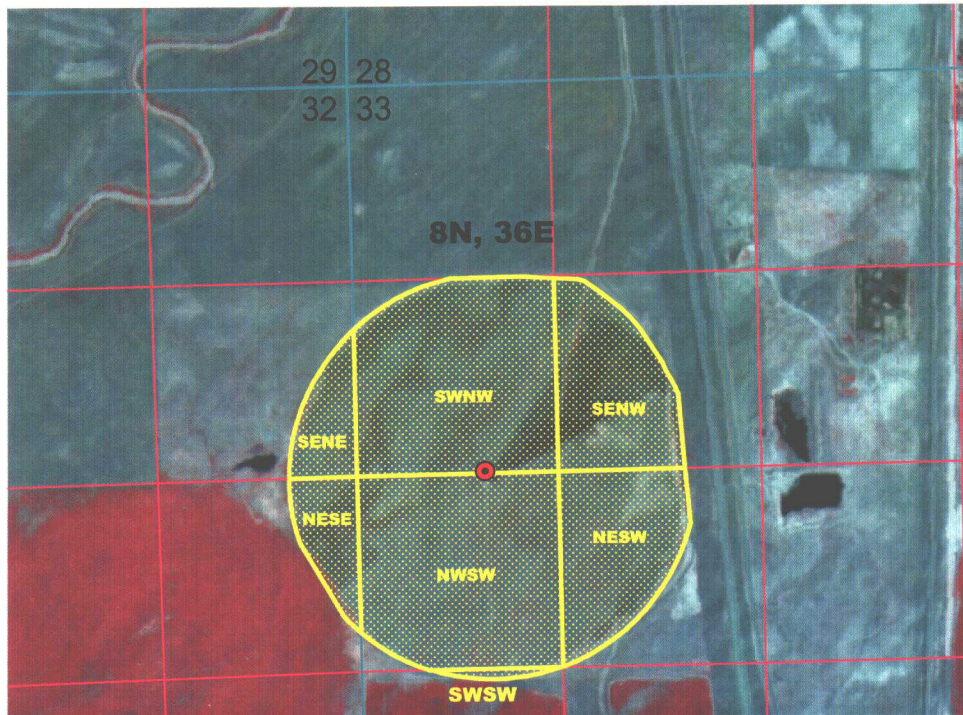




STATE OF IDAHO

Department of Water Resources
Eastern Region

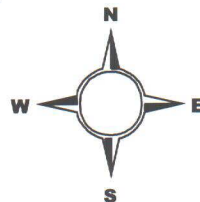
Water Right(s): 31-07067



1320 0 1320 2640 Feet

Total Irrigated Acres: 132

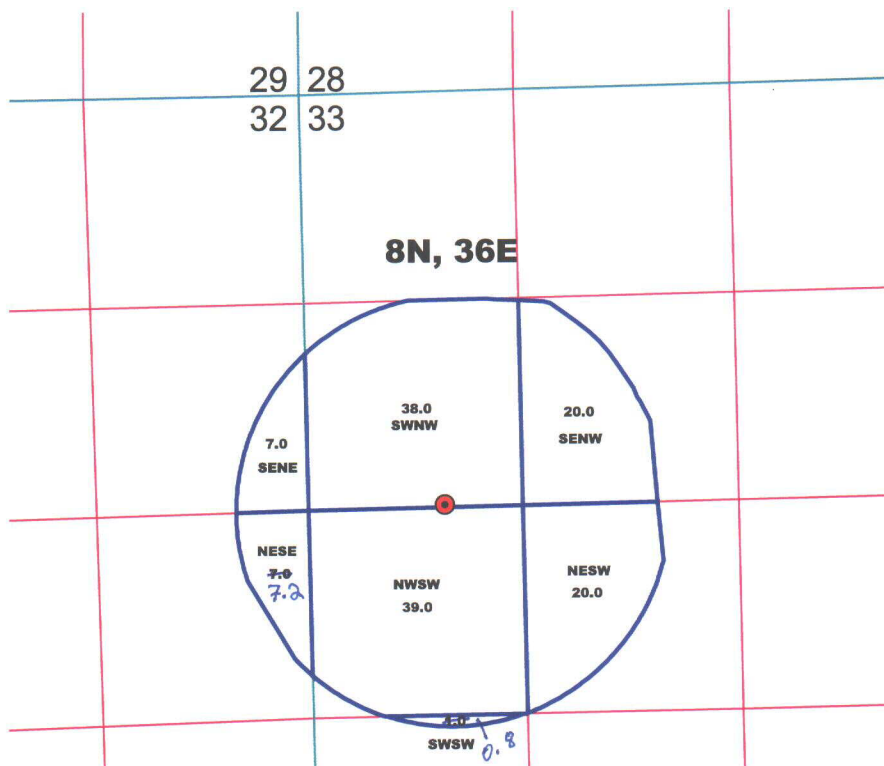
- Point of Diversion
- ▨ Place of Use
- Quater Quarter
- Sections



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: C. Saxton
Date: May 2000

WR#: 31-07067

Ball Farms LTD



Total Irrigated Acres: 132

03/23/2001

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

RIGHT NUMBER: 31-7067

NAME AND ADDRESS: BALL FARMS LTD PARTNERSHIP
CIRCLE B FARMS LTD PARTNERSHIP
PO BOX 69
LEWISVILLE, ID 83431

SOURCE: GROUND WATER

QUANTITY: 2.53 CFS
462 AFY

PRIORITY DATE: 12/06/1972

POINT OF DIVERSION: T08N R36E S33 SESWNW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 11-01	2.53 CFS 462.00 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T08N R36E S32	SENE	7	T08N R36E S32	NESE	7.2
T08N R36E S33	SWNW	38	T08N R36E S33	SENW	20
T08N R36E S33	NESW	20	T08N R36E S33	NWSW	39
T08N R36E S33	SWSW	0.8			

132 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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE 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: A31-07067
Date Received: 12/15/1988
Receipt No: E005230
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: BALL FARMS LTD PARTNERSHIP
Address: PO BOX 69
LEWISVILLE ID 83425
208-754-4651

AND

Name: CIRCLE B FARMS LTD PARTNERSHIP
Address: PO BOX 69
LEWISVILLE ID 83425
208-662-5286

2. Date of Priority: DEC 6, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	36E	33	SW	SW	NW		JEFFERSON

5. Description of diverting works:
60' WELL W/ 100HP PUMP TO CENTER PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.530		

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

8. Total consumptive use is 330.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	36E	32	SE	NE		IRR	3.0
			NE	SE		IRR	3.0
					Section Acres		6.0
		33	SW	NW		IRR	36.0
			SE	NW		IRR	27.0
			NE	SW		IRR	27.0
			NW	SW		IRR	36.0
					Section Acres		126.0
					Total Acres		132.0

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

MICROFILMED

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: A31-07067
Date Received: 12/15/1988
Receipt No: 6005230
Received By: SP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: REED MICKELSEN
Address: HARTFORD, ID 83425
208-662-5441

2. Date of Priority: DEC 06, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08N	36E	33	SW	SW	NW		JEFFERSON

5. Description of diverting works:
60' WELL W/ 100HP PUMP TO CENTER PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.530		

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

8. Total consumptive use is 330.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08N	36E	32	SE	NE		IRR	3.0
			NE	SE		IRR	3.0
						Section Acres	6.0

A31-07067

Page 1

Date: 12/15/88

MICROFILMED

NOV 17 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	36E	33	SW	NW		IRR	36.0
			SE	NW		IRR	27.0
			NE	SW		IRR	27.0
			NW	SW		IRR	36.0
					Section Acres		126.0
					Total Acres		132.0

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

MICROFILMED

NOV 17 1992

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: 1

For Individuals:

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

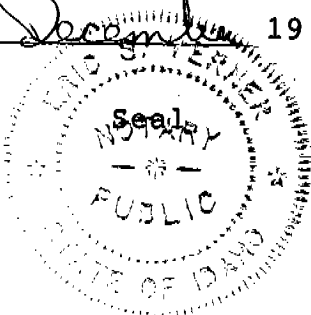
Signature of Claimant(s): Reed Mickelson Date: 12/15/88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 19 day
of December 19 88

[Signature]
Notary Public



Residing at Waho Falls, ID

My Commission Expires 22 Aug 1994

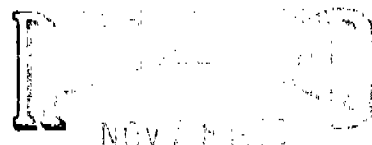
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 395

Ident. Number 31-7067

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWDepartment of _____
Eastern District of Idaho

Please type or print clearly

1. Name of Claimant (s) Reed Mickelsen Phone () 662-5441
Mailing Address Hammer Idaho Zip 834252. Date of Priority (Only one (1) per claim) December-6/19723. Source of water supply (a) ground water
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 8N Range 36E Section 33,
SW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Jefferson

Additional points of diversion if any: _____

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.Well with 16" casing 100 HP Pump
Depth of water 10 ft.

MICROFILMED

NOV 17 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Nov 1 amount 2.53 or 396

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 396 (acre feet)

8. Total consumptive use claimed is 2.53 acre feet per annum.

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

10. Description of place of use:

- If water is for Irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
<u>8N</u>	<u>36E</u>	<u>31</u>				<u>3</u>									<u>3</u>				<u>6</u>
		<u>33</u>							<u>36</u>	<u>27</u>	<u>27</u>	<u>36</u>							<u>126</u>

Total number of acres irrigated 132

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

12. Do you own the property listed above as place of use? 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.
_____ or None ()

14. Remarks:

MICROFILMED

NOV 17 1992

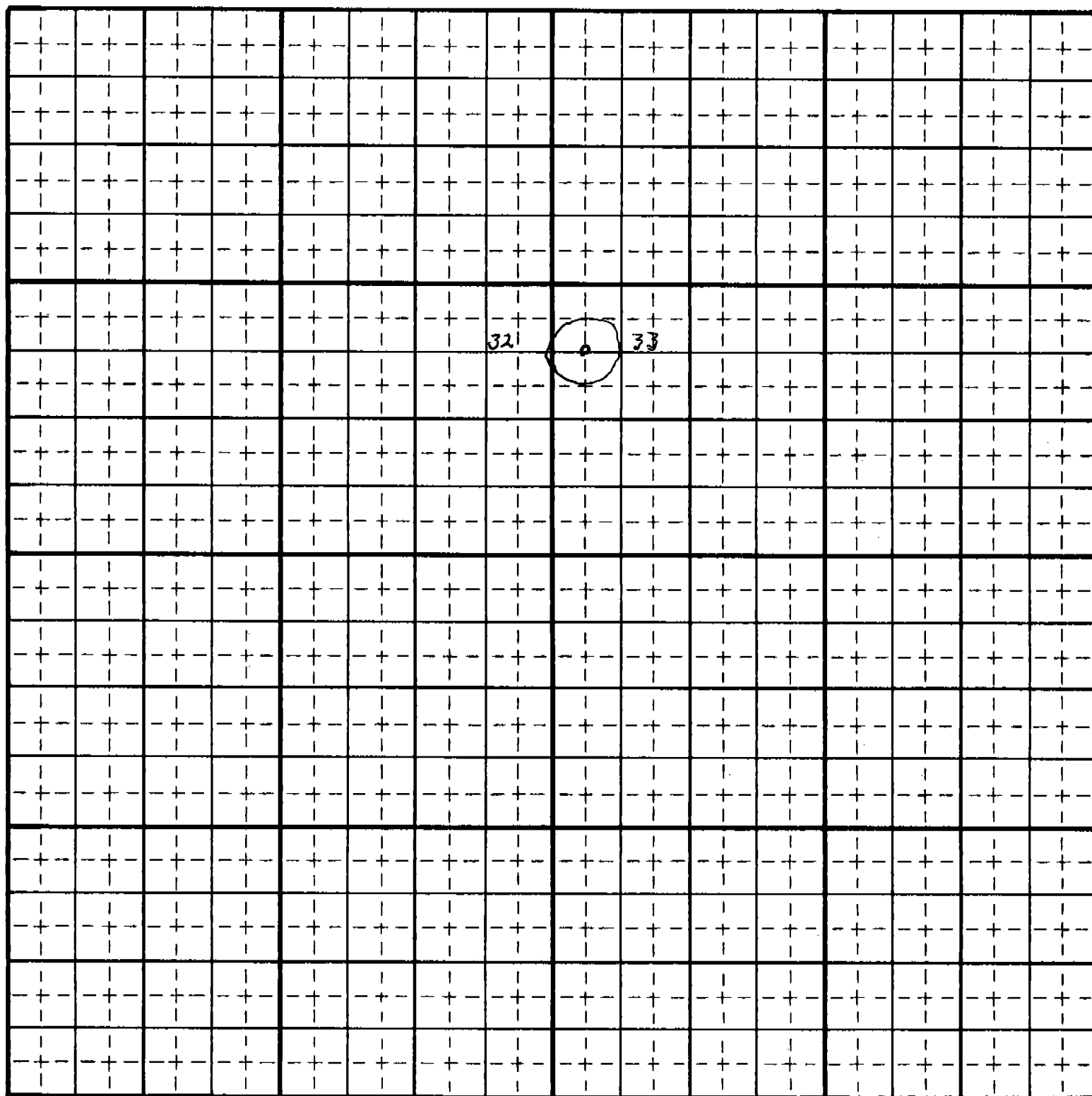
Last Name Mitchell Ident No. _____

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

TWP 8 RNC 36E SEC 32 + 33



MICROFILMED

NOV 17 1992

Last Name Mickelson

Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree 22

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) Reed Mickelsen Date 11/21/88

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 _____)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day of _____ 19 _____

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

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 _____

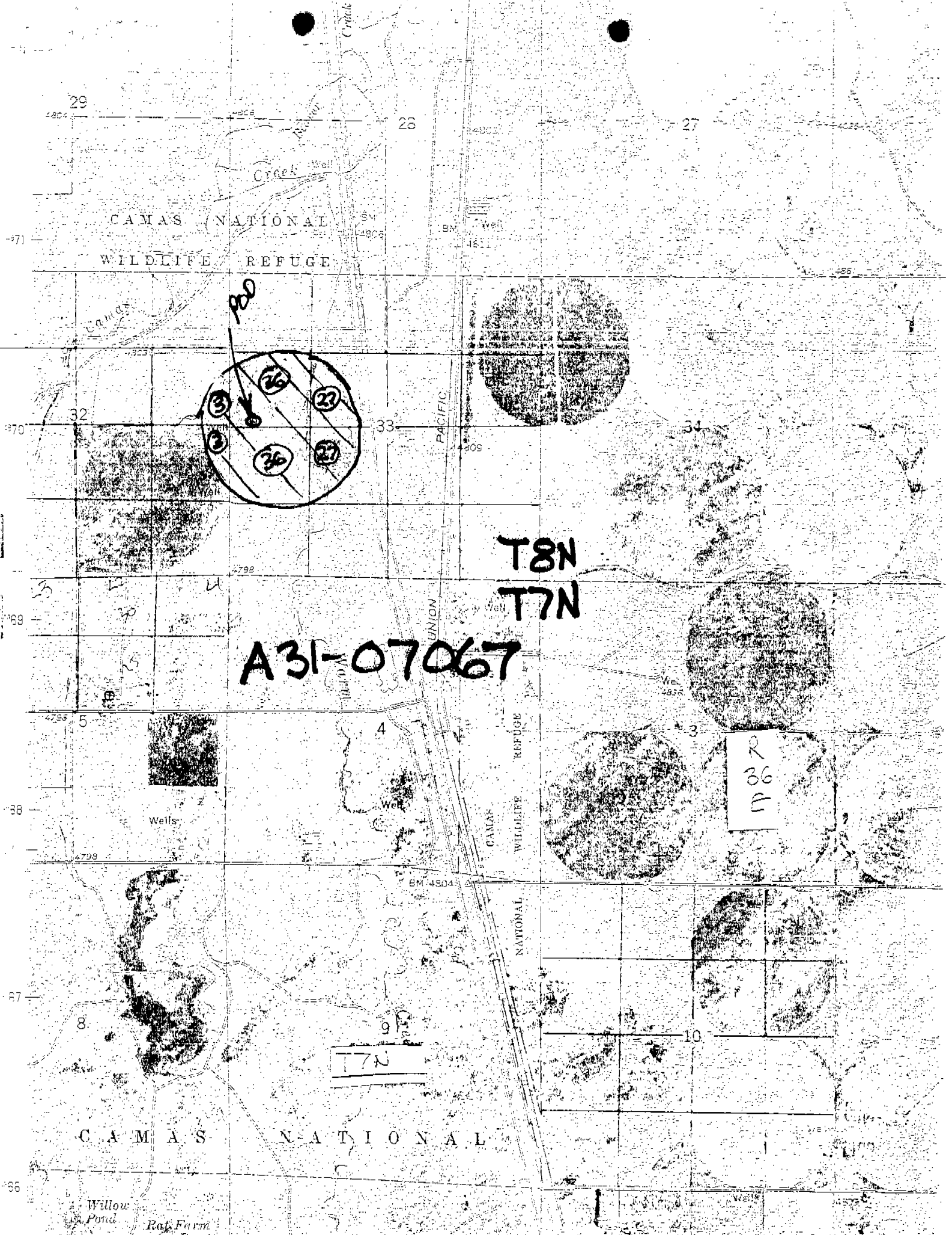
Date _____

MICROFILMED

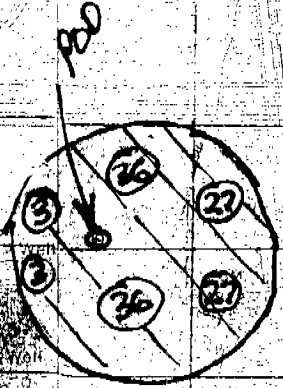
NOV 17 1992

Last Name Mickelsen Ident. Number _____

Copies White-State, Yellow-Claimant



CAMAS NATIONAL
WILDLIFE REFUGE



T8N
T7N

A31-07067

R
36
E

T7N

CAMAS NATIONAL

Willow
Pond
Rat Farm
Pond



STATE OF IDAHO

Department of Water Resources

Eastern Region

Water Right(s): 31-07067



1320 0 1320 2640 Feet

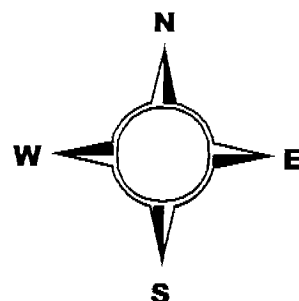
Total Irrigated Acres: 132

① Point of Diversion

Place of Use

Quater Quarter

Sections



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: C. Saxton
Date: May 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER

LAST: MICKELSEN FIRST: REED T
ADDRESS:
CITY: N/A STATE: ID ZIP: N/A
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

LAST: MICKELSEN FIRST: REED
ADDRESS:
CITY: HARTFORD STATE: ID ZIP: 83425
PHONE NUMBER: 208-662-5441
OWNER CODE: 0

LAST: BALL FARMS LTD PARTNERSHIP FIRST:
ADDRESS: PO BOX 69
CITY: LEWISVILLE STATE: ID ZIP: 83425
PHONE NUMBER: 208-754-4651
OWNER CODE: C

LAST: CIRCLE B FARMS LTD PARTNERSHIP FIRST:
ADDRESS: PO BOX 69
CITY: LEWISVILLE STATE: ID ZIP: 83425
PHONE NUMBER: 208-662-5286
OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
N

FIELD
EXAMINER

NO REMARKS IN CLAIM

PAGE: 2
FIELD EXAMINATION INFORMATION

CLAIM NUMBER

CONTACT PERSON: Carl Ball

PHONE NUMBER: () -

DATE OF FIELD EXAM: 6/15/00

APPOINTMENT MADE: Y() N()

TIME: 9:00 A(☒) P(☐)

ACCOMPANIED BY: Carl Ball

PHONE NUMBER: (208) 525-1

RELATIONSHIP TO CLAIMANT: Owner

DIRECTIONS TO PROPERTY / NOTES:

Meet at cellars on Refuge road.

PAGE: 3
PRIORITY DATE REVIEW PAGE

CLAIM NO

A. AJ CLAIM: # A31-07067 PRIORITY DATE: 12-06-1972 STAGE: L

B. WR RECORD: # 31-07067 PRIORITY DATE: 12-06-1972 STAGE: L

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☐)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☐) N(☐)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE N/A(☒) Y(☐) N(☐)

LICENSE ISSUED N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES: Confirmed with WR License April 20 1979

RECOMMENDED PRIORITY DATE:

12-06-1972

REVIEWED BY

Craig L. Smith

DATE

3-9-00

PAGE: 4
POINT OF DIVERSION REVIEW SHEET

CLAIM NUMBER

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME
A31-07067	08N	36E	33	SW	SW	NW			JEFFERSON	

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME
31-07067	08N	36E	33	SW	NW				JEFFERSON	

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: GROUNDWATER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM?

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM Nov 9, 1977)

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____)

OTHER (DESCRIBE IN NOTES BELOW)

PAGE: 5
POINT OF DIVERSION REVIEW SHEET CONTINUED

CLAIM NO

NOTES: Verified By Licensing Field exam (1977) WR license (1979) and
District Field Exam Bryce Contor: 8/25/98

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (✓)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME
08N	36E	33	SW	SW	NW			JEFFERSON	
			SE						

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: Craig Saxton DATE: 3-2-00

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT (✓)

N. WMO Field Exam Bryce Contor 8/25/98

PAGE: 6
PLACE OF USE REVIEW SHEET

CLAIM NUM

A. ROOT WATER RIGHT NUMBERS: A31-07067

B. POB LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA
08N	36E	32	SE	NE		BALL FARMS LTD PARTNERSHIP	A31-07067 / 3.0	31-07067 / 3.0	35.0
			SE	NE		BALL FARMS LTD PARTNERSHIP	A31-10653 / 28.0	- /	
			SE	NE		BALL FARMS LIMITED PARTNERSHIP		31-07602 / 13.0	
08N	36E	32	NE	SE		BALL FARMS LTD PARTNERSHIP	A31-07067 / 3.0	31-07067 / 3.0	39.0
			NE	SE		BALL FARMS LTD PARTNERSHIP	A31-04015 / 40.0	31-04015 / 40.0	
08N	36E	33	SW	NW		BALL FARMS LTD PARTNERSHIP	A31-07067 / 36.0	31-07067 / 36.0	43.0
08N	36E	33	SE	NW		BALL FARMS LTD PARTNERSHIP	A31-07067 / 27.0	31-07067 / 27.0	12.0
08N	36E	33	NE	SW		BALL FARMS LTD PARTNERSHIP	A31-07067 / 27.0	31-07067 / 27.0	12.0
08N	36E	33	NW	SW		BALL FARMS LTD PARTNERSHIP	A31-07067 / 36.0	31-07067 / 36.0	41.0

ADDITIONAL POB FOUND

TOTAL ACRES A31-07067 132.00 132.00 182.00

POB COUNTY: JEFFERSON

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

* IF YES, ARE THESE TRACTS LISTED ABOVE (✓), OR ARE THEY LISTED ON AN ATTACHED SHEET (___)

LIST OF ALL RIGHTS WITH A SAME POB AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV.
A31-07067	GROUNDWATER	BALL FARMS LTD PARTNERSHIP	2.530	0.019	
A31-04015	GROUNDWATER	BALL FARMS LTD PARTNERSHIP	5.000	0.022	
A31-10653	GROUNDWATER	BALL FARMS LTD PARTNERSHIP	0.560	0.020	

PAGE: 7
PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NO.

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	R
A31-10653	STOCKWATER	BALL FARMS LTD PARTNERSHIP	FROM 04-01 TO 11-01	0.090

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

PAGE: 8
PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUM

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;
(/) NAPP, IDWR NO. 1987; () ASCS PHOTO; () OTHER _____

NOTES: Licensing Exam Nov. 9, 1997

RECOMMENDATIONS:

TOTAL ACRES: 132 N/A ()

REVIEWED BY: Graig Lactan DATE: 6-21-00

PAGE: 9

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET

CLAIM NO.

A. CLAIMED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV.
A31-07067	IRRIGATION	FROM 04-01 TO 11-01	2.530 CFS	
	TOTAL DIVERSION RATE/VOLUME		2.530 CFS	

B. WR RECORDED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV.
31-07067	IRRIGATION	FROM 04-01 TO 11-01	2.530 CFS	
	TOTAL DIVERSION RATE/VOLUME		2.530 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INQUIRY ANALYSIS PERFORMED AND ENTER FLAG 'C' WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y

PAGE: 10

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

CLAIM NUM

NOTES:

NWMO licensing exam contained system description, but we need
NWMO will measure this year

AJ CLAIM TOTAL DIVERSION RATE: 2.530 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.530 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

N/A()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE?

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

E. FLOW MEASUREMENT

MEASUREMENT METHOD Licensing Field Exam, SEE ATTACHED

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

1b. CALC

ACRES 132 x 0.02 CFS/ACRE = 2.64 CFS
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N(☒)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

ACRES 132 x DIVERSION VOL. AE/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 462 AE/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 330.0 AE/A

ACRES x CONSUMPTIVE VOL. AE/A FOR AREA =

TOTAL CONSUMPTIVE USE 330.0 AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

PAGE: 12
DIVERSION AMOUNT REVIEW SHEET CONTINUED

CLAIM NUM

NOTES:

WR RECORD CONDITIONS/REMARKS:

PAGE: 13
RECOMMENDATIONS REVIEW SHEET

CLAIM NUMBER

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AE/A
IRRIGATION ✓	04-01 11-01	DATABASE EXAMINER 2.530 ✓	DATABASE EXAMINER 462
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
TOTAL FOR THIS RIGHT		2.530	

NON-IRRIGATION USES CLAIMED: NONE

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: Craig L. Laxton DATE: 6-21-00

FLAG:

STANDARD CONDITIONS (CODE):

C18

STANDARD REMARKS (CODE):

EXP C05

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

PAGE: 14
BASIS OF CLAIM REVIEW SHEET

CLAIM NUM

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	()	()
FORFEIT/ABANDON	()	()
ADDITIONAL DIV. AMOUNT	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-07067

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.530

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS
-	A31-07067	2.530	-	-	31-07067
TOTAL CFS		2.530			

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE
Y

EXAM
Y()

NOTES:

NA not a split right

AUTHENTICATION:

SIGNATURE: *Craig L. Saxton*

DATE: 3-9-00

NAME OF FIELD EXAMINER: *Craig Saxton*

TITLE: *Water Resource Agent*

PAGE: 15
LIST OF MAPS USED AND ATTACHMENTS

CLAIM NUMBER

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	IDWR ID NO.
() ORTHOPHOTOQUAD	DATE OF PHOTO	
() TOPOGRAPHIC	DATE FIELD CHECKED	
(X) NAPP	DATE OF PHOTO 1987	
() ASCS AERIAL PHOTO	DATE OF PHOTO	
() ASCS COLOR SLIDE	DATE OF PHOTO	
() BLM OR USES AERIAL PHOTO	DATE OF PHOTO	
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY	
() SCS SOIL SURVEY MAP	DATE ISSUED	
() SUBDIVISION PLAT MAP	DATE OF MAP	
() OTHER	DATE	
() OTHER	DATE	
() OTHER	DATE	

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES
(X) LICENSING FIELD EXAM	DATE OF FIELD EXAM Nov 9 1977	
(X) WATER RIGHT LICENSE	DATE LICENSE SIGNED April 20 1979	
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED	
() SYSTEM DESCRIPTION	DATE DRAWN	
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN	
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED	
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED	
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED	
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED	
(X) OTHER NWMO Field Exam	DATE 8/25/90	Boyle
() OTHER	DATE	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 16
QUICKLOOK INFORMATION

CLAIM NUMBER

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE
PRIORITY DATE						CS
POINT OF DIV						6-21-00
SOURCE						
PLACE OF USE	Y					
DIV. AMOUNT CFS/VOLUME						
CONSUMPTIVE USE						
PURPOSES OF USE						
PERIOD OF USE						
BASIS OF CLAIM						
REMARKS						

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 17
PROFILE REPORT

CLAIM NUMBER

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE
C	BALL FARMS LTD PARTNERSHIP	12/06/1972	IRRIGATION	04-01 11-01	2.0
C	CIRCLE B FARMS LTD PARTNERSHIP				2.0
TOTAL DIVERSION: CONSUMPTIVE USE:					2.0

Water Source: GROUNDWATER

Tributary to:

Point(s) of Diversion: T08N R36E S33

SESWNW
SE

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE			
T	R	S		NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
08N	36E	32					08												08
08N	36E	33					7					38	27						08
												38	20						
												27	26						
												20	39	1					

TOTAL

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

C 18
Exp LPS

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

Water right number: 31-7219, 31-7155, 31-07067, 31-07156

BALL LAND L C
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):

I disagree with the rate of diversion and the volume, period of use.

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

Increase the rate of diversion to 1 full inch per acre.
Increase the volume to the standard 3.5 acre feet
March 15 - Nov. 1 period of use

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

Crop planted, irrigation techniques and weather conditions may change, making the present recommended amount inadequate (Reb) the Dept. of water has changed the volume standard. at one time 3.5 Acre feet then 3 Acre feet now it's back to 3.5 Acre feet (Volume). Some years we need to water earlier to keep our sandy soils from blowing.

☐ 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

1. I disagree with the rate of diversion, the volume and the period of use.

2. Increase the rate of diversion to 1 full inch per acre. Increase the volume to the standard 3.5 acre feet. Increase the period of use to March 15 - November 1.

3. Crop planted, irrigation techniques and weather conditions can change, making the present recommended amount inadequate. (Rate of diversion)

The department of water has changed the volume standard. At one time it was 3.5 acre feet then 3.0 acre feet now it is back to 3.5 acre feet. I feel the rights at 3 acre feet should be increased the 3.5 acre feet. (Volume)

Some springs we need to water earlier to keep our sandy soils from blowing. (Period of use)



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.

RESPONSESeason 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

11/20/2000

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

RIGHT NUMBER: 31-7067

NAME AND ADDRESS: BALL FARMS LTD PARTNERSHIP
CIRCLE B FARMS LTD PARTNERSHIP
PO BOX 69
LEWISVILLE, ID 83425

*Superseded by
NDE
adjustment*

SOURCE: GROUND WATER

QUANTITY: 2.53 CFS
396 AFY

PRIORITY DATE: 12/06/1972

POINT OF DIVERSION: T08N R36E S33 SESWNW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4-01 11-01

QUANTITY
2.53 CFS
396.0 AFY

$$2.53 \times 1.9835 \times 215 = 1079$$

$$132 \times 3.5 = 462$$

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T08N R36E S32	SENE	7	T08N R36E S32	NESE	7.2
T08N R36E S33	SWNW	38	T08N R36E S33	SENE	20
T08N R36E S33	NESW	20	T08N R36E S33	NWSW	39
T08N R36E S33	SWSW	0.8			
132 ACRES TOTAL					

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

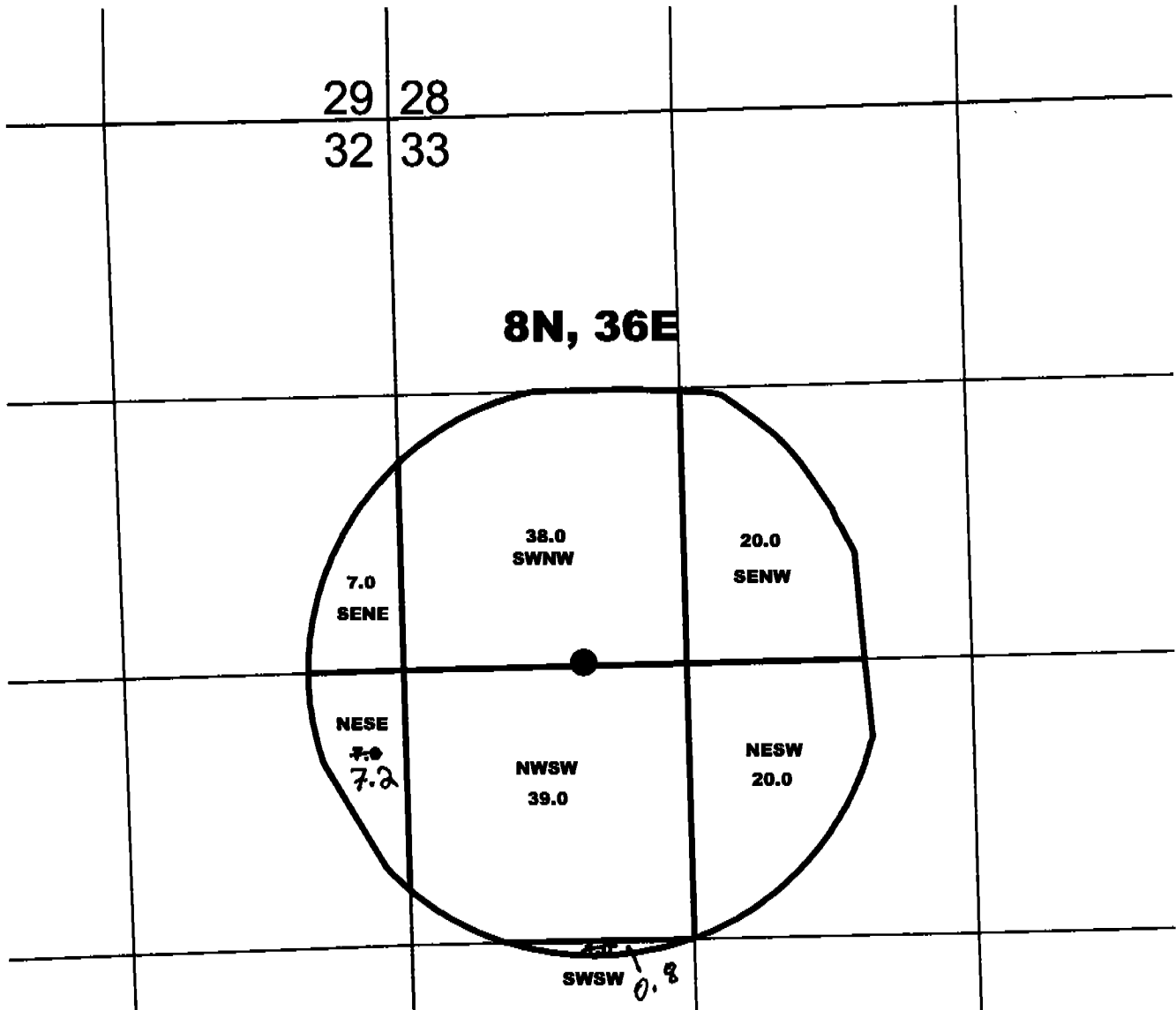
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO
CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

WR#: 31-07067

Ball Farms LTD

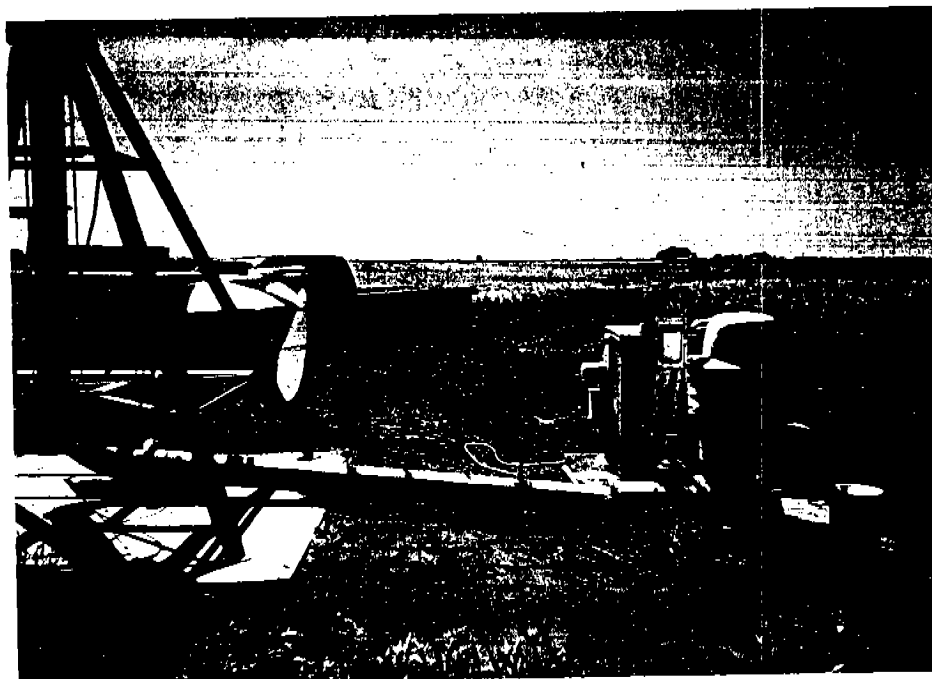


Total Irrigated Acres: 132

Acreage Distribution

**Prepared by: Craig Saxton
June, 2000**

Water User	CARL BALL/CIRCLE B ID: 15
POD	08N 36E 33 SWSWNW
Site Tag #	A0008547
Record #	300493
Diversion Name	#11



WATER MEASUREMENT DISTRICT
FIELD REPORT

DISTRICT NWMD RECORD NUMBER 300493

SITE DATA:

EXAMINER (inv_name) B Connor
EXAM DATE 8/25/98 DIVERSION NAME # 11
(site_visit) (div_name)
GPS FILE C082519A SITE TAG NUMBER A0008547
(gps_filnam) (site_tagno)
GPS OFFSET (offset) 10' South 4' above well
TAG LOCATION (tag_locat) Motor Conduit
POD LEGAL (pod) T 8 N S, R 36 E, Sec 33, SW SW NW

DISTRICT MEASUREMENT CAPABILITY (std_rcmd):

SONIC (s) SONIC/DIG (sd) SONIC @ PVT (sp)
COLLINS (c) PYGMY (p)

MEASUREMENT RECOMMENDATIONS (op_num):

PCC (2) HOUR METER (7) IRR. FLOWMETER (1)
ALTERNATE (3) OTHER FLOWMETER (8) CRP (4)
AMEND CLAIM (A) OPEN CHANNEL DEVICE (9) UNUSED (6)
(or non-totalizing device)

SUITABLE FOR PCC even if other method selected (pcc_ok) YES NO

TRACKING will be required (trkng_reqd) YES NO

Well has ACCESS PORT for water level meas. (wl_access) YES NO

FLOWMETER installation poss. w/o major change (qmtr_ez) YES NO

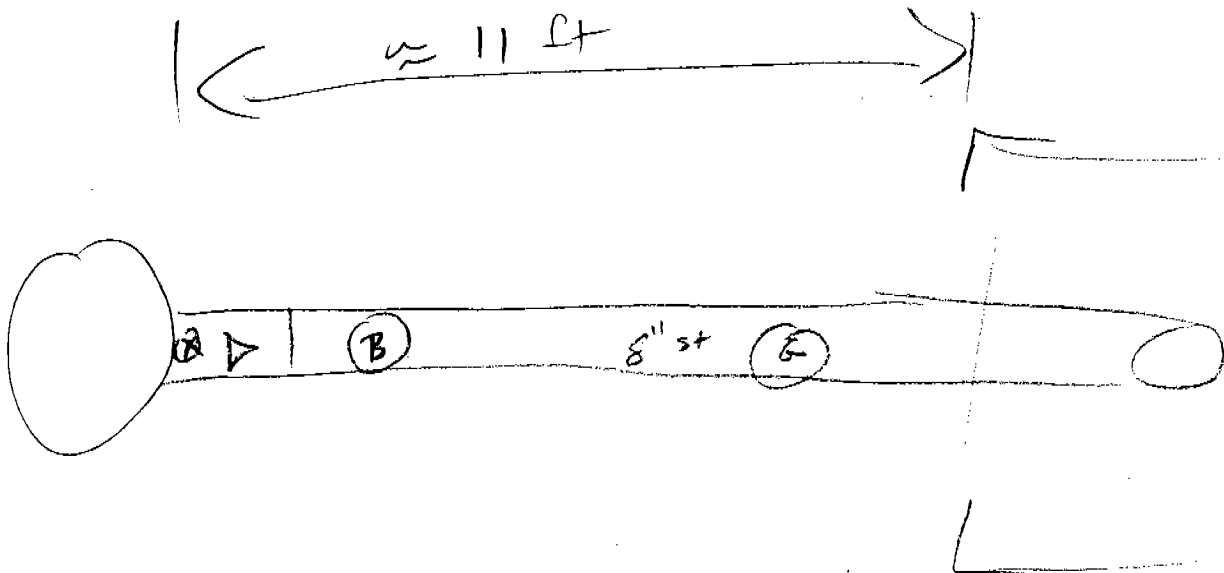
FOLLOW-UP DATE (folup_date) 1998

OWNER/OPERATOR INFORMATION

OWNER (name) Carl Ball / Circle B PHONE _____
ADDRESS _____ CEL PHONE _____
OPERATOR (contact) _____ PHONE _____
ADDRESS _____ CEL PHONE _____

PUMPING PLANT SKETCH

VALVE	=	⊠
CHECK VALVE	=	▷
AIR VAC	=	⊗
PRESS. RELIEF	=	Ⓟ
INDIVE/UPDIVE	=	≡
HOSE BIB	=	Ⓟ
PRESS. GAGE	=	Ⓢ
WELL ACCESS	=	Ⓐ



WELL/PUMP INFORMATION:

DEPTH OF WELL: _____ DEPTH OF BOWLS: _____

WATER LEVELS:

PRE-SEASON STATIC: _____ DATE MEAS: _____
(swl_pre) (swlpredate)DURING-SEASON STATIC: _____ DATE MEAS: _____
(swl_mid) (swlmidddate)POST-SEASON STATIC: _____ DATE MEAS: _____
(swl_post) (swlpstdate)DYNAMIC WATER LEVEL: _____ DATE MEAS: _____
(pmpng_wl) (pwl_date)

DOES STATIC WATER LEVEL DROP OR RISE OVER SEASON? YES NO

DOES ANOTHER WELL SPECIFICALLY INTERFERE WITH THIS WELL? YES NO

PUMP AND MOTOR INFORMATION:

WELL MOTOR

MFG: Westinghouse
SERIAL: (rebuilder's tag)
HP: 60

BOOSTER 1 MOTOR

MFG: _____
SERIAL: _____
HP: _____

BOOSTER 2 MOTOR

MFG: _____
SERIAL: _____
HP: _____

WELL PUMP

MFG: Layne & Bowler
SERIAL: _____
TYPE: VERT T CENT SUBMER
(pump_type) (v) (c) (s)

BOOSTER 1 PUMP

MFG: _____
SERIAL: _____
TYPE: VERT T CENT SUBMER

BOOSTER 2 PUMP

MFG: _____
SERIAL: _____
TYPE: VERT T CENT SUBMER

UTILITY KWH METER INFORMATION:

UTILITY: UPL
(utility)POLE #: _____
(pole_no)

MAX KW DEMAND _____

KILOWATT HRS 08606 x 80
(kwh_1)
(use date of exam for "kwh1_date")UTILITY ACCOUNT NUMBER _____
(acct_no)KWH METER SERIAL: 48809928
(pwrmttr_sn)METER MFG: Sangamo
(pwrmttr_mfg)Kh DISK CONSTANT 4.8 x
(kh)MULTIPLIER 80
(disk_mult)

x direct to 24

SYSTEM DESCRIPTION/NARRATIVE COMMENTS:

SYSTEM TYPE PVT
(system_type)

COMMENTS TO DATA-ENTER (exam_notes):

FILE-ONLY COMMENTS:

I certify that the above information is true and correct to the best of my knowledge and ability and the measurements taken and recorded are in accordance with the standards and specifications of the equipment used.

Signature

Ray A. Cantor

Date

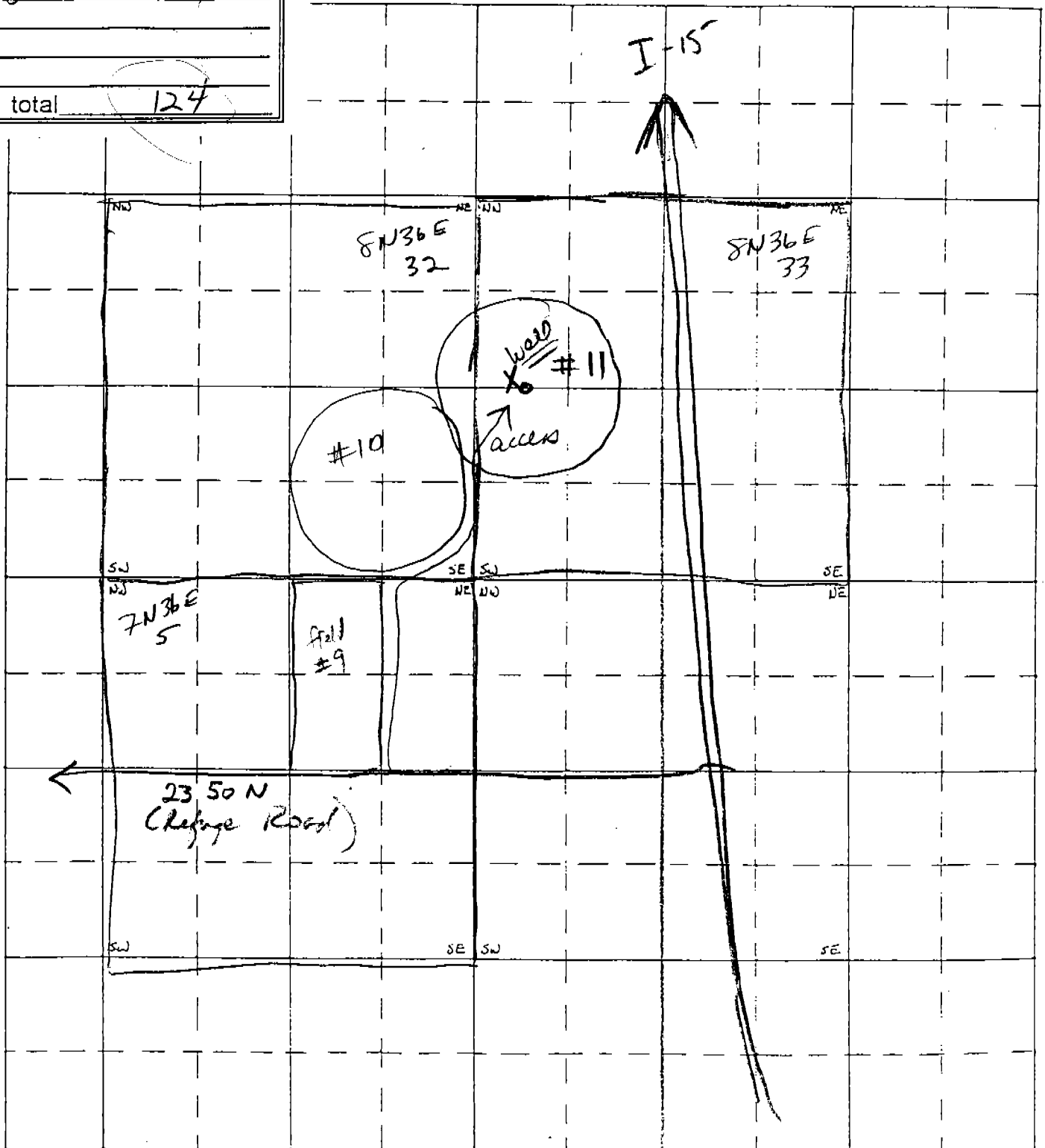
8/25/98

EASTERN WATER MEASUREMENT DISTRICT

SUPPLEMENTAL DATA FORM A

SKETCH OF IRRIGATED LANDS AND MAJOR COMPONENTS OF DELIVERY SYSTEM/S

crop	acres
1 <u>Wheat</u>	<u>124</u>
2	
3	
4	
total	<u>124</u>



PHOTOS

PERMIT
NUMBER

300493

WATER-USER INTERVIEW SHEET
WATER MEASUREMENT DISTRICTS

I. IDENTIFICATION

NAME Circle B ADDRESS ID 15
POD 8 N 36 E 33 SW SW NW
DIVERSION NAME # 11
TECHNICIAN REVIEWING SURVEY BAC
DATE 6/11/97

II. SUMMARY OF RESULTS

MEAS/REPORT METHOD RECOMMENDATION PCC
FOLLOW-UP RECOMMENDATION 1998/1999
COMMENTS 1 well 1 pivot

#11 A31-07067

NORTH WATER MEASUREMENT DISTRICT

POWER RECORDS CHECKLIST

MANY DIVERSIONS CAN BE ESTIMATED USING POWER RECORDS, RATHER THAN INSTALLING A FLOWMETER. IF YOU WISH TO BE CONSIDERED FOR THIS OPTION, PLEASE FILL OUT ONE CHECKLIST FOR EACH WELL AND RETURN TO THE DISTRICT AT 900 N. SKYLINE, IDAHO FALLS, ID 83402.

I) MAPS AND INFORMATION:

Please supply:

_____ Copy of ASCS aerial photo showing: well location, mainlines, boundaries of place of use.

_____ Schematic of wellhead, piping, pumps and boosters within 50 feet of well.

II. SYSTEM QUESTIONS:

Please check all that apply.

_____ Another pump also supplies this mainline.

_____ Pump discharges into open ditch or reservoir.

 / Pump discharges into pressure system:

_____ Handlines

_____ Wheelines

 / Pivot(s)

_____ Other _____

_____ Booster pump(s) used:

_____ Always

_____ Sometimes

_____ Never

_____ Throttle valve used to reduce pressure, control flow or reduce cavitation.

_____ Utility serving you: U P & L

_____ Utility account #: 65584226-0011 Meter # 90030455

_____ Power meter serving well pump also serves these devices:

Fert pump, Chub

APRIL 2, 1993

BALL FARMS LTD PARTNERSHIP
PO BOX 69
LEWISVILLE ID 83425

RE: CHANGE IN OWNERSHIP FOR A31-07067, -04015, -02267,
-07100, AND -10653

Dear Sirs:

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

Enclosed are typed Notices 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 these Notices for your records.

Respectfully submitted,

Dave Carlson
Water Right Agent, Adjudications

DC:jt

Enclosure: Notices of Claim

RECORDED

APR 14 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

POOR FINAL

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A31-07067, A31-04015, A31-02267, A31-07100
A31-10653
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Reed Mickelson
HAMEL Id. 83425
- ☐ New Owner/Claimant (Purchaser): BALL Farms LTD Part. + Circle B Farms LTD Part.
- ☐ New Mailing Address: P.O. Box 69 Lewisville, Id. 83425
- ☐ New Telephone Number: (w) (208) 754 - 4651 662-5286 (H)
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s) CremBaa Date March 31, 1993

Date _____
- ☐ Signature of Former Owner/Claimant(s): Reed Mickelson Date _____

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:

Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

APR 14 1994

Identification No.

Permit No. 31-7067

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder **Reed T. Mickelsen**
b) Post Office Address **Hammer, Idaho 83425**
2. Permit Number **31-7067**
3. Date of Priority that you are prepared to establish **December 6, 1972**
4. a) Source from which water was appropriated **ground water**
b) Location of the point of diversion: **SW** **4** **NW** **4**, Section **33**
Township **8N** Range **36E** Base Meridian, Other point of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount **3.60** for **Irrigation** purposes from **Apr. 1** to **Nov. 1** incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount for purposes from to incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount for purposes from to incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated **3.00** cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:
Mei Brown
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
N.A.
b) Describe the agreement or understanding by which you take water from the works:
N.A.
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) **8" well turbine pump, 100 hp electric motor, circular sprinkler, 20" diameter x 80' deep well.**
b) Describe the type and size of measuring device which you have installed at your point of diversion:
8" McCrometer
c) Give well driller's name and address and the date the well was completed:
R. P. Cope, Idaho Falls, Idaho; drilled May, 1973
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

12/1/73

...submit an aerial photo of the property with this affidavit.

[illegible]

Total number of acres irrigated 160

10. Remarks:

The above information is a true statement of the extent to which the above numbered permit has been developed.

12/2/1977
(Date)

Red Mitchell
(Signature)

State of Idaho)
) ss.
County of Bonneville)

On this 9th day of November, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Robert Sharp
Notary Public residing at
Idaho Falls, Idaho

My commission expires 6/15/81

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that REED MICKELSEN &/or CONNECTICUT MUTUAL LIFE INSURANCE CO.
of Hamor, Idaho & Hartford, Conn., has complied with the terms and conditions of Permit
No. 31-7067 issued pursuant to Application for Permit dated December 6, 1972,
and has submitted proof to the Department of Water Resources on November 9, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.53 cfs of water from a ground water source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Subject, however, to the condition that no more than 2.53 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and conferred is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 396 acre feet per year, said waters to be diverted within the S.W. 1/4, Sec. 33, Twp. 8N., Rge. 36E, B.M. in the County of Jefferson

[illegible]

Total number of acres irrigated 132

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 20 day of April, 1929.

Deputy Director

דאָס איז דאָס

7. Name of permit holder Reed Mickelson & Conn, Mutual Life.
Post office address Hamer, ID 83425
Person to contact Reed Mickelson

3. Water will be used for the following purposes:

Other uses: _____

Max Rate of Diversion 3.00 cubic feet per second and annual volume _____ AF/Annum.

Other Points of Diversion: _____ County _____

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE _____ 160

Rye 36 E

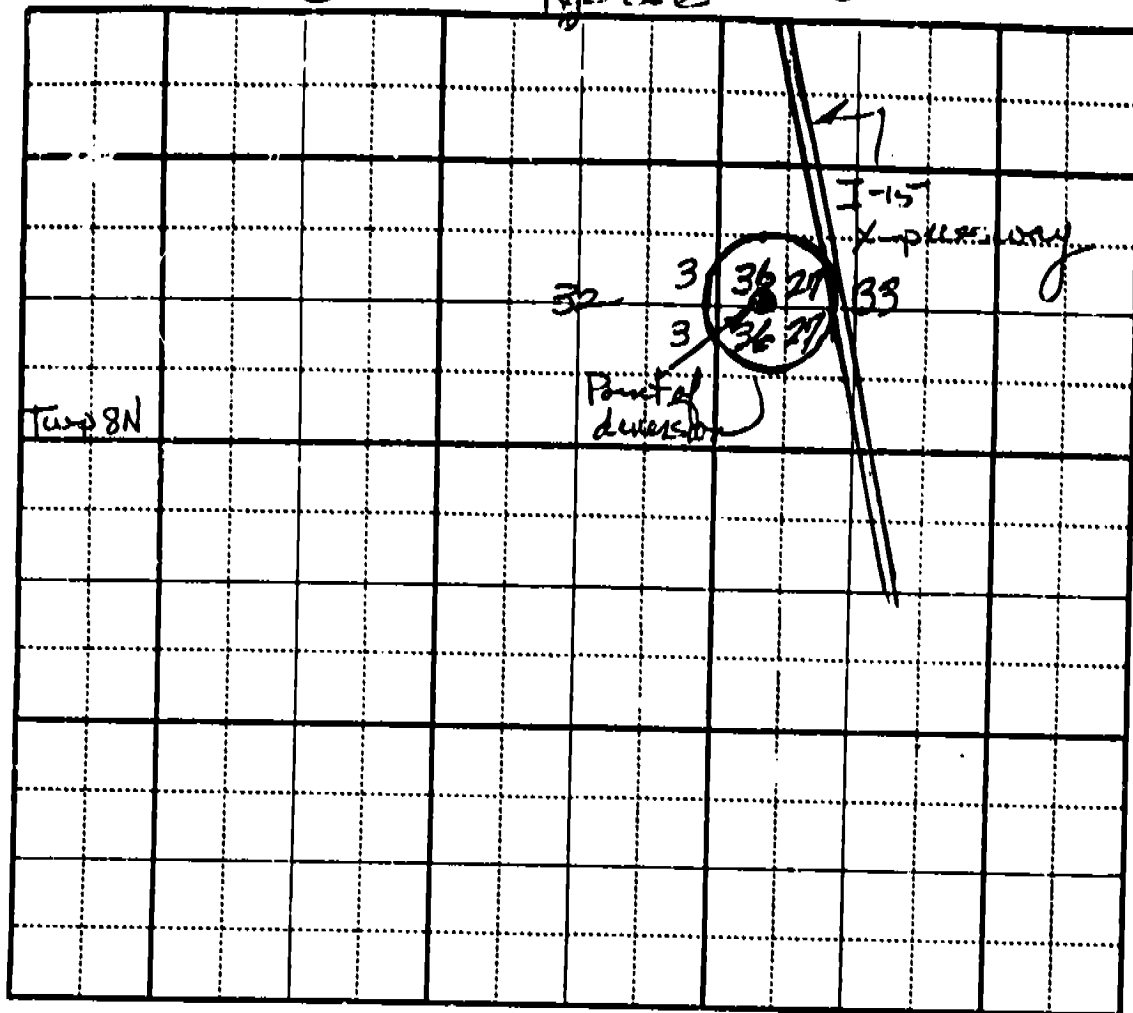
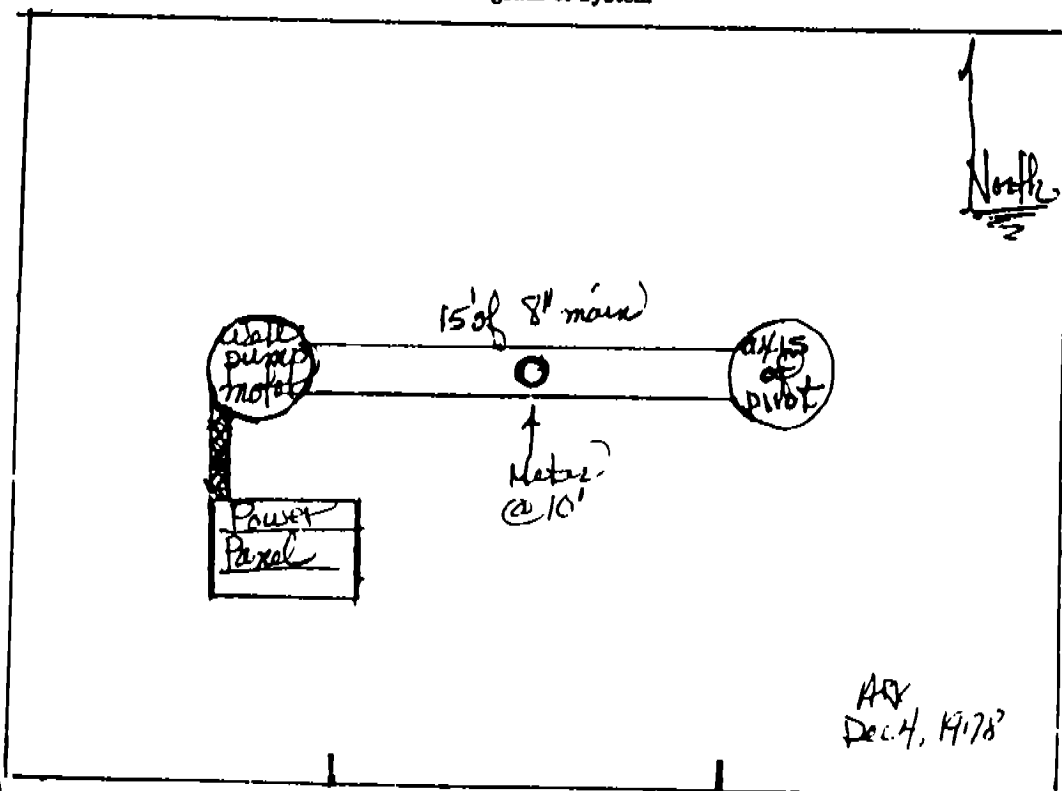


Diagram of System



DATE OF EXAM July 19, 1978
ACREAGE
Found 132 ac
Recommended 152 ac
Irrigation Requirement 30 Ac Ft/Ac

USE
Irrigation Q = 2.53 c.f.s. V = 346 AF/yr. AF/Ann. from April 1 to Nov. 1
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

Name source: n/a
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no X

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

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

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

Total Q measured 2.53 cfs Method of measurement In line meter

Total Q recommended 2.53 cfs Meter No. 73-8264 MC Type Coronet Condition good

Total V recommended 346 AF/yr

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
none

MEASUREMENT CALCULATION

measured 0.01 AF in 172 sec, $4356 - 172 = 2.53$ cfs
 $V = 132 \text{ ac} \times 3.0 \text{ AF/yr} = 396 \text{ AF/yr}$
 $2.53 \times 1.9835 \times 215 = 1078.9 \text{ AF/yr}$

SYSTEM DESCRIPTION:

Groundwater is diverted by a 100 HP 3ph Westinghouse
motor, S/N 17301, m/n T-10P-600-678633-8
by a Lorne & Brewer vertical turbine pump m/n 12RH
S/N 01661, bearing mounted by a Hel-Blox
vertical center pivot riser, S/N 13096, S/N 230
having a length of 1320' to end gun, rack for a total
waterway radius of 1300' - 132 ac

REMARKS
No canals are irrigated system shown by
Wayd Casser of Harter
No Preexisting rights

Examiner's Signature Anthony F. Kozlowski Date Dec. 4, 1978
Checked by Rodney A. Parker Date 1/9/79
Approved by _____ Date _____

March 30, 1979

Re: Permit No.'s 31-7067 & 31-7100

Rod Miskelson
& Conn. Mutual Life Insurance Co.
140 Garden Street
Hartford, Connecticut 06115

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. 31-7067 on July 19, 1978, and on No. 31-7100 on August 16, 1978, and has found the following:

31-7067

Amount of water that can be recognized as beneficially used under Idaho law: 2.53 cfs
Source: groundwater

The maximum quantity diverted shall not exceed 396 acre feet per year.

Point of Diversion: SW1/4, Sec. 33, Twp. 8N, Rge. 36E, B. M.

Beneficial use: Irrigation of 132 acres within the SE1/4, NE1/4, Sec. 32, SW1/4, NW1/4, Sec. 33, Twp. 8N, Rge. 36E, B. M.

Priority date established: December 6, 1972

31-7100

Amount of water that can be recognized as beneficially used under Idaho law: 3.07
Source: groundwater

The maximum quantity diverted shall not exceed 792 acre feet per year.

Point of diversion: SW1/4, SE1/4, Sec. 20, Twp. 8N, Rge. 36E, B. M.

Beneficial use: Irrigation of 164 acres within the SW1/4, SE1/4, Sec. 20 Twp. 8N, Rge. 36E, B. M.

Priority date established: January 16, 1974

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JAN GROWER
Water Rights Supervisor

JG:lr