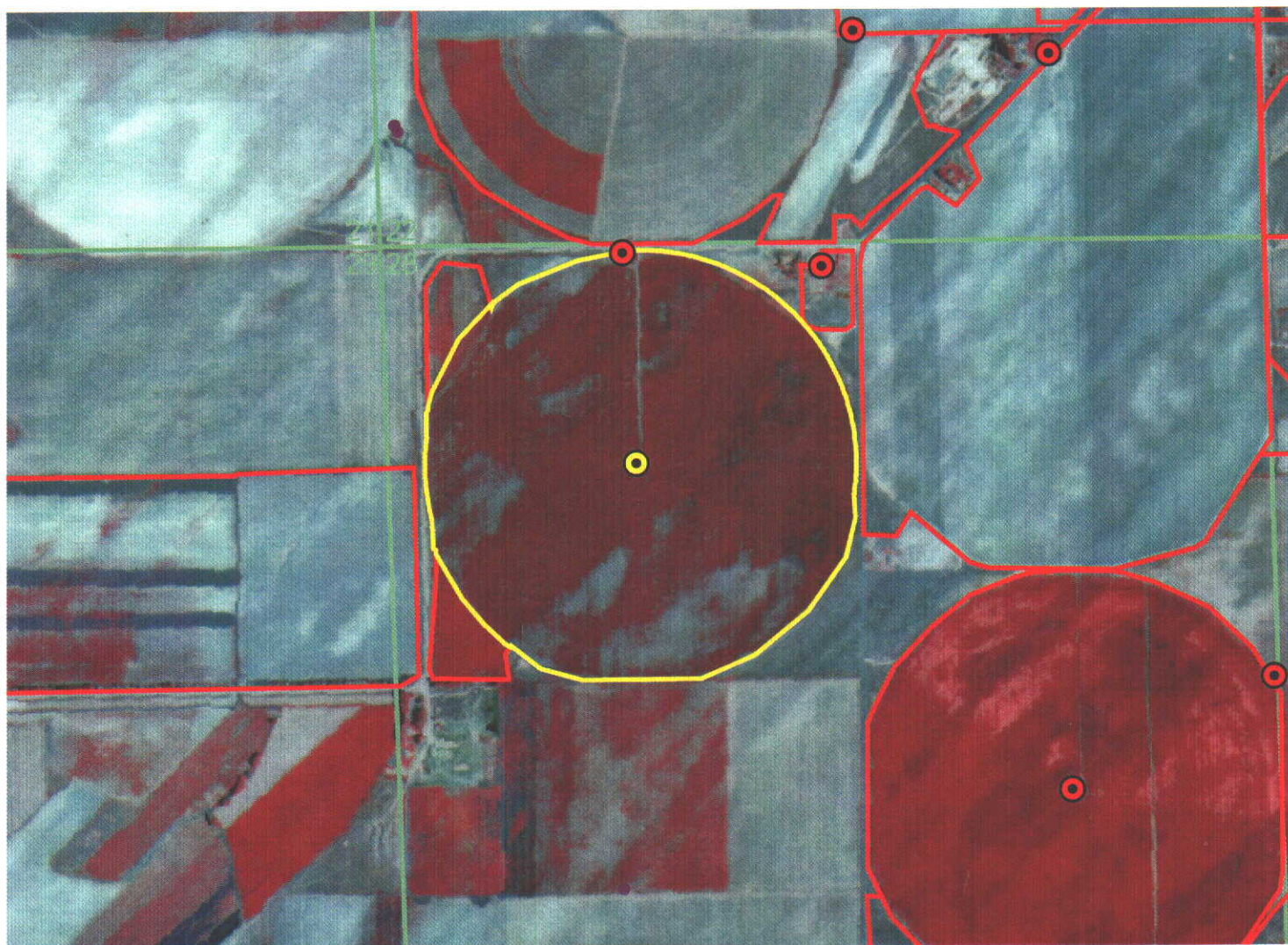


Idaho Department of Water Resources

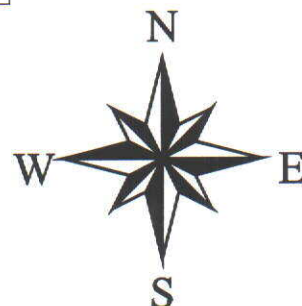
Water Right 31-07160

Township 7 North Range 36 East Section 28

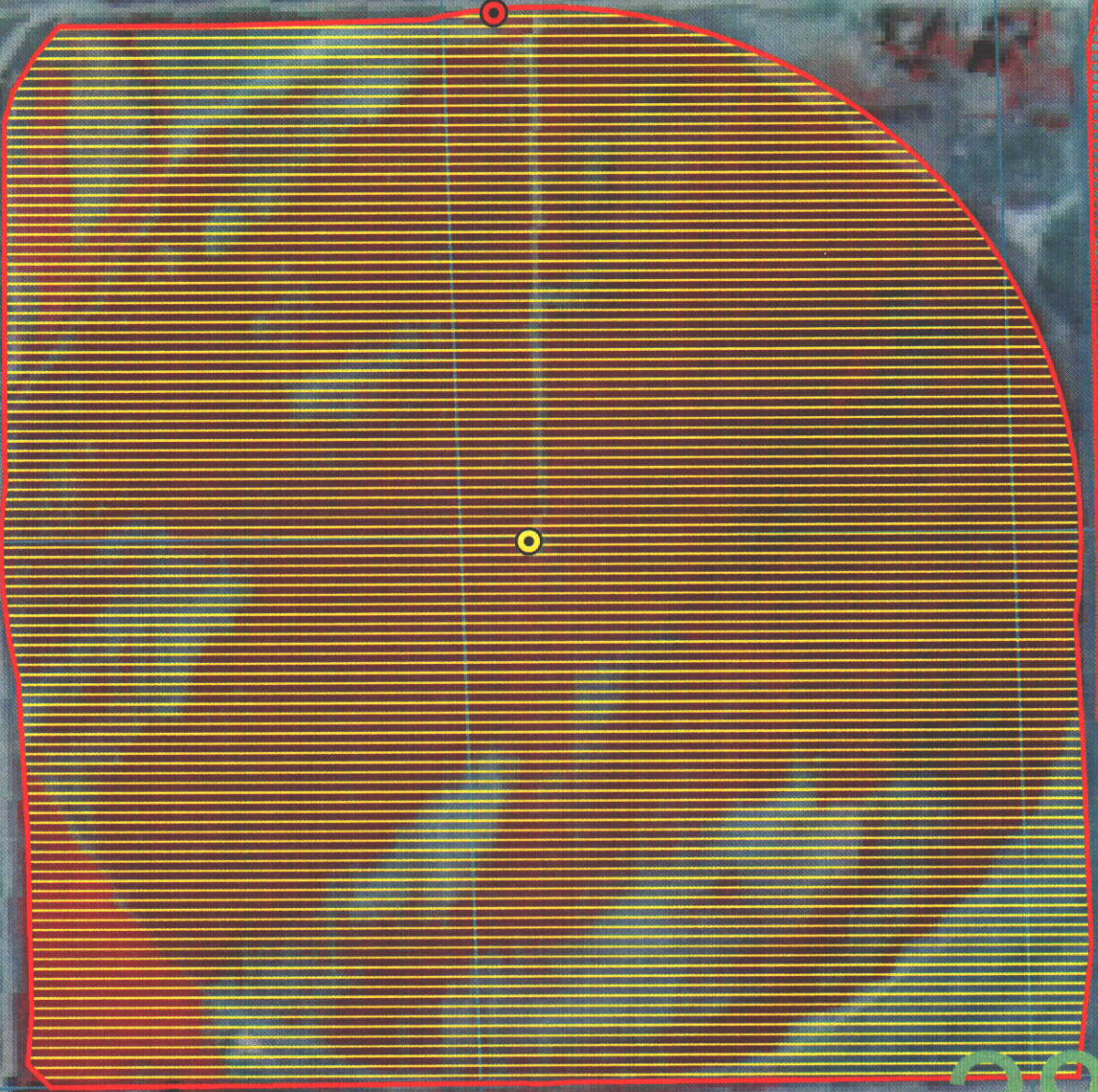


-  Point of Diversion
-  Point of Diversion - Other Rights
-  Place of Use
-  Place of Use - Other Rights
-  Quarter-quarter Sections
-  Section Lines

0 1320 Feet



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 9/2000



11/07/2000

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

RIGHT NUMBER: 31-7160

NAME AND ADDRESS: BALL FARMS LTD
2612 E 2300 N
HAMER, ID 83425

SOURCE: GROUND WATER

QUANTITY: 2.23 CFS
402 AFY

PRIORITY DATE: 04/09/1975

POINT OF DIVERSION: T07N R36E S28 NWSNW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	2.23 CFS

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T07N R36E S28	NENW	35	T07N R36E S28	NWNW	25.5
T07N R36E S28	SENW	36	T07N R36E S28	SWNW	29

125.5 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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-7160

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOSEPH T JONES DBA DOUBLE J FARMS 570 N 3600 E RIGBY, ID 83442 (208)754-4261
Current Owner	HARLEY JENSEN DBA DOUBLE J FARMS 505 N 4225 E RIGBY, ID 83442 (208)745-6113
Present Owner	DOUBLE J FARMS C/O CARL BALL HAMER, ID 83425 (208)662-5286

Priority Date: 04/09/1975
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	4/01	11/01	2.23 CFS		
Total Diversion			2.23 CFS	402 AFA	

Point(s) of Diversion:

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

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	28		NENW	35		NWNW	25.5		SEnw	36		SWNW	29

Total Acres: 125.5

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: 11/15/1988
Decreed Date:

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

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
POD	9/5/00 10:58:43 AM	bcontor			In Process
POU	9/5/00 11:30:39 AM	bcontor			In Process
Quantity	9/5/00 11:53:03 AM	bcontor			In Process
Season	9/5/00 11:50:10 AM	bcontor			In Process
Source	9/5/00 10:53:18 AM	bcontor			In Process
Summary	9/5/00 11:56:00 AM		9/5/00 11:56:00 AM	bcontor	Complete
Use	9/5/00 10:52:12 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:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
POD	9/5/00 10:58:41 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. Edited PLS Edited point location
POD	9/5/00 10:57:50 AM	bcontor	1. (YES) The POU is required.
POD	9/5/00 10:57:24 AM	bcontor	2. (NO) The basis of claim is not beneficial use.
POU	9/5/00 11:08:54 AM	bcontor	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: POU per interview with purchaser of land while viewing GIS. Note slight reduction in acreage. Recommended in claim QQ's as I believe GCDB is in error and we may run into ownership issues if we recommend in NE quarter as GCDB shows as of 9/5/00. Therefore total acres will be correct but acres per qq are not necessarily valid. BContor 9/5/2000. 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.
Quantity	9/5/00 11:53:00 AM	bcontor	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. Comment for 8: Recommendation reduced acres, however claimed/licensed rate and volume are still within current IDWR standards, so recommended as claimed/licensed. 9. (NO) Quantity remark was not required.

Season 9/5/00 11:50:08 AM bcontor

- 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.

Source 9/5/00 10:53:17 AM bcontor

- 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, NWMD.
- 8. (NO) The source is not surface water.
- 10. (NO) Source remark was not required.
- 11. (NO) Source condition was not required.

Summary 9/5/00 11:55:56 AM bcontor

- 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 10:52:10 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.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 31-7160
Date Received: 11/15/88
Receipt No:
Received By:

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

1. Name of Claimant(s)

BALL FARMS LTD Phone: (208) 662-5286

2612 E 2300 N
HAMER ID 83425

2. Date of Priority: 04/09/1975

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

WELL AND PUMP TO A PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2.23	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	36E	28	NE	NW	IRRIGATION	32
			NW	NW	IRRIGATION	31
			SW	NW	IRRIGATION	35

SE	NW	IRRIGATION	36
		Section Acres	134
		Total Acres	134

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

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

15. Basis of Claim: License

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A31-07160
Date Received: 11/15/1988
Receipt No: E004040
Received By: HWS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

OR

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

2. Date of Priority: APR 09, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL AND PUMP TO A PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.230		

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

8. Total consumptive use is 335.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A3107160



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	28	NE	NW		IRR	32.0
			NW	NW		IRR	31.0
			SW	NW		IRR	35.0
			SE	NW		IRR	36.0
					Section Acres		134.0
					Total Acres		134.0

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 317160

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): x *Harley Jensen* Date: x 11-15-88
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

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

William Gray
Notary Public

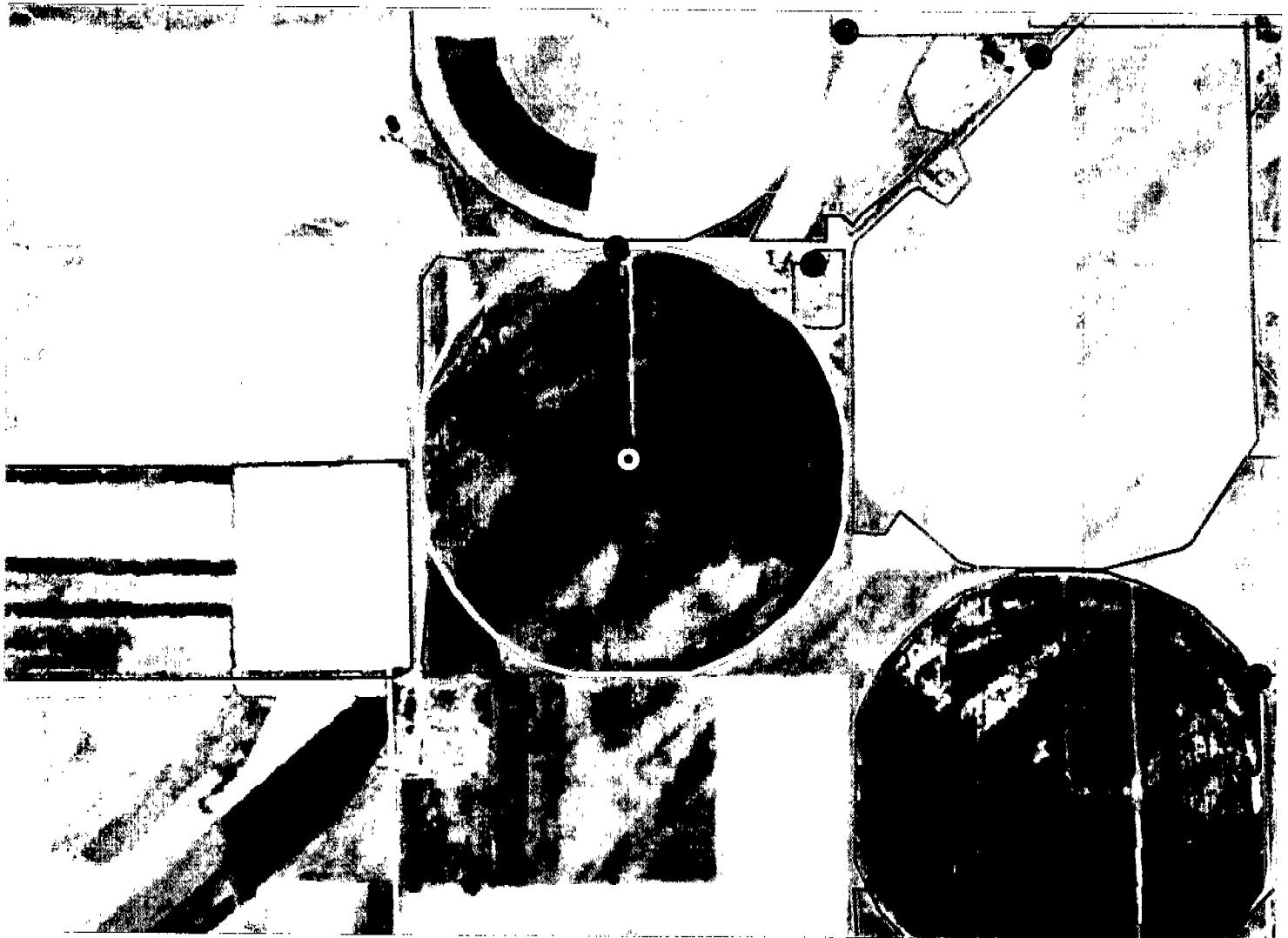
Seal

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

Idaho Department of Water Resources

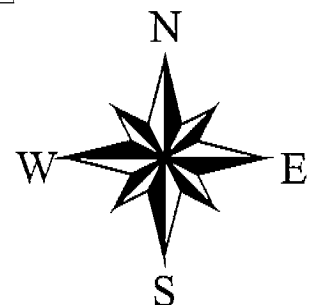
Water Right 31-07160

Township 7 North Range 36 East Section 28



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

0 1320 Feet



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 9/2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 28, 2000

Carl Ball
Circle B. Farms, Inc.
P.O. Box 69
Lewisville, Idaho 83431

Re: Double J. Farms, 31-07160, 7N 36E 28 NW 1/4

Dear Carl:

From the Water Measurent District records, it looks like you may have purchased this land.

If so, please return the enclosed "Notice of Change of Ownership," filled out and signed, with the documentation asked for. This will allow us to correctly update our Adjudication Records.

Also, it appears that we could recommend about ten additional acres of irrigation, if you wished to file an enlargement claim and amend the existing claim.

Please call if you have questions, or if you would like to amend the claim and file an enlargment.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 16, 2000

Carl Ball
Hamer, ID 83425

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

Dear Carl:

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

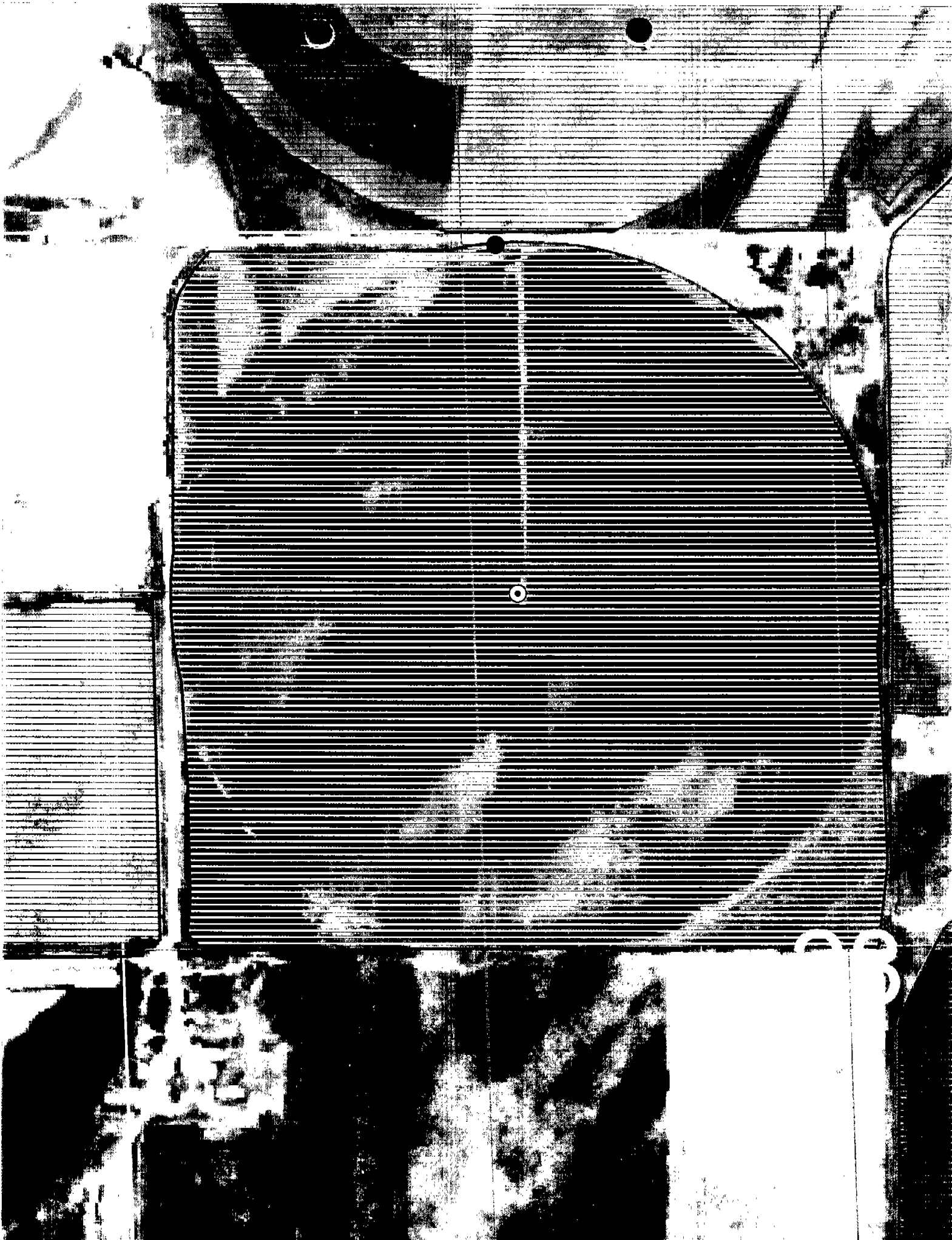
If so, please fill out the enclosed Notices of Change of Ownership and send them in with the requested documentation.

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

Please call if you have any questions.

Sincerely,

Bryce A. Contor
Bryce A. Contor



WATER RIGHT LICENSE

THIS IS TO CERTIFY, that HARRY E. MACHEN

Total number of acres irrigated 134

Director

Identification No. 31 7160

Application No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant Harry E. Machen Phone: 662-5233
post office address Hamer, Idaho
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 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 2.35 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. _____ 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 230 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 48,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation: N.A.
(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:

[illegible]

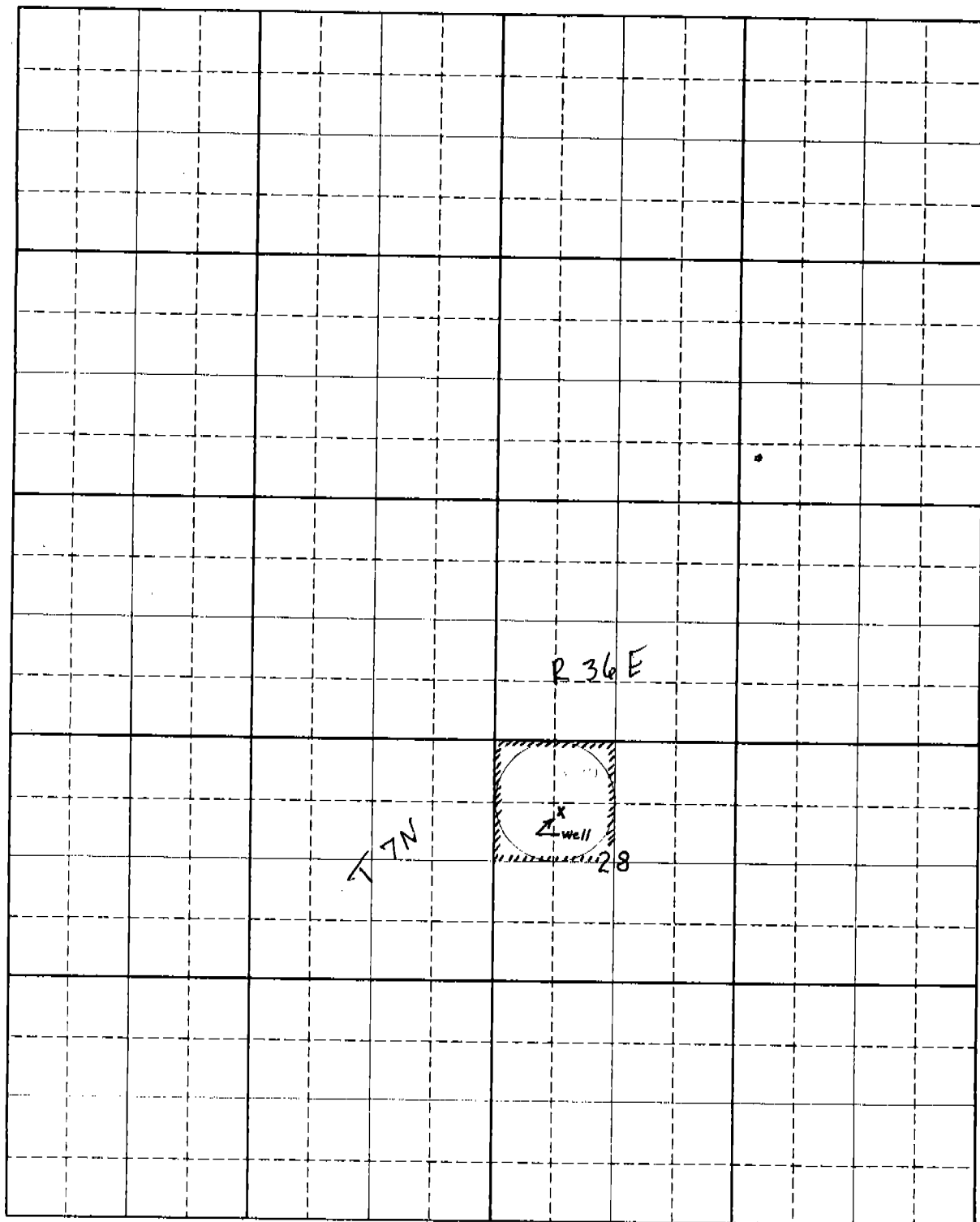
Total number of acres to be irrigated_____140

c. Describe any other water rights used for the same purposes as described above. License No. 31-2291
1.96 cfs (@ 0.010 cfs per acre x 44 acre over lap = 0.45 cfs)

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.



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.

Harry E. Macken
(Applicant)

Proposed Priority 4-09-1975

Received by MB Date 4-9-75 Time 4:20 pm.

Preliminary check by MDT Fee \$ 45.00

Received by MB Date 4-9-75 # 4190

Publication prepared by MB Date 4-10-75

Published in The Big Lost Star

Publication dates April 17 & 24, 1975

Publication approved aw Date 4-28-75

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DC MJS

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. 31-7160, 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 May 1, 19 80.
- 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 12th day of _____ May 19 75.


For the Director by

A. KENNETH DUNN, Administrator
Operations Division

T
7
N

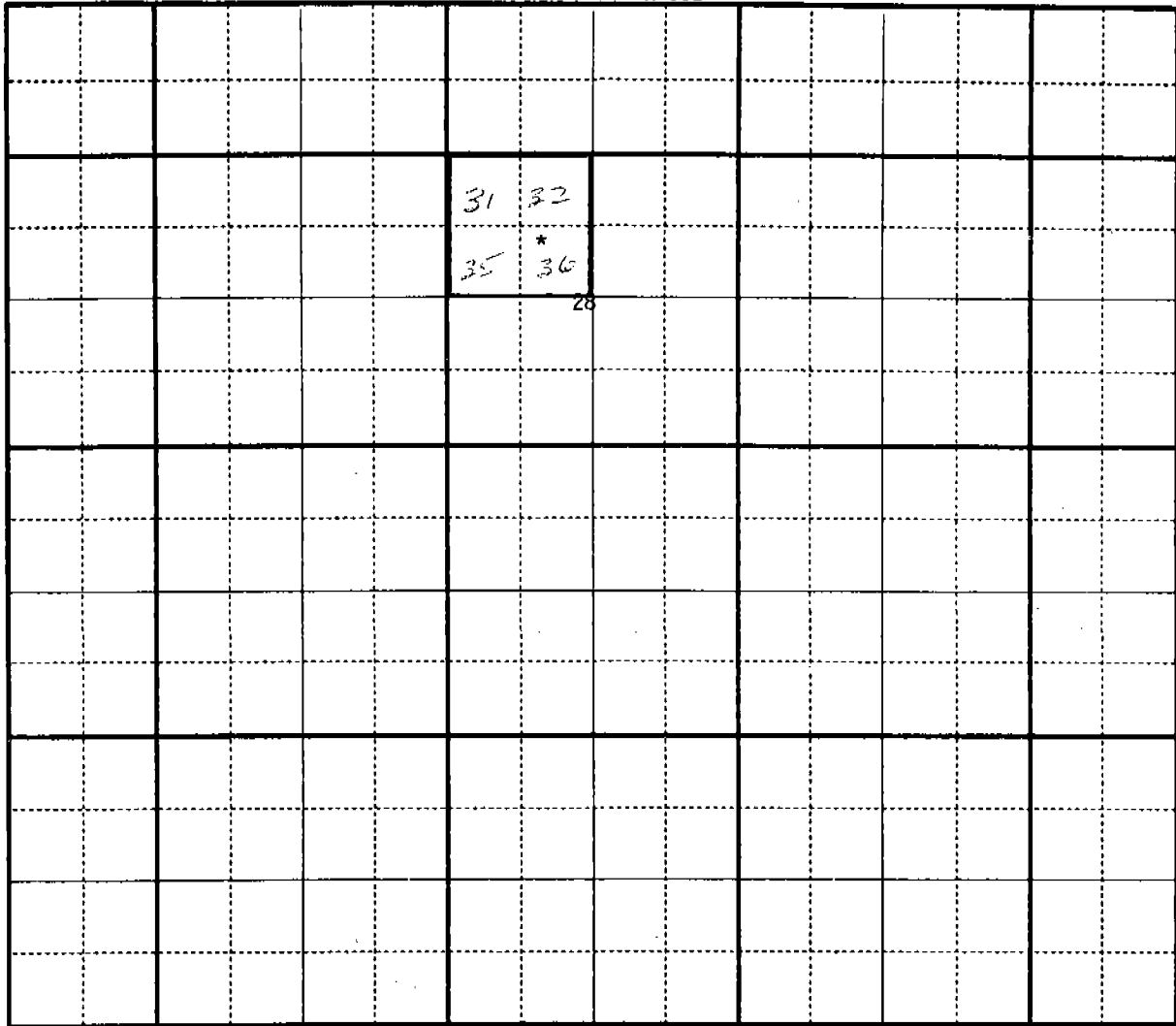
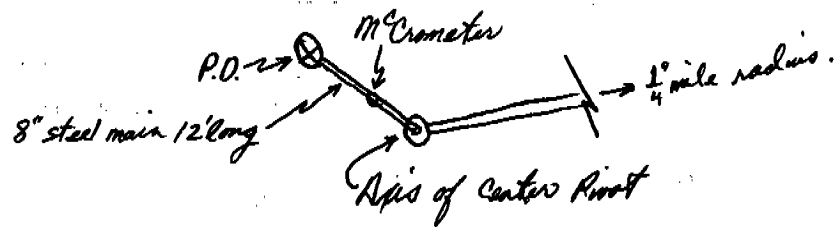


Diagram of System

N.



ENC
1/17/77

DATE OF EXAM July 8, 76

ACREAGE
Found 134
Recommended 134

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 2.23 c.f.s. V = 402.0 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: _____
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: 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 2.98 cfs. Method of measurement in line meter.

Total Q recommended 2.23 Meter No 75 8 2049 Type McCrometer Condition Std. Condition.

Total V recommended 402 AF/Ann. Direct Reading - 800 GPM - (?)
Timed " - .01 AF / 146 Sec.

Recommended Amendments:

P.D. _____
Place of Use _____
Other ✓
None ✓

MEASUREMENT CALCULATION:

$Q = .01 \text{ AF} / 146 \text{ sec} = 435.6 \text{ AF/Ann} = 2.98 \text{ cfs.}$

$Q = 134 \times .02 = 2.68 = .43 \text{ cfs. (L. # 31-2291)} = 2.23 \text{ cfs}$

$V = 134 \times 3 = 402 \text{ AF/Ann}$

SYSTEM DESCRIPTION:

Center Pivot - "Rain circle" Model 12 G1015 Ser # 417 (# 1350' watering radius)
Motor - "B.E." 7.5 HP, 3 phase, Ser # BLT 205494, FL Spd - 1775
Pump - "Verti-line" Ser # 37570269, 1100 GPM @ 1800 RPM.

REMARKS:

L. # 31-2291 - for 1.96 cfs for 191 AC (14 AC, NE 1/4 NW 1/4, 30 AC NW 1/4 NW 1/4 Sec 28)

OK
JG

Examiner's Signature Ernest M. Carlson Date 1/13/77

Checked by Anthony R. Kozlowski Date 2/9/77

Approved by _____ Date _____