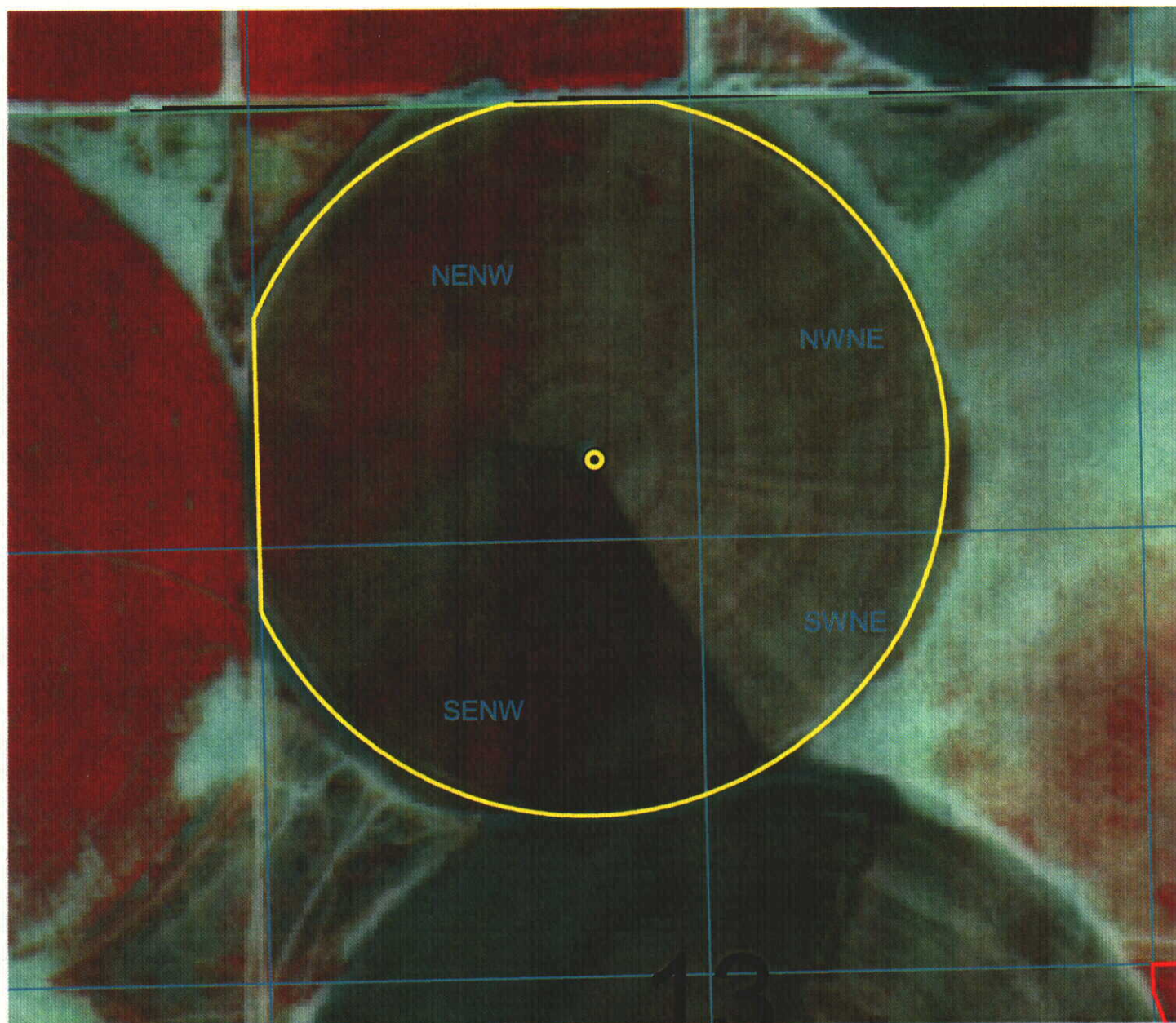


IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-07036

Township 7N 36E Section 13



0

1320 Feet

-  Point of Diversion - This Water Right
-  Point of Diversion - Other Water Rights
-  Place of Use - This Water Right
-  Place of Use - Other WR
-  Sections
-  Quarter-quarter Sections



03/23/2001

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

RIGHT NUMBER: 31-7036

NAME AND ADDRESS: BALL LAND L C
PO BOX 69
LEWISVILLE, ID 83431

SOURCE: GROUND WATER

QUANTITY: 1.68 CFS
294 AFY

PRIORITY DATE: 05/22/1970

POINT OF DIVERSION: T07N R36E S13 SENENW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-15	1.68 CFS 294.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T07N R36E S13	NWNE	17	T07N R36E S13	SWNE	9
T07N R36E S13	NENW	37	T07N R36E S13	SENW	21

84 ACRES TOTAL

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

AJ0749NP
No. A31-07036

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE
C	BALL LAND L C PO BOX 69 LEWISVILLE ID 83431 (208) 754-4651	05/22/1970	IRRIGATION	04-01 10-15	1.68 CFS
TOTAL DIVERSION:					1.68 CFS
CONSUMPTIVE USE:					

Water Source: GROUNDWATER

Tributary to:

Stage: LIO

Point(s) of Diversion:

T07N R36E S13

NENW

JEFFERSON C

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac
07N	36E	13	:		21		09	:		33		21	:					:				
TOTAL ACRES																						

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: NONE

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.

Remarks: GEN OWNERSHIP CHANGED BY SVH 4/10/98

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

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: A31-07036
Date Received: 11/15/1988
Receipt No: E004948
Received By: KCW

RECEIVED

Department of Water Resources
Eastern District Office

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

1. Name: EST. OF A. VERNON BALL 208-657-2576
Address: P.O. BOX 66
LEWISVILLE, ID 83431

2. Date of Priority: MAY 22, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	36E	13		NE	NW		JEFFERSON

5. Description of diverting works:
WELL PUMP MAINLINE TO CENTER PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	1.680		

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

8. Total consumptive use is 210.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	13	NW	NE		IRR	21.0
			SW	NE		IRR	9.0
			NE	NW		IRR	33.0

A31-07036

Page 1

Date: 11/16/88

A3107036



MICROFILMED

NOV 17 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	13	SE	NW		IRR	21.0
Section Acres							84.0
Total Acres							84.0

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

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: 1

For Organizations:

I do solemnly swear or affirm that I am REPRESENTATIVE of
Title

ESTATE OF A. VERNON BALL, that I have signed the foregoing
Organization

document in the space below as REPRESENTATIVE of
Title

ESTATE OF A. VERNON BALL and that the statements contained in the
Organization

foregoing document are true and correct.

Ch. B. B. B.
Signature of Authorized Agent

REP. OF ESTATE OF A. VERNON BALL
Title and Organization

NOV. 28, 1988
Date

State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 28th day

of November 19 88

Virginia Moss
Notary Public

Seal

Residing at Lewisville, Idaho

My Commission Expires May 4, 1994

E

Landing Strip

4867

RM

4869

Well

4855

33

21

POINT OF
DIVERSION



PLACE
OF
USE

26

9

13

Well

4829

18

Well

4821

95036

IDAHO DEPARTMENT OF WATER RESOURCES

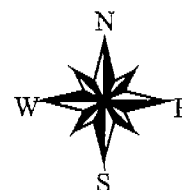
Water Right 31-07036

Township 7N 36E Section 13



0 1320 Feet

- ⊙ Point of Diversion - This Water Right
- Point of Diversion - Other Water Rights
- Place of Use - This Water Right
- Place of Use - Other WR
- Sections
- Quarter-quarter Sections





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

Carl Ball
Ball Land LC
P.O. Box 69
Lewisville, Idaho 83431

Re: Notice of Error Response

Dear Mr. Ball:

Recently you submitted Notices of Error on the preliminary adjudication recommendations for a number of water rights in the name of Ball Land LC, Ball Farms LTD, and Circle B Farms LTD Partnership. I have carefully reviewed the recommendations, along with your requested changes. This letter is a report of the changes I have made and an explanation of the changes I have not made.

ITEMS OF DISAGREEMENT

Season of Use

You disagreed with the proposed season of use on a number of the recommendations, and you have told me that your intent was to disagree on all your rights. You requested that the beginning of the authorized season be March 15, to allow early irrigation during dry, windy springs which sometimes occur in Hamer.

Annual Diversion Volume

Certain of your rights were proposed to be recommended with annual diversion volume of 3.0 acre feet per acre. You requested that all your rights be recommended at the current standard for your area of 3.5 acre feet per acre.

Diversion Rate

Rights 31-2356A, 31-2356B, 31-2401, 31-10968, 31-10969, and 31-10970 all partly overlap lands that were developed for flood irrigation in the 1950's, as evidenced by the licensing exam for original license 31-2356. The proposed recommendation only included the licensed diversion rates, but you requested that the additional diversion rate documented in the licensing exam be recommended.

Rights 31-7067, 31-7155, 31-7156, and 31-7219 were proposed to be recommended at the original licensed rates of less than 0.02 cfs/acre. You disagreed and requested that they be recommended for a full 0.02 cfs/acre.

Enlargement

Right 31-10969 was proposed for recommendation with a remark identifying it as an "enlargement." You disagreed, on the grounds that the development took place prior to 1963.

Acres

You disagreed with the total acres recommended under rights 31-2356A, 31-2356B, 31-2401, 31-10968, 31-10969, and 31-10970.

RESPONSE

Season of Use

I am not able to change the recommendations for Season of Use, though this is an issue that you may wish to discuss with the judge, through a formal objection. Many of your older licensed rights (numbered 31-2XXX) were originally issued without a listed season of use. Rights based on beneficial use (numbered 31-10XXX) have never before been reviewed by the department, and have never had a formal season of use defined. With this class of rights, your burden before the court would be to demonstrate that the earlier date is reasonable, and has occurred historically.

License 31-2419, as well as all the licenses numbered 31-7XXX, were originally issued with a season of use beginning April 1. Besides demonstrating that March 15 is a reasonable and historical beginning date, you would have to explain why the original licenses were accepted without challenge.

Annual Diversion Volume

The annual diversion volume for 31-7036, 31-7040A, 31-7067, 31-7155, 31-7156, and 31-7219 has been adjusted to the current standard of 3.5 acre feet per acre.

Diversion Rate

The diversion rate of the group of partly overlapping water rights was adjusted as explained below. The other licensed diversion rates I did not adjust. These can only be adjusted by the Allocations Bureau of IDWR.

One adjustment process is to amend the original license. This is very difficult. It requires a finding that the original license was obviously in error, along with a finding that the claimed diversion capacity was in place at the time of the original licensing examination. At a minimum, this requires a written report by a Licensed Professional Engineer, along with receipts and documentation of the original diversion works. The other process is to request a new permit based on pre-moratorium development. This requires solid documentation that the claimed diversion capacity was in place and used for beneficial use prior to November, 1987.

I am not encouraging you to pursue either of these options, but explaining to you what your options are.

Enlargement

The remark identifying 31-10969 as an enlargement was removed.

Acres

The acres on the group of overlapping rights were adjusted to reflect the 1987 aerial photography. This is explained below.

Group of Overlapping Rights

Rights 31-2356A, 31-2356B, 31-2401, 31-10968, 31-10969, and 31-10970 cover lands in 7N 36E section 13 and 7N 37E section 18. The recommendations were changed significantly on these rights, based on a careful review of the history of development.

The first phase of development was a flood irrigation system in the east half of section 13, under license 31-2356. It used two wells in the approximate locations of current wells #1 and #3. This was licensed for 0.02 cfs (one miner's inch) per acre on 175 acres. This was the standard diversion rate at the time, though the licensing examiner found significantly more capacity. Based on analysis of similar soil types on nearby farms, I believe 0.03 cfs/acre is more appropriate for this original use, and the original capacity was

adequate for that rate. Right 31-10970 is recommended as a beneficial use right for additional diversion rate, with priority date 7/16/1958 (the date of the licensing exam).

The next phase of development appears to be the installation of a sprinkler system in the NE quarter of section 13, of about fifty acres. This is recommended as beneficial use right 31-10969, with a priority date of 1962, from the John Wood affidavit.

In the early 1960's, licensed right 31-2401 was developed, apparently out of well #2. The licensing exam was performed in 1967, but the right bears the permit priority date of 1962. The examiner's notes indicate that the system was developed in its current location of the SW 1/4 of section 18, but the original license describes the NW 1/4.

Finally, in 1968 additional lands of about 77 acres were developed with the addition of sprinklers and pivots. This filled in the SE 1/4 of section 13 and the pivot in the center of the south 1/2 of section 13. These are recommended as enlargement 31-10968.

In recommending these rights, I have coded "accomplished transfers" to the current wells and places of use. To balance the diversion rate per acre of these original rights on the currently irrigated lands, to reflect the original relationship between lands and wells, and to match the current configuration of the diversion systems, I have combined these rights into two blocks of "permissible place of use."

The north block is the pivot that operates from well #3. To this system is recommended all of beneficial use right 31-10969, plus enough of licensed right 31-2356 (as recommendation 31-2356A) to authorize a full 0.02 cfs/acre on the 109 acres identified by aerial photography.

The south block is the large pivot west of well #1, the small pivot east of well #2, and the field in between. It is recommended for a total of 6.06 cfs on 303 acres. It includes the remainder of right 31-2356 (31-2356B), licensed right 31-2401, beneficial use right 31-10970, and enlargement 31-10968. These rights have a number of combined use limitations added to clarify the relationship between the rights. The main effect of these limitations will be to define the original extent of the rights, to facilitate any possible future transfers.

This recommendation incorporates the historically developed diversion rate and allows a full 0.02 cfs/acre on the entire place of use, with annual diversion volume of 3.5 acre feet per acre. The recommendation authorizes irrigation of all currently irrigated acres, and allows the flexibility to balance the production of wells #1 and #2 as needed.

I have attached copies of preliminary reports for all the recommendations I modified, along with maps of the revised recommendations for the lands in section 13 and section 18. Please review these carefully and contact me if you have questions or concerns.

Sincerely,



Bryce A. Contor
Senior Water Resource Agent

enclosures

12/21/2000

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-7036

Owner Type Name and Address
Current Owner BALL LAND L C
 PO BOX 69
 LEWISVILLE, ID 83431
 (208)754-4651

Original Owner PHIL S PETERSON
 HAMER, ID 83425

Original Owner EST OF A VERNON BALL
 PO BOX 66
 LEWISVILLE, ID 83431
 (208)657-2576

*Superseded by
NO E
adjustment*

Priority Date: 05/22/1970
Basis: License
Status: Valid

Source Tributary to
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01	10/15	1.68 CFS	252 AFA	
Total Diversion			1.68 CFS	252 AFA	

*84 x 3.5 = 294
1.68 x 1.9835 x 199 = 663*

Location of Point(s) of Diversion:

GROUND WATER SENENW Lt Sec. 13 Township 07N Range 36E JEFFERSON County

IRRIGATION Use:
Acre Limit: 84

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07N	36E	13		NWNE	17		SWNE	9						
				NENW	37		SENE	21						

Total Acres: 84

Conditions of Approval:

- C18 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.

Remarks:

- Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY CONTINUE TO AS LATE AS OCTOBER

Water Right 31-7036

31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Dates:

Licensed Date: 04/17/1979
 Claim Received Date: 12/05/1988
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	12/21/00 11:25:12 AM	csaxton			In Process
POD	12/21/00 11:39:20 AM	csaxton			In Process
	8/22/00 3:16:51 PM	bcontor			In Process
	8/22/00 2:47:42 PM	bcontor			In Process
POU	12/21/00 11:30:06 AM	csaxton			In Process
Priority Date	12/21/00 11:25:41 AM	csaxton			In Process
Quantity	12/21/00 11:34:38 AM	csaxton			In Process
Season	12/21/00 11:33:29 AM	csaxton			In Process
Source	12/21/00 11:29:07 AM	csaxton			In Process
Summary	12/21/00 11:39:14 AM		12/21/00 11:39:14 AM	csaxton	Complete
Use	12/21/00 11:29:35 AM	csaxton			In Process

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Overall Max Diversion Rate: 1.68
 Overall Max Diversion Volume: 252
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

Element	Date Time Stamp	Reviewer	Log Text
Contacts	12/21/00 11:25:10 AM	csaxton	1. Appointment has not been scheduled. Comment for 1: Desktop Review
POD	12/21/00 11:39:19 AM	csaxton	1. (NO) The basis is not beneficial use.
POD	12/21/00 11:28:30 AM	csaxton	Edited point location
POD	8/22/00 3:16:48 PM	bcontor	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (YES) The claimed Point of Diversion can be verified using the water right file. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POD	8/22/00 2:47:41 PM	bcontor	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (YES) The claimed Point of Diversion can be verified using the water right

POU	12/21/00 11:30:04 AM	csaxton
Priority Date	12/21/00 11:25:40 AM	csaxton
Quantity	12/21/00 11:34:35 AM	csaxton
Season	12/21/00 11:33:27 AM	csaxton
Source	12/21/00 11:29:05 AM	csaxton
Summary	12/21/00 11:39:13 AM	csaxton
Use	12/21/00 11:29:33 AM	csaxton

file.

8. (NO) Point of Diversion remark was not required.

9. (NO) Point of Diversion condition was not required.

1. (YES) The POU is required.

2. (NO) The basis of claim is not beneficial use.

3. (YES) The Parent Right has a POU.

4. (YES) The claimed POU can be verified using the water right file.

12. (NO) POU remark was not required.

13. (NO) POU condition was not required.

1. (NO) There has not been a later court decree of the water right(s) from the water source.

4. (NO) The basis of claim is not beneficial use.

5. (NO) The basis of claim is not a posted notice.

6. (YES) Parent right has a priority date.

7. (NO) The basis of claim is not an application or permit.

12. (YES) The claim is recommended.

13. (YES) The claim is coded correctly.

14. (NO) Priority remark was not required.

15. (NO) Priority condition was not required.

1. (NO) The basis of claim is not beneficial use.

2. (NO) The basis of claim is not a posted notice.

3. (YES) The parent right has a diversion rate and/or diversion volume.

4. (YES) The claimed diversion rate and/or volume can be verified using the water right file.

7. (YES) The parent right has an annual diversion volume limit.

8. (YES) Irrigation is a purpose of use.

9. (NO) Quantity remark was not required.

10. (NO) Quantity condition was not required.

1. (NO) The basis of claim is not beneficial use.

2. (YES) The parent right has a period of use.

3. (YES) The claimed Period of Use can be verified using the water right file.

12. (YES) Irrigation is the purposed use.

14. (YES) The period of use on the decree, license or transfer is shorter on either the start or end date than allowable under IDWR's current standard.

15. (YES) Period of Use remark was required.

16. (NO) Period of Use condition was not required.

1. (NO) The basis is not beneficial use.

2. (YES) Parent right has a source.

3. (YES) The claimed source can be verified using the water right file.

8. (NO) The source is not surface water.

10. (NO) Source remark was not required.

11. (NO) Source condition was not required.

1. (NO) The basis of the claim is not beneficial use.

3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture.

5. (NO) General remark was not required.

7. (YES) Additional condition was required.

8. (YES) Wanted to view the recommended right.

9. (NO) This is not a split right.

10. (NO) This is not a combined right.

11. (NO) Documents were not linked or attached to this file.

12. (YES) Set the verification date.

1. (NO) The basis of claim is not beneficial use.

2. (YES) The parent right has a purpose of use.

3. (YES) The claimed purpose of Use can be verified using the water right file.

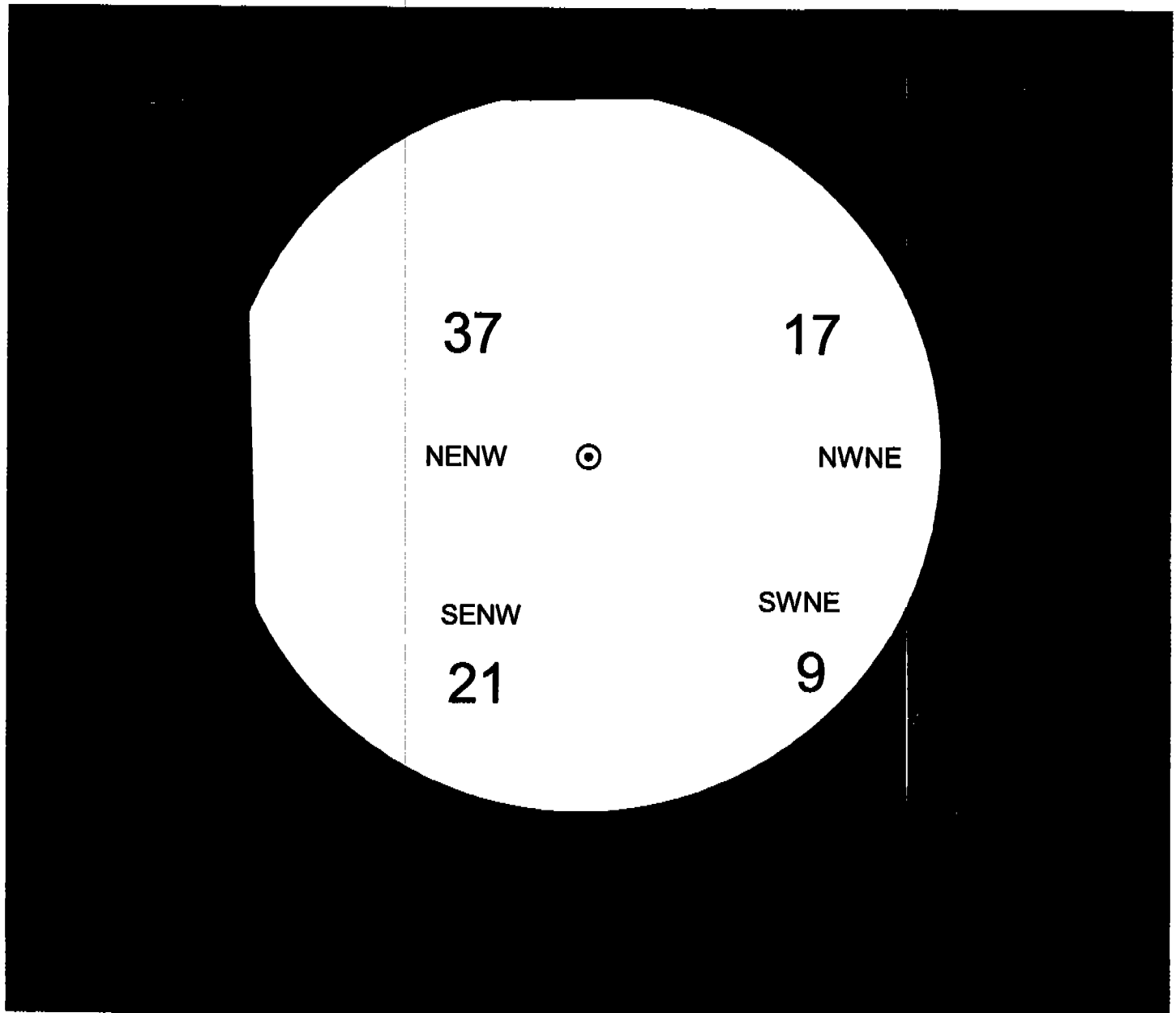
11. (NO) Purpose of Use remark was not required.

12. (NO) Purpose of Use condition was not required.

IDAHO DEPARTMENT OF WATER RESOURCES

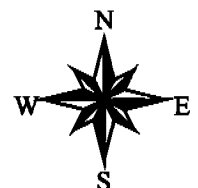
Water Right 31-07036

Township 7N 36E Section 13



0 1320 Feet

- ⊙ Point of Diversion - This Water Right
- Point of Diversion - Other Water Rights
- Place of Use - This Water Right
- Place of Use - Other WR
- Sections
- Quarter-quarter Sections



State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 31-7036 Priority May 22, 1970 Amount 1.76 cfs

THIS IS TO CERTIFY, that PHIL S. PETERSON
of Hamer, Idaho, has complied with the terms and conditions of Permit
No. 31-7036 issued pursuant to Application for Permit dated May 22, 1970
and has submitted proof to the Department of Water Administration on June 16, 1972
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.95 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 1.76 cfs for Irrigation from April 1 to Oct. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 1.76 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE1/4 Sec. 13, Twp. 7 N, Rge. 36 E, B.M.

in the county of Jefferson; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 264 acre feet per year or
3.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				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	
7 N	36 E	13		21	14		33			20									88

Total number of acres irrigated 88

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of

July, 19 73.


Director

31 7036

Identification No. _____

Application No. 31-7036

LICENSE ISSUED FOR 1 7/2 SEC. FT.
LICENSE PAGE NO. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Phil S. Peterson
post office address Hamer, Idaho 83425
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 13 Township 7 N
Range 36 E B.M. Jefferson County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.80 for irrigation purpose from April 1 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.80 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 60 hp pump

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 12 inches; proposed depth of well is 94 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ 20,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

31 7036

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

TWP.	RANGE	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	
7 N	36 E	13		20	20		20			22									90 2 acres

Total number of acres to be irrigated 90

c. Describe any other water rights used for the same purposes _____

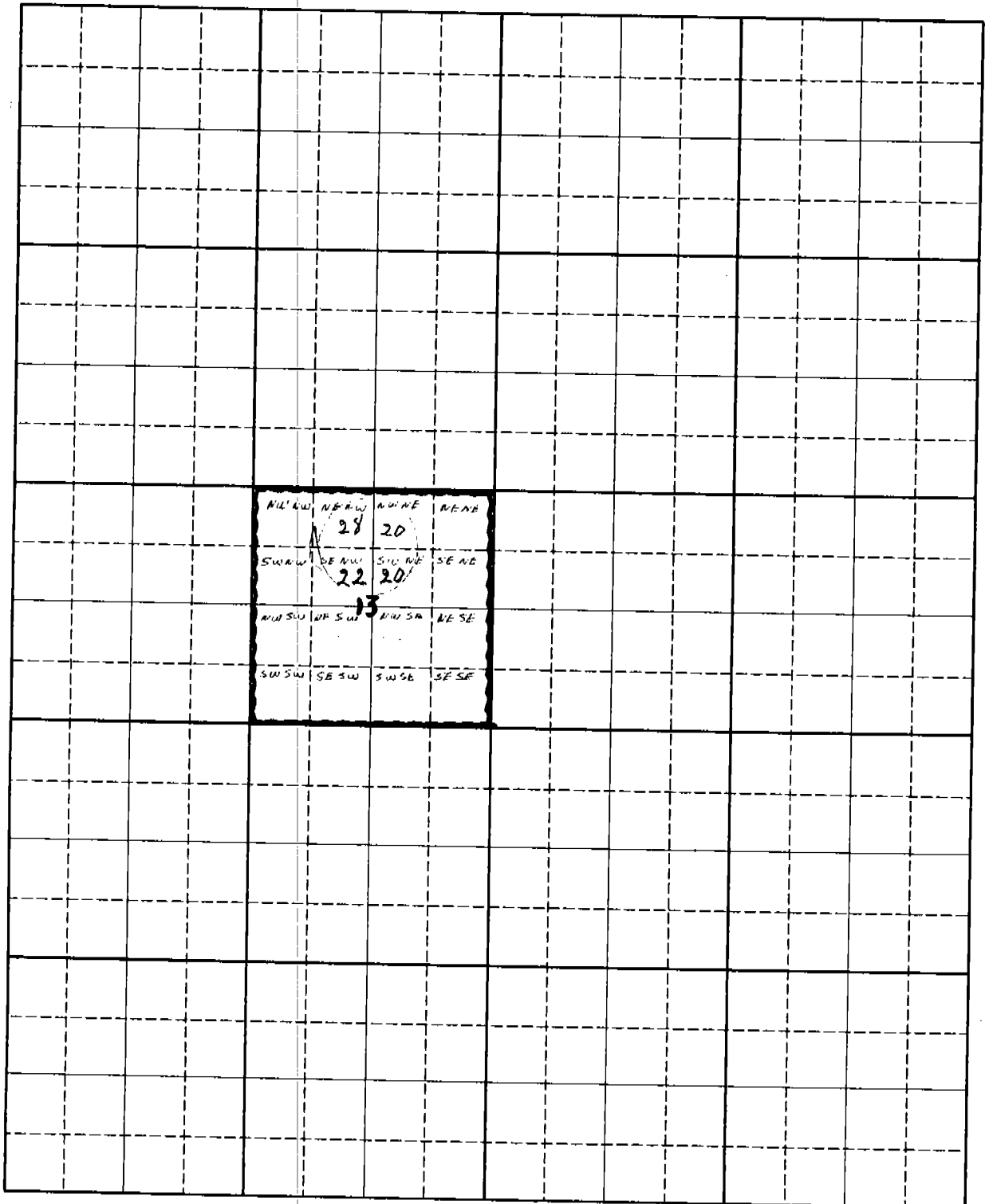
9. a. Who owns the property at the point of diversion applicant

b. Who owns the land to be irrigated or place of use applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project:



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Phil Peterson
(Applicant)

Received by ej Date 5-22-70 Time 8:00 am
Preliminary check by Dee Fee \$ 25.00 #4668
Receipted by ej Date 5-25-70
Publication prepared by dr Date 10-7-70
Published in Rigby Star
Publication dates 10-15 & 10-22, 1970
Publication approved dr Date 11-17-70
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by D.O. NM. BDF

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 31-7036, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 72.
- c. Other: The permit holder shall permanently install and maintain as part of the diverting works a measuring device of a type approved by the department.

2. Denial of said application is for the following reasons: _____

Witness my hand this 7th day of December 19 70.

P. Kirk Higg
State Reclamation Engineer

Identification No. 31-7036

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Jeff J. Peterson
post office address Hammer Lake, Jeff.
2. Source of water supply Underground which is a tributary of _____
3. a. Location of point of diversion is NE 1/4 of NW 1/4 of Section 13 Township 7N
Range 36E B.M. Jeff. County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 180 cfs for irrigation purpose from April 1 to Oct 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 180 cfs cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 60 hp Pumps

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ (Mo. Day) to _____ (Mo. Day) inclusive.
c. Proposed well diameter is 12" inches; proposed depth of well is 94 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years. Complete
b. Estimated construction cost is \$ 20,000 20000 20,000
8. Description of proposed uses: irrigation
a. If water is for irrigation:
(1) Give the place of use of water: NE 1/4 of NW 1/4 of Section 13 Township 7N
Range 36E B.M. Approx 22.5 - NE-NW 22.5 NW 1/4 - 22.5 SE 1/4 - 22.5
(2) Amount of power to be generated: _____ hp under _____ feet of head. Total 900.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

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

TWP.	RANGE	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	
7	36	13	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	90
7N	36E	13	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	90

Total number of acres to be irrigated 90

c. Describe any other water rights used for the same purposes.

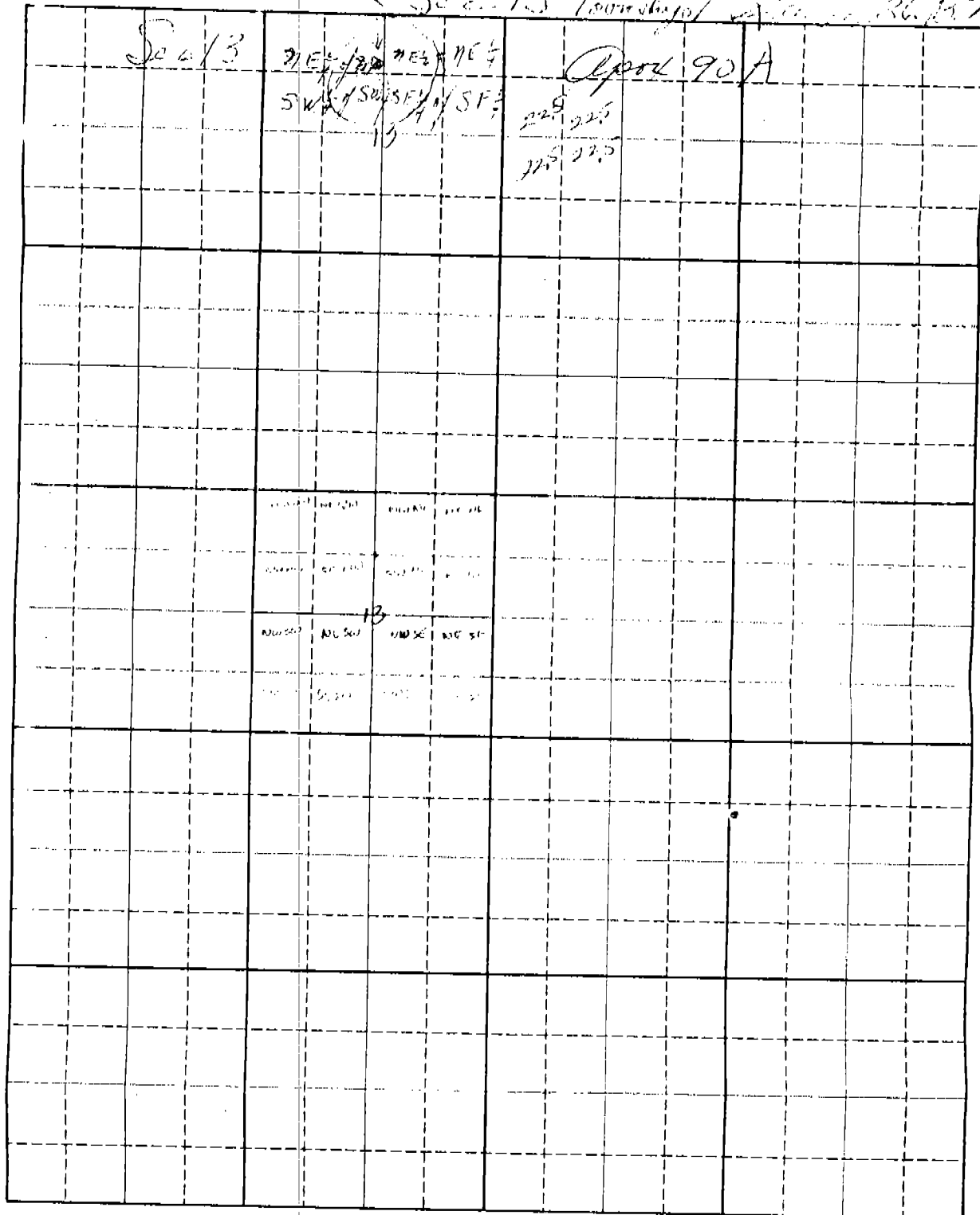
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

11. Map of proposed project:



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

[Signature]
(Applicant)

31 7036

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

FIELD REPORT

1. Name of permit holder Phil S. Peterson
- Post office address Hamer, Idaho Phone _____
- Person to contact _____ Phone _____
2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
- Tributary to _____

3. Water will be used for the following purposes:

Amount 1.80 c.f.s. for Irrigation
 AF/Annum (nature of use)

Period of Use: from April 1 to Oct. 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 1.80 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 7 N N/S, Range 36 E E/W, B.M., Section 13, Subdivision NE 1/4 NW 1/4 Jefferson

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____ County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____ County _____

Other Points of Diversions: None.

Description of diverting works: well, pump, motor (10" Crometer) Meters.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL / CREAGE**

-90

T.
7
N

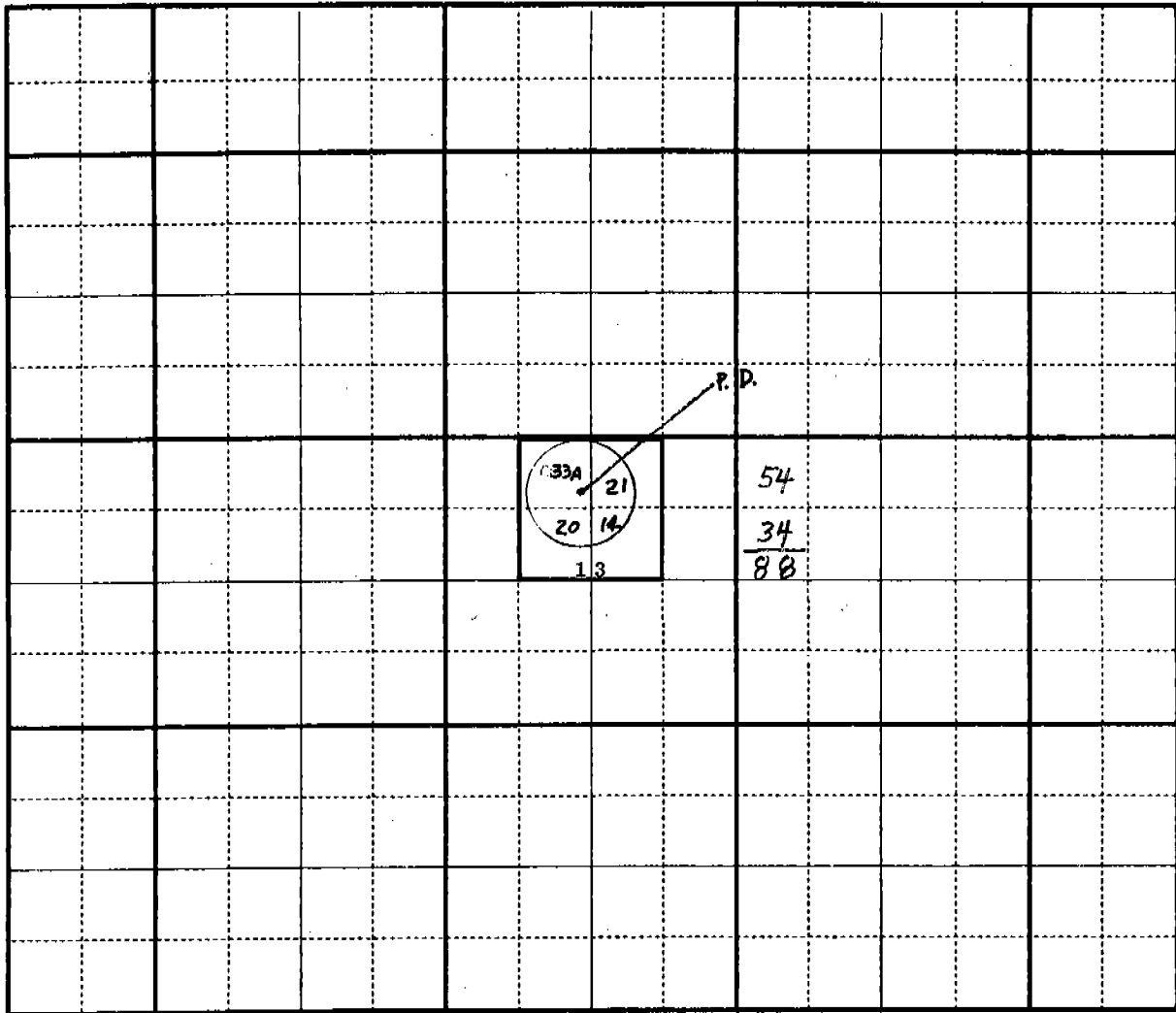
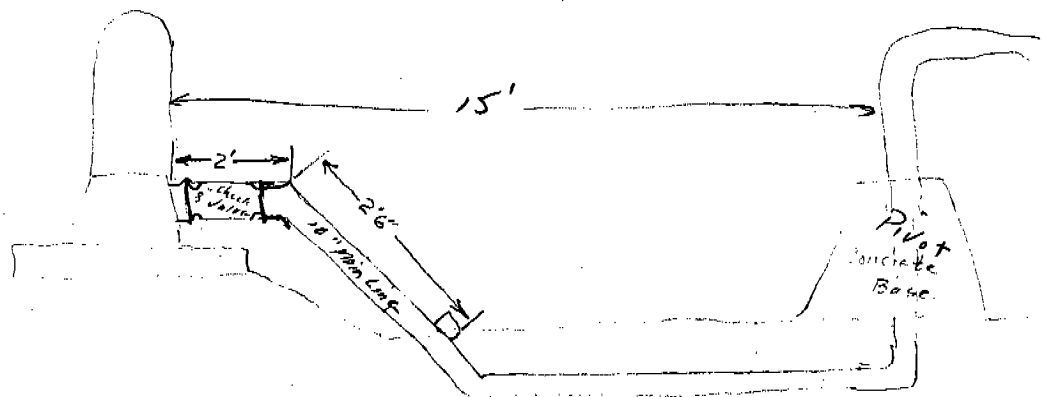


Diagram of System



DATE OF EXAM Aug 9, 1972

ACREAGE
Found 88
Recommended 88

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 176 c.f.s. V = 264 AF/Ann. from April 1 to Oct 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: N/A
twp. N/S, Rge. _____, E/W, B.M., Sec. _____, Sub. _____, 1/4 _____, 1/4 _____ County _____

Exchange? yes _____ no X County _____

Name source exchanged with: _____
twp. _____, N/S, Rge. _____, E/W, B.M., Sec. _____, Sub. _____, 1/4 _____, 1/4 _____ County _____

Point of injection: _____
twp. _____, N/S, Rge. _____, E/W, B.M., Sec. _____, Sub. _____, 1/4 _____, 1/4 _____ County _____

Point of exchange: _____
twp. _____, N/S, Rge. _____, E/W, B.M., Sec. _____, Sub. _____, 1/4 _____, 1/4 _____ County _____

Total Q measured 1.95 cfs Method of measurement Mcrometer meter installed in line.

Total Q recommended 1.76 cfs Meter No. 72-10270 Type propeller Condition new

Total V recommended 264 AF/Ann.

Recommended Amendments:

P.D. none

Place of Use _____

Other _____

None X

MEASUREMENT CALCULATION:

Meter reading: 875 gal. per min. (Meter does not have a
accumulative dial registry, only the sweep direct reading band.)

Average check $A = \frac{\pi R^2}{43,560} = \frac{\pi (1110')^2}{43,560} = 88 \text{ a.}$

SYSTEM DESCRIPTION:

60 HP 11.5 Holschaft Motor # R2023604; Layne and Bowler
Pump # 44724 8" discharge to check valve increased to 10" main
line for 10' to pivot sprinkler system that irrigates a 1090' radius
circle + 30' for shot of last gun. Total R = 1110'

REMARKS:

System shown by Phil Peterson

Examiner's Signature Norman C. Young

Date Aug 9, 1972

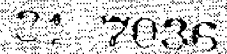
Checked by Norman C. Young, P.E.

Date 11-9-72

Approved by _____

Date _____

31 7036





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 13, 1998

BALL LAND LC
PO BOX 69
LEWISVILLE ID 83431

RE: CHANGE IN OWNERSHIP FOR A31-02356A, A31-02356B,
A31-02401, A31-07036, A31-07219, A31-10968, A31-10969,
A31-10970

Dear Mr. Ball:

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,

Jennifer Hoagland
Technical Records Specialist

Enclosure: Notice(s) of Claim

DEC 20 4/18/98 SUM
504 4/10/98 OK
RECEIVED
APR 08 1998
Department of Water Resources
Eastern Region

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) A31-10970, A31-0235LB, A31-10969, A31-02356A
Adjudication Claim Number(s) A31-07036, A31-02401, A31-10968, A31-07219
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Ect of AVERDON BALL
P.O. Box 66 Lewisville, ID 83431
4. New Owner/Claimant(s) BALL Land L.C.
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 69
City, State and ZIP Code Lewisville ID
New Telephone Number (208) 754-4631
5. Date you acquired the property _____
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Carol Ball Date April 8, 1998
Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

From: DWR03::FRAZEE
To: DWR70::CARLSEN
CC: FRAZEE

31-MAR-1993 07:35:37.5

Subj: EST OF A VERNON BALL/AR# #E000020

HULLO, ERNIE...AT DON'S REQUEST, YESTERDAY I MODIFIED THIS CLAIMANT'S BASIN
31 CLAIMS AS SHOWN BELOW, AS BEING "UN" REJECTED! THOUGHT U WOULD LIKE TO
COPY THIS TO EACH OF THESE FILES.....

A31-02356A	A31-02356B	A31-02356C	A31-02396	A31-02401
A31-02421	A31-07036	A31-07219	A31-10367	A31-10444

THE LAST CLAIM, A32-02090, I UNDERSTAND WAS NOT PAID FOR, SO IT IS STILL IN
REJECTED STATUS.

...SAL

MICROFILMED

APR 14 1994

From: DWR70::CARLSEN
To: COX

5-JUN-1992 07:58:43.39

CC:
Subj: cleaning up old messages

From: DWR03::FRAZEE 31-MAR-1992 09:03:39.42

To: DWR70::CARLSEN

CC: FRAZEE

Subj: REJECTED CLAIMS FOR EST OF A VERNON BALL/AR #E000020

MORNIN' ERNIE! AT DON'S INSTRUCTION, I REJECTED ALL OF THE CLAIMS
FOR THE ABOVE PERSON FOR INSUFFICIENT FEES THIS MORNING. THE
CLAIM NUMBERS FOLLOW:

A31-02356A	A31-02356B	A31-02356C	A31-02396	A31-02401
A31-02421	A31-07036	A31-07219	A31-10367	A31-10444
A32-02090				

WE HAVE BEEN TOLD THAT WHENEVER WE ARE IN AJ2 AND LOOKING AT/WORKING ON A
CLAIM, TO CORRECT DATA ENTRY STANDARDS TO USPS STANDARDS WHEN NEEDED. I
DID THAT ON THESE CLAIMS ALSO.

I PUT "REJECTED" IN SOURCE, STANDARD REMARK P12 "INSUFFICIENT FEES" IN
REMARKS, AND "X" IN STATUS.

PLEASE HAVE SHARLA FILE A COPY OF THIS MAIL MESSAGE IN EACH CLAIM FILE.
THANK YOU.

MICROFILMED
NOV 17 1992

From: DWR70::CARLSEN "Singin' the Big Lost Blues..." 1-APR-1992 13:04:47
To: COX
CC:
Subj: follow instructions

From: DWR03::FRAZEE 31-MAR-1992 09:03:39.42
To: DWR70::CARLSEN
CC: FRAZEE
Subj: REJECTED CLAIMS FOR EST OF A VERNON BALL/AR #E000020

MORNIN' ERNIE! AT DON'S INSTRUCTION, I REJECTED ALL OF THE CLAIMS
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CLAIM NUMBERS FOLLOW:

A31-02356A	A31-02356B	A31-02356C	A31-02396	A31-02401
A31-02421	A31-07036	A31-07219	A31-10367	A31-10444
A32-02090				

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REMARKS, AND "X" IN STATUS.

PLEASE HAVE SHARLA FILE A COPY OF THIS MAIL MESSAGE IN EACH CLAIM FILE.
THANK YOU.

MICROFILMED

NOV 17 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

R. KEITH HIGGINSON
DIRECTOR

March 9, 1992

AR# E000020
Estate of A. Vernon Ball
P.O. Box 66
Lewisville, ID 83431

A31-07036

Payment has not been received as directed in the certified letter you received on February 4, 1992. Rather than returning the claims to you, the record of the claims will go into a rejected status and remain in that category until payment is received from you. The account will continue to accrue interest, and any fees will not be returned whether the claims are investigated or not.

This will be your last notice until such time as the findings of the Director are included in his report to the Court of the water right claims in that area. Without further payment on the claim fee account, the findings of these claims will be that the claims were rejected for insufficient fees.

If your payment and this letter pass in the mail, I apologize for this letter.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:AR:east

MICROFILMED

NOV 17 1992