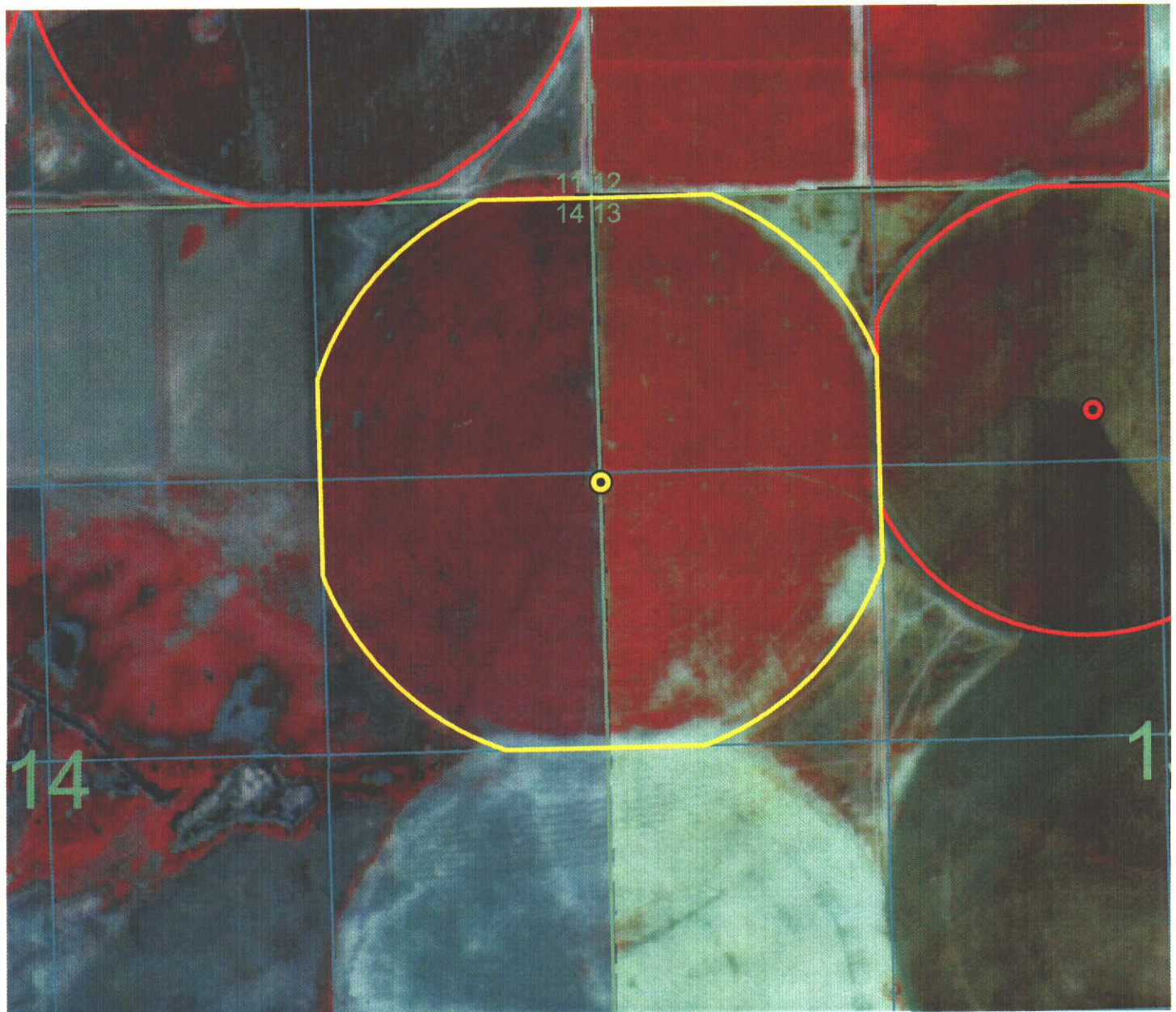


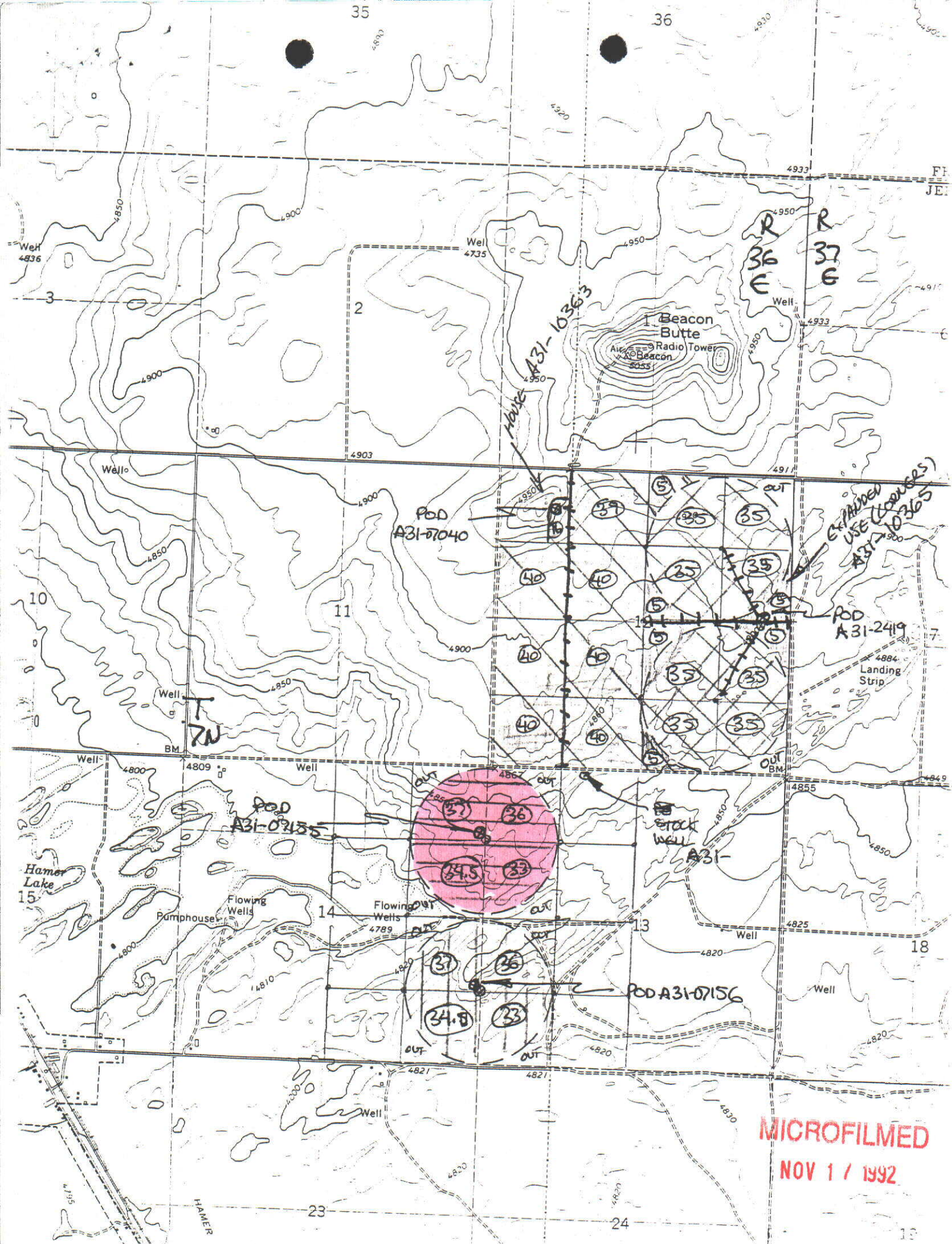
IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-07155

Township 7 North Range 36 East Section 13, 14



-  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: 31-7155

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

SOURCE: GROUND WATER

QUANTITY: 2.48 CFS
490 AFY

PRIORITY DATE: 01/24/1975

POINT OF DIVERSION: T07N R36E S13 NWSNW Within County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 11-01	2.48 CFS 490.00 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T07N R36E S13	NWNW	35	T07N R36E S13	SWNW	35
T07N R36E S14	NENE	35	T07N R36E S14	SENE	35

140 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.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

AJ0749NP
No. A31-07155

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 FARMS LTD 2612 E 2300 N HAMER ID 83425 (208) 662-5286	01/24/1975	IRRIGATION	04-01 11-01	2.48 CFS
TOTAL DIVERSION: CONSUMPTIVE USE:					2.48 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: LIO

Point(s) of Diversion:

T07N R36E S14

SENE

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	:					:			36	33	:					:				
07N	36E	14	:	37			34	:					:					:				
																						TOTAL ACRES

PQU 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: A31-07155
Date Received: 10/26/1988
Receipt No: 6004204
Received By: SN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RONALD J. BALL, Sr.
Address: P.O. BOX 69
LEWISVILLE, ID

208-754-4651

83431

2. Date of Priority: JAN 24, 1975

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot
07N	36E	14	SE	NE	NE	

County
JEFFERSON

5. Description of diverting works:
TURBINE PUMP ON DEEP WELL 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	2.480		

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

8. Total consumptive use is 351.2 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	NW		IRR	36.0
			SW	NW		IRR	33.0

Section Acres 69.0

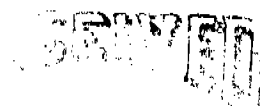
A31-07155

Page 1

Date: 10/26/88

MICROFILMED

NOV 17 1992



NOV

Department of Water Resources
Eastern District Office

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	14	NE	NE		IRR	37.0
			SE	NE		IRR	34.0
						Section Acres	71.0
						Total Acres	140.0

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: _____

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):

Ronald J. Ball

Date:

11/17/88

Date:

State of Idaho

)

) SS.

County of

Jefferson

)

Subscribed and sworn (or affirmed) before me this 17 day

of November 19 88

Larry J. Walker

Notary Public

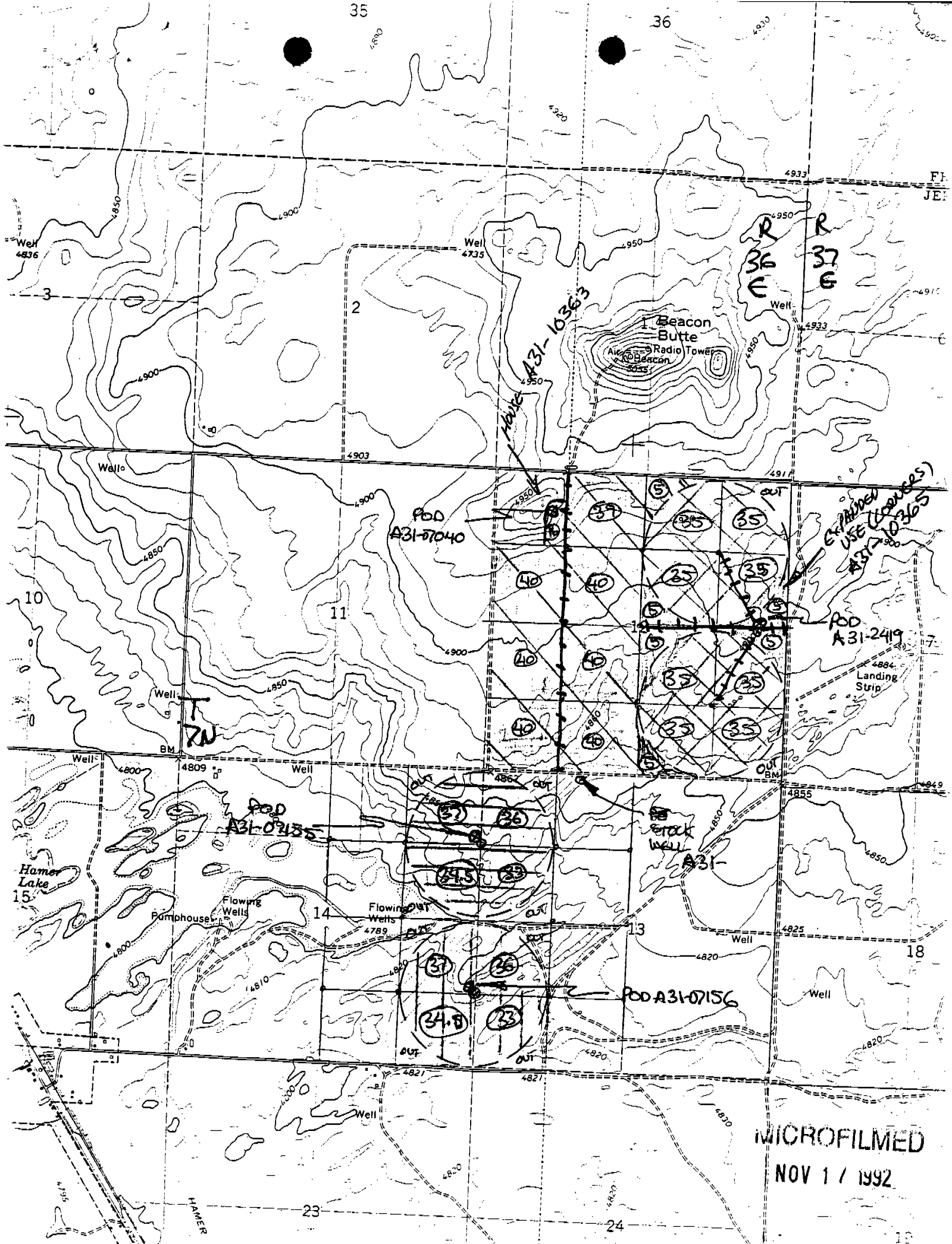
Seal

Residing at

Miner

My Commission Expires

June 16, 1992.

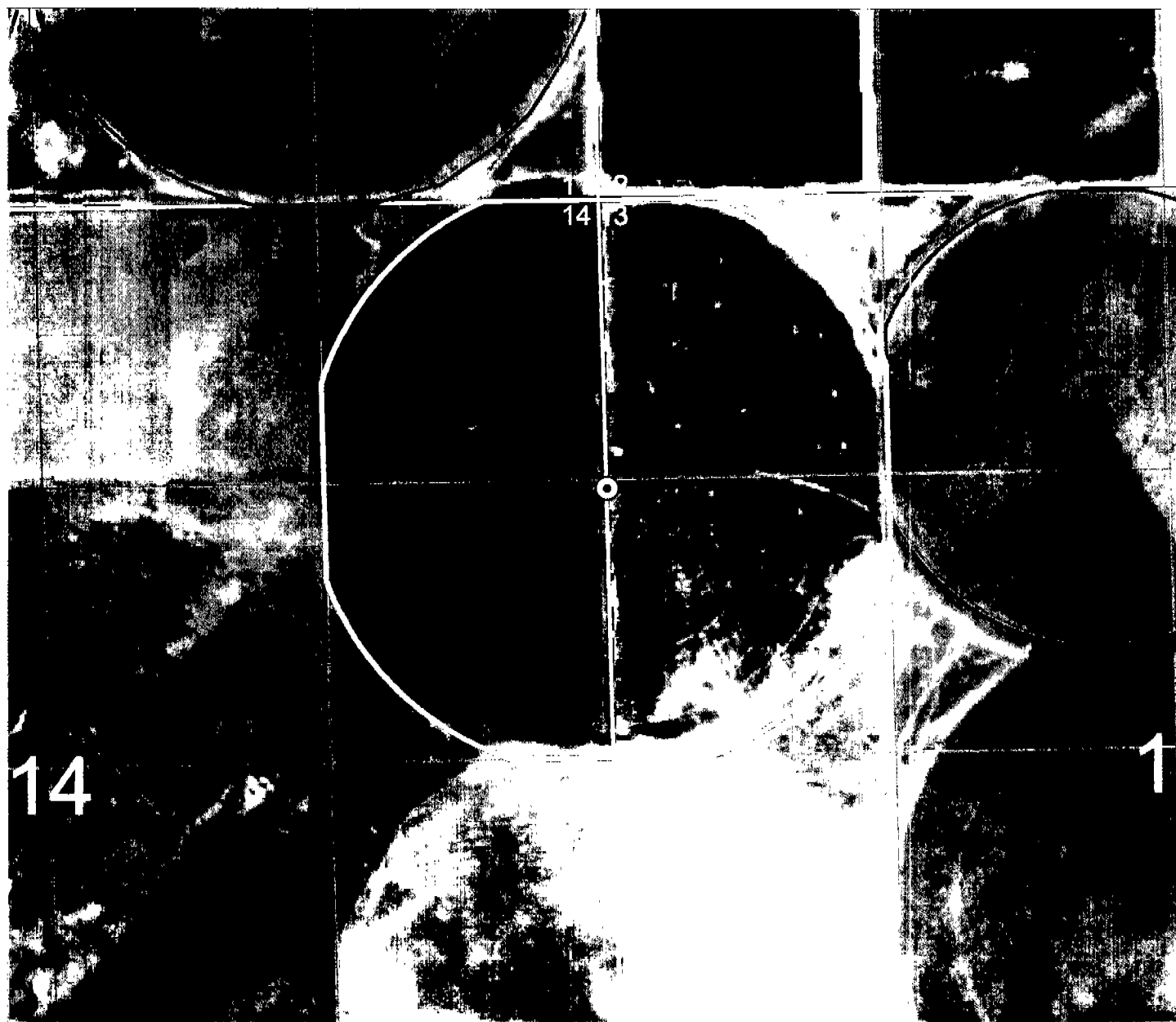


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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-07155

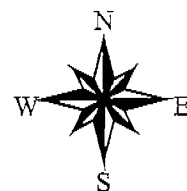
Township 7 North Range 36 East Section 13, 14



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



RECEIVED

MAR 12 2001

01/16/2001

NOTICE OF ERROR
REPLY

Department of Water Resources
Eastern Region

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 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 (Rate) the Dept. of water has changed the volume standard. at one time 3.5 A feet then 3 A feet now it's back to 3.5 A 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.

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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-7155

Owner Type Name and Address
Current Owner BALL FARMS LTD
2612 E 2300 N
HAMER, ID 83425
(208)662-5286

Original Owner A VERNON BALL
PO BOX 485
LEWISVILLE, ID 83431

Original Owner RONALD J BALL
PO BOX 69
LEWISVILLE, ID 83431
(208)754-4651

*Superseded by
NO E adjustment*

Priority Date: 01/24/1975
Basis: License
Status: Valid

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01	11/01	2.48 CFS	421.5 AFA	
Total Diversion			2.48 CFS	421.5 AFA	

*248 x 1.9835 x 215 = 1058
140 x 3.5 = 490*

Point(s) of Diversion:

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

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		NWNW	35		SWNW	35						
		14		NENE	35		SENE	35						

Total Acres: 140

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. 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.

Dates:

Licensed Date: 04/17/1979
Claim Received Date: 11/18/1988

Decreed Date:
Date Filed with Court:
Objection Filed Date:
Response Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
POD	9/1/00 11:28:32 AM	bcontor			In Process
POU	9/1/00 12:09:36 PM	bcontor			In Process
Priority Date	9/1/00 11:26:31 AM	bcontor			In Process
Quantity	9/1/00 12:15:32 PM	bcontor			In Process
Season	9/1/00 12:13:46 PM	bcontor			In Process
Source	9/1/00 11:25:09 AM	bcontor			In Process
Summary	9/1/00 12:18:00 PM		9/1/00 12:18:00 PM	bcontor	Complete
Use	9/1/00 11:23:50 AM	bcontor			In Process

Other Information:

Receipt Number(s):
State or Federal: S
Water District:
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
POD	9/1/00 12:07:14 PM	bcontor	Edited PLS
POD	9/1/00 12:06:48 PM	bcontor	Edited point location
POD	9/1/00 11:28:30 AM	bcontor	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (NO) The claimed Point of Diversion can not be verified using the water right file. 4. (YES) There is evidence that there has been a change in the Point of Diversion. 5. (YES) The change can be verified as an accomplished transfer. Comment for 5: NWMD GPS. Not an accomplished change, but refinement due to newer technology. 6. (YES) The file contains all the necessary information to verify the POD. Comment for 6: See # 5. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POU	9/1/00 12:09:35 PM	bcontor	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. (NO) The claimed POU can not be verified using the water right file. 5. (YES) There is evidence that there has been a change in the POU. 6. (YES) The change can be verified as an accomplished transfer. Comment for 6: GIS. Not a change, but refinement from better data via newer technology. 9. (YES) The file contains all the necessary information to verify the POU. Comment for 9: See #6. 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
Priority Date	9/1/00 11:26:30 AM	bcontor	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.

Quantity 9/1/00 12:15:30 PM bcontor

Season 9/1/00 12:13:44 PM bcontor

Source 9/1/00 11:25:07 AM bcontor

Summary 9/1/00 12:17:57 PM bcontor

Use 9/1/00 11:23:48 AM bcontor

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. (NO) The period of use on the decree, license or transfer is not shorter on either the start or end date than allowable under IDWR's current standard.
15. (NO) Period of Use remark was not 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.
- Comment for 7: License file, Water Meas. District exam.
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.
6. (NO) Explanatory 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.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31-7155 Priority January 24, 1975 Amount 2.48 cfs

THIS IS TO CERTIFY, that A. VERNON &/or RONALD J. BALL
of Lewisville, Idaho, has complied with the terms and conditions of Permit
No. 31-7155 issued pursuant to Application for Permit dated January 24, 1975,
and has submitted proof to the Department of Water Resources on February 26, 1976,
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 2.48 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>2.48</u> cfs and	<u>421.5</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 2.48 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 confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
421.5 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14,
Twp. 7N, Rge. 36E, B.M. in the County of Jefferson

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7N	36E	13					36	33											69.0
		14	37			34.5													71.5

Total number of acres irrigated 140.5

CONDITION: A measuring device of a type approved by the Department shall be
maintained as a part of the diversion works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 27 day of

February, 1978.

Director

31 7155

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant A. Vernon Ball &/or Ronald J. Ball Phone: 754-4651
 post office address Box 485, Lewisville, Idaho
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 13 Township 7N
 Range 36E 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 3.2 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount XXXXXXXXXX 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. 3.2 cubic feet per second and/or
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. _____
Well, pump, and circular sprinkler system

 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 16 inches; proposed depth of well is 110 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 \$ 36,000.00.
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: _____

MICROFILMED

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	
7N	36E	13						40	40										80
		14	40			40													80

Total number of acres to be irrigated 160

c. Describe any other water rights used for the same purposes as described above. None

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

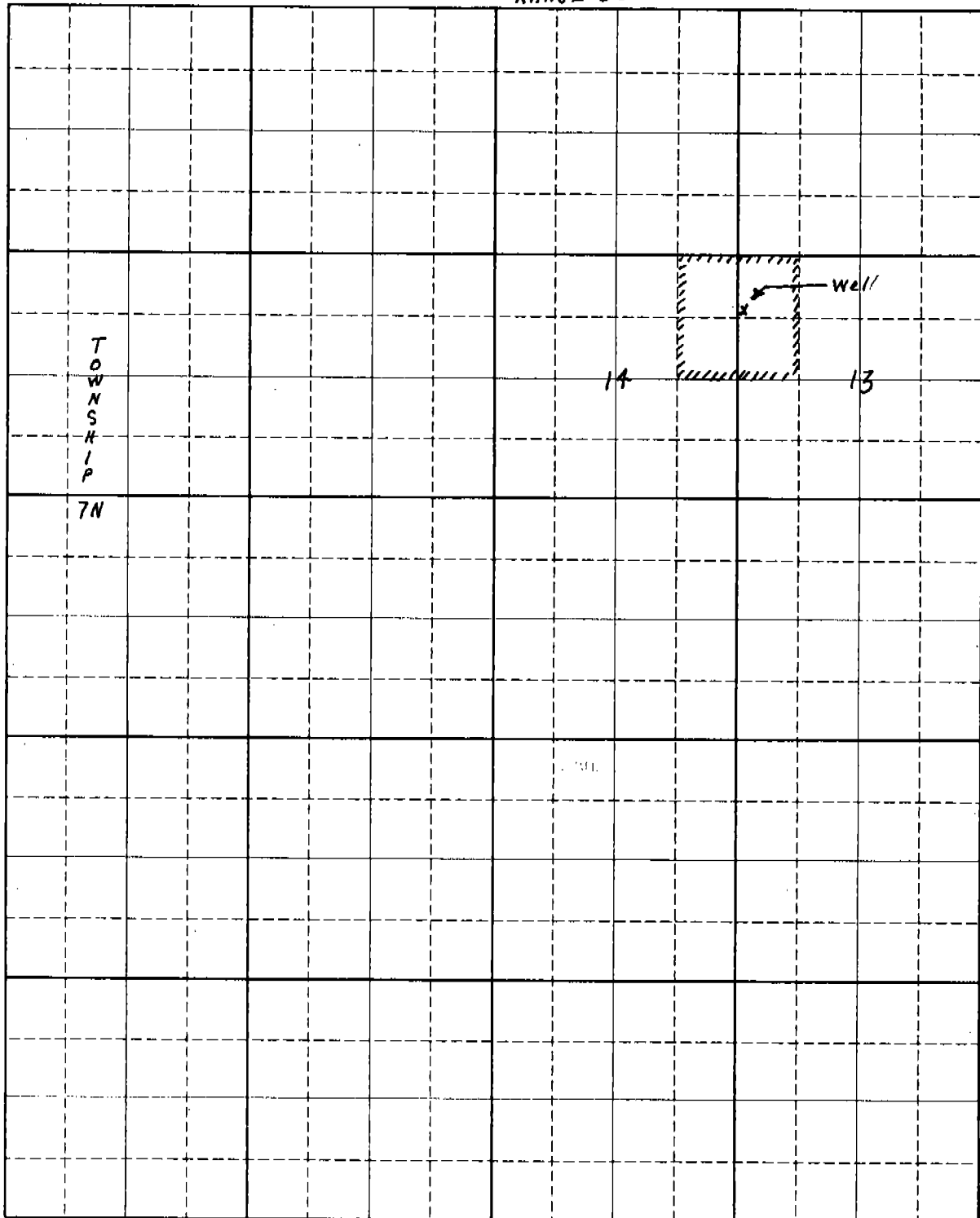
b. Who owns the land to be irrigated or place of use Applicant

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

RANGE 36 E



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.

Memor Ball
Ronald Ball
(Applicant)

Received by ew Date 1-24-75 Time 1:45 p.
Preliminary check by JH Fee \$ 55.00
Received by ew Date 1-24-75 # 4049
Publication prepared by ew Date 1-24-75
Published in Rigby Star
Publication dates 1/30 & 7/26/75
Publication approved ew Date 2-10-75
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by BPC BDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 31-7155, 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 March 1, 1976.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 25 day of _____ February 19 75.

R. Karl Hogg
Director

RECEIVED

1. Name of permit holder Vernon Ball &/or Ronald Ball MAR 19 1978
Post office address Box 485, Lewisville, ID Department of Water Resources
Phone 781-831-1111 Eastern District Office
Person to contact _____ Phone _____

3. Water will be used for the following purposes:

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

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

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

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 3.20 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 7N N/S, Range 36E E/W, B.M., Section 13, Subdivision NW $\frac{1}{4}$ NW $\frac{1}{4}$, Jefferson County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County

Other Points of Diversions: _____

Description of diverting works: 10" pump, 125 hp motor, 16" diameter, 110' deep

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

160

REFILED

T
7
N

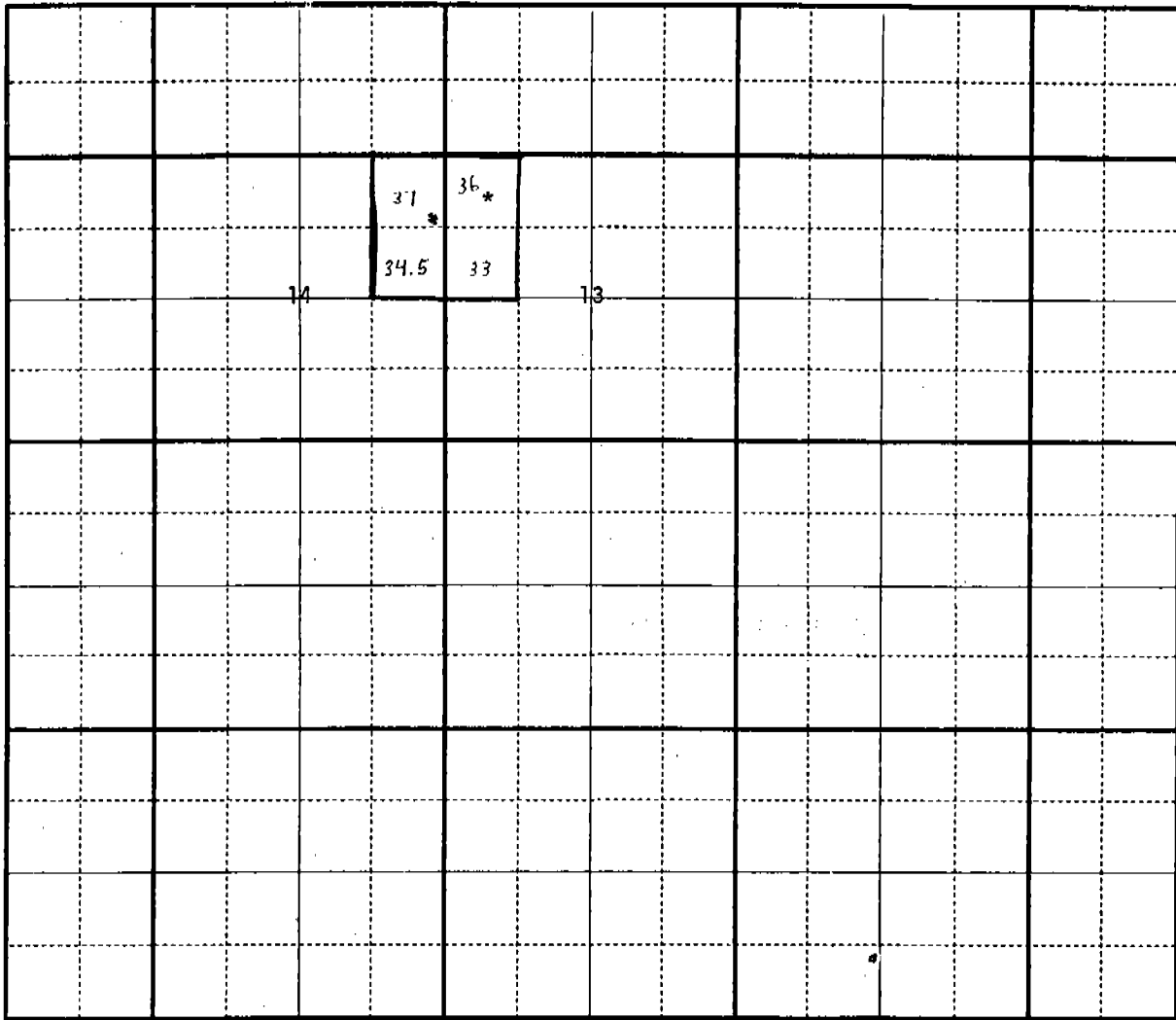
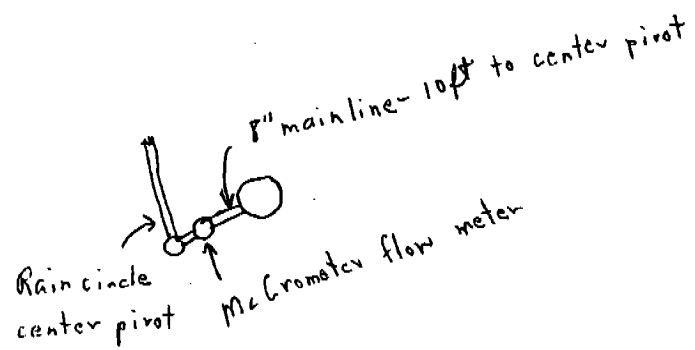


Diagram of System



DATE OF EXAM 7/8/76

ACREAGE
Found 140.5
Recommended 140.5

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 2.48 c.f.s. V = 421.5 AF/Ann. from Apr 1 to Nov 1
Domestic Q = 2.47 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:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Exchange? yes no X

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 2.48 c.f.s. Method of measurement In line flow meter

Total Q recommended 2.47 c.f.s. Meter No. 73-8-499 Type McCrometer Condition good

Total V recommended 421.5 Flow reading, GPM = 1150

Recommended Amendments: .01 AF/2:56 (176 sec)

(P.D.) NE 1/4, NE 1/4, Sec 14, T 7 N, R 36 E, E 8 M Jefferson Co.
Place of Use
Other
None

MEASUREMENT CALCULATION:

$$Q = \frac{(125)(8.814)(.80)}{(1000 + 60(2.388))} = 3.55 \text{ cfs.} \quad V = (140.5 \text{ Ac})(3.0 \text{ AF/ac}) = 421.5 \text{ AF/ann}$$

$$.01 \text{ AF/176 sec} = 3259 \text{ gal/176 sec} = 18.52 \text{ gal/sec} = 1111.02 \text{ gpm} = 2.48 \text{ cfs}$$

$$V = 3 \times 140.5 = 421.5 \text{ AF/year} \quad 1-10-78 \text{ W.H.}$$

SYSTEM DESCRIPTION:

125 HP U.S. motor SN C-521157-84-03814-347; Pump - Annona Verti-
Line SN V7-1140 1200 gpm cap. Rainey circle center pivot, Model 12G105,
SN 947- 1300 ft total length + 100 ft end gun P = 60 lb/in² @ C.P.

REMARKS:

Examiner's Signature William J. Graham Date 8/24/76

Checked by Ernest M. Carlson Date 12/21/76

Approved by Date

RECEIVED

FEB 26 1976

Department of Water Resources
Eastern District Office

Identification No. _____

Permit No. 31-7155

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder A. Vernon Ball &/or Ronald J. Ball
b) Post Office Address Box 485, Lewisville, Idaho
2. Permit Number 31-7155
3. Date of Priority that you are prepared to establish 1-24-75
4. a) Source from which water was appropriated ground water
b) Location of the point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13
Township 7N, Range 36E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 3.20 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 3.20 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: Mel Brown Pump Company
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: _____
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) 10" pump, 125 HP motor, 16" diameter x 110' deep
b) Describe the type and size of measuring device which you have installed at your point of diversion: 10" McCrometer inline meter
c) Give well driller's name and address and the date the well was completed: R.P. Cope, Idaho Falls, Idaho
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: N/A

3-9-76

mfb

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	36E	13					40	40											80
		14	40			40													80

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.

2-25-76
(Date)

Ronald J. Ball
(Signature)

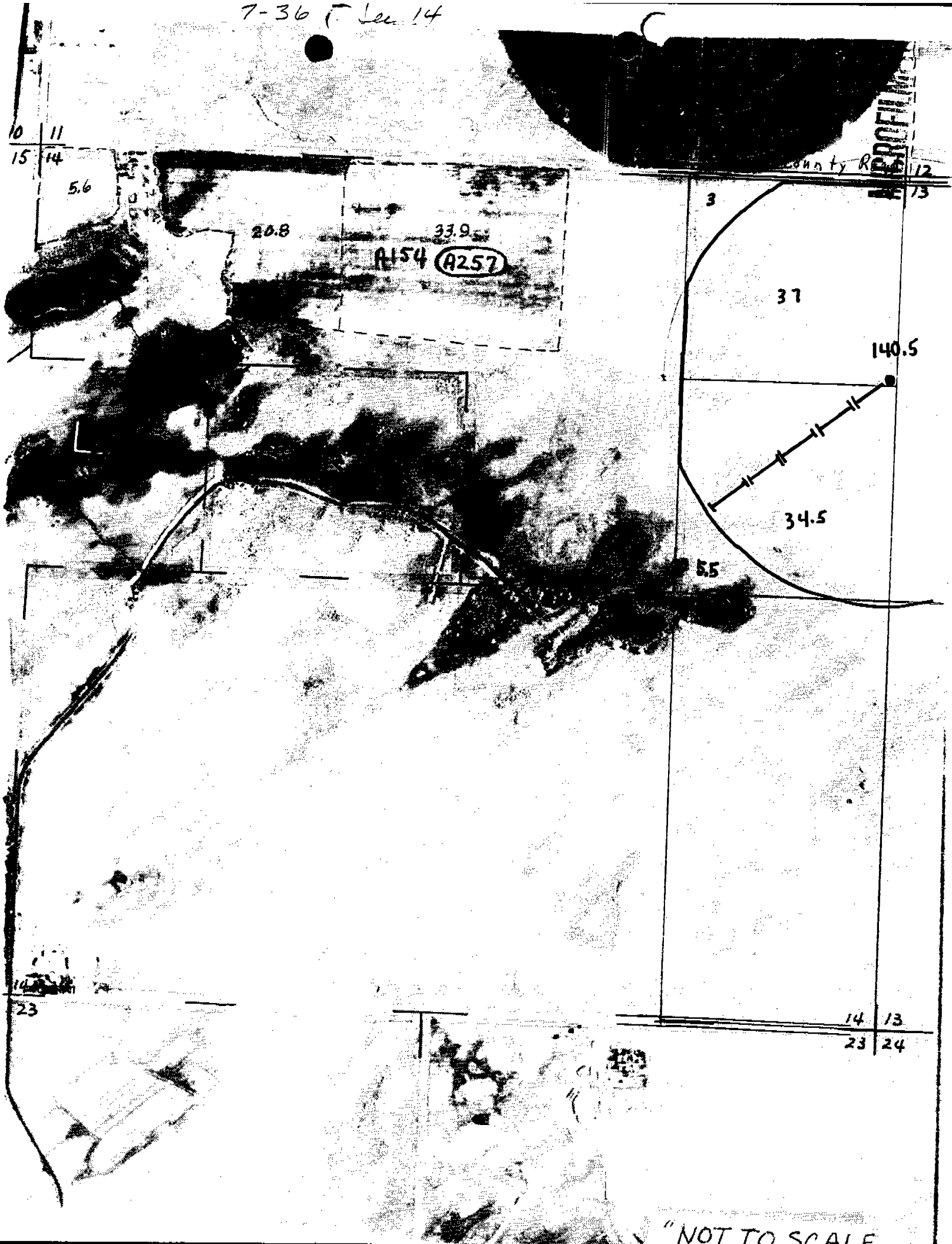
State of Idaho)
) ss.
County of Jefferson)

On this 25 day of February, 19 76, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Orin B. Young
Notary Public residing at Lewisville, Idaho
My commission expires 10-10-78

My commission expires 10-10-78

7-36 (See 14



"NOT TO SCALE"



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 FARMS LTD
2612 E 2300 N
HAMER ID 83425

RE: CHANGE IN OWNERSHIP FOR A31-07040A, A31-07155

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