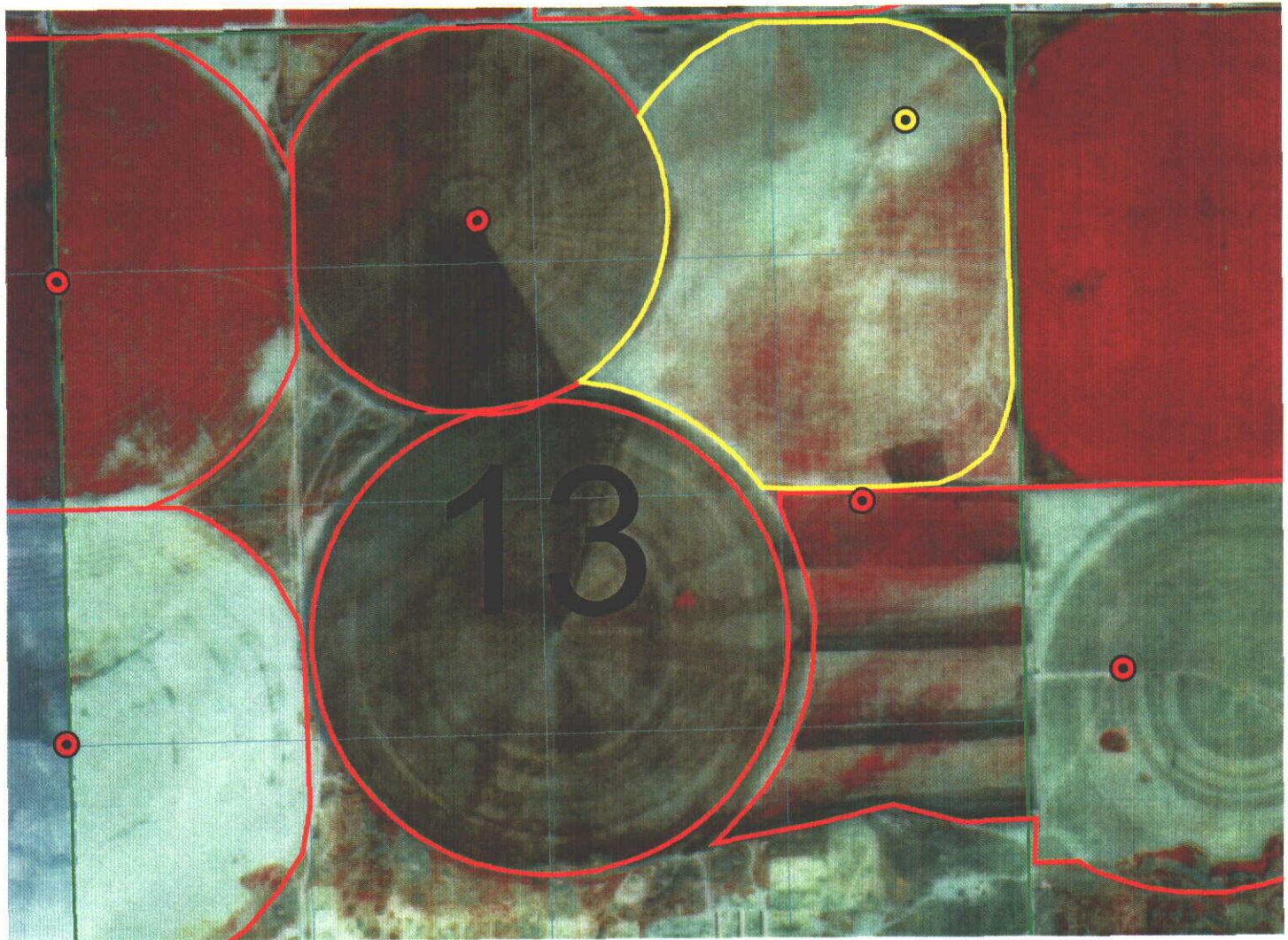


Idaho Department of Water Resources

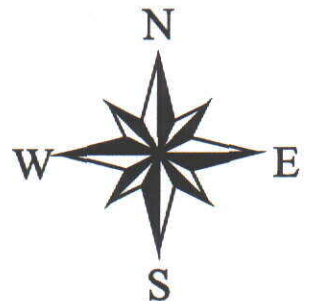
Water Right 31-2356A, 31-10969

Township 7N Range 36E, Section 13



1320 0 1320 Feet

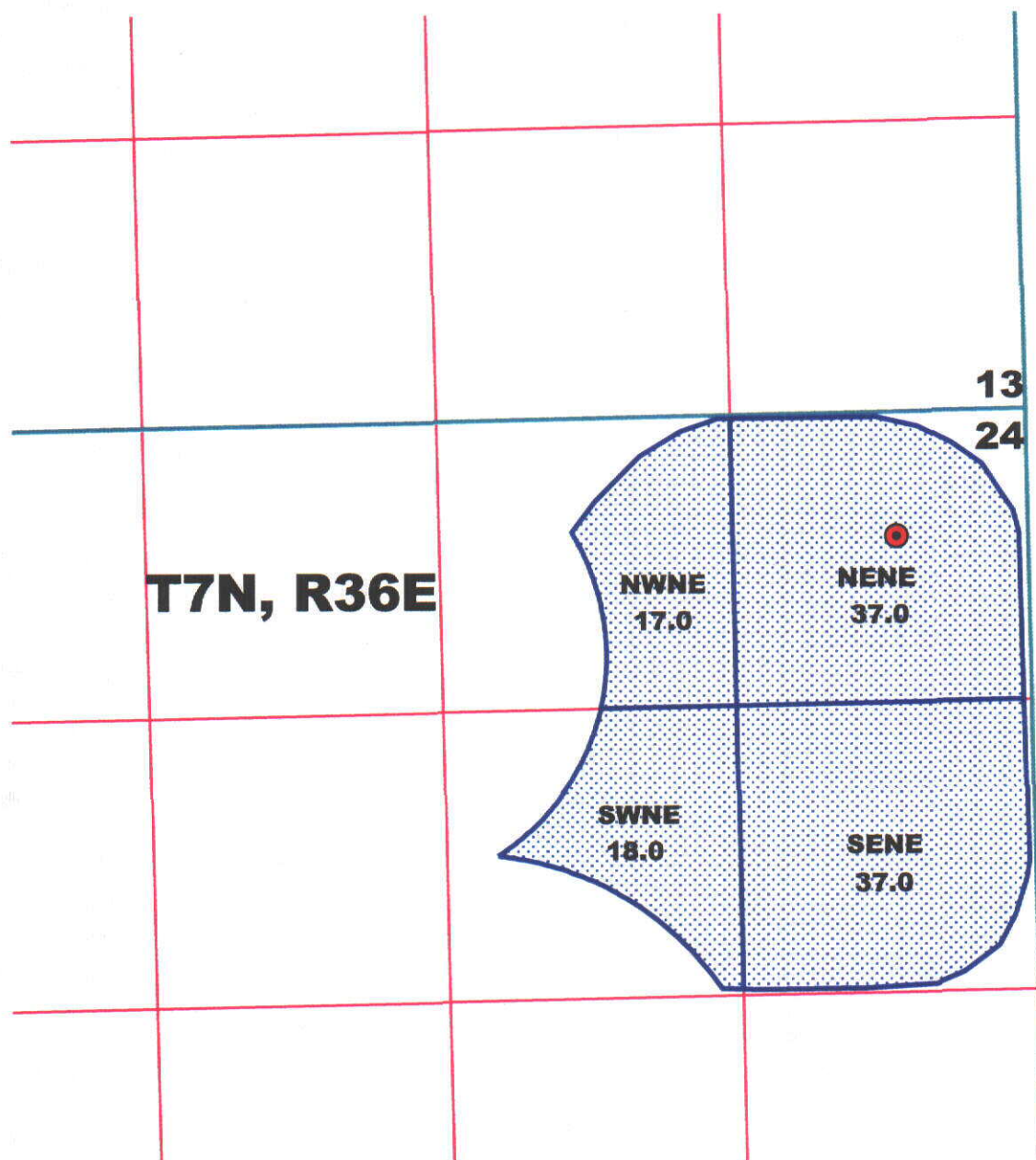
-  Point of Diversion
-  Point of Diversion - Other Rights
-  Place of Use
-  Place of Use - Other Rights
-  Quarter-quarter Sections
-  Section Lines



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 12/2000

WR #: 31-02356A and 31-10969

Ball Land L C



Total Irrigated Acres: 109

Acreage Distribution

Prepared By: Craig Saxton
December 2000

03/23/2001

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

RIGHT NUMBER: 31-10969

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

SOURCE: GROUND WATER

QUANTITY: 1 CFS
175 AFY

PRIORITY DATE: 04/15/1962

POINT OF DIVERSION: T07N R36E S13 NENENE 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	1.00 CFS 175.00 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T07N R36E S13	NENE	36	T07N R36E S13	NWNE	17
T07N R36E S13	SWNE	18	T07N R36E S13	SENE	38

109 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 31-2356A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 109 ACRES IN A SINGLE
IRRIGATION SEASON.

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 - Beneficial Use

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

Stage: BEN

JEFFERSON C

				NE					NW					SW					SE				
T	R	S	:	NENE Lt Ac	NWNE Lt Ac	SWNE Lt Ac	SENE Lt Ac	:	NENW Lt Ac	NWNW Lt Ac	SNNW Lt Ac	SENW Lt Ac	:	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	:	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	
---	---	---	:	-----	-----	-----	-----	:	-----	-----	-----	-----	:	-----	-----	-----	-----	:	-----	-----	-----	-----	
07N	36E	13	:	37	18	16	38	:					:					:					
																						TOTAL ACRES	

Other Rights: NONE

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

Fee 50⁰⁰
late 50⁰⁰
100⁰⁰

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: A31-10969
Date Received: 12/ 5/1988
Receipt No: EO 19369/90
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EST OF A VERNON BALL
Address: PO BOX 66
LEWISVILLE ID

208-657-2576

83431

2. Date of Priority: APR 15, 1962

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	36E	13	NE	NE	NE		JEFFERSON

5. Description of diverting works:

WELL PUMP MAINLINE TO CENTER PIVOT WITH CORNER CATCHER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.680		

7. Total Quantity Appropriated is:

0.680 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

MICROFILMED

APR 15 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	13	NE	NE		IRR	37.0
			NW	NE		IRR	18.0
			SW	NE		IRR	16.0
			SE	NE		IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	109.0
					Total Acres	109.0

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:

RIGHT NO. 31-02356A IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 31-02356A PURSUANT TO IDAHO CODE 42-1416(2).

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 34 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 31-02356A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.50 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 381.5 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 272.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 109 ACRES IN A SINGLE IRRIGATION SEASON.

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 312356

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 A. V. BALL JR of
Title

Organization, that I have signed the foregoing

document in the space below as INDIVIDUAL of
Title

Organization and that the statements contained in the

foregoing document are true and correct.

Carl Baer Jr.
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

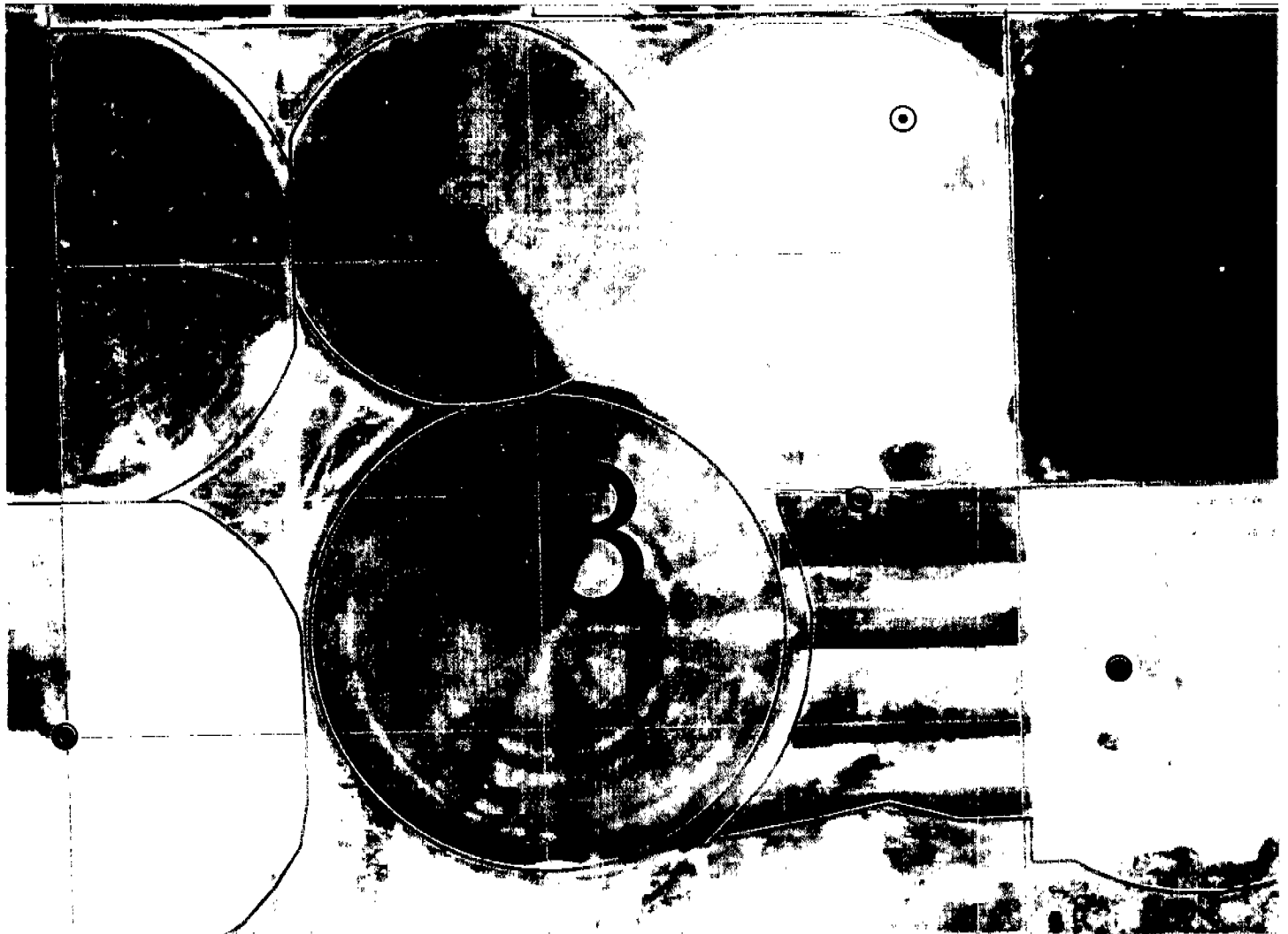
MICROFILMED

APR 15 1994

Idaho Department of Water Resources

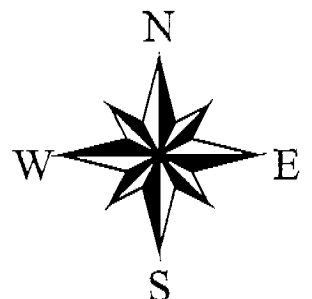
Water Right 31-2356A, 31-10969

Township 7N Range 36E, Section 13



1320 0 1320 Feet

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



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 12/2000

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: 31-2356A

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, ~~it is~~
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,

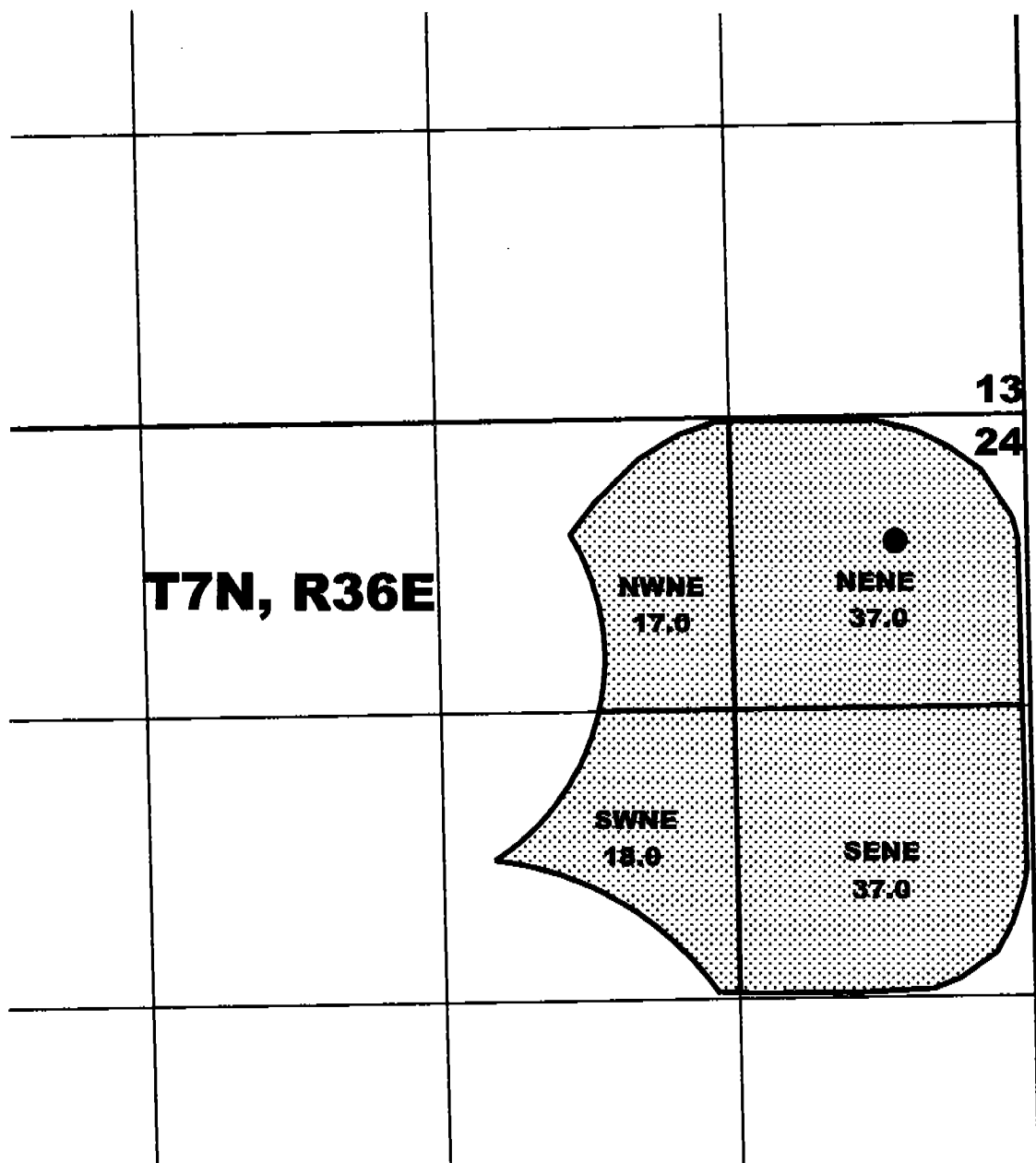


Bryce A. Contor
Senior Water Resource Agent

enclosures

WR #: 31-02356A and 31-10969

Ball Land L C



Total Irrigated Acres: 109

Acreage Distribution

Prepared By: Craig Saxton
December 2000

12/28/2000

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

RIGHT NUMBER: 31-10969

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

SOURCE: GROUND WATER

QUANTITY: 0.68 CFS
119 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-02356A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.5 CFS.

PRIORITY DATE: 04/15/1962

POINT OF DIVERSION: T07N R36E S13 NENENE 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	0.68 CFS 119.00 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T07N R36E S13	NENE	37	T07N R36E S13	NWNE	17
T07N R36E S13	SWNE	18	T07N R36E S13	SENE	37

109 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 34 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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 - Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 34 ACRES WITHIN THE
PLACE OF USE DESCRIBED FOR THIS RIGHT.

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommended Right Report

WATER RIGHT NO. 31-10969

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BALL LAND L C PO BOX 69 LEWISVILLE, ID 83431 (208)754-4651
Original Owner	PHIL S PETERSON
Original Owner	ESTATE OF A VERNON BALL
Priority Date:	04/15/1962
Basis:	Beneficial Use
Status:	Valid

<u>Source</u>	<u>Tributary to</u>
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	10/31	0.68 CFS	119 AFA	
Total Diversion			0.68 CFS	119 AFA	

Location of Point(s) of Diversion:

GROUND WATER NENENE Sec. 13 Township 07N Range 36E JEFFERSON County

IRRIGATION Use:
 Acre Limit: 109

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	36E	13		NENE	37		NWNE	17		SWNE	18		SENE	37

Total Acres: 109

Conditions of Approval:

1. 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.

Remarks:

- | | | |
|----|---------------------------|--|
| 1. | Explanatory | THIS RIGHT IS FOR AN ENLARGEMENT OF 34 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT. |
| 2. | Place of Use - Irrigation | THIS RIGHT IS LIMITED TO THE IRRIGATION OF 34 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. |
| 3. | Quantity | USE OF THIS RIGHT WITH RIGHT NO. 31-02356A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.5 CFS. |

Comments:

Author	Date	Subject	Comment
csaxton	12/28/00	Priority/Enlargement	Priority date claimed is before the mandatory permit statute date for groundwater. Evidence of excess water use, but no evidence of extra acres provided. Recommend as claimed as an enlargement claim.

Dates:

Licensed Date:
 Claim Received Date: 12/10/1993
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	12/27/00 12:59:40 PM	csaxton			In Process
POD	12/28/00 8:28:38 AM	csaxton			In Process
POU	12/28/00 8:33:32 AM	csaxton			In Process
Priority Date	12/28/00 8:18:03 AM	csaxton			In Process
Quantity	12/28/00 8:37:54 AM	csaxton			In Process
Season	12/28/00 8:35:28 AM	csaxton			In Process
Source	12/28/00 8:32:03 AM	csaxton			In Process
Summary	12/28/00 8:48:38 AM		12/28/00 8:48:38 AM	csaxton	Complete
Use	12/28/00 8:32:43 AM	csaxton			In Process

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 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
Contacts	12/27/00 12:59:39 PM	csaxton	1. Appointment has not been scheduled. Comment for 1: Desktop Review Edited point location
POD	12/28/00 8:30:24 AM	csaxton	1. (YES) The basis is beneficial use.
POD	12/28/00 8:28:37 AM	csaxton	4. (NO) There is not evidence that there has been a change in the Point of Diversion.
			6. (YES) The file contains all the necessary information to verify the POD.
			8. (NO) Point of Diversion remark was not required.
			9. (NO) Point of Diversion condition was not required.
POU	12/28/00 8:33:30 AM	csaxton	1. (YES) The POU is required.
			2. (YES) The basis of claim is beneficial use.
			5. (NO) There is no evidence that there has been a change in the POU.
			9. (YES) The file contains all the necessary information to verify the POU.
			Comment for 9: NAPP photography
			12. (YES) POU remark was required.
			13. (NO) POU condition was not required.

Priority Date	12/28/00 8:18:01 AM	csaxton	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (YES) The basis of claim is beneficial use. 4b. (NO) The priority date was not claimed after the date a permit was required for the source and water use. 10. (YES) The claim file contains sufficient evidence of priority date. 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.
Quantity	12/28/00 8:37:53 AM	csaxton	1. (YES) The basis of claim is beneficial use. 5. (NO) A flow measurement was not required. Comment for 5: Field exam for 31-02356 6. (YES) The source is ground water and the purpose of use requires a diversion volume limit. 8. (YES) Irrigation is a purpose of use. 9. (YES) Quantity remark was required. 10. (NO) Quantity condition was not required.
Season	12/28/00 8:35:27 AM	csaxton	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the period of use. 9. (YES) The file contains all the necessary information to verify the period of use. 11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined. 13. (YES) Irrigation is the purposed use. 15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required.
Source	12/28/00 8:32:02 AM	csaxton	1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Source. 7. (YES) The file contains all of the necessary information to verify the source. Comment for 7: NWMD Field Exam 8. (NO) The source is not surface water. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
Summary	12/28/00 8:48:37 AM	csaxton	1. (YES) The basis of the claim is beneficial use. 2. (YES) All the water being used for all the purposes is being claimed and to the extent it was claimed. 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	12/28/00 8:32:42 AM	csaxton	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the purpose of use. 9. (YES) The file contains all the necessary information to verify the purpose of use. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DECEMBER 418148 SUB
504 410/98 OK
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, A31-02352B, 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 _____

(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.

SC spoke to Carl: 12-10 will be in today. to pay \$100 on this claim
Property to be sold within next 3 months.

TIC

AUGUST 30, 1993

POOR ORIGINAL

CARL BALL
PO BOX 66
LEWISVILLE ID 83431

RE: LETTER DATED MAY 18, 1993 FROM ERNEST CARLSEN

Dear Mr. Ball:

On May 18, 1993, Ernest Carlsen sent you a letter regarding non-payment of \$100.00 on A31-10969. Ernie neglected to include the filing fee for this Notice of Claim when you filed your other Notices for the Estate of Vernon A. Ball (copy of this letter enclosed).

It is requested you remit a check in the amount of \$100.00 to cover the cost of filing A31-10969 within 15 days. If the fees are not paid, the Notice of Claim, A31-10969, will be returned to you and removed from the Department's records.

Also, to date, we have had no response from the Estate of Vernon A. Ball regarding the Change in Ownership form mailed to him, with a request for a Power of Attorney that will enable the Department to add several names to the claim. No further action will be taken on the Estate until we have the Change in Ownership form and Power of Attorney.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: copy of May 18 letter

File: TIC

MICROFILMED

APR 15 1994



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

18 May 1993.

RE: A31-10969

Carl

After you had delivered the notices of claim for the Estate of A. Vernon Ball, I discovered I neglected to include the filing fee for the above referenced notice in the amount you paid under receipt E018560. To resolve this situation please send a check for \$100.00 to cover the filing fee on the notice. I apologize for not catching this the first time.

Also we have sent Vernon Ball Jr. a change of ownership form for the notices still in the name of the Estate.

Please feel free to contact me if you have any questions concerning this matter.

Ernest Carlson
Water Rights Supervisor

APR 15 1994

8.25-93
Tried to contact
Vernon Ball Jr.
Hillman, Idaho

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

POOR ORIGINAL

INTER-DEPARTMENT MEMO

POOR ORIGINAL

TO: Vernon Ball

SUBJECT: C/O

FROM: J. Thompson

DATE: 5-6-93

Dear Mr. Ball,

Enclosed is a change in ownership form. Please complete the form, putting the Estate of Vernon A. Ball as farmer owner, and your name for current owner, your address & phone number. On a separate sheet of paper list the names and addresses of all other owners you wish to have on the Notice of Claim. If you have a Power of Attorney, please send a copy. We will complete the C/O & send you a copy.

() For your information

(☒) Response required

signature

APR 15 1994

POOR ORIGINAL

I John Wood of Hamer Idaho have personal knowledge of lands irrigated from a well located in the NE/4 of NE/4 Section 13 T7N R36E Jefferson County. The Irrigation of 50 acres more or less, by a sprinkler system located in the NE 1/4 of Section 13 T7N. R36E began in 1962.

John Wood

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

Karen McSweeney
Notary Public

*Jefferson
appears
10-4-97*



NOTARIAL

APR 15 1994

31-10969

Well ☒ Deepened ☐ Abandoned ☐
 ter is to be used for: Irrigation
 THOD OF CONSTRUCTION: Rotary ☐ Cable ☒
 g ☐ Other (explain)
 SING SCHEDULE: Threaded ☐ Welded ☒
 16" Diam. from 0 ft. to 16 ft.
 "Diam. from ft. to ft.
 "Diam. from ft. to ft.
 "Diam. from ft. to ft.
 ickness of casing: Material:
 eel ☐ concrete ☐ wood ☐ other ☐

(explain)
 RFORATED? Yes ☐ No ☒ Type of
 rforator used:

ze of perforations: " by "
 perforations from ft. to ft.
 perforations from ft. to ft.
 perforations from ft. to ft.
 perforations from ft. to ft.

IS SCREEN INSTALLED? Yes ☐ No ☒
 nufacturer's name

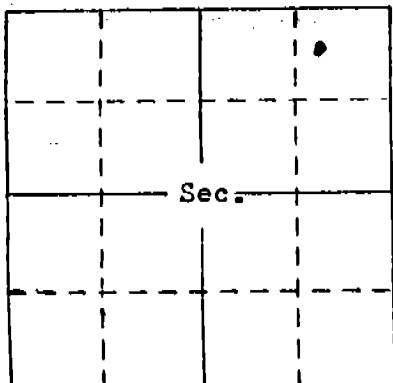
pe Model No.
 am. Slot size Set from ft. to ft.
 am. Slot size Set from ft. to ft.

ONSTRUCTION: Well gravel packed? Yes ☐
 o. ☒ size of gravel Gravel
 laced from ft. to ft. Surface seal
 rovided? Yes ☐ No ☒ To what depth?
 ft. Material used in seal:

id any strata contain unusable water? Yes ☐
 o. ☐ Type of water:
 epth of strata ft. Method of sealing
 trata off:

urface casing used? Yes ☐ No. ☒
 emented in place? Yes ☐ No ☐

Locate well in section



LOCATION OF WELL: County Jefferson
 NE 1/4 NE 1/4 Sec. 13 T. 7N N/S R. 10E/W

Length of time of test: Hrs. Min.
 Drawdown: ft. Artesian pressure: ft.
 above land surface Give flow cfs
 or gpm. Shutoff pressure:
 Controlled by: Valve ☐ Cap ☐ Plug ☐
 No control ☐ Does well leak around casing?
 Yes ☐ No ☐

DEPTH		MATERIAL	WATER YES OR NO
FROM	TO		
FEET	FEET		
0	6	sandy soil	no
6	17	soft gray basalt	no
17	36	very hard gray basalt	no
36	40	soft sandstone	no
40	44	caving red basalt	no
44	60	very hard gray basalt	no
60	84	hard gray basalt	no
84	89	soft black basalt	no
89	90	soft red basalt	no
90	102	solid red basalt	no
102	104	solid black basalt	no
104	106	hard black basalt	no
106	111	soft black basalt	no
111	115	very soft black basalt	no
115	128	medium soft basalt	no
128	143	hard gray basalt	no
143	145	medium hard basalt	no
145	147	soft red basalt	yes
147	148	medium hard basalt	no
148	152	soft red basalt	yes
152	153	hard basalt	no

Work started: 6-14-56

Work finished: 7-8-56

Well Driller's Statement: This well was
 drilled under my supervision and this report
 is true to the best of my knowledge.

Name: Robert L. Wade

Address: Haver, Idaho.

Signed by: Robert L. Wade

License No. 7 Date: 8-31-67

Use other side for additional remarks

ST. CLAIR, ST. CLAIR & HANSEN
LAWYERS
HASEPOUCK BUILDING
IDAHO FALLS, IDAHO

RECEIVED
SEP 1 5 1958
Department of Reclamation

CLENCY ST. CLAIR (1871-1957)
ROBERT W. ST. CLAIR
GILBERT C. ST. CLAIR
ORVAL HANSEN

September 11, 1958

TELEPHONE
JACKSON 2-2350

Department of Reclamation
State of Idaho
Capitol Bldg.
Boise, Idaho

Re: Permit No. G-26580
Phil S. Peterson

Attention: Edna P. Rutledge, Chief Clerk:

Dear Mrs. Rutledge:

Your letter of August 1st, 1958, received, and then I left on my vacation. Prior to my leaving, however, I did write to Mr. Phil S. Peterson advising him to send the statutory fees direct to your office. During my absence he apparently came into the office and talked with a member of our firm and this is what he advised them:

That there must be an error somewhere as to the amount of the inches of water required and used; that the man from Boise who came out and measured it through the gate found the old (or South) well produces 166 miner's inches, and the new (or North) well produces 161 inches; that he uses both outputs from the wells for use on the lands. That would total 327 inches.

I notice the license will be for 3.5 second feet, which would be for 175 miner's inches, and the application seeks more. The Permit calls for 4.0 second feet, or 200 inches. His proof of completion of works we sent in and which was returned to us calls for 4.0 second feet for each well, and that the lands to be watered are 2.0 acres. I am returning this Proof for explanation.

Will you kindly write advising about this matter so we can in turn inform Mr. Peterson which is correct.

Also advise if he sent in the fees as requested.

Thanking you for your kind attention, we are

Very truly yours,

ST. CLAIR, ST. CLAIR & HANSEN

BY

Robert W. St. Clair
Robert W. St. Clair

enclosure

B26580