-fee is assessed to each claim submitted after the deadline in addition to the normal fee. Please submit the ~~\$75.00~~ fee if you resubmit the claim. *\$101.00 ?*

If you have any questions or need assistance completing the form, please call the IDWR at (208)-525-7161.

Sincerely,

Tony Olenichak
Tony Olenichak
Water Rights Agent, SR

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NOV 06 1992