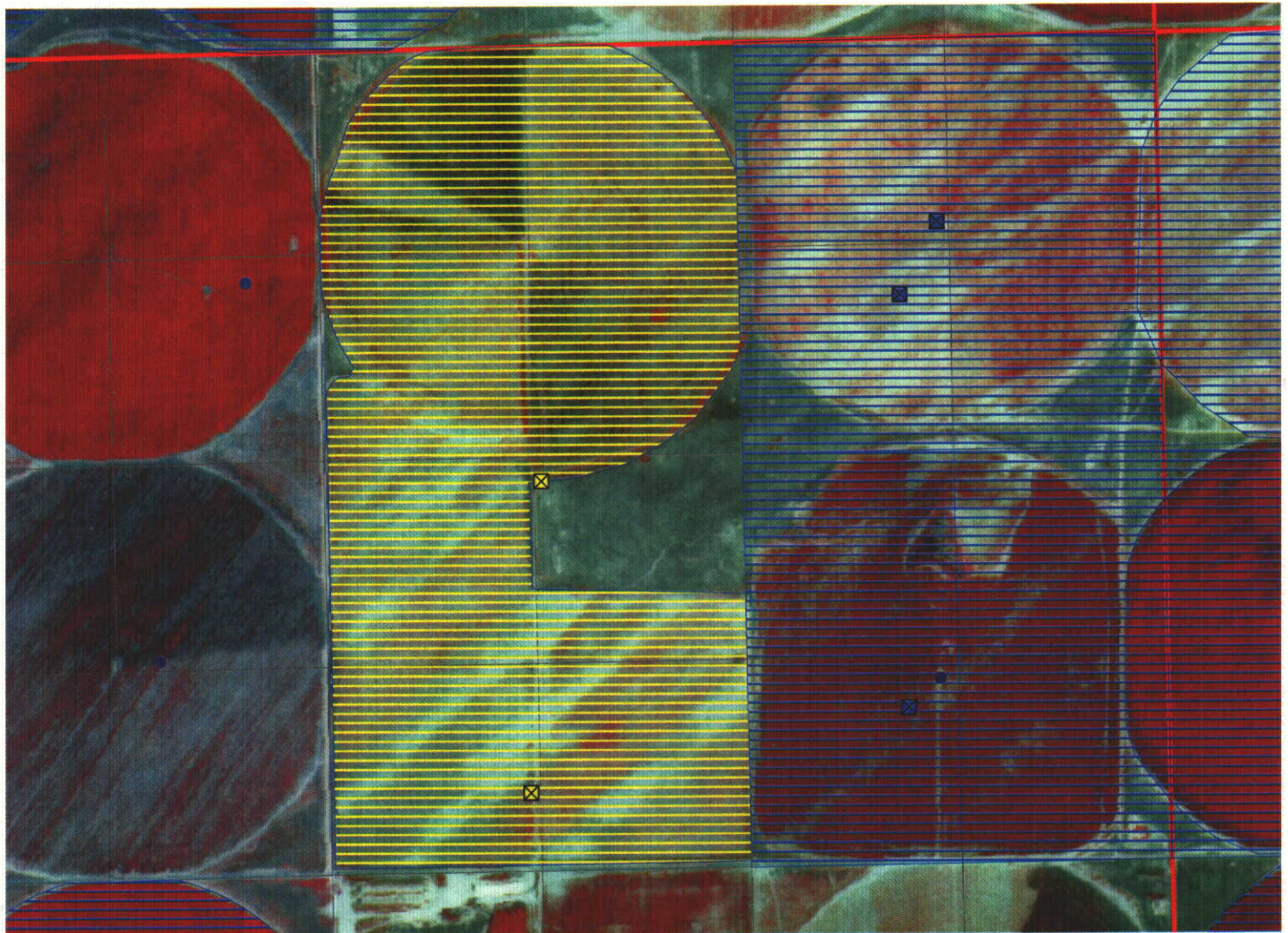


Idaho Department of Water Resources

Water Right 31-07219

Township 7 North Range 36 East Section 1



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

0 1000 Feet



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

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

03/23/2001

RIGHT NUMBER: 31-7219

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

SOURCE: GROUND WATER

QUANTITY: 4.82 CFS
966 AFY

PRIORITY DATE: 04/05/1977

POINT OF DIVERSION: T07N R36E S1 NWNESE Within JEFFERSON County
T07N R36E S1 SESWSW 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	4.82 CFS 966.00 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T07N R36E S1	LOT 4	NWNW	34	T07N R36E S1	SENE	37
T07N R36E S1		SNNW	39	T07N R36E S1	NESW	15
T07N R36E S1		NWSW	39	T07N R36E S1	SESW	39
T07N R36E S1		SWSW	38	T07N R36E S1	LOT 3 NENW	35

276 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.

AJ5809NP
No. A31-07219

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE
C	BALL LAND L C PO BOX 69 LEWISVILLE ID 83431 (208) 754-4651	04/05/1977	IRRIGATION	04-01 11-01	4.820 CFS
TOTAL DIVERSION: CONSUMPTIVE USE:					4.820 CFS
Water Source: GROUNDWATER		Tributary to:			Stage: LI
Point(s) of Diversion:		T07N R36E S01	NESW	SWSW	JEFFERSON
Place of use Legal Description for: IRRIGATION					
NE					
NENE NWNE SWNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE					
T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac					
07N 36E 1 : : 03-34 04-33 37 34 : 21 39 39 39 : TOTAL ACRES					

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: NONE

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

DEC 2 1988

REJECTED

Ident. Number: A31-07219
Received: 11/15/1988
Receipt No: E004948
Received By: KGW (KGW)

Department of Water Resources
Eastern District Office

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

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

2. Date of Priority: APR 05, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
TWO WELLS PUMPS TO TWO CENTER PIVOTS & LATERALS WITH SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.820		

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

8. Total consumptive use is 690.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	1	NE	NW	3	IRR	34.0
			NW	NW	4	IRR	33.0

A31-07219

Page 1

Date: 11/16/88

MICROFILMED

NOV 17 1992

A3107219



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	1	SW	NW		IRR	37.0
			SE	NW		IRR	34.0
			NE	SW		IRR	21.0
			NW	SW		IRR	39.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
						Section Acres	276.0
						Total Acres	276.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am REPRESENTATIVE of
Title
ESTATE OF A. VERNON BALL, that I have signed the foregoing
Organization
document in the space below as REPRESENTATIVE of
Title
ESTATE OF A. VERNON BALL and that the statements contained in the
Organization
foregoing document are true and correct.

Cliff Ball
Signature of Authorized Agent

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

NOV. 28, 1988
Date

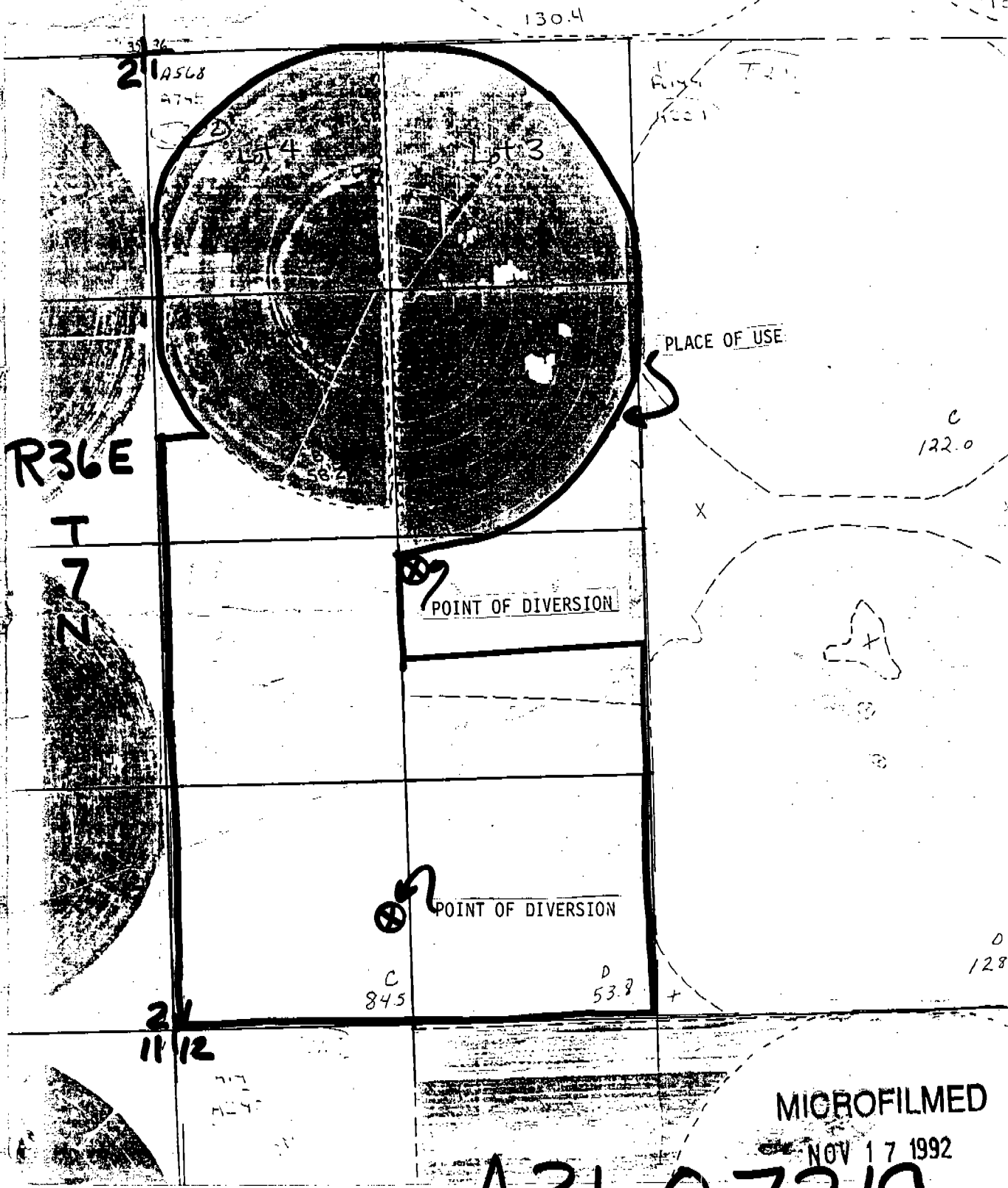
State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of November 19 88

Virginia Moss
Notary Public

Seal

Residing at Lewisville, Idaho
My Commission Expires May 4, 1994

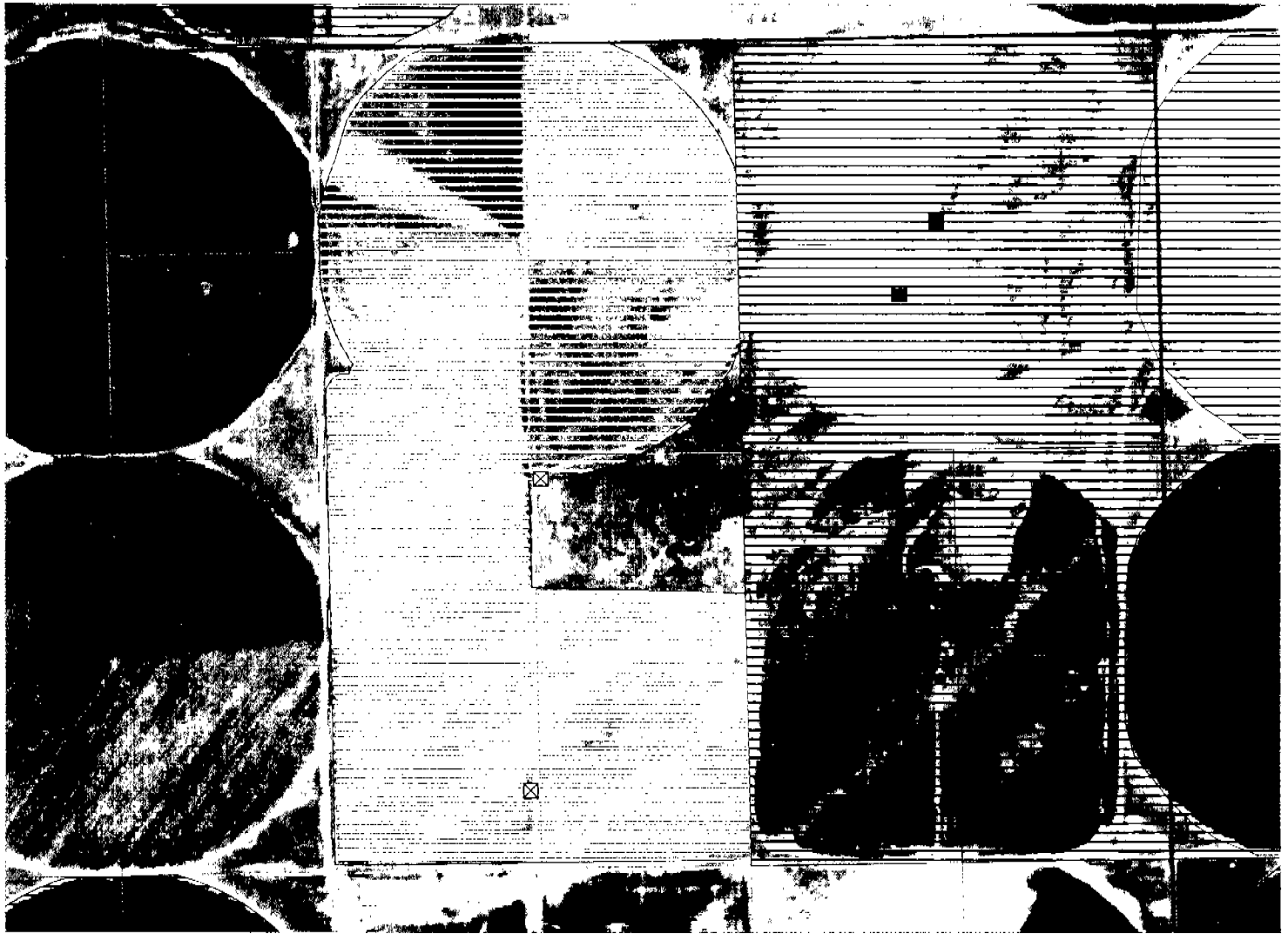


A31-07219

Idaho Department of Water Resources

Water Right 31-07219

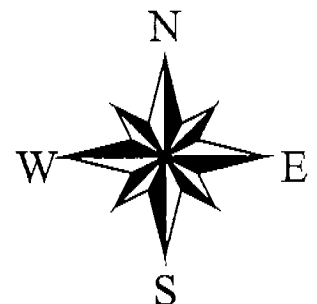
Township 7 North Range 36 East Section 1



0 1000 Feet



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



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

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 Acre feet then 3 Acre feet now it's back to 3.5 Acre feet (Volume). Some years we need to water earlier to keep our sandy soils from blowing.

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 8 March 01

SIGNATURE:

Carl M. Ball

Please print your name:

Carl M. Ball

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, (208) 525-7161

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

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

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

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

Re: Notice of Error Response

Dear Mr. Ball:

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

ITEMS OF DISAGREEMENT

Season of Use

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

Annual Diversion Volume

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

Diversion Rate

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

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

Enlargement

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

Acres

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

RESPONSESeason of Use

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

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

Annual Diversion Volume

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

Diversion Rate

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

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

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

Enlargement

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

Acres

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

Group of Overlapping Rights

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

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

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

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

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

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

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

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

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

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

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

Sincerely,



Bryce A. Contor
Senior Water Resource Agent

enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-7219

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

Original Owner HAMER FARMS
Original Owner MARCIA PETERSON HOPTAK
 PO BOX 69
 LEWISVILLE, ID 83431

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

*Superseded by NOE
adjustment*

Priority Date: 04/05/1977
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	4.82 CFS	828 AFA	

Total Diversion			4.82 CFS	828 AFA	
-----------------	--	--	----------	---------	--

$$4.82 \times 1.9835 \times 215 = 2056$$

$$276 \times 3.5 = 966$$

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	36e	1	NW NE SW	0	JEFFERSON
07N	36e	1	SE SW SW	0	JEFFERSON

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	1	4	NWNW	34		SENW	37		SWNW	39			
				NESW	15		NWSW	39		SESW	39		SWSW	38
			3	NENW	35									

Total Acres: 276

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: 09/29/1986
 Claim Received Date: 12/05/1988
 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	9/6/00 12:53:27 PM	bcontor			In Process
POU	9/6/00 2:13:09 PM	bcontor			In Process
	9/6/00 1:06:15 PM	bcontor			In Process
Priority Date	9/6/00 12:51:49 PM	bcontor			In Process
Quantity	9/6/00 2:15:32 PM	bcontor			In Process
Season	9/6/00 2:14:25 PM	bcontor			In Process
Source	9/6/00 12:54:28 PM	bcontor			In Process
Summary	9/6/00 2:20:01 PM		9/6/00 2:20:01 PM	bcontor	Complete
Use	9/6/00 2:13:40 PM	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	9/6/00 12:53:25 PM	bcontor	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (YES) The claimed Point of Diversion can be verified using the water right file. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required. Edited point location
POD	9/5/00 2:19:36 PM	bcontor	Edited point location
POD	9/5/00 2:19:13 PM	bcontor	Edited point location
POU	9/6/00 2:13:08 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: This is not an accomplished transfer, but a more-refined land list from GIS analysis of aerial photography. 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	9/6/00 1:06:14 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. (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	9/6/00 12:51:27 PM	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.

Quantity	9/6/00 2:15:31 PM	bcontor
Season	9/6/00 2:14:23 PM	bcontor
Source	9/6/00 12:54:27 PM	bcontor
Summary	9/6/00 2:19:58 PM	bcontor
Use	9/6/00 2:13:39 PM	bcontor

5. (NO) The basis of claim is not a posted notice.
6. (YES) Parent right has a priority date.
7. (NO) The basis of claim is not an application or permit.
12. (YES) The claim is recommended.
13. (YES) The claim is coded correctly.
14. (NO) Priority remark was not required.
15. (NO) Priority condition was not required.
1. (NO) The basis of claim is not beneficial use.
2. (NO) The basis of claim is not a posted notice.
3. (YES) The parent right has a diversion rate and/or diversion volume.
4. (YES) The claimed diversion rate and/or volume can be verified using the water right file.
7. (YES) The parent right has an annual diversion volume limit.
8. (YES) Irrigation is a purpose of use.
9. (NO) Quantity remark was not required.
10. (NO) Quantity condition was not required.
1. (NO) The basis of claim is not beneficial use.
2. (YES) The parent right has a period of use.
3. (YES) The claimed Period of Use can be verified using the water right file.
12. (YES) Irrigation is the purposed use.
14. (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 Measurement 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.

WATER RIGHT LICENSE

MACROFILMED

RECEIVED

State of Idaho
Department of Water Resources

MAR 27 1981

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Marcia Peterson Hoptak & Micheal Hoptak, hereby assign to Homen Farms
of Lewisville Idaho Box 69
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 31-7219
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 18 day of March, 1981.

Marcia Peterson Hoptak
Permit Holder

Micheal Hoptak
Spouse of Permit Holder

State of Idaho)
County of Jefferson) ss.

On this 18th day of March, 1981, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

Car B. Young
Notary Public residing at Lewisville, Idaho
My commission expires 10-10-82

My commission expires:
10-10-82

RECEIVED

MAR 20 1981

Department of Water Resources
Eastern District Office

RECEIVED
720 20

AUG 27 1986

Department of Water Resources
Eastern District Office

STATE OF IDAHO

APPLICATION FOR AMENDMENT
(For Licensing Purpose)

RECEIVED
AUG 28 1986

Department of Water Resources
Phone

Comes now Hamer Farms
of (address) Box 69 Lewisville, ID 83431, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No. 31-7219, and requests that the permit be changed as follows:

1a. Point of diversion: NE 1/4 SW 1/4, Section 1, Township 7N, Range 36E,
B.M., County of Jefferson. Other points of diversion: SW 1/4 SW 1/4, Sec. 1,
Twp 7N, Rge 36E

1b. Source: groundwater tributary to -----

2a. Period and nature of use:

Amount 4.82 for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

2b. The maximum quantity diverted shall not exceed 4.82 cfs or 328.0 acre feet
per year.

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE				NW				SW				SE				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	1					34	33	37	34	21	39	39	39					276

Total number of acres to be irrigated = 276

4. Date of priority: April 5, 1977 (Late Proof)

MICROFILMED

5. Conditions (if any):

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Idaho Falls, this 27 day of August, 19 86.

Carl M. Dale
(Signature)

FOR DEPARTMENT USE ONLY

#39854

Preliminary check by Kew Fee = \$20.00 ✓
Kew

Receipted by OW Date 8-27-86

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby Approve the above Application for Amendment for Permit No. 51-7219.

Witness my hand this 29th day of SEPTEMBER, 19 86.

Norman C. Young
Acting for the Director

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR AMENDMENT OF A PERMIT JUL 10 1981

To change the point of diversion and/or the place of use.

Department of Water Resources

Comes now HOMER FARM, INC. Partnership ✓
of (address) 90 BALL BROTHERS, LEWISVILLE, ID, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 31-7219, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW 1/4 NW 1/4, Section 1, Township 7N, Range 36E, B.M.,
County of Jefferson. Other points of diversion: SESW or Center of ✓
SW 1/4 Sec 1, T. 7N, R. 36E.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

NO CHANGE

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) ✓
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated: NO CHANGE ✓

TWP	RGE	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	

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? APPLICANT ✓
b. Who owns the land to be irrigated or the place of use? "
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

RECEIVED

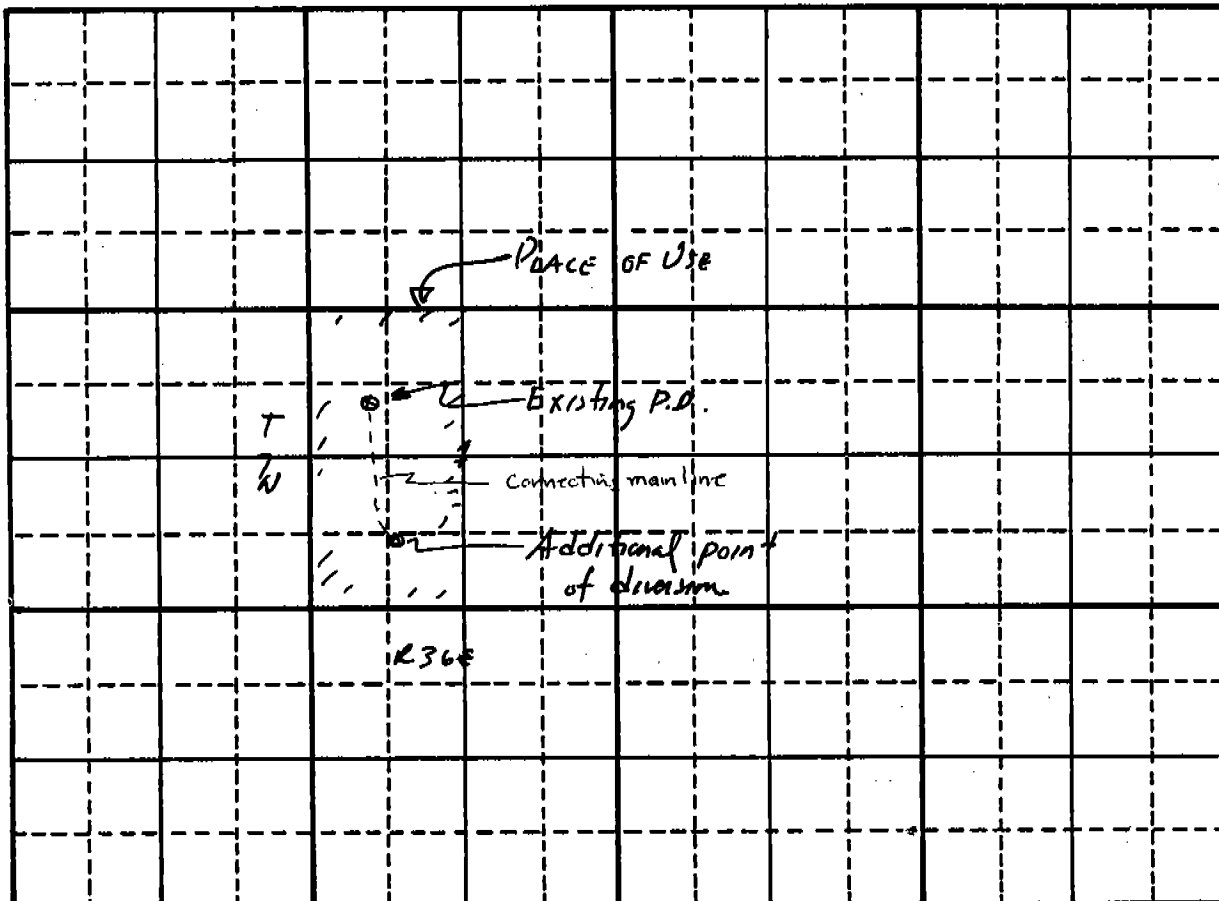
RECEIVED

MAR 20 1981

Department of Water Resources
Eastern District Office

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Lewisville, Idaho, this 26 day of March, 1981.

Harold Farmer
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by Jim Fee = \$20.00 Received by kw Date 4/1/81 # 17152

Publication prepared by NA Date 3/30/81 Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, NORMAN C. YOUNG Administrator, Resources Admin. Div. of the Department of Water Resources hereby

APPROVE the above referenced Amendment for Permit No. 31-7219.

Witness my hand this 17th day of July, 19 81

Norman C. Young
Administrator, Resources Admin. Div.

RECEIVED

ASSIGNED TO:
Hamen Farms
Box 69
Lewisville, Idaho 83431
March 20, 1981

Identification No. 31 7219

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Marcia Peterson Hoptak Phone: 662-5255
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 SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 1 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 6.40 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. 6.40 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Two half circles to sprinkle
approx. 80 acres each, plus 8 wheel move lines and 4 handline

- 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 18 inches; proposed depth of well is 100 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 \$ 70,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

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

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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	1					40	40	40	40	40	40	40	40					320

Total number of acres to be irrigated. 320

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

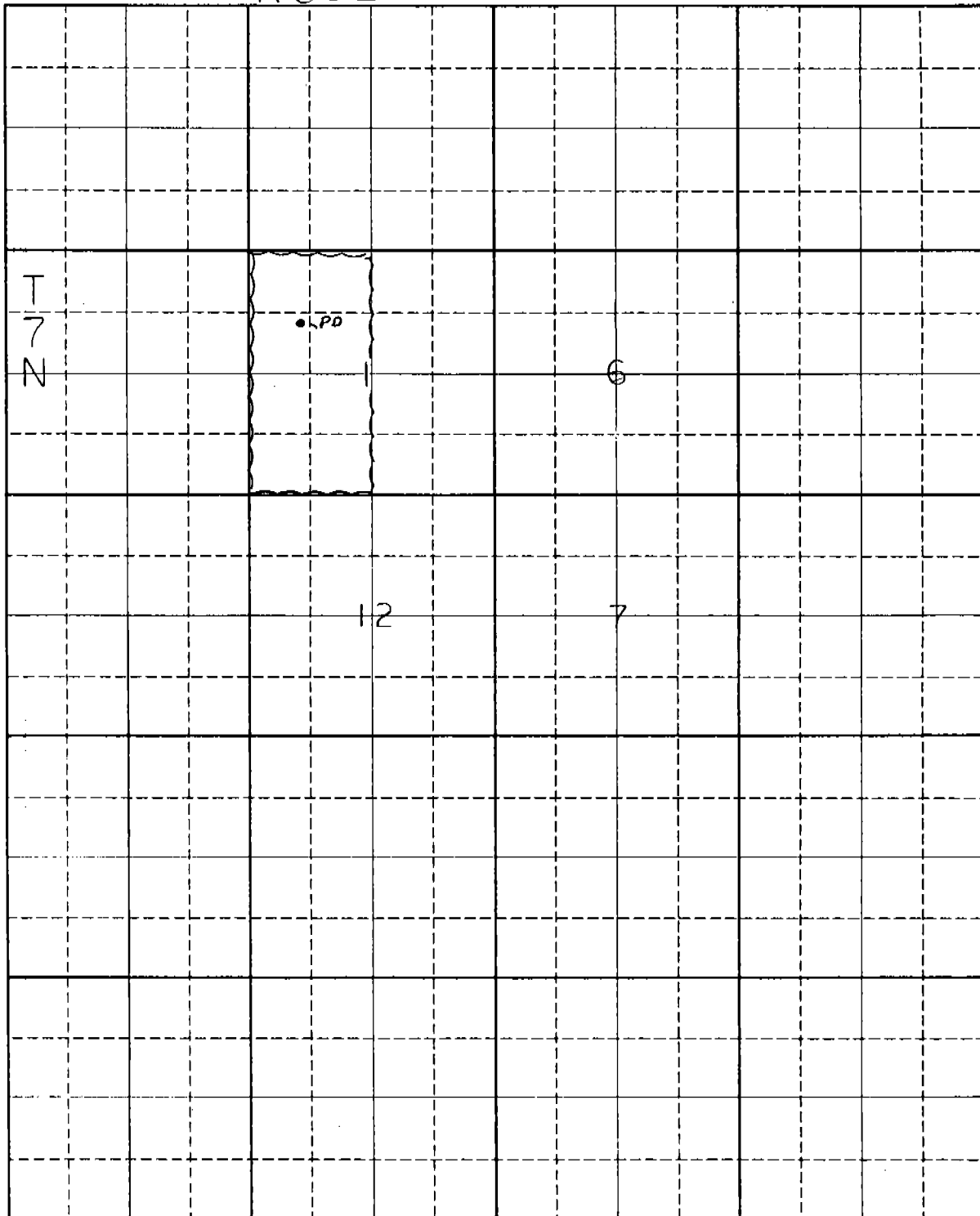
9. a. Who owns the property at the point of diversion Applicant

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. R 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.

Marvin Peterson Hoptak
(Applicant)

Proposed Priority 2/1/77

Received by RW Date 2-01-77 Time 11:30 A.

Preliminary check by RDC Fee \$ 85.00

Received by RW Date 2-01-77 # 4515

Publication prepared by RW Date 2-03-77

Published in Highway Star

Publication dates February 10 & 17, 1977

Publication approved me Date 2-28-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ja

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. 31-7219, 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, 19 82.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

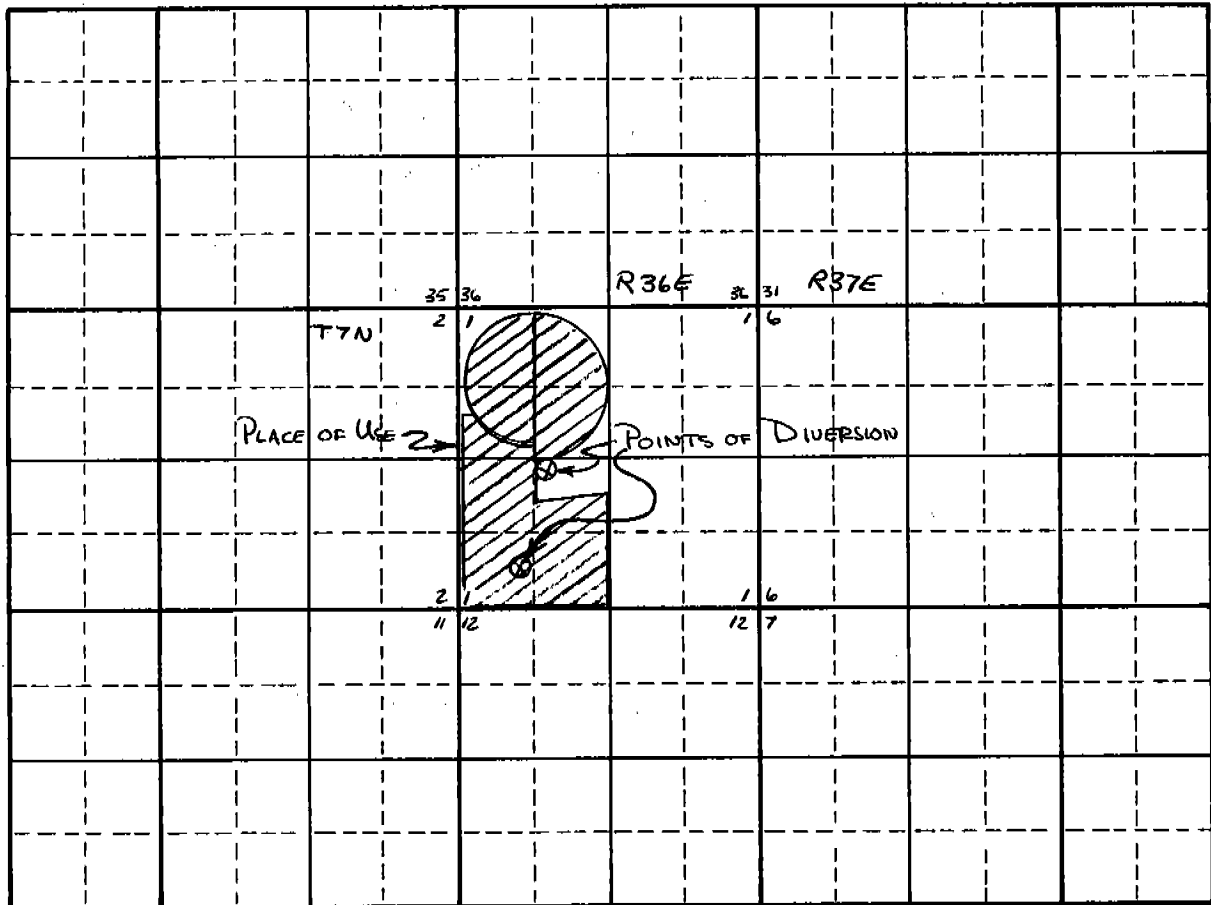
2. Denial of said application is for the following reasons: _____

Witness my hand this 9 day of March, 19 77.


Director

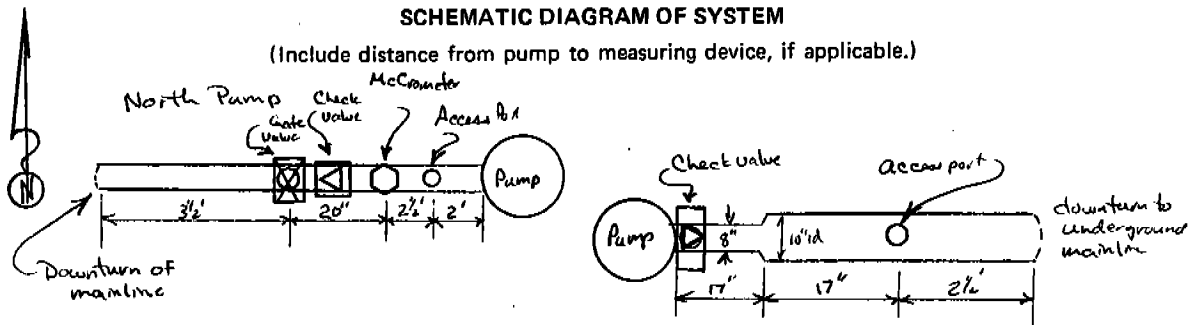
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MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: NE 1/4 SW 1/4, SW 1/4 SW 1/4 Sec 1 T7N R36E

Place(s) of Use ☒

TWP.	RGE.	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	1					34	33	37	34	21	39	39	39					276 ✓

Total = 276

Recommended Amendments:

- ☒ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☐ None
☐ Other

MICROFILM

Examiner's Signature

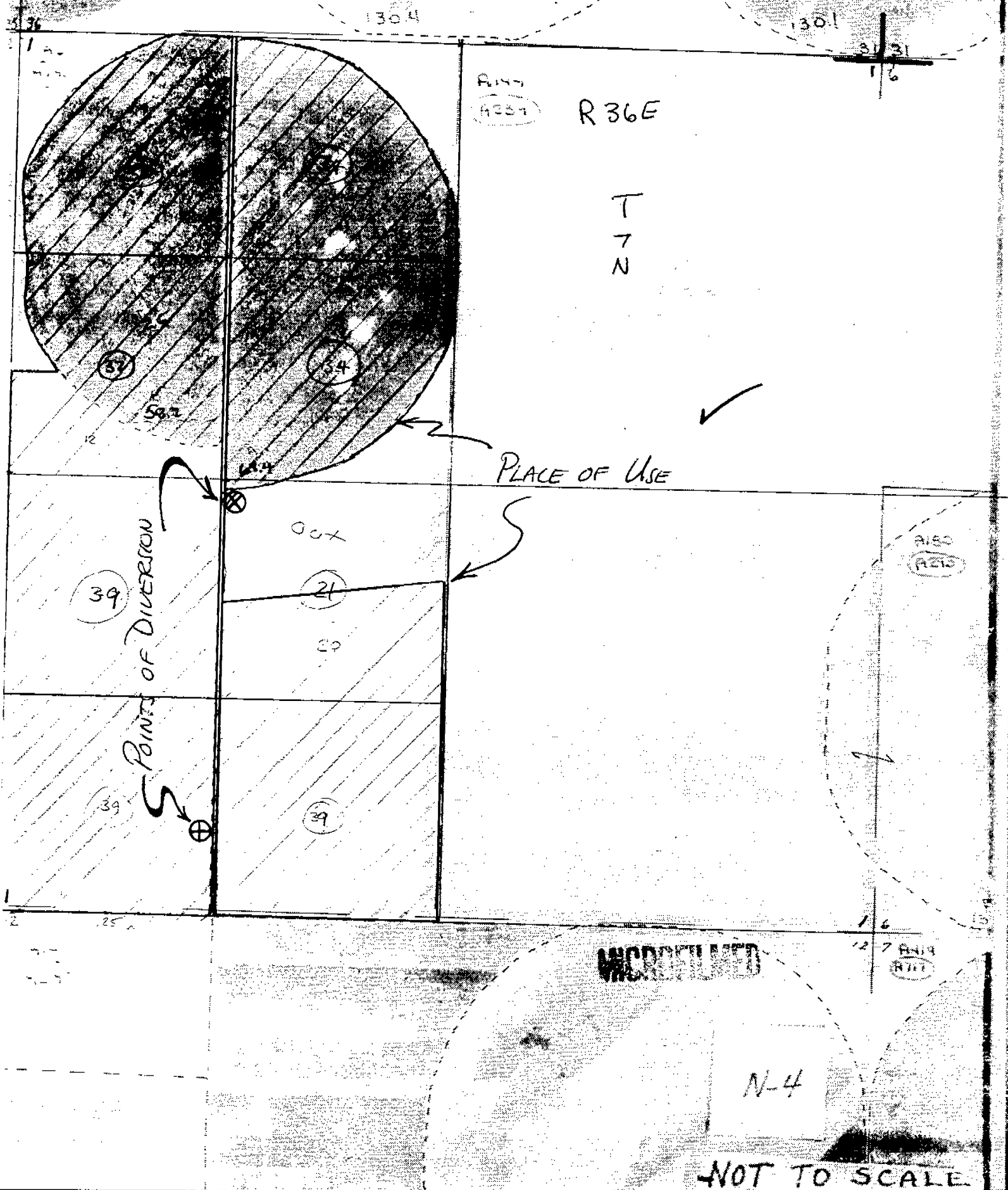
Checked by

Approved by

Date 28 Dec 1983

Date 1-04-84

D 7-29-86





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 13, 1998

BALL LAND LC
PO BOX 69
LEWISVILLE ID 83431

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

Dear Mr. Ball:

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

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure: Notice(s) of Claim

RECEIVED
APR 08 1998
Department of Water Resources
Eastern Region

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

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

1. Water Right Number(s) A31-10970, A31-02351B, A31-10969, A31-02356A
Adjudication Claim Number(s) A31-07036, A31-02401, A31-10968, A31-07219

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

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Est of A Vernon Ball
P.O. Box 66 Lewisville, ID 83431

4. New Owner/Claimant(s) Ball Land L.C.
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 69

City, State and ZIP Code Lewisville ID
New Telephone Number (208) 754-4631

5. Date you acquired the property _____

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

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

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

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

7. Signature of New Owner/Claimant(s) Carol Ball Date 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.

From: DWR03::FRAZEE 31-MAR-1993 07:35:37.57
To: DWR70::CARLSEN
CC: FRAZEE
Subj: EST OF A VERNON BALL/AR# #E000020

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

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

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

...SAL

MICROFILMED

APR 14 1994

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

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

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

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

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

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

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

MICROFILMED

NOV 17 1992

From: DWR70::CARLSEN 5-JUN-1992 07:58:43.39
To: COX
CC:
Subj: cleaning up old messages

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

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A32-02090				

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

MICROFILMED

NOV 17 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 9, 1992

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

A31-07219

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

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

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

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:AR:east

MICROFILMED

NOV 17 1992