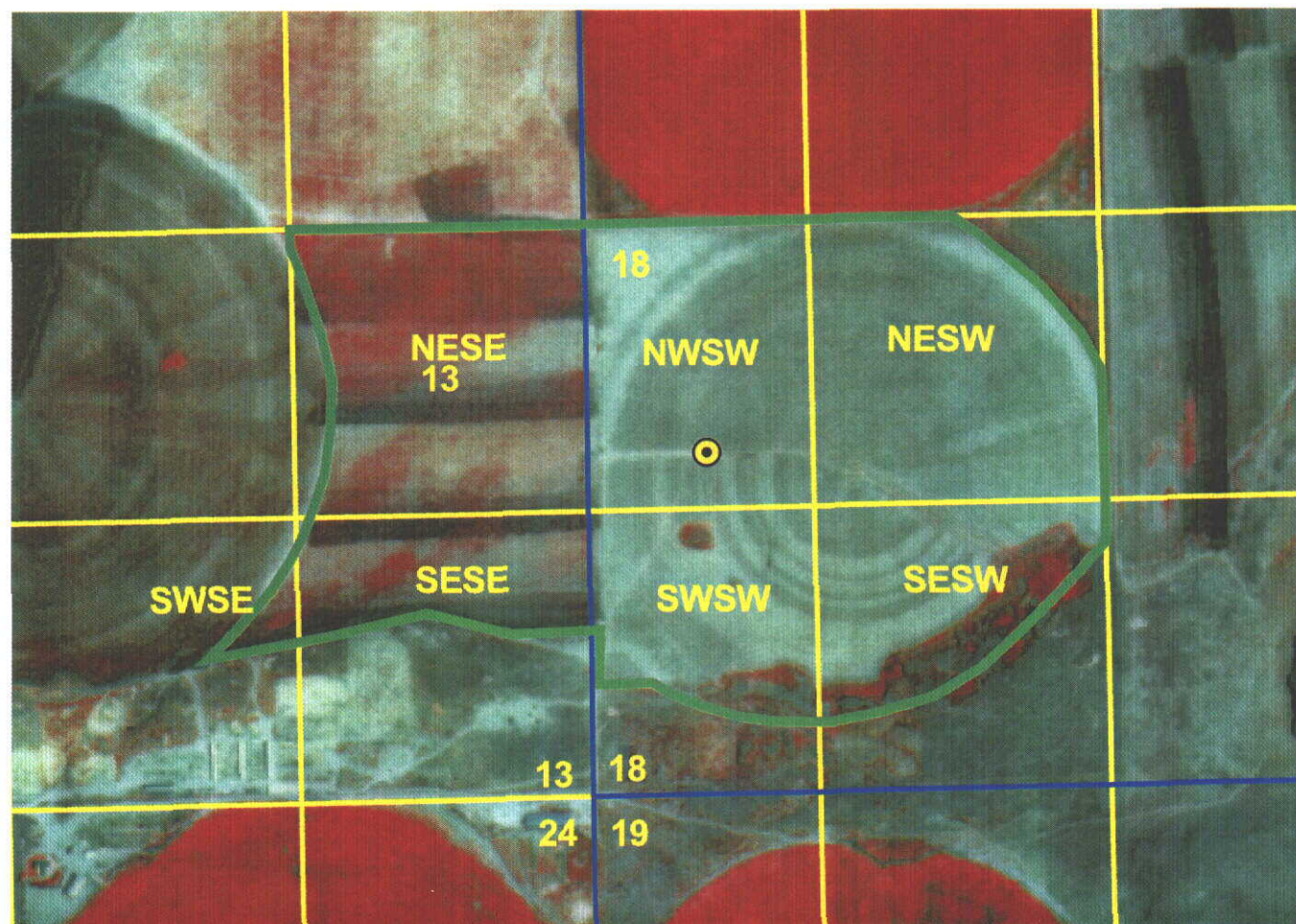


IDAHO DEPARTMENT OF WATER RESOURCES

31-02401, 31-10968

*Superseded by
NOE
Adjustment*

T07N, R37E, SEC. 18
T07N, R36E, SEC. 13



1320 0 1320 Feet



ACRES IRRIGATED- 161



PLACE OF USE



POINT OF DIVERSION

GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
PREPARED BY DAVE CARLSON

AJ0749NP
No. R31-10968

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE
C	BALL LAND L C PO BOX 69 LEWISVILLE ID 83431 (208) 754-4651	04/15/1968	IRRIGATION	04-01 10-31	0.690 CFS
TOTAL DIVERSION:					0.690 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: BE

Point(s) of Diversion: T07N R37E S18 Lot03(NWSW)

JEFFERSON

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE												
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	
07N	36E	13	:																									
07N	37E	18	:																									
												35	03-31	04-20	20	:												
												TOTAL ACRES																

POU County: JEFFERSON

Other Rights: 31-02401

Conditions of Approval:

- C11 - THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
- PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
- AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
- BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION
- 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR
- RIGHT.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHT NO. 31-02401 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.20 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 563.5 AF.

POU1

USE OF THIS RIGHT WITH RIGHT NO. 31-02401 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 161 ACRES IN A SINGLE
IRRIGATION SEASON.

GEN

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT
NO. 31-02401 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXP

RIGHT NO. 31-02401 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

THIS RIGHT IS FOR AN ENLARGEMENT OF 51 ACRES WITHIN THE
PLACE OF USE DESCRIBED FOR THIS RIGHT.

C/K

AJ0749NP
No. R31-10968

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

=====

Dates:	Exam Made Date: 04/20/1995	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
		Presumption Flag:	E

03/23/2001

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

RIGHT NUMBER: 31-10968

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

SOURCE: GROUND WATER

QUANTITY: 1.54 CFS
269.5 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.87 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 675.5 AF. COMBINED RIGHT NOS.: 31-2356B, 31-10968, 31-10970.

PRIORITY DATE: 04/15/1968

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF DIVERSION:	T07N R36E S13	NWNESE	Within JEFFERSON County
	T07N R37E S18 LOT 3	NWSW	Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	1.54 CFS 269.50 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON County

T07N R36E S13	SWNE	12	T07N R36E S13	SENW	10
T07N R36E S13	NESW	39	T07N R36E S13	SESW	16
T07N R36E S13	NESE	40	T07N R36E S13	NWSE	40
T07N R36E S13	SWSE	21	T07N R36E S13	SESE	16
T07N R37E S18	NESW	35	T07N R37E S18	NWSW	31
T07N R37E S18 LOT 4	SWSW	21	T07N R37E S18	SESW	22

303 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 193 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-2356B, 31-10968, 31-10970.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 303 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-2356B, 31-2401, 31-10968, 31-10970.

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 31-02356B AND RIGHT NO. 31-10970 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 77 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

AJ0749NP
No. A31-10968

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE
C	BALL LAND L C PO BOX 69 LEWISVILLE ID 83431 (208) 754-4651	04/15/1968	IRRIGATION	04-01 11-01	1.01 CFS
TOTAL DIVERSION:					1.01 CFS

Water Source: GROUNDWATER
REJECTED

Tributary to:

Stage: BE

Point(s) of Diversion: T07N R37E S18 Lot03(NWSW)

JEFFERSON

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
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
07N	36E	13	:																						
07N	37E	18	:																						
												35	03-31	04-21	14	:									
																								TOTAL ACRES	

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: 31-02401

Remarks: GEN RIGHT NO. 31-02401 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.
THIS RIGHT IS AN EXPANSION OF RIGHT NO. 31-02401 PURSUANT TO
IDAHO CODE 42-1416(2).
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 31-02401 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.20 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 561.7 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 410.3 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 160.5 ACRES IN A SINGLE IRRIGATION SEASON.
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: E

Fee- 50.00
late 50.00
10.00

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: A31-10968
Date Received: 12/ 5/1988
Receipt No: ED18560
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: APR 15, 1968

3. Source: GROUNDWATER Trib. to:
REJECTED

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	37E	18	NW	SW		3	JEFFERSON

5. Description of diverting works:
WELL PUMP MAINLINE TO CENTER PIVOT AND 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	1.010		

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

8. Total consumptive use is 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	NE	SE		IRR	39.0
			NW	SE		IRR	1.0
			SW	SE		IRR	3.5

APR 15 1994

A310968

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	13	SE	SE		IRR	16.0
						Section Acres	59.5
	37E	18	NE	SW		IRR	35.0
			NW	SW	3	IRR	31.0
			SW	SW	4	IRR	21.0
			SE	SW		IRR	14.0
						Section Acres	101.0
						Total Acres	160.5

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:
31-02401

14. Remarks:

RIGHT NO. 31-02401 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
THIS RIGHT IS AN EXPANSION OF RIGHT NO. 31-02401 PURSUANT TO IDAHO CODE 42-1416(2).
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 31-02401 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.20 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 561.7 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 410.3 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 160.5 ACRES IN A SINGLE IRRIGATION SEASON.

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 30493

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: _____

MICROFILMED

APR 15 1994

For Organizations:

I do solemnly swear or affirm that I am Carl R. Reed of

Title _____, that I have signed the foregoing
~~Organization~~
document in the space below as INDIVIDUAL of

Title _____ and that the statements contained in the
~~Organization~~
foregoing document are true and correct.

Carl R. Reed
Signature of Authorized Agent

Title and ~~Organization~~

MAY 5TH 1993
Date

State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of May 19 93

Virginia Moss
Notary Public

Seal

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

MICROFILMED

APR 15 1994

IDAHO DEPARTMENT OF WATER RESOURCES

31-02401, 31-10968

T07N, R37E, SEC. 18

T07N, R36E, SEC. 13



N

1320

0

1320 Feet



ACRES IRRIGATED- 161



PLACE OF USE



POINT OF DIVERSION

GIS: PLACE OF USE

POINT OF DIVERSION

1987/1988 NAPP PHOTOS

PREPARED BY DAVE CARLSON

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13
04

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A3

LAST: BALL
ADDRESS: PO BOX 66
CITY: LEWISVILLE
PHONE NUMBER: 208-657-2576

FIRST: EST OF A VERNON
STATE: ID ZIP: 83431

OWNER CODE: C

LAST: PETERSON
ADDRESS:
CITY: HAMER
PHONE NUMBER: 208-000-0000

FIRST: PHIL S
STATE: ID ZIP: 83425

OWNER CODE: O

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS:

RIGHT NO. 31-02401 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.
THIS RIGHT IS AN EXPANSION OF RIGHT NO. 31-02401 PURSUANT TO
IDAHO CODE 42-1416(2).
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 31-02401 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.20 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 561.7 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 410.3 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 160.5 ACRES IN A SINGLE IRRIGATION SEASON.

PAGE: 2
FIELD EXAMINATION INFORMATION

CLAIM NUMBER: A31

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 4/20/95

APPOINTMENT MADE: Y(____) N(~~X~~)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

field exam

PAGE: 3
PRIORITY DATE REVIEW PAGE

CLAIM NUMBER: A31

A. AJ CLAIM: # A31-10968 PRIORITY DATE: 04-15-1968 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y() N(☒)

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

Y() N(☒)

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

Y() N(☒)

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

PROOF OF BENEFICIAL USE SUBMITTED

N/A() Y() N()

FIELD EXAM COMPLETED

N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A() Y() N()

LICENSE ISSUED

N/A() Y() N()

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

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A() Y() N(☒)

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

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N()

NOTES:

evidence ok

statement from neighbor

RECOMMENDED PRIORITY DATE:

REVIEWED BY

De

DATE

4/21/95

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME
A31-10968	07N	37E	18		NW	SW	3		JEFFERSON	

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A31-02401 R31-02401

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER
REJECTED

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

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

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

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

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

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

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

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM 1967) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM 4/20/95) NAME OF EXAMINER D Carlson Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: Pod is ok Napp W41SE

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME
07N	37E	18		NW	SW	3		JEFFERSON	

SOURCE: GW TRIB: _____

REVIEWED BY: DC DATE: 4/21/95

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

A. ROOT WATER RIGHT NUMBERS: A31-10968
R31-10968

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	F EX
07N	36E	13	NE	SE		BALL, EST OF A VERNON	A31-10968 / 39.0	- /	36.0	
			NE	SE		BALL, EST OF A VERNON	R31-10968 / 39.0	- /		
			NE	SE		BALL, EST OF A VERNON	A31-02401 / 39.0	- /		
			NE	SE		BALL, EST OF A VERNON	A31-10970 / 0.5	- /		
			NE	SE		BALL, EST OF A VERNON	A31-02356B / 0.5	- /		
			NE	SE		BALL, EST OF A VERNON	R31-02401 / 39.0	- /		
			NE	SE		PETERSON, PHIL S.		31-02356 / 40.0		
07N	36E	13	NW	SE		BALL, EST OF A VERNON	A31-10968 / 1.0	- /	39.0	
			NW	SE		BALL, EST OF A VERNON	R31-02401 / 1.0	- /		
			NW	SE		BALL, EST OF A VERNON	R31-10968 / 1.0	- /		
			NW	SE		BALL, EST OF A VERNON	A31-02401 / 1.0	- /		
			NW	SE		BALL, EST OF A VERNON	A31-10970 / 39.5	- /		
			NW	SE		BALL, EST OF A VERNON	A31-02356B / 39.5	- /		
			NW	SE		PETERSON, PHIL S.		31-02356 / 40.0		
07N	36E	13	SW	SE		BALL, EST OF A VERNON	A31-10968 / 3.5	- /	37.0	
			SW	SE		BALL, EST OF A VERNON	R31-02401 / 3.5	- /		
			SW	SE		BALL, EST OF A VERNON	R31-10968 / 3.5	- /		
			SW	SE		BALL, EST OF A VERNON	A31-02401 / 3.5	- /		
			SW	SE		BALL, EST OF A VERNON	A31-10970 / 16.5	- /		
			SW	SE		BALL, EST OF A VERNON	A31-02356B / 16.5	- /		
			SW	SE		HARMON RESERVOIR CO. LTD.		31-00066 /		
			SW	SE		HARMON RESERVOIR CO. LTD.		31-00067 /		
			SW	SE		HARMON RESERVOIR CO. LTD.		31-00068 /		
			SW	SE		HARMON RESERVOIR CO. LTD.		31-00069 /		
			SW	SE		PETERSON, PHIL S.		31-02356 / 10.0		
07N	36E	13	SE	SE		BALL, EST OF A VERNON	A31-10968 / 16.0	- /	33.0	
			SE	SE		BALL, EST OF A VERNON	R31-10968 / 16.0	- /		
			SE	SE		BALL, EST OF A VERNON	A31-02401 / 16.0	- /		
			SE	SE		BALL, EST OF A VERNON	R31-02401 / 16.0	- /		
			SE	SE		PETERSON, PHIL S.		31-02356 / 10.0		
07N	37E	18	NE	SW		BALL, EST OF A VERNON	A31-10968 / 35.0	- /	35.0	
			NE	SW		BALL, EST OF A VERNON	R31-10968 / 35.0	- /		
			NE	SW		BALL, EST OF A VERNON	A31-02401 / 35.0	31-02401 / 40.0		
			NE	SW		BALL, EST OF A VERNON	R31-02401 / 35.0	- /		
07N	37E	18	NW	SW	3	BALL, EST OF A VERNON	A31-10968 / 31.0	- /	32.0	
			NW	SW	3	BALL, EST OF A VERNON	A31-02401 / 31.0	31-02401 / 39.0		
			NW	SW	3	BALL, EST OF A VERNON	R31-02401 / 31.0	- /		

PAGE: 7
PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A31

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FI EX
			NW	SW	3	BALL, EST OF A VERNON	R31-10968 / 31.0	- /		
07N	37E	18	SW	SW	4	BALL, EST OF A VERNON	A31-10968 / 21.0	- /	32.0	
			SW	SW	4	BALL, EST OF A VERNON	R31-10968 / 21.0	- /		
			SW	SW	4	BALL, EST OF A VERNON	A31-02401 / 21.0	31-02401 / 21.0		
			SW	SW	4	BALL, EST OF A VERNON	R31-02401 / 21.0	- /		
07N	37E	18	SE	SW		BALL, EST OF A VERNON	A31-10968 / 14.0	- /	19.0	
			SE	SW		BALL, EST OF A VERNON	R31-10968 / 14.0	- /		
			SE	SW		BALL, EST OF A VERNON	A31-02401 / 14.0	31-02401 / 10.0		
			SE	SW		BALL, EST OF A VERNON	R31-02401 / 14.0	- /		

ADDITIONAL POU FOUND

TOTAL ACRES A31-10968 160.50 263.00

POU COUNTY: JEFFERSON

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

Y() N()

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.
A31-10968	GROUNDWATER REJECTED	BALL, EST OF A VERNON	1.010	0.006	
A31-023568	GROUNDWATER	BALL, EST OF A VERNON	2.000	0.015	
A31-02401	GROUNDWATER	BALL, EST OF A VERNON	2.200	0.013	
R31-02401	GROUNDWATER	BALL, EST OF A VERNON	2.200	0.013	
R31-10968	GROUNDWATER REJECTED	BALL, EST OF A VERNON	1.010	0.006	
A31-10970	GROUNDWATER	BALL, EST OF A VERNON	0.530	0.004	

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

Y(~~X~~) NO

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 31-02401

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

N/A() Y() NO

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

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

N/A() Y(~~X~~) NO

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

Y(~~X~~) NO

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

Y() NO

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____
(X) NAPP, IDWR NO. W41SE; (X) ASCS PHOTO; () OTHER _____

NOTES: _____

sec 31-02401

CMB POU

This is an enlargement

161-110 = 161

RECOMMENDATIONS:

TOTAL ACRES: 161 N/A()

REVIEWED BY: DC

DATE: 4/21/95

EO1-2.2 CFS (161)
FOS
KOG - 1 AC
X51

PAGE: 10

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

CLAIM NUMBER: A3

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR
A31-10968 IRRIGATION	FROM 04-01 TO 11-01	1.010 CFS	
TOTAL DIVERSION RATE/VOLUME		1.010 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR
----------------	---------------------------	------------------------	---------------

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) NO

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☐) NO

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) NO

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☐) NO

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) NO

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

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☐) NO

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

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) NO

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☐) NO

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

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) NO

PAGE: 11

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

CLAIM NUMBER: A31

NOTES:

new standards ~~WIS~~ ~~WIS~~

4/01 - 10/31

AJ CLAIM TOTAL DIVERSION RATE: 1.010 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

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

N/A(☒) Y(☐) N(☐)

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

N/A(☒) Y(☐) N(☐)

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

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

Y(☐) N(☐)

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

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

Y(☐) N(☐)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATION

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A
ACRES 141 x DIVERSION VOL. AF/A FOR AREA 20.5 =
TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A
ACRES 141 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =
TOTAL CONSUMPTIVE USE 563.5 AF/A

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

PAGE: 13
DIVERSION AMOUNT REVIEW SHEET CONTINUED

CLAIM NUMBER: A31

NOTES:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. US
IRRIGATION	04-01 11-01	DATABASE 1.010 EXAMINER	DATABASE EXAMINER	DATABASE 0.0
	~~4/01 10/15~~	~~0.69~~		
	4/01 10/31			
TOTAL FOR THIS RIGHT				

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: DC DATE: 4/21/95

FLAG: (E) ~~EXP~~ ENLARGEMENT

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EO1 - 2.2 (101)
FOS -
KOG - 41
X51 -

$\frac{2.2}{161 \text{ AC}} (51) = 0.6$

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-10968

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE	EXAMINER	CFS
-----------------------------------	----------	----------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DI
-	R31-10968	1.010	R31-10968	1.010	-	
TOTAL CFS		1.010		1.010		

DIVERSION RATE REVIEW

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

DATABASE	FIELD EXAMINER
N	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: DAVE CARLSON DATE: 4/21/95
NAME OF FIELD EXAMINER: DAVE CARLSON TITLE: WA

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

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

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☒ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☒ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
☐ SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
☐ OTHER _____	DATE _____	_____	_____
☐ OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:
04/

PAGE: 17
QUICKLOOK INFORMATION

CLAIM NUMBER: A31

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTR WHOM/DATE
PRIORITY DATE	Y		DC4PS	No			
POINT OF DIV	Y			No			
SOURCE	Y			No			
PLACE OF USE	Y			Yes			
DIV. AMOUNT CFS/VOLUME	Y			Yes			
CONSUMPTIVE USE	-						
PURPOSES OF USE	Y			No			
PERIOD OF USE	Y			Yes			
BASIS OF CLAIM	Y			No			
REMARKS	Y			No			

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:
04/

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A31

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE
C	EST OF A VERNON BALL	04/15/1968	IRRIGATION	04-01 11-01	1.01 CFS
TOTAL DIVERSION:					1.01 CFS

Water Source: GROUNDWATER
REJECTED

Tributary to:

Stage: BE

Point(s) of Diversion: T07N R37E S18 Lot03(NWSW)

JEFFERSON

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	Lt	Ac	Lt	Ac
07N	36E	13	:					:					:					:	39	01	03			
07N	37E	18	:					:					:	35	03-31	04-21	14	:						
																						TOTAL ACRES		

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: 31-02401

Remarks: RIGHT NO. 31-02401 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.
THIS RIGHT IS AN EXPANSION OF RIGHT NO. 31-02401 PURSUANT TO
IDAHO CODE 42-1416(2).
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 31-02401 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.20 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 561.7 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 410.3 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 160.5 ACRES IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date:

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

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: 31-2356A, ¹⁰⁹⁶⁹ 31-2356A, 31-2401, 31-10968, 31-2356B

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 that this is an enlargement, ~~of~~
I disagree with the diversion rate
I disagree with period of use

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

Diversion rate should be increase per doc.

Change period of use

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

Right developed before 1963. We will sign amended claim if needed.

So springs 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



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

PPU Calculation for South 303 acres

31-2356B	- split of license	2.32 cfs	on 116 acres
31-10970	- Ben use, extra Q	1.55 cfs	(no new acres)
31-10968	- enlargement	(no cfs)	77 acres
31-2401	- license	2.19 cfs	on 110 acres

Limitations

- * 31-2356B } 31-10970 combined acres = 116. This is slightly more than 0.033 /acre } represents an accomplished transfer of Q of 31-10970 from overlapping 31-2356A to acres of enlargement 31-10968. (Recommend 31-10970 @ 116 acres also).
- * 31-2356B } 31-10970 to $116 \times 3.5 = 406$ afa
- * 31-2356B, 31-10970, 31-10968 to $116 + 77 = 193$ acres.
31-2356B, 31-10970, 31-10968 to 3.87 cfs, 675.5 afa
- * 31-2356B, 31-2401, 31-10968, 31-10970 to 303 acres.
- * Appropriate KOB on each right.
- * See 31-2356B for new layout



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) Carey Ball Date Apr 18, 1998

Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
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.

POOR ORIGINAL

I John Wood of Hamer Idaho have personal knowledge that a well located in the SW1/4 of SW1/4 Section 18 T7N R37E of Jefferson county was used to sprinkle 80 acres (more or less) in the same quarter as the well. That same well was used in 1968 to water 50 acres (more or less) a crossed the road in SW1/4 Section 13 T7N R36E of Jefferson county.

John Wood

Subscribed and sworn to before me this 29 day of March of 1993.

Karen McFarley

Notary Public

Jefferson

arph

10-4

97

REPROFILMED

APR 15 1994

31-10963