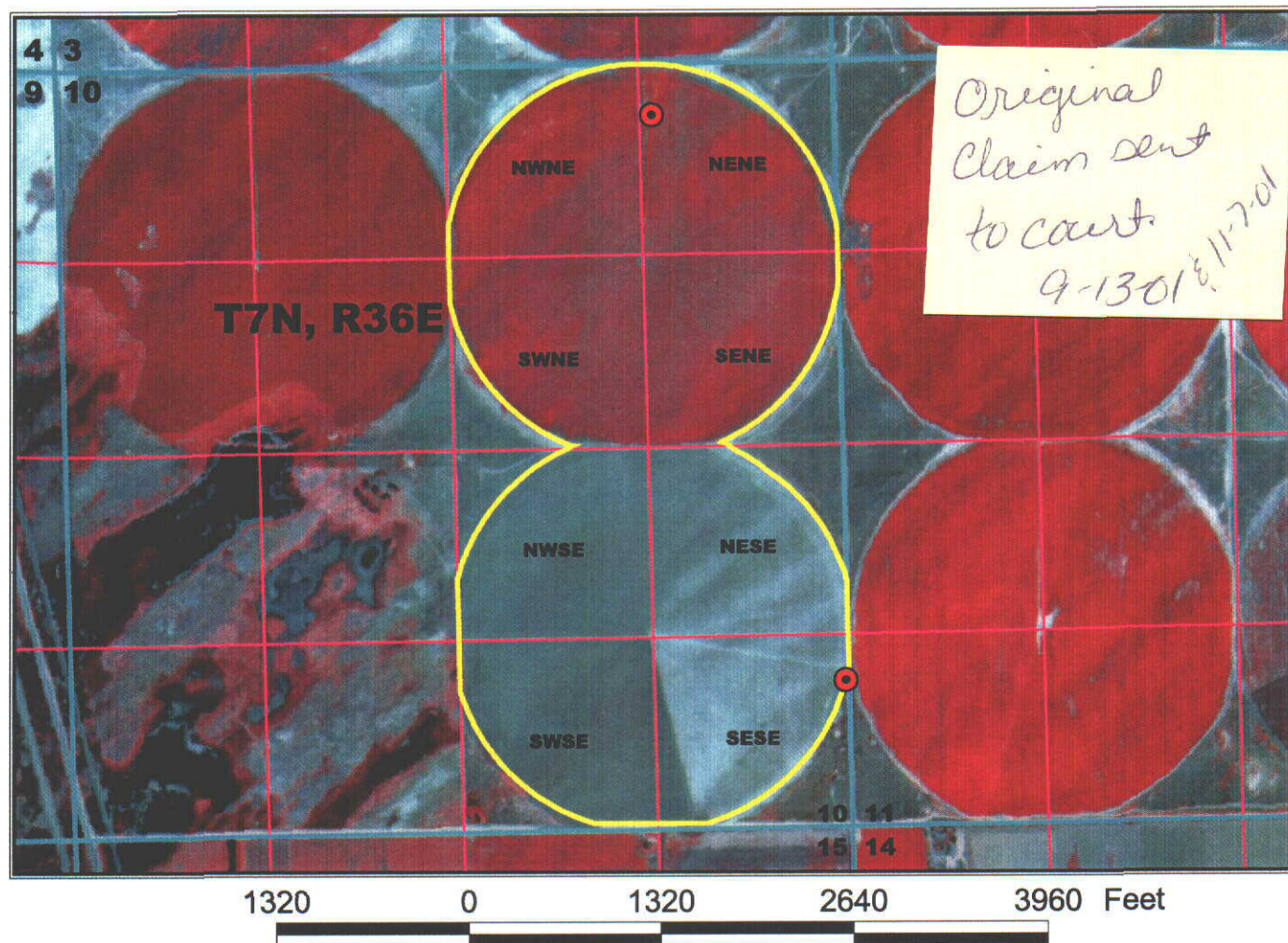




STATE OF IDAHO

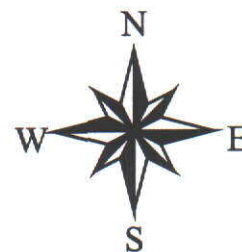
Department of Water Resources
Eastern Region

Water Right(s): 31-11685, 31-11686



Total Irrigated Acres: 265
Permissible Place of Use

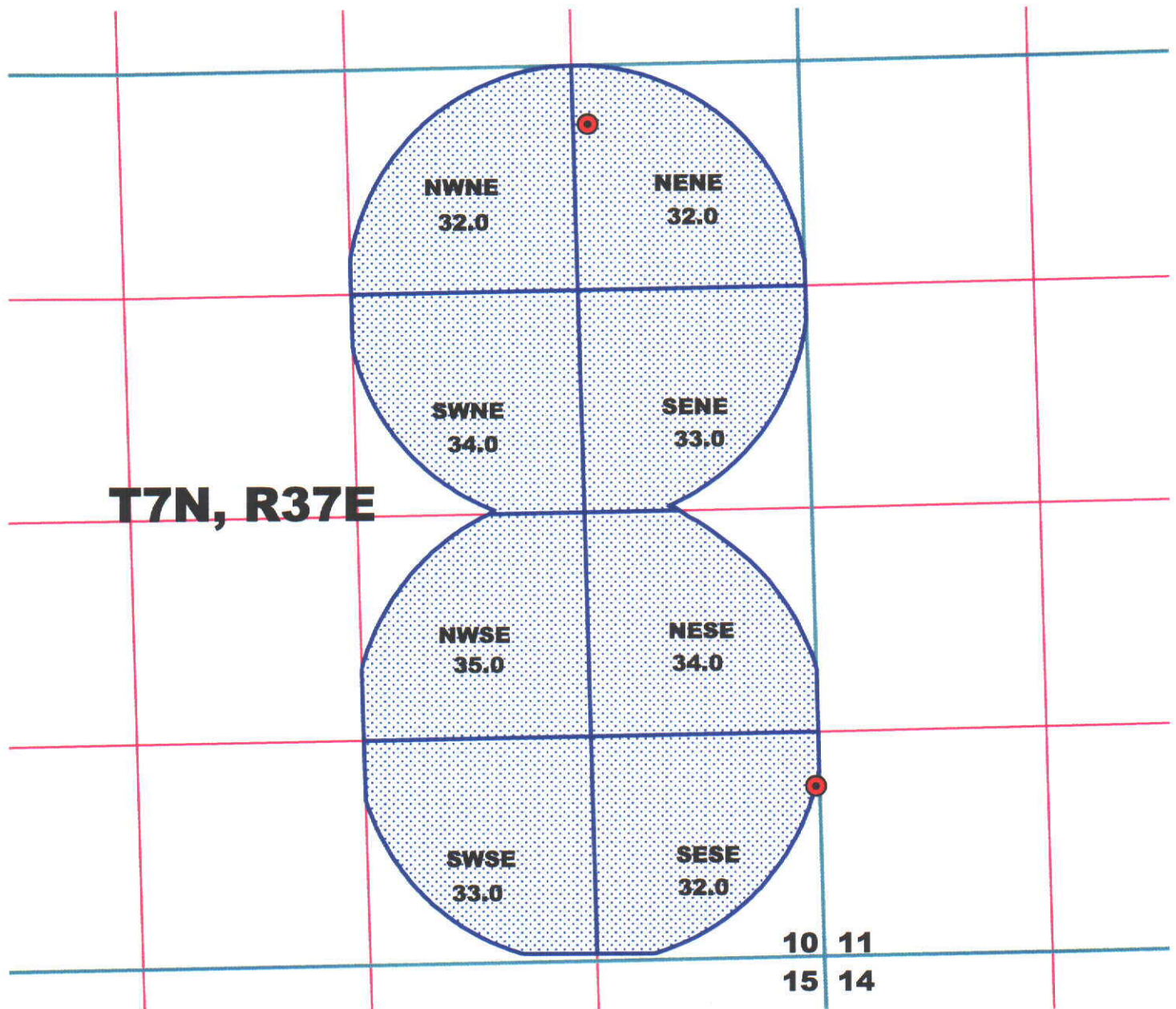
-  Point(s) of Diversion
-  Place of Use
-  Quarter Section Lines
-  Section Lines



GIS Place of Use Illustration
1987/1988 Napp photography
Prepared by: C. Saxton
Date: March 2001

Estate of Leland W Ball

WR #(s): 31-11685, 31-11686



Total Irrigated Acres: 265

Permissible Place of Use



Point of Diversion



Place of Use

Acreage Distribution

Prepared By: Craig Saxton
March 2001

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 31-11685

202 AUG 12 PM 1:44

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: ESTATE OF LELAND W BALL
C/O STEPHEN L BALL
27 N 3167 E
IDAHO FALLS, ID 83402

SOURCE: GROUND WATER

QUANTITY: 2.40 CFS
430.50 AFY

PRIORITY DATE: 08/18/1951

POINT OF DIVERSION: T07N R36E S10 NWNENE Within Jefferson County
NESESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.40 CFS 430.50 AFY

PLACE OF USE:	Irrigation	Within Jefferson County
	T07N R36E S10	
	NENE 34.0	NWNE 34.0
	SWNE 36.0	SENE 35.0
	NESE 34.0	NWSE 35.0
	SWSE 34.0	SESE 33.0
	275.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 123 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 31-11686 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 275 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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 31-11685

WATER RIGHT NUMBER: 31-11685

Owner Type Name and Address
 Current Owner ESTATE OF LELAND W BALL
 C/O STEPHEN L BALL
 1960 BEAR ISLAND
 IDAHO FALLS, ID 83402
 (208)523-0077

Priority Date: 08/18/1951

Basis: Beneficial Use

Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	2.400 CFS	430.50 AF
<u>Total Diversion:</u>		2.400 CFS	430.50 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4NE1/4	Sec. 10, Twp 07N, Rge 36E, B.M.
JEFFERSON County		
GROUND WATER	NE1/4SE1/4SE1/4	Sec. 10, Twp 07N, Rge 36E, B.M.
JEFFERSON County		

Place of UseIRRIGATION Within JEFFERSON County

T07N R36E S10	NENE	34.0	T07N R36E S10	NWNE	34.0
T07N R36E S10	SWNE	36.0	T07N R36E S10	SENE	35.0
T07N R36E S10	NESE	34.0	T07N R36E S10	NWSE	35.0
T07N R36E S10	SWSE	34.0	T07N R36E S10	SESE	33.0
Total Acres: 275					

Conditions of Approval:Remarks:

1. Place of Use USE OF THIS RIGHT WITH RIGHT NO. 31-11686 IS LIMITED TO THE IRRIGATION OF A
 - Irrigation COMBINED TOTAL OF 275 ACRES IN A SINGLE IRRIGATION SEASON.
2. Place of Use THIS RIGHT IS LIMITED TO THE IRRIGATION OF 123 ACRES WITHIN THE PLACE OF USE
 - Irrigation DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:Dates and Other Information:

31-10659A.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 31-11685

Dates and Other Information:

Claim Received Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre: 430.5
Swan Falls Trust or Nontrust: False
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

04/17/2002

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

RIGHT NUMBER: 31-11685

NAME AND ADDRESS: ESTATE OF LELAND W BALL
C/O STEPHEN L BALL
27 N 3167 E
IDAHO FALLS ID 83402

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.40 CFS
430.5 AFY

PRIORITY DATE: 08/18/1951

POINT OF DIVERSION:

T07N R36E S10 NWNENE Within JEFFERSON County

T07N R36E S10 NESESE Within JEFFERSON County

**PURPOSE AND
PERIOD OF USE:**

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

2.400 CFS
430.50 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON County

T07N R36E S10 NENE 34.0

T07N R36E S10 NWNE 34.0

T07N R36E S10 SWNE 36.0

T07N R36E S10 SENE 35.0

T07N R36E S10 NESE 34.0

T07N R36E S10 NWSE 35.0

T07N R36E S10 SWSE 34.0

T07N R36E S10 SESE 33.0

275 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 31-11686 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 275 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 123 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: Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

03/20/2001

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

RIGHT NUMBER: 31-11685

NAME AND ADDRESS: ESTATE OF LELAND W BALL
C/O STEPHEN L BALL
27 N 3167 E
IDAHO FALLS, ID 83402

SOURCE: GROUND WATER

QUANTITY: 2.4 CFS
430.5 AFY

PRIORITY DATE: 08/18/1951

POINT OF DIVERSION:	T07N R36E S10	NWNENE	Within JEFFERSON County
	T07N R36E S10	NESESE	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	2.40 CFS 430.50 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T07N R36E S10	NENE	32	T07N R36E S10	NWNE	32
T07N R36E S10	SWNE	34 36	T07N R36E S10	SENE	33 35
T07N R36E S10	NESE	34 34	T07N R36E S10	NWSE	35
T07N R36E S10	SWSE	33	T07N R36E S10	SESE	32

265 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 123 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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-11685

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ESTATE OF LELAND W BALL C/O STEPHEN L BALL 27 N 3167 E IDAHO FALLS, ID 83402 (208)523-0077

Priority Date: 08/18/1951
Basis: Beneficial Use
Status: Active

<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	2.4 CFS	430.5 AFA	
Total Diversion			2.4 CFS	430.5 AFA	

Location of Point(s) of Diversion:

GROUND WATER	NWNENE	Sec. 10	Township 07N	Range 36E	JEFFERSON County
GROUND WATER	NESESE	Sec. 10	Township 07N	Range 36E	JEFFERSON County

IRRIGATION Use:
Acre Limit: 123

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	10		NENE	32		NWNE	32		SWNE	34		SENE	33
				NESE	34		NWSE	35		SWSE	33		SESE	32

Total Acres: 265

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.
3. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 123 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

Water Right 31-11685

Author	Date	Subject	Comment
csaxton	3/20/01	Split Right	This right is the result of splitting 31-10659A into 31-11685 and 31-11686. Split was done to recommend two different priorities for the two pivots involved.
csaxton	3/20/01	PPU	POU for rights 31-11685 and 31-11686 is a permissible place of use.
csaxton	3/20/01	Recommendation	Right recommended per instruction from Bryce Contor.
csaxton	3/20/01	Split Recc	Only new recommendations were created during the splitting of 31-10659A. No claims were created for 31-11685 and 31-11686.

Dates:

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

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector:
 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
 Parent Right: 31-10659A

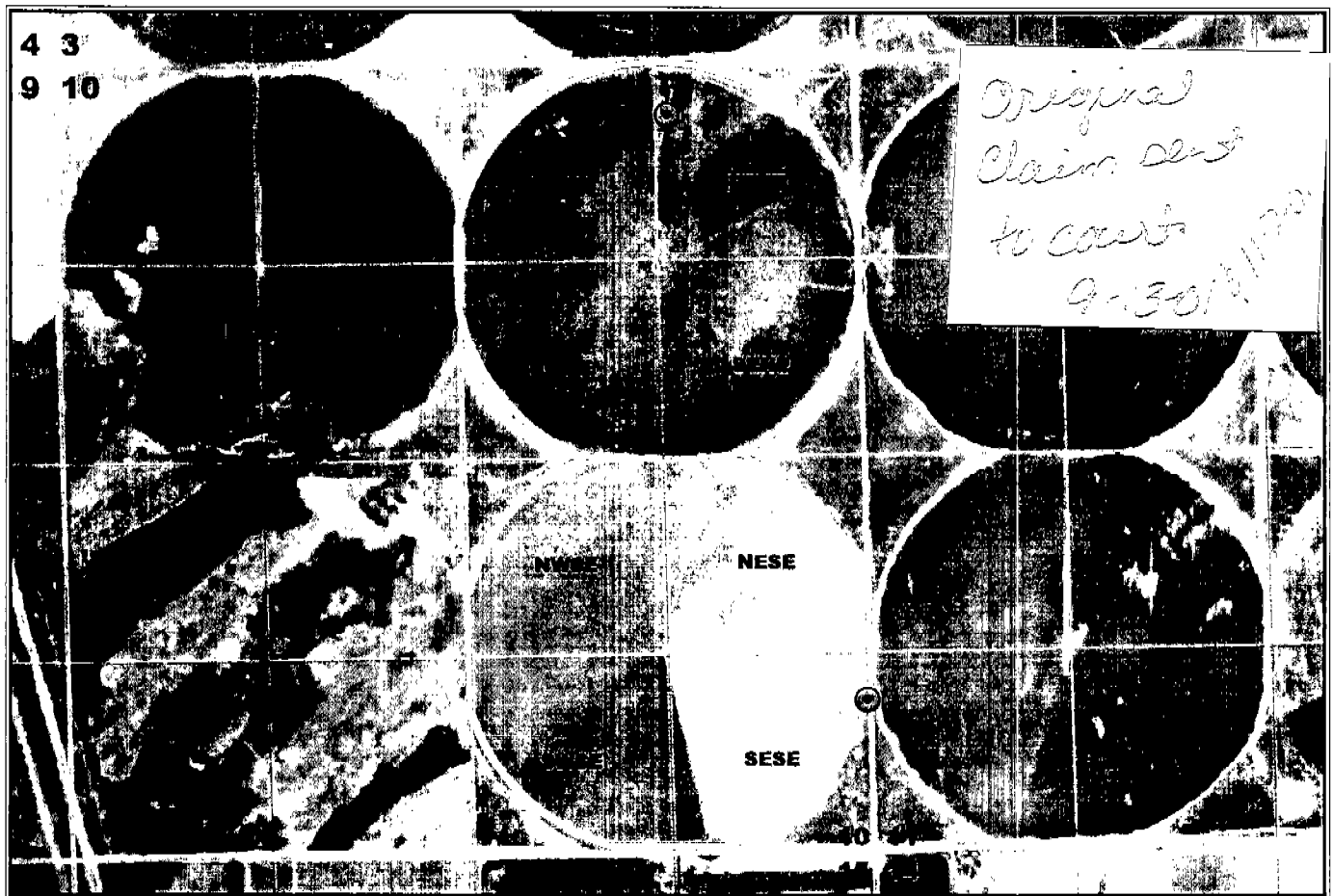
ChangeOfOwnership



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 31-11685, 31-11686



1320 0 1320 2640 3960 Feet

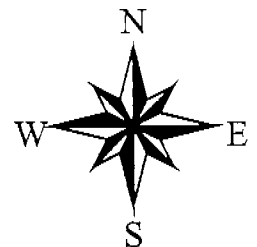
Total Irrigated Acres: 360
Permissible Place of Use

⊙ Point(s) of Diversion

Place of Use

▭ Quarter Section Lines

▭ Section Lines

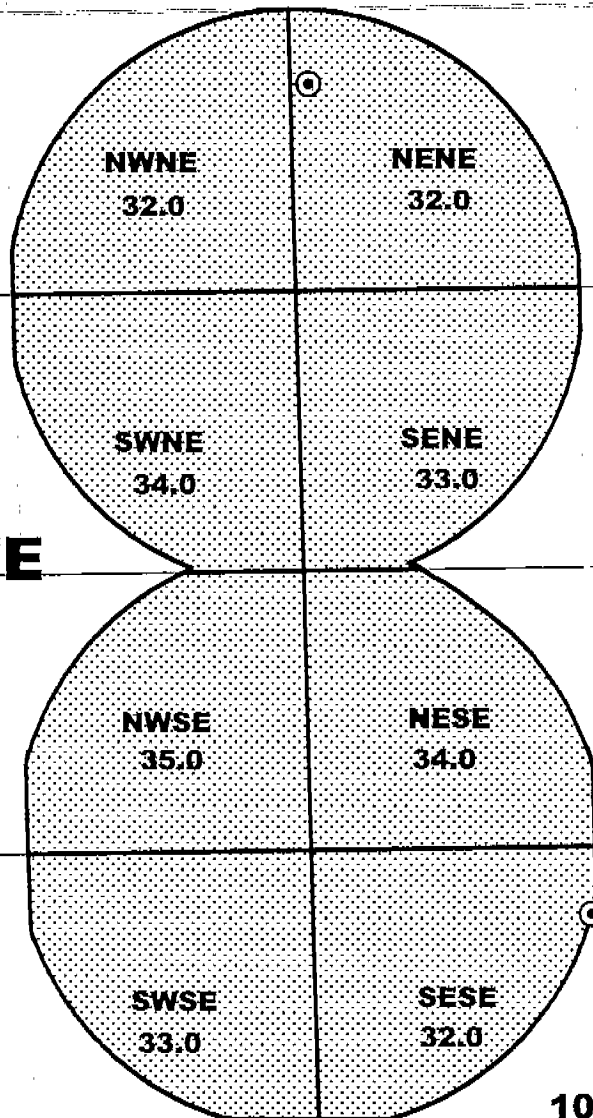


GIS Place of Use Illustration
1987/1988 Napp photography
Prepared by: C. Saxton
Date: March 2001

Estate of Leland W Ball

WR #(s): 31-11685, 31-11686

T7N, R37E



10 11
15 14

Total Irrigated Area: 235

Permissible Place of Use



Point of Diversion



Place of Use

Acreage Distribution

Prepared By: Craig Saxton
March 2001

RECEIVED

AUG 13 2002

2002 AUG 12 PM 1:43

Department of Water Resources

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA

Case No. 39576

)
) **ORDER OF PARTIAL DECREE**
)
) **For Water Right 31-11685**
)

On June 6, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 31-11685 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED August 12, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

2002 AUG 12 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 31-11685

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 31-11685 was mailed
on August 12, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ESTATE OF LELAND W BALL
C/O STEPHEN L BALL
27 N 3167 E
IDAHO FALLS, ID 83402
Phone: 208-523-0077

STEPHEN L. BALL
27 N 3167 E
IDAHO FALLS, ID 83402
Phone: 208-745-3666

ROBBIN GLATZ
Chief Deputy Clerk

RECEIVED

JAN 16 2002

Department of Water Resources

8-12-2002

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

In Re SRBA

Case 39576

) Subcase

31-11685

(Insert water right number)

) STANDARD FORM 4

) MOTION TO FILE:

) ☐ LATE NOTICE OF CLAIM

) ☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☐ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is Stephen L. Ball

My address is 27 N 3167 E
IDAHO FALLS, ID 83402

My phone number is: Work 209-745-5666 Home 208-523-0077

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☒ I must amend my Notice of Claim to the use of water in the SRBA because:

evidence indicates additional acreage
over and above what was previously
claimed.



I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

Please see attached photo (copy of arial photo) showing acreage farmed and irrigated in 1987. Photo verified by FSA agent.

I have attached:



An amended Notice of Claim (available from IDWR).



Payment of the following additional fees required by IDWR:

Please see attached copy of receipt for additional fees paid.

VERIFICATION (Must be completed)

State of IDAHO

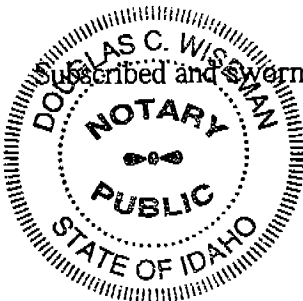
County of JEFFERSON

Stephen L. Ball, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Stephen L. Ball
Signature of person filing motion

Attorney signing in representative capacity



Subscribed and sworn to before me on January 14, 2002
(Insert Date)

Douglas C. Wiseman
Notary Public for State of Idaho
Residing at: Risby
My Commission expires: 6/26/2005

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on JANUARY 14th, 2002, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

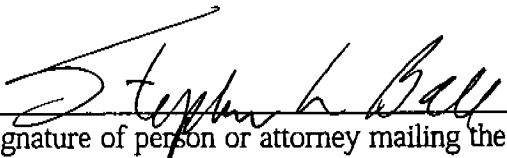
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)


Signature of person or attorney mailing the form

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 31-11685
Date Received: 1/11/2002
Receipt No:
Received By:

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

1. Name of Claimant(s)

ESTATE OF LELAND W BALL Phone: (208)523-0077

C/O STEPHEN L BALL
27 N 3167 E
IDAHO FALLS ID USA 83402

2. Date of Priority: 08/18/1951

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	36E	10	NW NE NE	JEFFERSON	
07N	36E	10	NE SE SE	JEFFERSON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	2.4	430.5

7. Total Quantity Appropriated is:
2.4 C.F.S. and/or 430.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
07N	36E	10	SW NE	IRRIGATION	36
			NW SE	IRRIGATION	35

SW	SE	IRRIGATION	34
NW	NE	IRRIGATION	34
SE	NE	IRRIGATION	35
NE	SE	IRRIGATION	34
SE	SE	IRRIGATION	33
NE	NE	IRRIGATION	34

Section Acres 275

Total Acres 275

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

USE OF THIS RIGHT WITH RIGHT NO. 31-11686 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 275 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 123 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

15. Basis of Claim: Beneficial Use

16. Signature(s)

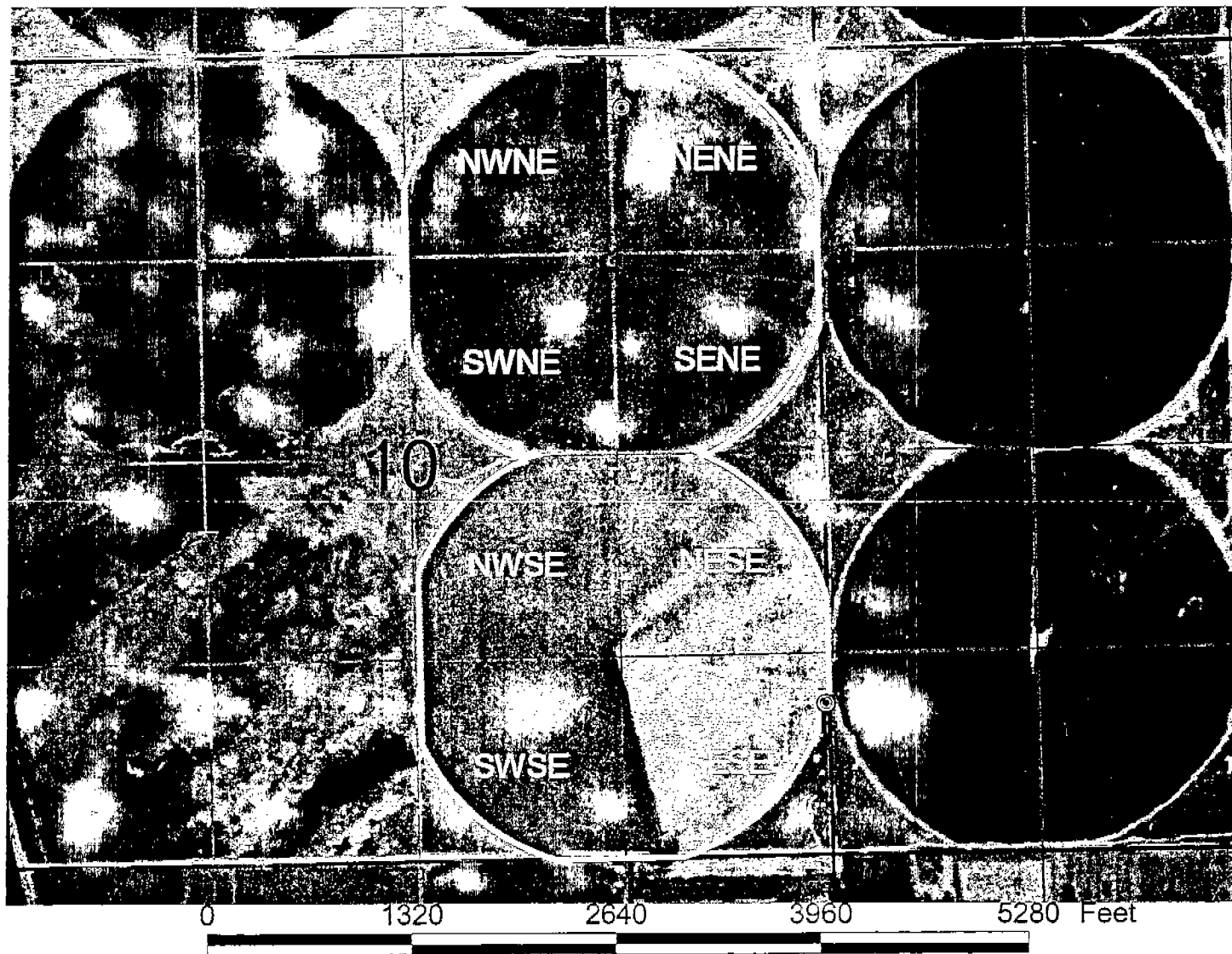
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.



Department of Water Resources

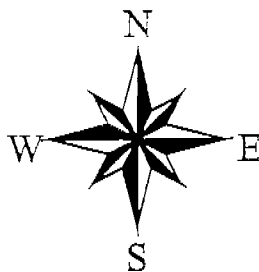
Claim No.: 31-11685
31-11686

T07N R36E



Irrigated Acres = 275

- Pod.shp
- Water rights.shp
- Townships
- Sections
- QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: January 2002

ACREAGE
IRRIGATED

by
H 31-11685

31-11686

NW

0
117.7

FW

2763
213

4 E 27 NW

0
139.1

ESA 1987
photo with
farmed acreage circled
Jana Eaton
5-1-01

①
89.1

②
136.6

②
22 PC

③

11.2

④
218

26.5

③
11.2

PC

W

15.1

③
36

Idaho Department of Water Resources Receipt

Receipt ID E027375

Payment Amount Date Received Region St
Payment Type Check Number

Payer
Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$16.00	ADJUDICATION FILING FEE	0337	43503	1155	

Signature Line (Dept. Representative)



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2002

ESTATE OF LELAND BALL
C/O STEPHEN L BALL
27 N 3167 E
IDAHO FALLS ID 83402

RE: Notice of Change of Address for 31-11682, 31-11685, 31-11686
and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Ball:

On April 17, 2002, the Idaho Department of Water Resources (IDWR) received a change of address for the above referenced water right(s). Based on this change, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

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

Respectfully,


Jennifer Crabtree
Technical Records Specialist

Enclosure

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

In Re SRBA)

Water Rights: 31-11682, 31-11685,
31-11686

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☒ Address change

☐ Substitution of Party

☐ I.C. § 42-222 transfer

☐ point of diversion

☐ place of use

☐ period of use

☐ nature of use

☐ split of water right

☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: June 18, 2002

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 18, 2002, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
ESTATE OF LELAND W BALL
C/O STEPHEN L BALL
27 N 3167 E
IDAHO FALLS ID 83402

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

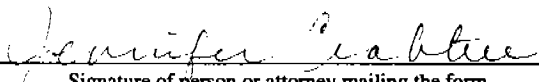
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

RECEIVED
SEP - 5 2001
Department of Water Resources

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

In Re SRBA)

Case No. 39576)

A Subcase 31-11685
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Stephen L. Ball
Address: 27 N 3167 E
Idaho Falls, ID 83402
Daytime Phone: (208) 745-5666

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: ESTATE OF LELAND W. BALL
Address: C/O STEPHEN L BALL
27 N 3167 E
IDAHO FALLS, ID 83402

D I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 2.46 CFS
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be:

T 07 N R 36 E S 10 NENE 35.0	T 07 N R 36 E S 10 NWNE 34.0
T 07 N R 36 E S 10 SWNE 35.0	T 07 N R 36 E S 10 SE NE 35.0
T 07 N R 36 E S 10 NE SE 34.0	T 07 N R 36 E S 10 NW SE 35.0
T 07 N R 36 E S 10 SW SE 34.0	T 07 N R 36 E S 10 SE SE 34.0

for a total of 276 Acres
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E **REASONS SUPPORTING OBJECTION(S):** Please see attached
aerial photograph with Farm Services
Agency supplied information showing
total farmed acreage in 1987 of
276 Acres.

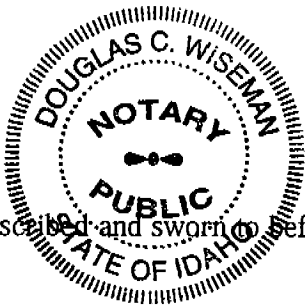


VERIFICATION (Must be Completed)

State of IDAHO)
)ss.
County of JEFFERSON

Stephen L Ball, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



Stephen L Ball
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: September 4, 2001

Douglas C. Wiseman
Notary Public for Idaho
Residing at: Risby
My Commission Expires: 6/26/2005

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.



CERTIFICATE OF MAILING

I certify that on SEPTEMBER 4th, ²⁰⁰¹~~1999~~, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

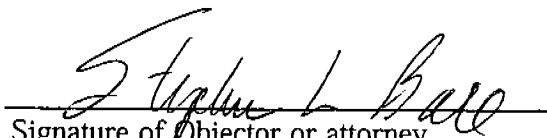
Name: _____
Address: _____

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

2213
(213)

243

27

NW

FW

0
117.7

HEL/NW

0
(139.1)

28
29

FSA 1987
photo with
farmed acreage circled.
Iva Eaton
5-1-01

1
89.1

HEL/NW

1
(136.6)

3
22 PC
11.2

PC
3
11.2

1
13

(218)

3
11.2

PC

W

PC

26.5

3
36

15

MEMORANDUM

To: 31-10659A splits
Fr: Bryce Conder
Date: 3/16/01
Re: Recommendations

Per NDE & office visit of Stephen Ball, it appears the 123 acres recommended were in place as early as 8/18/1951 (see aerial photo) and the remainder of the half-section was in production by 1962 (See Oly Block affidavit & 1966 aerial photo).

1980 NAPP / 1987 NAPP show conversion to Sprinklers.

None of original documentation shows capacity. I presume at least adequate capacity to sustain crop production for many years as shown by series of photos.

Cement capacity, from Water Meters.

is as follows:

North Well, NWMD record 300223

7/20/2000	1103.50 GPM	fair confidence
7/1/1997	1131.8 GPM	good confid.
average	1117.7 GPM	
	= 2.49 gfs	

South Well, NWMD record 300222

7/18/2000	1203 GPM	Good confidence
7/1/1997	1210.7 GPM	" "
average	1206.9 GPM	
	= 2.69 gfs	

Total = 5.18 gfs

Total acres in 1987 NAPP = 264

$264 \times 0.02 = 5.28 \text{ gfs}$

Conclusion

POU

Because pilots have been in place, 20+ yrs, recommend current pou @ ≈ 264 acres.

Do not code partial forfeiture as no other pou has ever been decreed or licensed.

Memo P3

Diversion Rate

Recommend current capacity, = 5.18 cfs.

Priority date

Split claim into two portions, on PPU basis. Earlier portion for 123 acres, priority date 8/18/1951, per aerial photo. $\frac{123}{264} \times 5.18 = 2.40$ cfs.

$$123 \times 3.5 = 430.5 \text{ afa.}$$

(123 acres within PPU)

Later portion, priority date 12/31/1962 based on Oly. Black affidavit.

$$265 - 123 = 142 \text{ acres}$$

$$5.18 - 2.40 = 2.78 \text{ cfs}$$

$$142 \times 3.5 = 497 \text{ afa}$$

(141 acres within PPU)

This does not recommend an otherwise defensible diversion rate/acre > 0.02 for original flood irr. land because documentation of original capacity is very thin.

Byron A. Conton