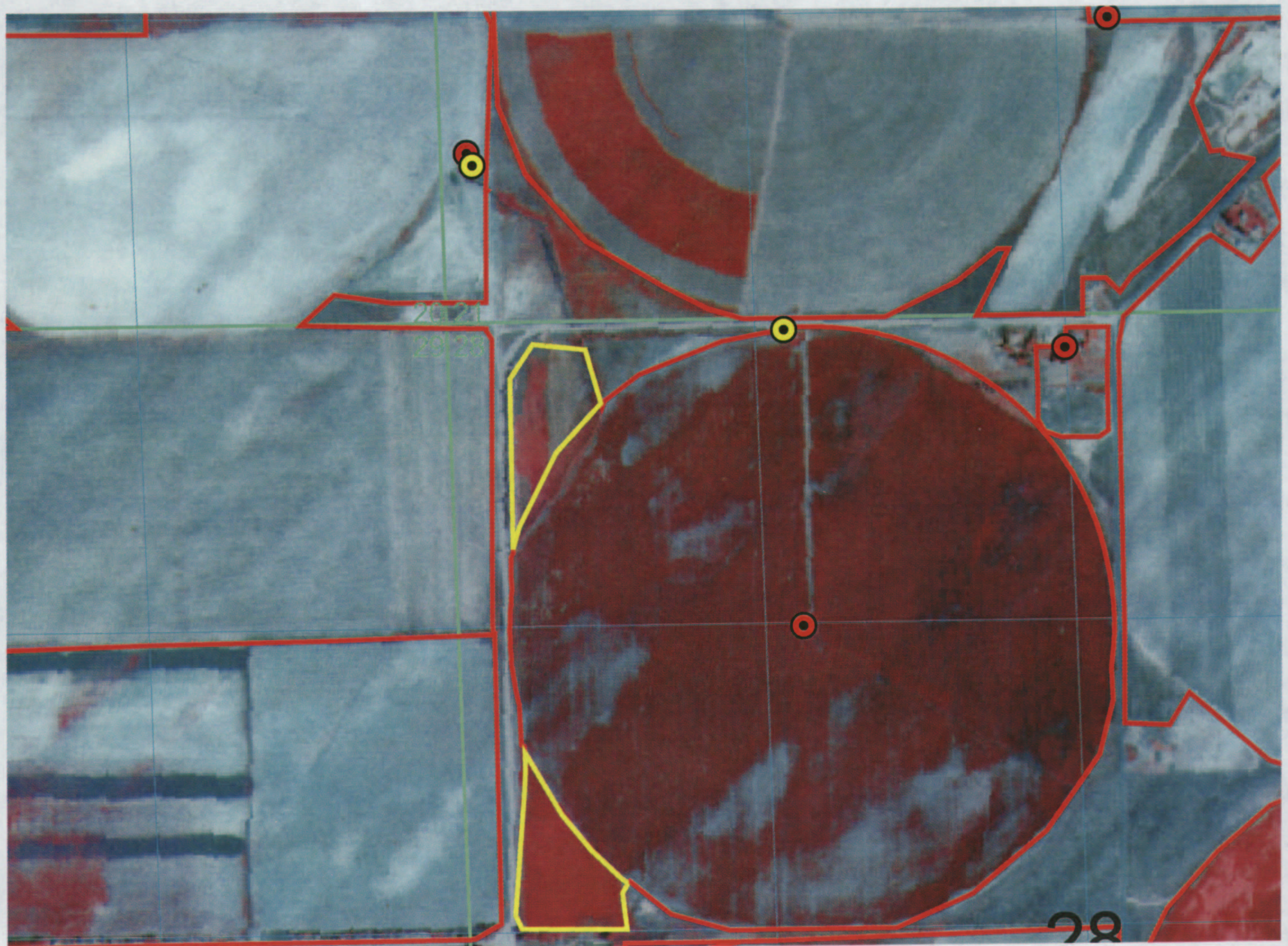


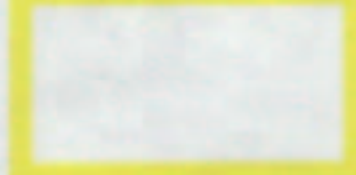
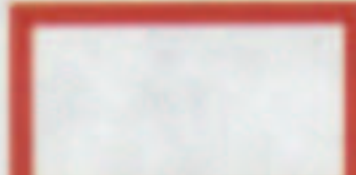
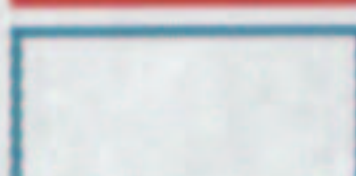
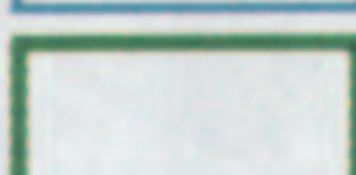
Idaho Department of Water Resources

Water Right 31-2291A, 31-11424

Township 7N Range 36E Section 28



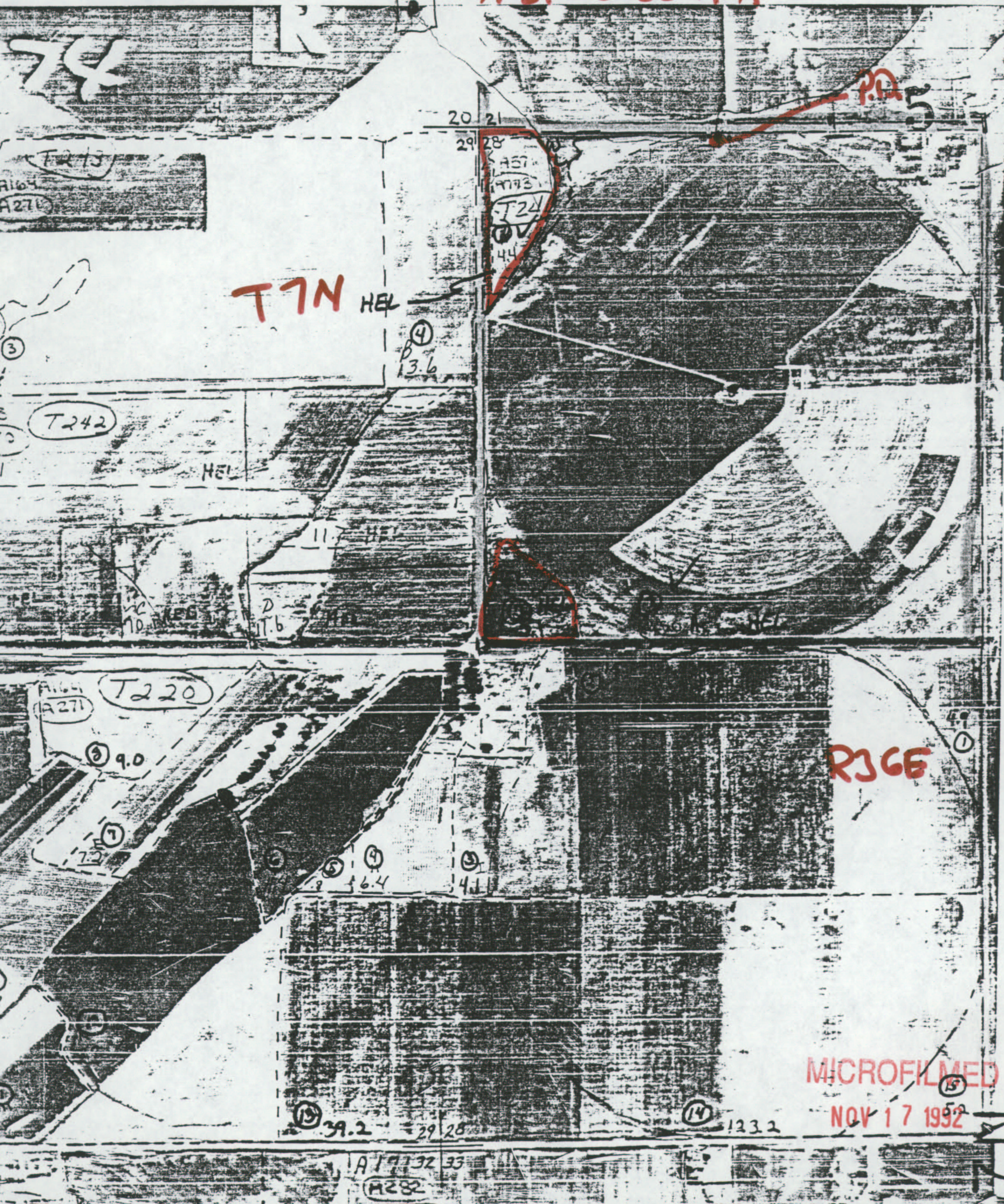
0 1320 Feet

-  Point of Diversion
-  Point of Diversion - Other Rights
-  Place of Use
-  Place of Use - Other Rights
-  Quarter-quarter Sections
-  Section Lines

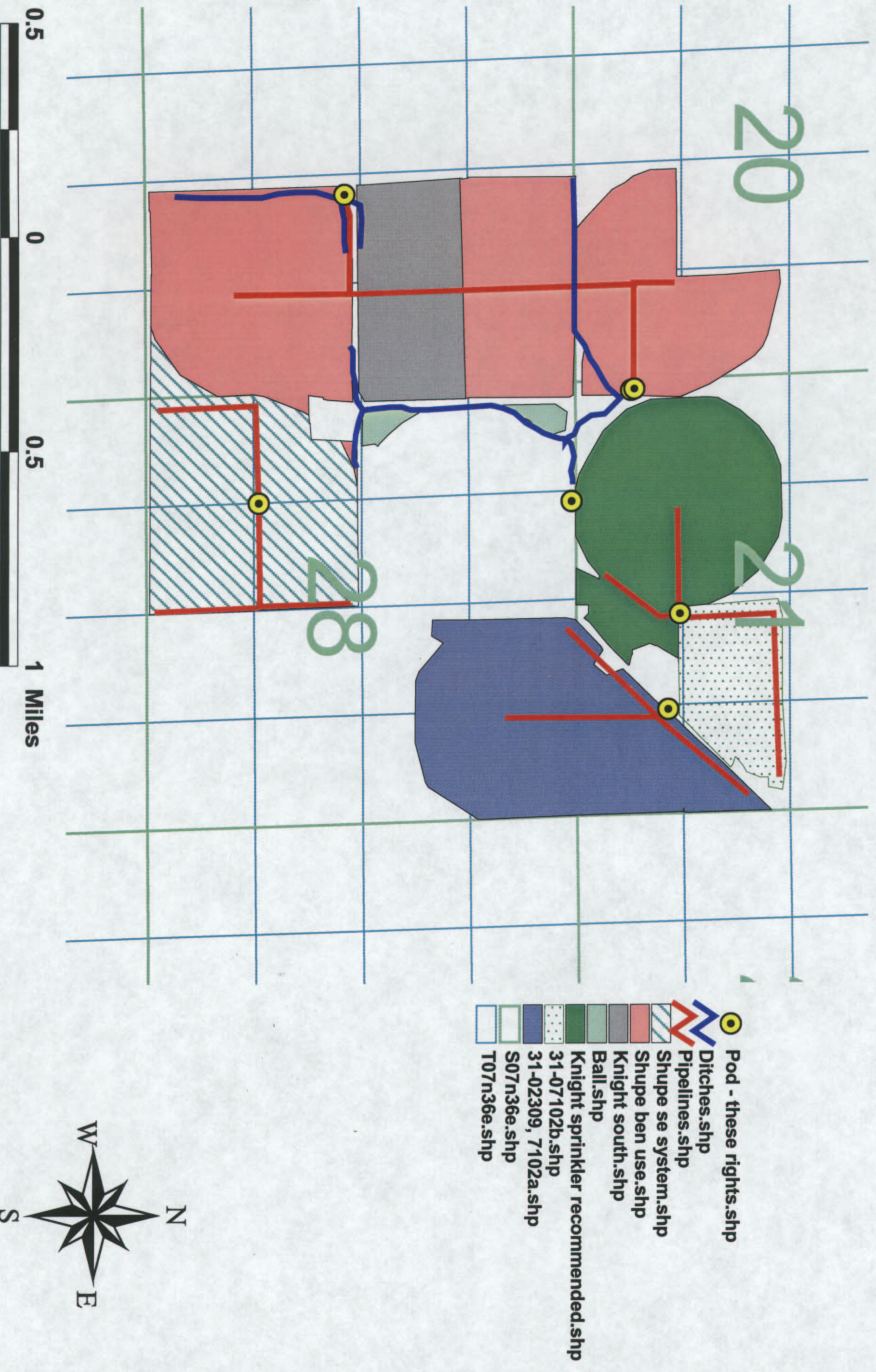


GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 11/2000

A31-02291A



Knight, Shupe, Jones/Ball Recommendations As Split by Ownership and System Design



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

RIGHT NUMBER: 31-2291A
NAME AND ADDRESS: BALL FARMS LTD PARTNERSHIP
PO BOX 69
LEWISVILLE ID 83431

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.960 CFS
53.30 AFY

USE OF THIS RIGHT WITH RIGHT 31-11424 IS LIMITED TO 8.4 ACRE FEET IN ANY FOURTEEN DAY PERIOD.
USE OF THIS RIGHT WITH RIGHT NO. 31-11424 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 53.3 AF.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.20 CFS. COMBINED RIGHT NOS.: 31-2291A, 31-10534, 31-11424, 31-11449, 31-11452.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.96 CFS. COMBINED RIGHT NOS.: 31-2291A, 31-11449, 31-11452.

PRIORITY DATE: 02/25/1949

POINT OF DIVERSION:

T07N R36E S20 SESESE Within JEFFERSON County
T07N R36E S28 NENWNW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.960 CFS 53.30 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON County

T07N R36E S28	NWNW	5.0	T07N R36E S28	SWNW	5.0
---------------	------	-----	---------------	------	-----

10 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 31-11424 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 10 ACRES IN A SINGLE IRRIGATION SEASON.

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

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 - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

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 31-2291A
Date Received: 11/15/88
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

BALL FARMS LTD Phone: (208)662-5286

2612 E 2300 N
HAMER ID 83425

2. Date of Priority: 02/25/1949

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	36E	28	NW NW	JEFFERSON

5. Description of diverting works:

WELL TO DITCH AND FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.19	

7. Total Quantity Appropriated is:
0.19 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
07N	36E	28	NW NW	IRRIGATION	5
			SW NW	IRRIGATION	5

Section Acres 10
Total Acres 10

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:

14. Remarks:

Ownership changed by Corrective Warrantee Deed. B Contor 11/7/2000

15. Basis of Claim: License

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: A31-02291A

Date Received: 11/15/1988

Receipt No: E 004040

Received By: HWS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HARLEY JENSEN DBA DOUBLE J FARMS 208-745-6113
Address: 505 N. 4225 E.
RIGBY, ID 83442

OR

Name: JOSEPH T. JONES DBA DOUBLE J FARMS 208-754-4261
Address: 570 N. 3600 E.
RIGBY, ID 83442

2. Date of Priority: FEB 25, 1949

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	36E	28	NW	NW			JEFFERSON

5. Description of diverting works:
WELL TO DITCH AND FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.190		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A31-02291A

Page 1

Date: 11/15/88

MICROFILMED

NOV 17 1992

A3102291A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	28	NW	NW		IRR	5.0
			SW	NW		IRR	5.0
Section Acres							10.0
Total Acres							10.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 312291

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 x 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): x Harley Jensen Date: x 11-15-88

Date: _____

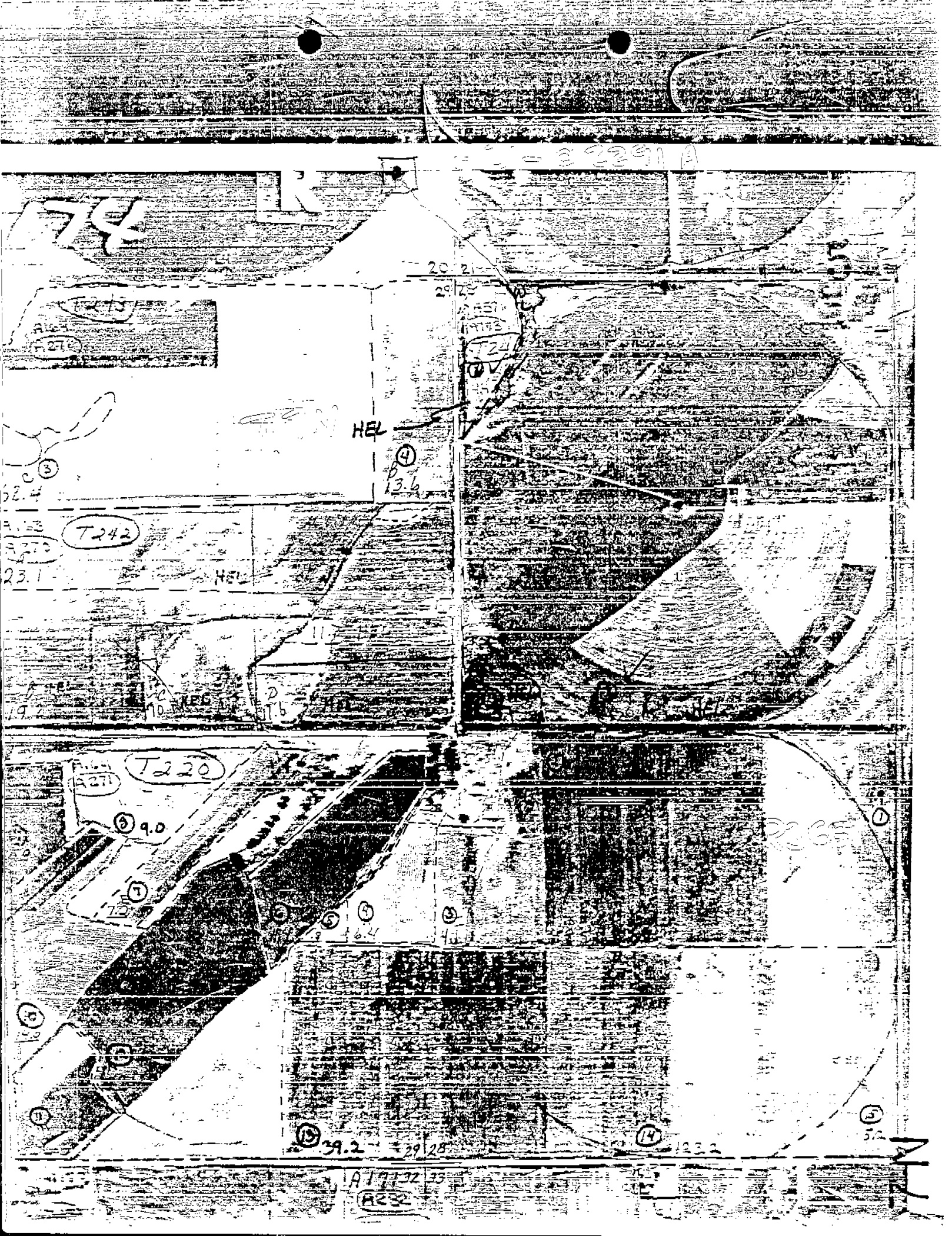
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of Nov. 19 88

Valleen Wray
Notary Public

Seal

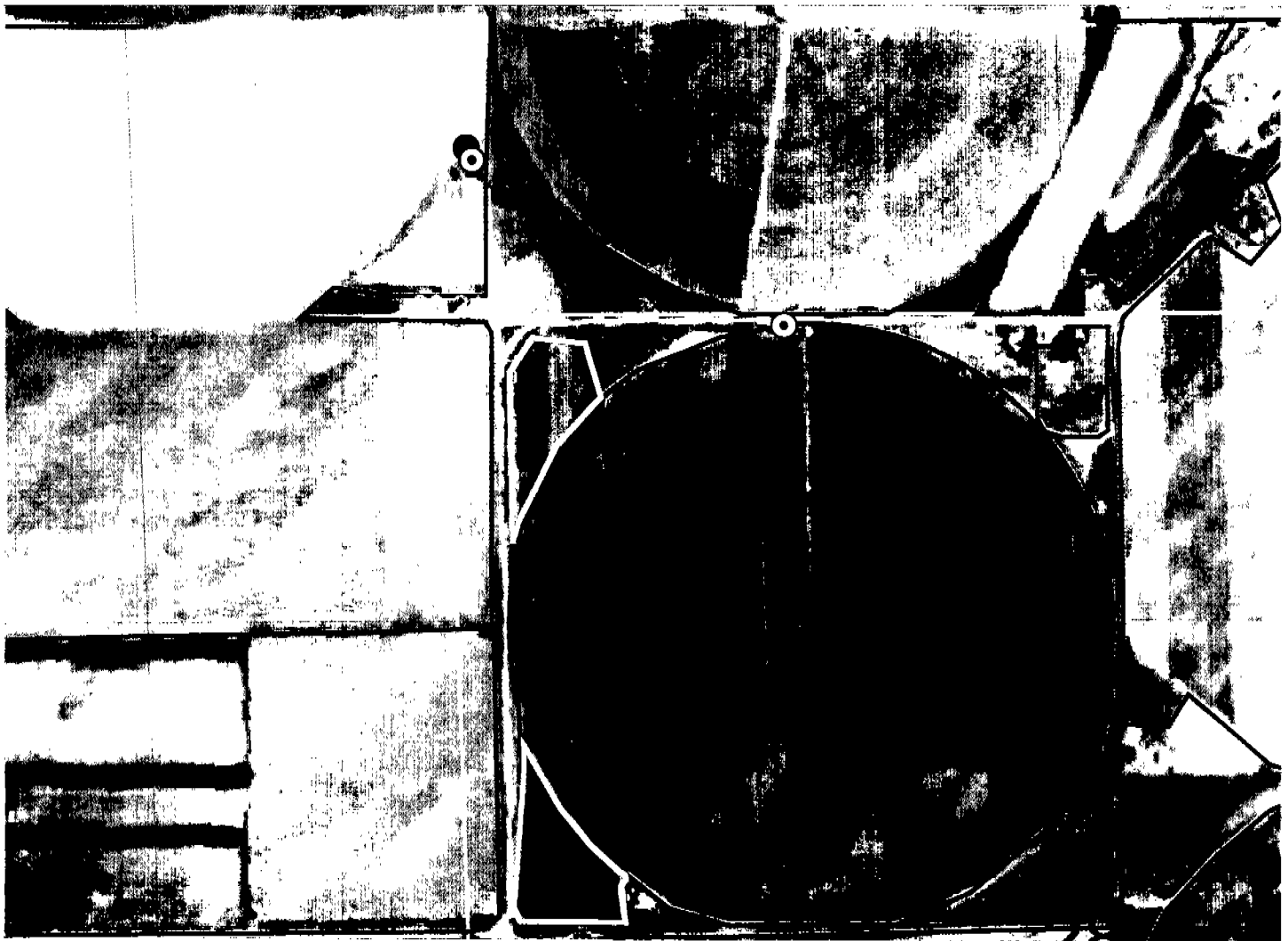
Residing at Idaho Falls
My Commission Expires 5/29/1991



Idaho Department of Water Resources

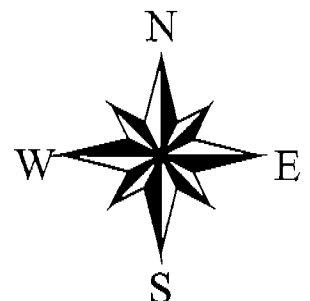
Water Right 31-2291A, 31-11424

Township 7N Range 36E Section 28



0 1320 Feet

- ⊙ Point of Diversion
- Point of Diversion - Other Rights
- Place of Use
- Place of Use - Other Rights
- Quarter-quarter Sections
- Section Lines



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 11/2000

RECEIVED

MAR 12 2001

01/16/2001

NOTICE OF ERROR
REPLY

Department of Water Resources
Eastern Region

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: ^{March} ~~February~~ 9, 2001

Water right number: 31-2291A

BALL FARMS LTD PARTNERSHIP
PO BOX 69
LEWISVILLE, ID 83431

Daytime Telephone Number: (208) 754-4651
Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Disagree with deviation rate & the AFY

2. Describe the changes you wish to make in the proposed recommendation:

High rate of deviation and a high AFY

3. Give a brief explanation as to why you disagree with these portions:

due to the sandy soil on the long ditch I need a good head of water in the ditch or it will not get to the field. Also because of the high ditch I need a higher AFY.

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

DATE: 8 March 01

SIGNATURE: Carl M Ball

Please print your name: Carl M. BALL

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, (208) 525-7161



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Arlin and Coralle Knight
1230 Latta Rd, Apt. C
Rochester, New York, 14612-4039

Ball Farms Ltd. Partnership
P.O. Box 69
Lewisville, Idaho 83431

Re: Adjustment to Adjudication Recommendations

Dear Water Users:

I have modified some of your adjudication recommendations, in response to Mr. Ball's notice of error. The recommendations in question are splits of original license 31-2291 and an unnumbered beneficial use right that was recognized as an overlap in the licensing examination.

The original lands irrigated under these rights have been split and changed. Knight's 80 acres north of Shupe's home is recommended under 31-10534 (split off the beneficial use right) and 31-11452 (split off the license). Ball's 10 acres of irrigation on the pivot corners in section 28 is recommended under 31-11424 (split off the beneficial use right) and 31-2291A (split off the license). A portion of the beneficial use right (31-11449) is recommended as an accomplished transfer to the well north of Knight's home, co-mingled with other water rights out of that well.

Mr. Ball pointed out that the Knight 80 and his 10 acres are basically served by the well in section 28. However, the full flow rate of the well is required to irrigate either parcel, due to the nature of the ditches and historical flood irrigation practices. As long as the land and the rights were under common ownership, this was not an issue. When Ball irrigates his parcel, the full flow is required even though it does not need to run very long. Similarly, if Knight was to return to flood irrigation on the 80 acres, he would require the full flow.

To accommodate this fact, I've changed the recommended diversion rate for the Ball lands to 3.36 cfs (1.96 from the license, 1.40 from the beneficial use right). This is the full diversion rate attributed to the section 28 well. Ordinarily, these rights would be recommended for 0.30 cfs.

Similarly, I've recommended the two rights on the Knight 80 for 3.36 cfs. These would ordinarily be recommended for 1.60 to 2.40 cfs. To prevent injury to other users, I've restricted each of you to the volume that would be diverted with two weeks use at standard rates. I've also limited the combination of all five rights to the original rate of the original rights.

The practical consequence of these recommendations is that you can continue to irrigate either parcel using the entire stream from the section 28 well, on a rotation basis. The other practical consequence is that even though the individual rates add up to more than 4.2 cfs, you really only have 4.2 cfs of total right. This will become important if you ever decide to move the water to new lands, or apply for a transfer to drill an additional well.

Please call if you have questions. I've enclosed your own recommendations with each of your letters.

Sincerely,

A handwritten signature in cursive script that reads "Bryce A. Contor".

Bryce A. Contor
Senior Water Resource Agent

MEMORANDUM

To: 31-2291A

31-11424

31-11452

31-11449

31-10534

Fr: Bryce Contor

Bryce A. Contor

Re: Diversion Rate

Date: 3/14/01

Per Carl Ball NOE, diversion rate of each of the rights relying upon the well in NW of section 28 are adjusted to allow either user of the well to enjoy its full capacity. To prevent injury, each owner's rights have combined 14-day volume. Also, combined diversion rate limitation on both owner's rights is imposed to effectively require sharing of well or rotation of use.

Original capacity of well(s) in exam
31-2291 = 4.20 cfs.

Approximate capacity of Section 28 well = 3.40

Memo p 2

Carl Ball Recommendations

31-2291A	1.96 cfs
31-11424	1.40 cfs
	<u>3.36 cfs</u>

limited to 14-day volume of 8.4 acre ft

$$(10 \text{ acres} \times 0.03 \text{ cfs/acre} \times 1.9835 \text{ acre ft/cfs/day} \\ \times 14 \text{ days} = 8.33)$$

Artia Knight Recommendations

80-acres relying on Section 28 well:

31-10534	1.40 cfs
31-11452	1.96 cfs
	<u>3.36 cfs</u>

limited to 14-day volume of 66.6 acre ft

$$(80 \text{ acres} \times 0.03 \text{ cfs/acre} \times 1.9835 \text{ acre ft/cfs/day} \\ \times 14 \text{ days} = 66.6 \text{ acre ft})$$

$$3.4 \times 1.9835 \times 14 = 94.4 \rightarrow \text{Capacity adequate}$$

Combined use limitations

All rights in combination limited to orig. capacity found in exam 31-2291 = 4.20 cfs.

All splits of 31-2291 limited to original rate of 31-2291 = 1.96 cfs.

→ 31-2291A, 31-10534, 31-11424, 31-11449, 31-11452 limited to 4.20 cfs

→ 31-2291A, 31-11449, 31-11452 limited to 1.96 cfs

Note that as long as lands under 31-11452 and 31-10534 are sprinkler irrigated, they will not req. their full 3.36 cfs. This will allow simultaneous operation of that system & the system which relies on the 0.27 cfs of 31-11449, the remaining split of 31-2291.

Administration, if required, will distill to requiring either the Ball lands in Section 28, or the Knight lands in section 29, to be irrigated, but not both. In simplest terms it prevents enjoyment of more capacity.

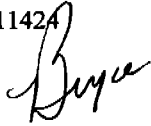
MEMORANDUM

To: File A31-2291A, 31-11424

CC:

Fr: Bryce Contor

Date: 3/8/2001



Re: Diversion Rate and Ditch Loss

In the Notice of Error, claimant Carl Ball disagreed with diversion rate and with volume.

This is a split of an original license and beneficial use right, which only encompasses a small part of the original acres. However, because of the physical delivery system of ditches and flood irrigation, to irrigate at all Mr. Ball requires the full diversion rate of the right when it is his turn to use the water. This is consistent with other flood irrigation recommendations on small acreages, i.e. 31-11291 and 31-11292, and others.

To prevent injury, I limit the 14-day diversion volume to the volume that would be divertable under the standard rate of 0.03 cfs/acre for small acreages.

Attached calculations using the lower to mid range of intake rates for these soils show that to deliver 7 days worth of volume at 0.03 cfs/acre would require a pumping period of 15 hours. The standard volume of 3.5 acre feet per acre could thus be satisfied in 8.3 irrigations of 15 hours each. These 8.3 irrigations would require 2.2 acre feet of ditch loss each, for a total of 18.3 acre feet. Therefore the recommended volume is $3.5 \times 10 = 35$ acre feet field headgate requirement plus 18.3 acre feet ditch loss = 53.3 acre feet.

Note that there is no injury component of this allowance for leakage, as it returns directly to the source aquifer.

notes and calculations w/ copy in 31-2291A

Jones Place ditch loss & diversion rate
assumptions

$$10 \times .03 = .3 \text{ cfs}$$

$$.3 \text{ cfs} \times 1.9835 \times 7 = 4.2 \text{ acre ft / week}$$

$$3.4 \text{ cfs} \times 1.9835 = 6.75 \text{ acre ft / day}$$

$$\frac{4.2}{6.75} = 0.62 \text{ days } 15 \text{ hours.}$$

$$15 \text{ hrs } .62 \times 1.80 \text{ cfs} \times 1.9835 = 2.2 \text{ acre ft}$$

of loss per
irrigation

$$\frac{35 \text{ acre ft annual volume}}{4.2 \text{ acre ft / week}} = 8.3 \text{ irrigations}$$

$$8.3 \text{ irrigations} \times 2.2 \text{ acre ft of loss} = 18.3 \text{ acre ft of loss}$$

$$35 + 18.3 = 53.3 \text{ acre ft}$$

$$\begin{array}{r} 2.0 \ 35 \\ 1.4 \ 18.3 \\ \hline 3.4 \ 53.3 \end{array}$$

$$4.2 \times 2 = 8.4 \text{ acre ft / 14 days}$$

$$\begin{array}{r} 2 \times 1.9835 \times 214 = 848 \\ 1.4 \times 1.9835 \times 214 = 574 \end{array}$$

CONVEYANCE LOSS - WORSTELL

NAME OF DITCH: Carl Ball - Jones Place BY: bac DATE: March 8, 2001

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	3960	3.0	40.00	6.00	3.00	3.00	2.0010	6.00	9.00
2				0.00		0.00	0.0000	0.00	0.00
3				0.00		0.00	0.0000	0.00	0.00
4				0.00		0.00	0.0000	0.00	0.00
5				0.00		0.00	0.0000	0.00	0.00
6				0.00		0.00	0.0000	0.00	0.00
7				0.00		0.00	0.0000	0.00	0.00
8				0.00		0.00	0.0000	0.00	0.00
9				0.00		0.00	0.0000	0.00	0.00
10				0.00		0.00	0.0000	0.00	0.00
11				0.00		0.00	0.0000	0.00	0.00
12				0.00		0.00	0.0000	0.00	0.00
13				0.00		0.00	0.0000	0.00	0.00
14				0.00		0.00	0.0000	0.00	0.00
15				0.00		0.00	0.0000	0.00	0.00
16				0.00		0.00	0.0000	0.00	0.00
17				0.00		0.00	0.0000	0.00	0.00
18				0.00		0.00	0.0000	0.00	0.00
19				0.00		0.00	0.0000	0.00	0.00
20				0.00		0.00	0.0000	0.00	0.00
TOTALS	3960			6.00	3.00			6.00	

REACH = SECTION OF CHANNEL

LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

AVE WIDTH = AVERAGE TOP WIDTH OF WATER SURFACE IN REACH

SEEPAGE = SOIL SEEPAGE RATE OF REACH

WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOI

DELIVERY = TOTAL DELIVERIES IN REACH

DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)

LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT

DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY;
REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH;
IF MULTIPLE RIGHTS WITHIN REACH, DELIVERY LOSSES SHOULD BE
PRORATED BASED ON SIZE OF DELIVERY FOR EACH RIGHT WITHIN REACH

FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

Soil type 2 of reach rate - in/hr in/hr x 1ft/12in x 24hr/day
= ft/day

127 10 2-6 2 in/hr = 4 ft/day
32 50 6-20 6 in/hr = 12 ft/day
108 40 2-20 20 in/hr = 40 ft/day

CONVEYANCE LOSS - WORSTELL

NAME OF DITCH: Carl Ball - Jones Place BY: bac DATE: March 8, 2001

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	3960	3.0	12.00	1.80	2.00	2.00	0.9005	1.80	3.80
2				0.00		0.00	0.0000	0.00	0.00
3				0.00		0.00	0.0000	0.00	0.00
4				0.00		0.00	0.0000	0.00	0.00
5				0.00		0.00	0.0000	0.00	0.00
6				0.00		0.00	0.0000	0.00	0.00
7				0.00		0.00	0.0000	0.00	0.00
8				0.00		0.00	0.0000	0.00	0.00
9				0.00		0.00	0.0000	0.00	0.00
10				0.00		0.00	0.0000	0.00	0.00
11				0.00		0.00	0.0000	0.00	0.00
12				0.00		0.00	0.0000	0.00	0.00
13				0.00		0.00	0.0000	0.00	0.00
14				0.00		0.00	0.0000	0.00	0.00
15				0.00		0.00	0.0000	0.00	0.00
16				0.00		0.00	0.0000	0.00	0.00
17				0.00		0.00	0.0000	0.00	0.00
18				0.00		0.00	0.0000	0.00	0.00
19				0.00		0.00	0.0000	0.00	0.00
20				0.00		0.00	0.0000	0.00	0.00
TOTALS	3960			1.80	2.00			1.80	

REACH = SECTION OF CHANNEL

LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

AVE WIDTH = AVERAGE TOP WIDTH OF WATER SURFACE IN REACH

SEEPAGE = SOIL SEEPAGE RATE OF REACH

WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD

DELIVERY = TOTAL DELIVERIES IN REACH

DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)

LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT

DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY;
REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH;
IF MULTIPLE RIGHTS WITHIN REACH, DELIVERY LOSSES SHOULD BE
PRORATED BASED ON SIZE OF DELIVERY FOR EACH RIGHT WITHIN REACH

FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 8, 2000

BALL FARMS LTD
2612 E 2300 N
HAMER ID 83425

RE: CHANGE IN OWNERSHIP FOR A31-02291A AND A31-07160

Dear Claimant:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

DEC 06-60 11/6/00

RECEIVED

NOV 06 2000

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	<u>A31-02291A</u>	<u>N</u>			
	<u>A31-7160</u>				

2. The following **REQUIRED** information must be submitted with this form:

- A. ~~The appropriate FILING FEE. See instructions for fee amounts.~~ N/A
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION.**
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Harley Jensen DBA Double J Farms
Joseph T Jones DBA Double J Farms
4. New Owner/Claimant(s) Ball Farms Limited Partnership
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2612 E 2300N
- City, State and ZIP Code Hammer Idaho 83425
- New Telephone Number (208) 662-5286
5. Date you acquired the property June 2 1996

(more on back)

WHEN RECORDED, MAIL TO:

Kevin J. Oakey
Rudd & Company, PLLC
725 S. Woodruff Ave.
Idaho Falls, ID 83403-1895

284555

Microfilm No. 28 Day January 1997
at 416 10 o'clock P.M.
SIGNED CONNIE M. KELLER
Jefferson Co. Recorder
Fee \$ 6.00 SE Deputy
Relinquished at Request of Edward Deaf

CORRECTIVE WARRANTY DEED

By Warranty Deed dated January 2, 1996, recorded as entry 279751 on February 23, 1996. Grantors conveyed the property described below, but a portion of the exception language was left out. This deed is to correct that description.

RONALD J. BALL and RONALD J. BALL, personal representative of the Estate of Emily M. Ball, Grantors, hereby CONVEY and WARRANT to BALL FARMS LIMITED PARTNERSHIP, Grantee, the following-described property in Jefferson County, State of Idaho:

Township 7 North, Range 36, East of the Boise Meridian, Jefferson County, Idaho.

Section 28: NW1/4

EXCEPTING THEREFROM: Beginning at a certain rock at the Northeast Corner of the NW1/4 of said Section and running thence West 300 feet; thence South 470 feet; thence East 300 feet; thence North 470 feet to the point of beginning.

ALSO EXCEPTING THEREFROM: Beginning at the NE Corner of the NW1/4 of said Section 28; thence N87°30'36"W 978.01 feet to the true point of beginning; thence S52°46'49"E 824.98 feet; thence N02°29'24"E 470 feet; thence N87°30'36"W 678.01 feet to the true point of beginning.

ALSO EXCEPTING THEREFROM: Beginning at a point 52°29'24"W 720 feet from the Northeast corner of the NW1/4 of said Section 28; thence N2°29'24"E 250 feet; thence N87°30'36"W 250 feet; thence Southeasterly 355 feet, more or less, to the point of beginning.

TOGETHER WITH all rights in that certain well by which the pivot irrigation system is operated and is identified as License No. 31-7160-2.23 CFS. ALSO, a 10% equity interest in that certain well located on the premises being purchased which is approximately 8 feet South of the midway point of the Northern boundary of NW1/4 of Section 28, Township 7 North, Range 36, East of the Boise Meridian. It is understood that Arlin D. Knight and Coralie M. Knight own the other 90% equity interest in said well and that the power costs, maintenance and repair costs will be shared according to the actual use of said well.

WITNESSED BY

2-28-97 Time 4:30 p.m.

WITNESS the hands of said Grantors this 27th day of March, 1997.

RONALD J. BALL

RONALD J. BALL, personal representative of the Estate
of Emily M. Ball

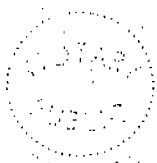
STATE OF IDAHO)
 : ss.
COUNTY OF JEFFERSON)

On the 27th day of March, 1997, personally appeared before me RONALD J. BALL and
RONALD J. BALL, personal representative of the Estate of Emily M. Ball, the signers of the within
instrument, who duly acknowledged to me that they executed the same.

Mary K. Linder
NOTARY PUBLIC
Residing in the State of Idaho

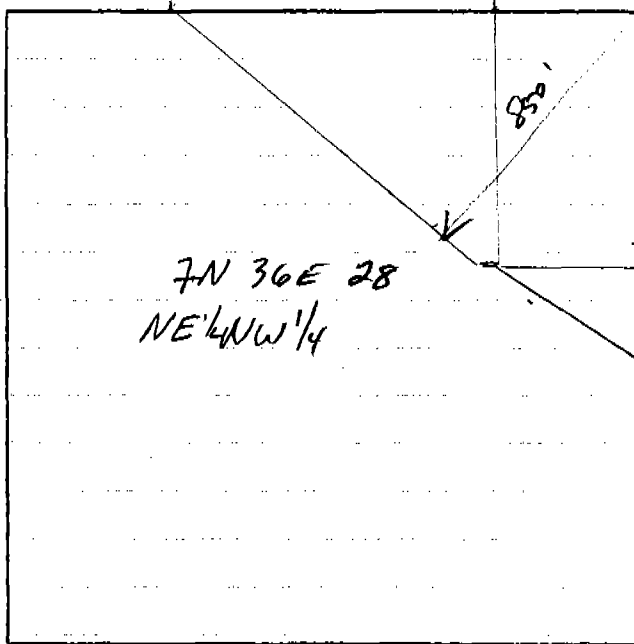
My Commission Expires:

6/27/2002
n:\10623\8\ball.wd



Ball Farms TO A ownership 31-22A, 31-2161

BAC 11/7/00



See also information
under flap "AI Special File
Knight / Shupe / Jones / Ball "
in file A31-2291

B. Contar 11/6/00

To: Arlin Knight Claims
Lyle Shupe Claims
Allan Shupe Claims
31-07102 and Splits
Jones/Ball Claim 31-02291A

Fr: Bryce Contor
Date: 9/11/2000



Re: Recommendations

These rights will be recommended on a per-system basis, as split by ownership.

The attached GIS sketches show the systems that will be recommended, with the schematic layout of ditches and mainlines, showing the physical interconnection between POD's and POU's.

A detailed analysis of rights, splits, and recommendations is contained in the "AJ Special File Knight/Shupe/Jones/Ball." This summary is attached to each recommendation.

The "31-02309, 7102A" shape is currently claimed by Blaine Larsen, but an anticipated Notice of Change of Ownership will result in it being recommended to Lyle Shupe, or perhaps split, with part recommended to Lyle Shupe and part recommended to Allan Shupe. It is served solely by the well adjacent to the north edge of the POU.

"Knight Sprinkler Recommended" and "31-07102B" are on a common system from the well between the two POU's. This system is recommended as two separate places of use because of ownership. 31-07102B is now claimed by Blaine Larsen but will likely be recommended to Lyle Shupe following Notice of Change of Ownership. The "Knight Sprinkler" POU will be recommended to Arlin Knight.

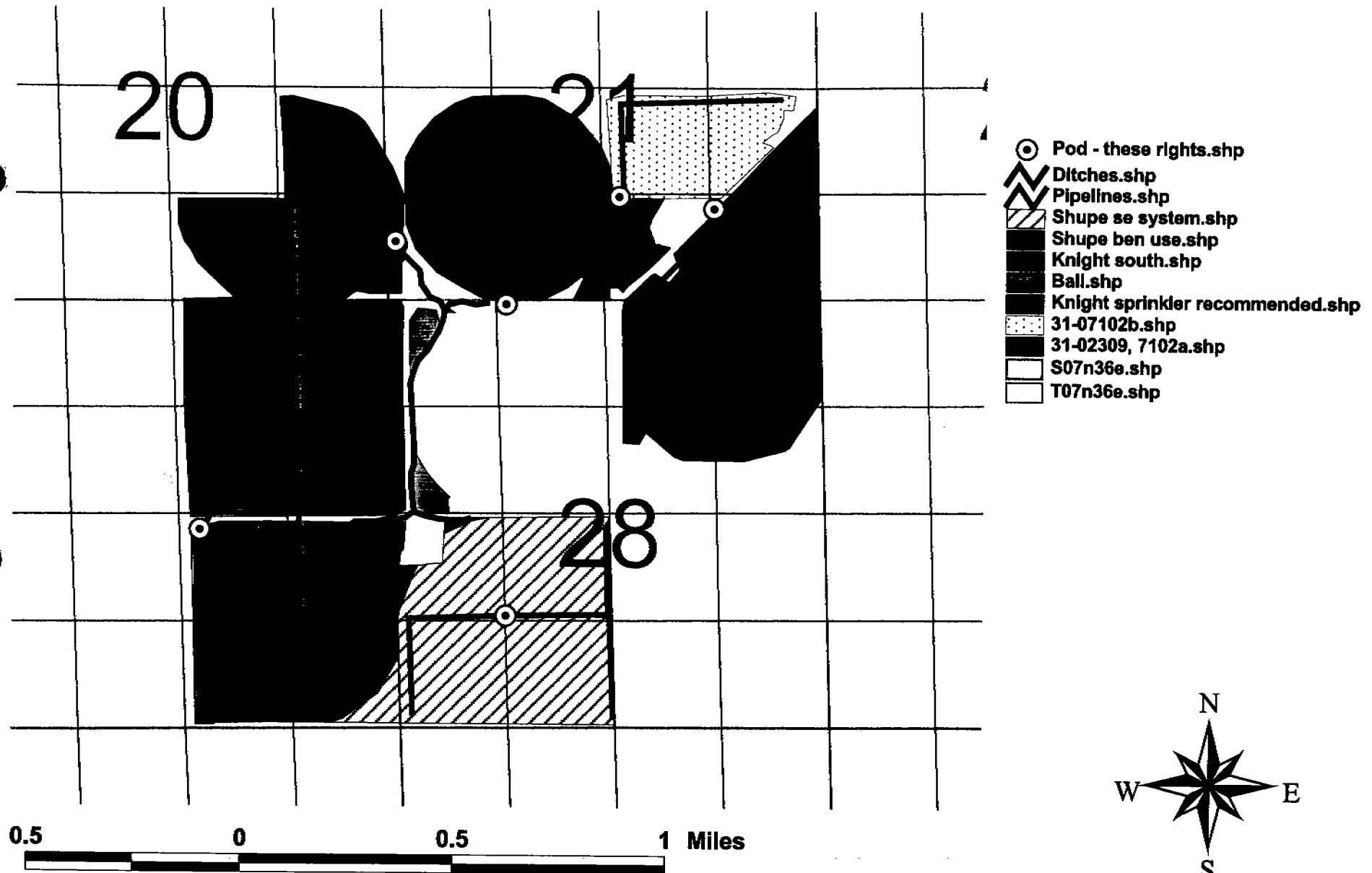
The "Ball" POU is currently claimed by Jones, but likely will be recommended to Ball following Notice of Change of Ownership. Ball will be invited to submit a beneficial use claim for additional diversion rate (due to notes in license file 31-02291, see below). It can physically be served by either the Knight Flood POD in 28, or the Shupe Flood POD in section 20. It will be recommended from the Knight POD as claimed.

The "Shupe SE system" is served only by the well in the SW of 28 and is owned by Lyle Shupe.

The "Shupe Ben Use" and "Knight South" POU are served by four wells. It is recommended as two systems because Knight owns the 80 acres in gray. The section 20 sprinkler well and the section 29 well pressurize a common mainline serving three center pivots. The Knight flood well, the Shupe flood well in section 20, and the Shupe well in section 29 supply water to ditches to serve flood-irrigated corners. Knight has filed 31-10534 for extra acres as an enlargement of 31-02291B, but these are not needed in light of an apparent accomplished transfer. However, it appears that a beneficial use claim is needed to claim the diversion rate subtracted in the licensing of 31-02291 due to overlap analysis with a right which is not claimed in the AJ (see licensing exam in WR file). An amended claim will be presented to Knight for signature.

Due to rounding, recommendations total just slightly more than 0.02/acre. Apparent current capacity (approx 20 cfs) exceeds recommendations (17.95 cfs) but this is likely not a problem because it is unlikely that all four wells on the Shupe Ben Use/Knight South system will be all operated at full capacity simultaneously.

Knight, Shupe, Jones/Ball Recommendations As Split by Ownership and System Design



B. Contor 9/7/2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 16, 2000

Carl Ball
Hamer, ID 83425

Re: Double J Farms, 31-02291A, 31-07160

Dear Carl:

These water rights are still in the name of Double J Farms, but I believe you have purchased the rights.

If so, please fill out the enclosed Notices of Change of Ownership and send them in with the requested documentation.

You might want to hurry; after July 1 there will be a \$25 fee for each water right.

Please call if you have any questions.

Sincerely,

Bryce A. Contor