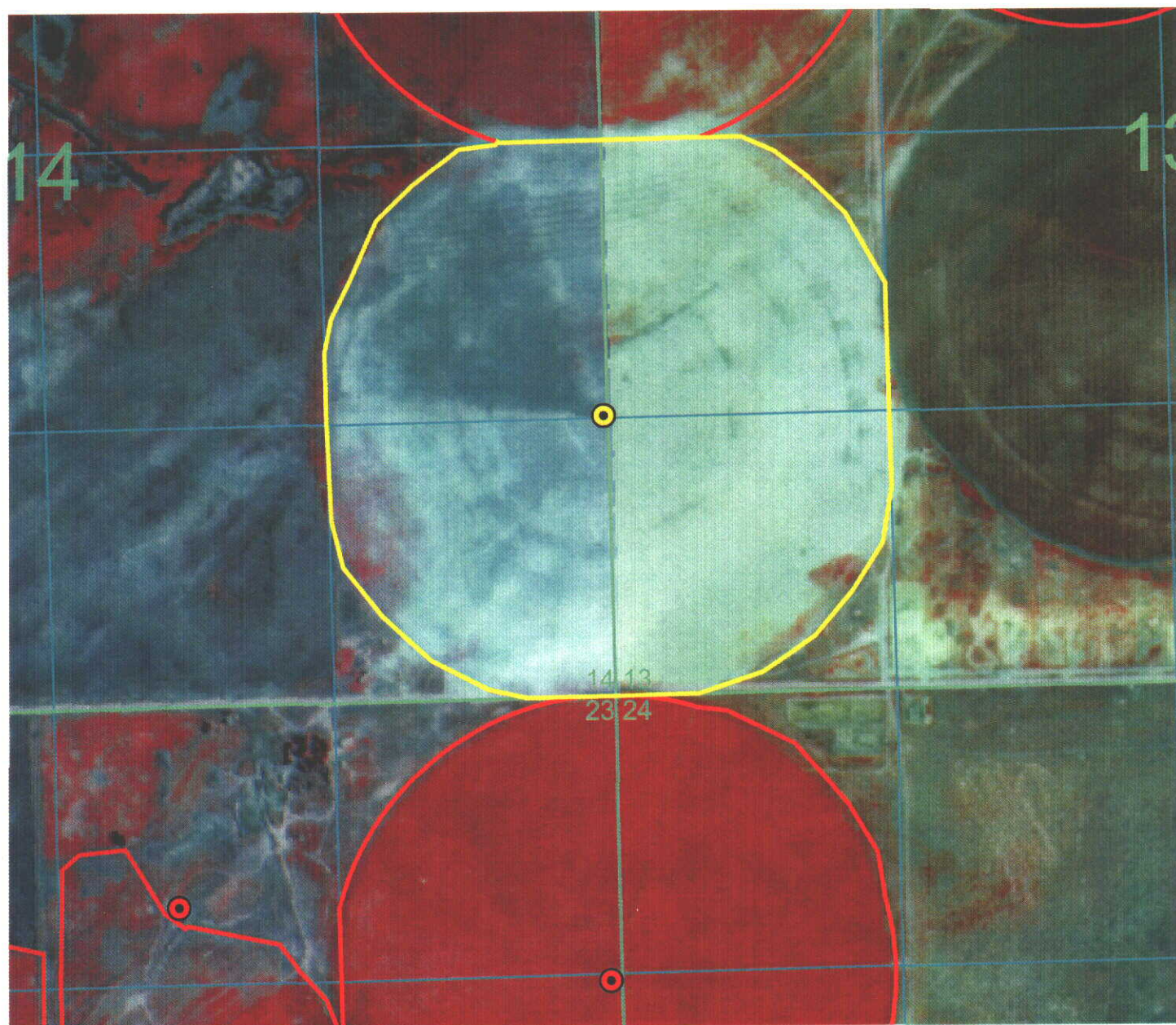


IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-07156

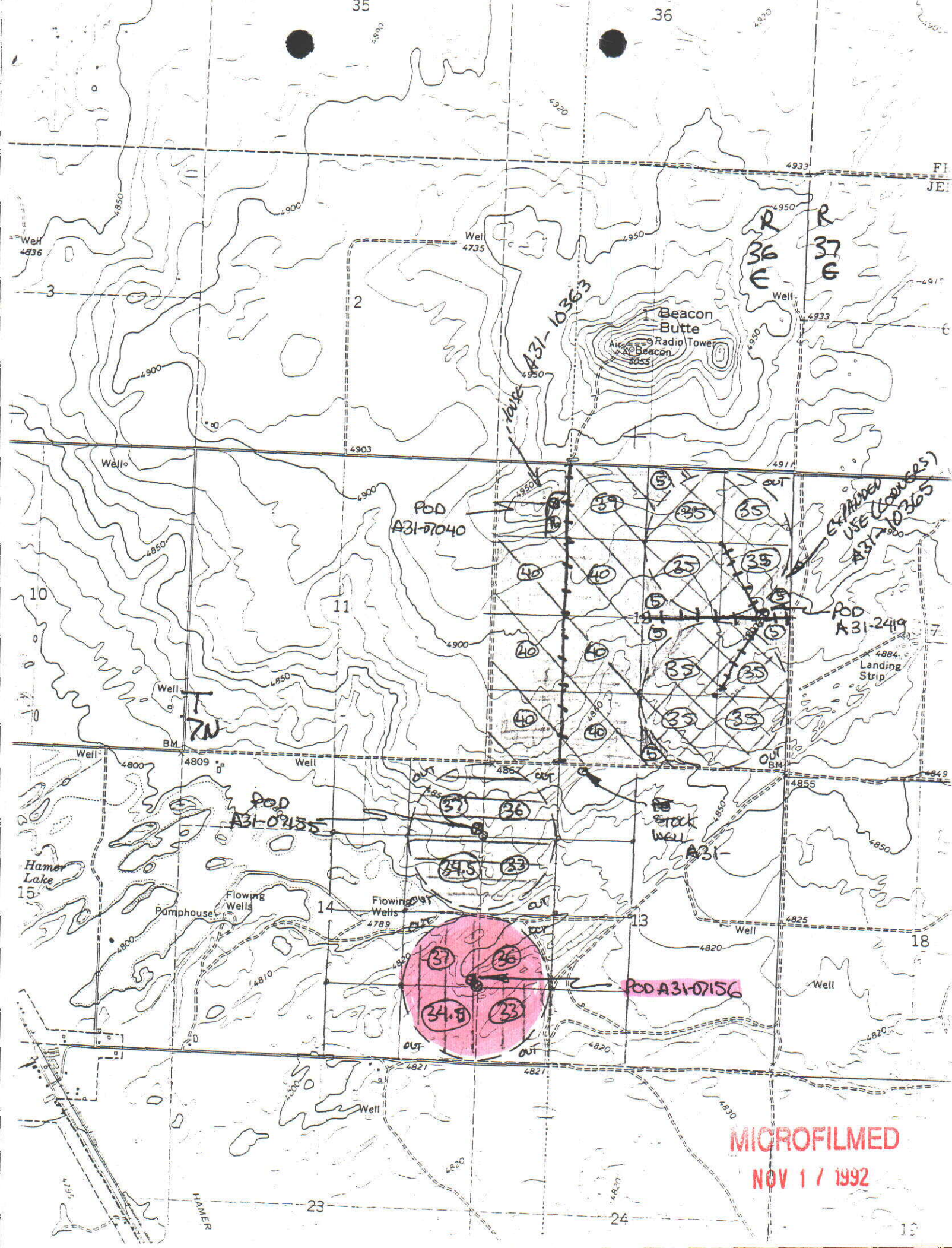
Township 7 North Range 36 East Section 13, 14



- 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

0 1320 Feet





03/23/2001

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

RIGHT NUMBER: 31-7156

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

SOURCE: GROUND WATER

QUANTITY: 2.69 CFS
490 AFY

PRIORITY DATE: 01/24/1975

POINT OF DIVERSION: T07N R36E S14 SENESE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 11-01	2.69 CFS 490.00 AFY

PLACE OF USE:

<u>IRRIGATION Within JEFFERSON County</u>					
T07N R36E S13	NWSW	36	T07N R36E S13	SWSW	34
T07N R36E S14	NESE	35	T07N R36E S14	SESE	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.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-07156

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



GIS Illustration from 1987/88 NAPP Photography, Prepared by B. Contor 7/2000

AJ0749NP
No. A31-07156

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	CIRCLE B FARM LTD PO BOX 69 LEWISVILLE ID 83431 (208) 754-4651	01/24/1975	IRRIGATION	04-01 11-01	2.69 CFS
TOTAL DIVERSION: CONSUMPTIVE USE:					2.69 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: LIO

Point(s) of Diversion: T07N R36E S14 SENESE

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			3
																						TOTAL ACRES

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: NONE

Conditions of Approval:

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

Remarks: GEN OWNERSHIP CHANGED by svh 4/10/98

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A31-07156
Date Received: 10/26/1988
Receipt No: E004204
Received By: ESV

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:

Department of Water Resources
Eastern District Office

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	36E	14	SE	NE	SE		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	2.690		

7. Total Quantity Appropriated is:
2.690 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	SW		IRR	36.0
			SW	SW		IRR	33.0

Section Acres 69.0

A31-07156

Page 1

Date: 10/26/88

NOV 17 1988

A3107156

MICROFILMED

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	14	NE	SE		IRR	37.0
			SE	SE		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): Gerald J. Ball Date: 11/17/88

Date: _____

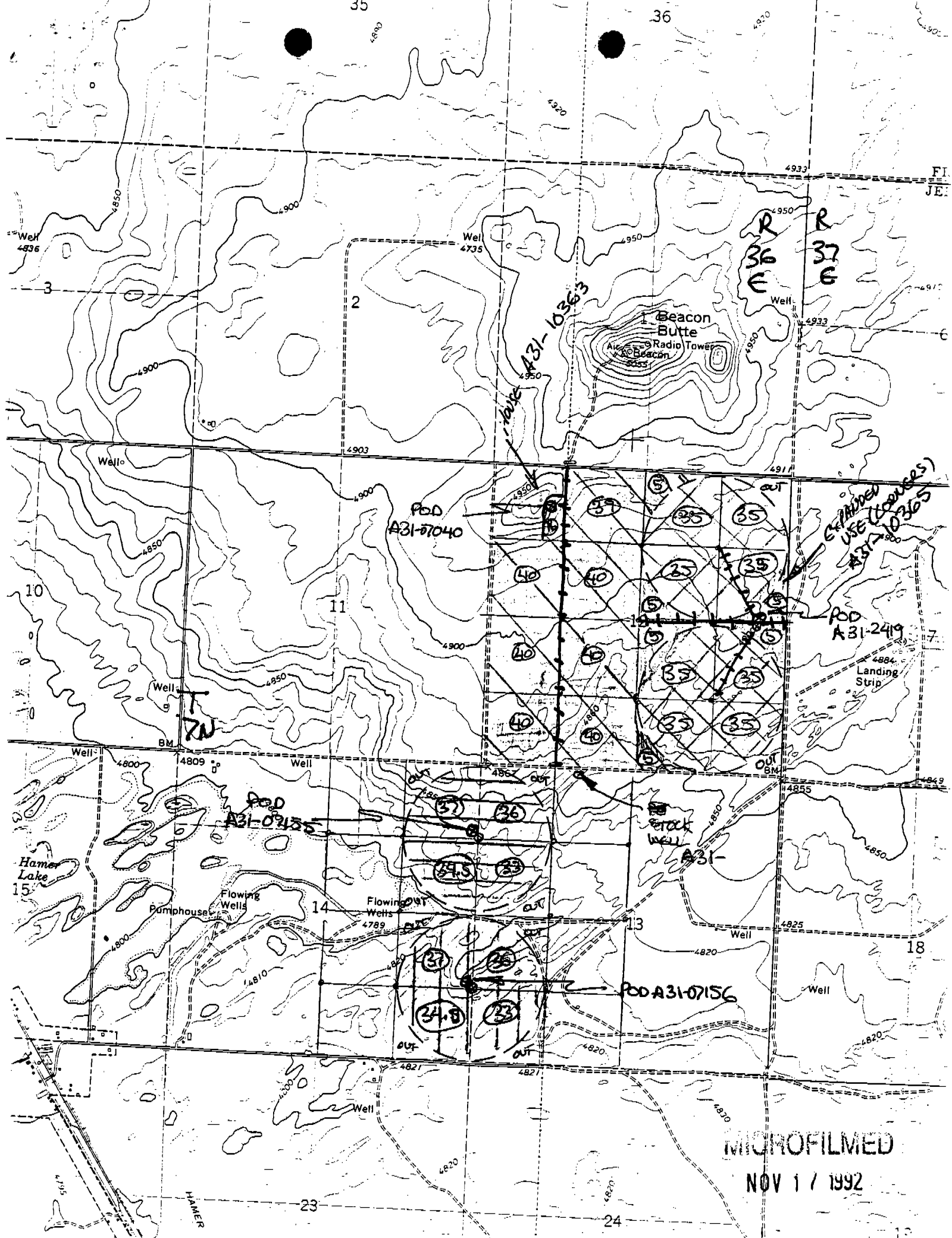
State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of November 19 88

Gary D. Nallen
Notary Public

Seal

Residing at Mesa
My Commission Expires June 16, 1992



MICROFILMED

NOV 1 / 1992

RECEIVED

MAR 12 2001

01/16/2001

NOTICE OF ERROR
REPLY

Department of Water Resources
Eastern Region

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: ^{March} February 9, 2001

Water right number: 31-7219, 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.

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. 31-7156

Owner Type Name and Address
Current Owner CIRCLE B FARM LTD
 PO BOX 69
 LEWISVILLE, ID 83431
 (208)754-4651

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 NOE
Adjustment*

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

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	2.69 CFS	421.5 AFA	
Total Diversion			2.69 CFS	421.5 AFA	

$$2.69 \times 1.9835 \times 215 = 1147$$

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	36E	14	SE NE SE	0	JEFFERSON

$$140 \times 3.5 = 490$$

Place(s) of use:

Place of Use Legal Description: IRRIGATION

JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	36E	13		NWSW	36		SWSW	34						
		14		NESE	35		SESE	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. 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	9/5/00 9:37:43 AM	bcontor			In Process
POU	9/5/00 9:55:04 AM	bcontor			In Process
	9/5/00 9:51:52 AM	bcontor			In Process
Priority Date	9/5/00 9:35:38 AM	bcontor			In Process
Quantity	9/5/00 9:56:35 AM	bcontor			In Process
Season	9/5/00 9:55:44 AM	bcontor			In Process
Source	9/5/00 9:34:02 AM	bcontor			In Process
Summary	9/5/00 10:22:11 AM		9/5/00 10:22:11 AM	bcontor	Complete
Use	9/5/00 9:30:37 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	9/5/00 9:50:44 AM	bcontor	Edited point location
POD	9/5/00 9:37:42 AM	bcontor	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (YES) The claimed Point of Diversion can be verified using the water right file. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POU	9/5/00 9:55:02 AM	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: More-accurate determination per GIS. No actual accomplished change. 9. (YES) The file contains all the necessary information to verify the POU. 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
POU	9/5/00 9:51:50 AM	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. (YES) The claimed POU can be verified using the water right file. 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
Priority Date	9/5/00 9:35:36 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. 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.

Quantity 9/5/00 9:56:33 AM bcontor

- 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.

Season 9/5/00 9:55:43 AM bcontor

- 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.

Source 9/5/00 9:34:00 AM bcontor

- 1. (NO) The basis is not beneficial use.
- 2. (YES) Parent right has a source.
- Comment for 7: License file.

Summary 9/5/00 10:22:08 AM bcontor

- 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.

Use 9/5/00 9:30:35 AM bcontor

- 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. 31-7156 Priority January 24, 1975 Amount 2.69 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. 31-7156 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 2.69 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>2.69</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 2.69 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 $\frac{1}{4}$ SE $\frac{1}{4}$, 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
			NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7N	36E	13									36	33							69
7N	36E	14													37			34.5	71.5

Total number of acres irrigated 140.5

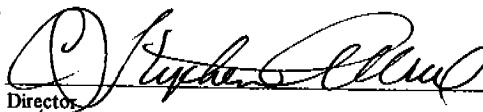
CONDITION: A measuring device of a type approved by the Department shall be
maintained as part of the diversion works.

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

Identification No. 31 7156

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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 SW $\frac{1}{4}$ 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 _____ 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, 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 12 inches; proposed depth of well is 80 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 \$ 40,000.00
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: _____

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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

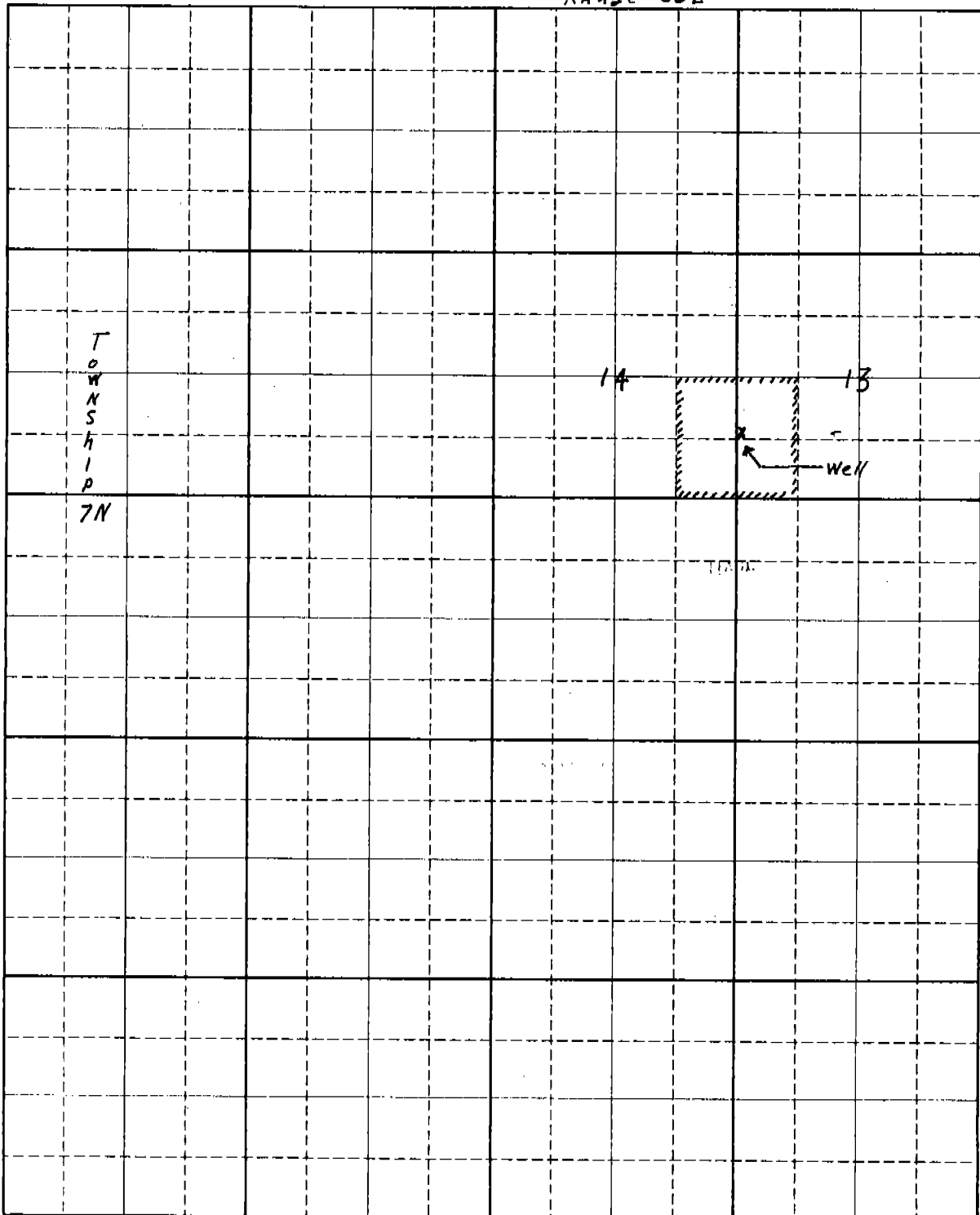
b. Who owns the land to be irrigated or place of use Applicant

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 36E



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.

Clifford Ball
Ronald J. Ball
(Applicant)

75
Proposed Priority 1-24-1975

Received by Cal Date 1-24-75 Time 1:45p
Preliminary check by TH Fee \$ 55.00
Receipted by Cal Date 1-24-75 # 4049
Publication prepared by Cal Date 1-24-75 / MB 2-14-75
Published in Big Sky Star (CORRECTION)
Publication dates 1/30 & 2/04/75 - 2/20 & 27/75
Publication approved Cal Date 3-20-75
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RC 3DF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

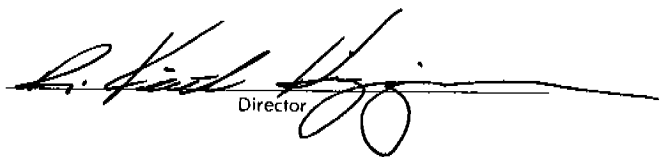
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 31-7156, and said application is hereby APPROVED.

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 April 1, 19 76.
- 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 March, 19 75.


Director

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Ball, A. Vernon &/or Ronald J.
- Postoffice address Box 485, Lewisville, ID 83431 Phone _____
- Person to contact _____ Phone _____
2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
- Tributary to _____

3. Water will be used for the following purposes:

Amount 3.20 c.f.s. for irrigation
 AF/Annum (nature of use)

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

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

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

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

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

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 3.2 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 ¼ SW ¼, Jefferson County

Township_____N/S, Range_____E/W, B.M., Section_____, Subdivision_____1/4_____1/4, _____

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

Other Points of Diversions: _____

Description of diverting works: 10" pump, 100 hp motor, 16" diameter x 85' deep

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE _____ **160**

Permit No. 31-7156
Examination for b/u

T
7N

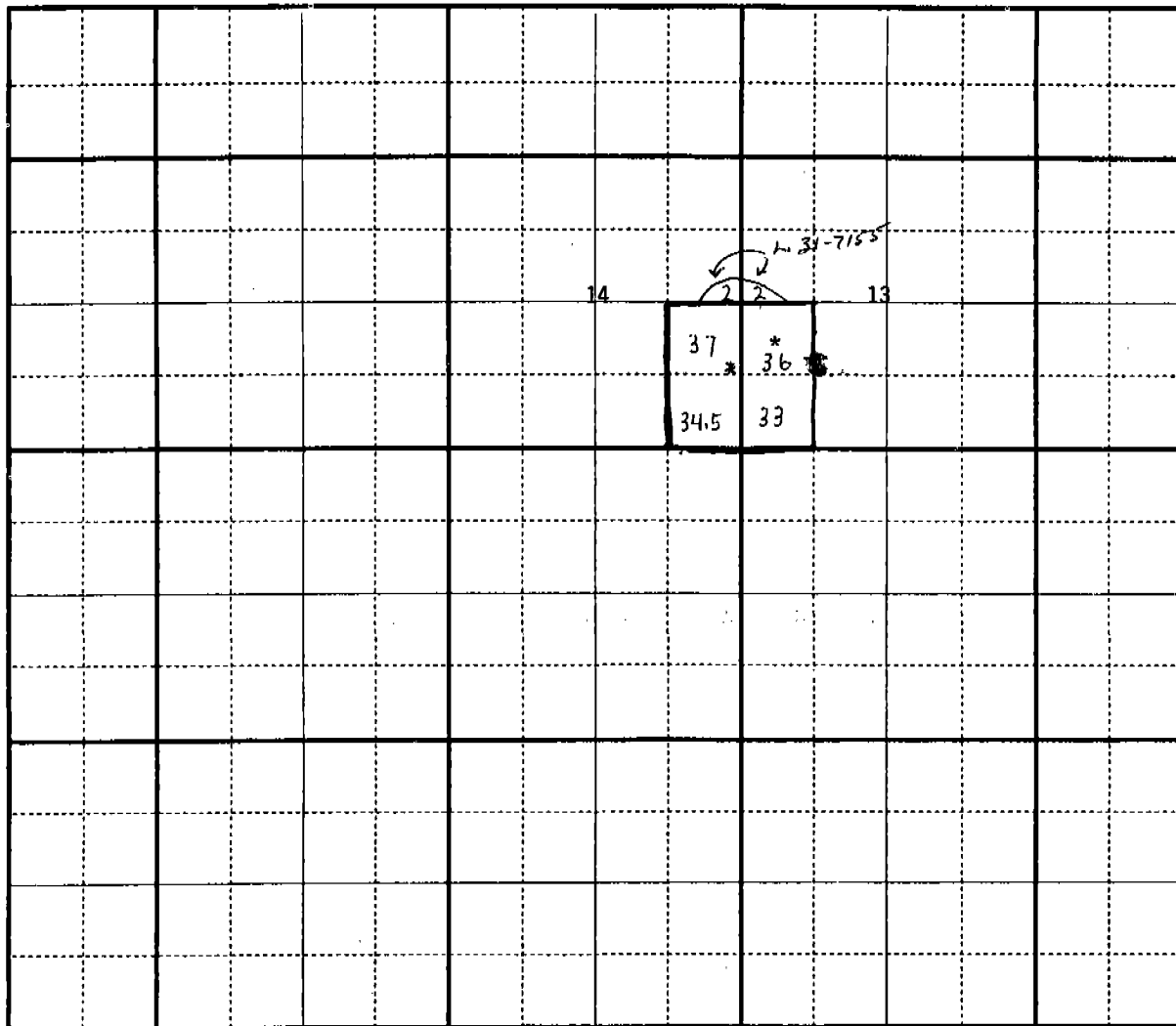
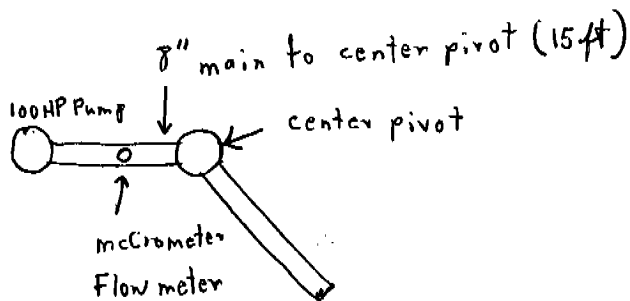


Diagram of System

N



DATE OF EXAM 7/8/76

ACREAGE
Found 144.5
Recommended 140.5

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 2.69 c.f.s. V = 421.5 AF/Ann. from Apr 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: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ✓

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 2.69 cfs Method of measurement mcrometer

Total Q recommended 2.69 cfs Meter No. 74-8-398 Type macrometer Condition Good

Total V recommended 421.5
1200 gpm - direct reading
.01 AF / 2:42
(162 sec)

Recommended Amendments:

X.P.D. NE 1/4, SE 1/4, Sec 14, T7N, R36E, E8M, Jefferson Co.
Place of Use _____
Other _____
None _____

System Description
MEASUREMENT CALCULATION:

Motor - 1/2 100 HP SN C9983-00-10-18-74, Pump Aurora
Vertiline SN V74-00946, 1400 gpm; Center Pivot Rain Circle
Model 126105 SN 374 - 15 ft, 8" main line from pump east to
center pivot. Total length of Center Pivot 1300 ft + 160 ft end gun
system operating @ 70 lb/in² pressure.

Measurement Calculation

SYSTEM DESCRIPTION:

Motor $Q = \frac{(100)(8.814)(.80)}{(25) + 70(2.302)} = 2.86 \text{ cfs}$

$V = \frac{(144.5 \text{ ac})(.70 \text{ AF/ac})}{(140.5 \text{ ac})(.30 \text{ AF/ac})} = 433.5 \text{ AF/ann}$
 $= 421.5 \text{ AF/ann}$

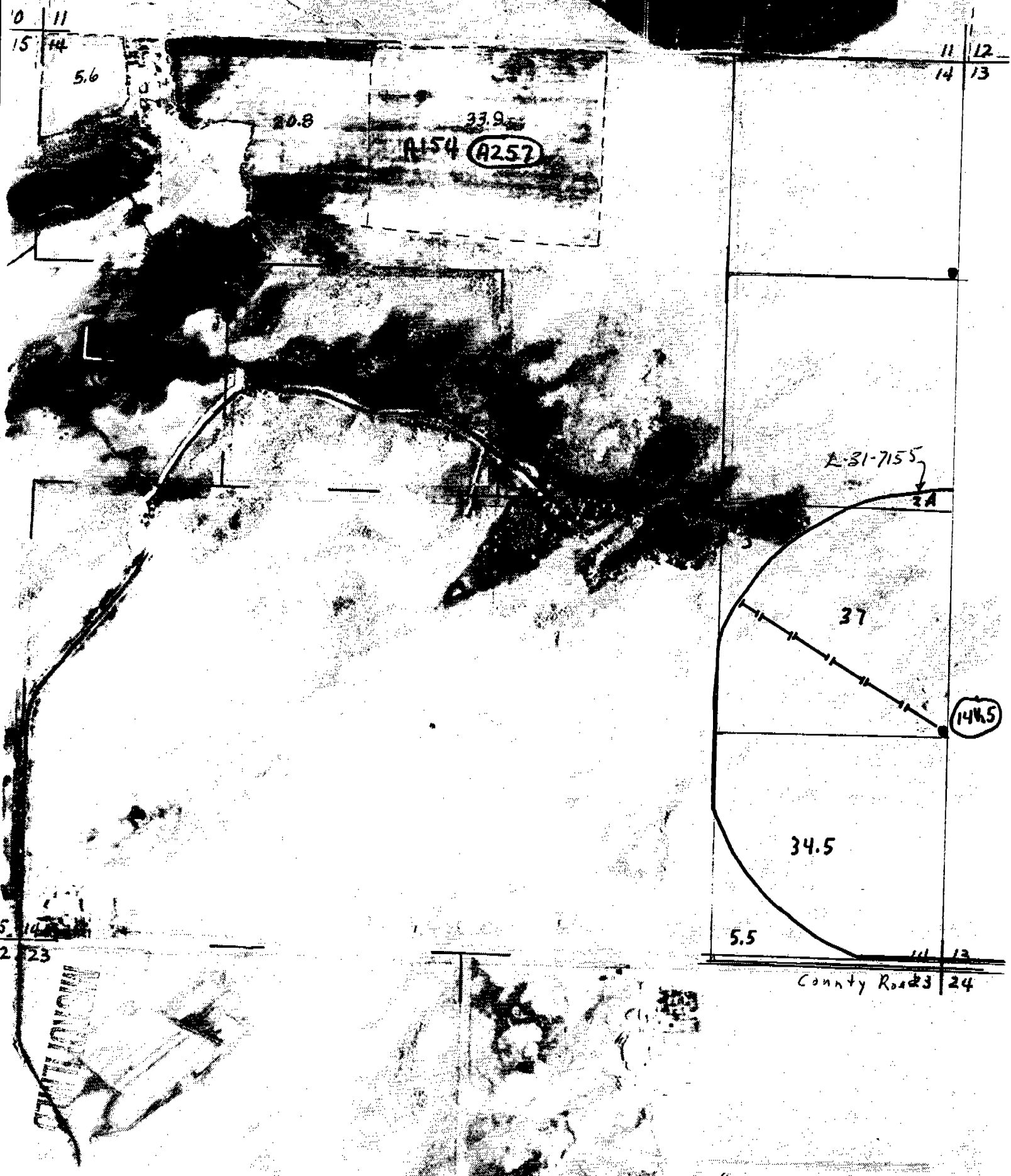
REMARKS:

Examiner's Signature William L. Graham Date 7/24/76

Checked by Ernest Carlson Date 12/21/76

Approved by _____ Date _____

7-36-14

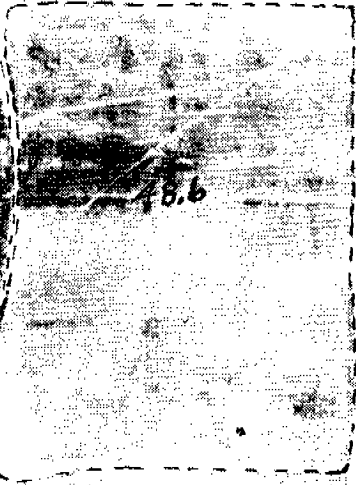
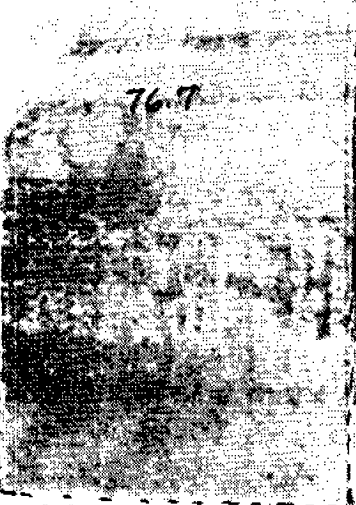


NOT TO SCALE

36-13

11	12
4	13

12	7
13	18



L. 31-7155
A3

2A (A240)

36

33

7

13
3
24

13	18
24	19

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36 E

"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

CIRCLE B FARM LTD
PO BOX 69
LEWISVILLE ID 83431

RE: CHANGE IN OWNERSHIP FOR A31-02419, A31-07040B,
A31-07156, A31-10365

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

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 08 1998

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Department of Water Resources
Eastern Region

Incomplete forms will be returned.

A31-07040B

1. Water Right Number(s) A31-07156, A31-10365, A31-07048, A31-02419
Adjudication Claim Number(s) _____

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Ronald J. Ball

P.O. Box 69 Lewisville ID 83431

4. New Owner/Claimant(s) Circle B Farm LTD

New Mailing Address P.O. Box 69

City, State and ZIP Code Lewisville ID 83431

New Telephone Number (208) 754-4651

5. Date you acquired the property 1994

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Calvin Ball Date Apr 18, 1998

Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.