

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: A43-00147A
Date Received: 5/26/1989
Receipt No: S007349
Received By: _____

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

1. Name: J. RICHARD WARD 208-768-2668
Address: BOX 127
LEADORE ID 83464
AND/OR
Name: CINDY E. WARD 208-768-2668
Address: BOX 127
LEADORE ID 83464

2. Date of Priority: APR 30, 1885

3. Source: CROSS CREEK Trib. to: CASSIA CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	24E	12	NE	SW	NW		CASSIA

5. Description of diverting works:
HEADGATE, BARKER DITCH TO HIGHLINE DITCH TO P/U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

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

8. Total consumptive use is 300.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14S	25E	6	SE	SW		IRR	40.0

A43-00147A

Page 1

Date: 11/01/91

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	25E	6	NW	SE		IRR	30.0
			SW	SE		IRR	10.0
					Section Acres		80.0
		7	NE	NW		IRR	40.0
					Section Acres		40.0
					Total Acres		120.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-00146A

14. Remarks:

THIS IS PART OF THE WR 43-00147 FOR .80 CFS.
62.5% IS CLAIMED IN THIS RIGHT.
ORIGINAL SOURCE WAS LISTED AS GREEN CANYON CREEK IN THE DECREE,
A TRIBUTARY TO CROSS CREEK. THE P/D IS LOCATED IN CROSS CREEK
ACCORDING TO THE USGS MAPS.

OWNERSHIP CHANGE 11/1/91 BY JG.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.

Decree Plaintiff

JOBE ADAMS ET AL

vs Decree Defendant

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: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
MAR 02 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: April 12, 1991

LEGAL DESCRIPTION OF PROPERTY: Township 14 South Range 25 EBM.
Section 6, SE 1/4 of SW 1/4 of 1/4 Govt. Lot , BM.

Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.

Section 7: NE $\frac{1}{4}$ NW $\frac{1}{4}$

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s) Assigned by IDWR: A 43-00146 A, A 43-00147 A -

[] Name and Address of Former Owner/Claimant(s)(Seller): Elmo Elison and Louise M. Elison
HC 72 Box 2180
Malta, Idaho 83342

[] New Owner/Claimant (Purchaser): J. Richard Ward and Cindy E. Ward

[] New Mailing Address: Box 127
Leadore, Idaho 83464

[] New Telephone Number: (208) 768 - 2668

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of ownership, describe proof attached: Warranty Deed (recorded)

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s) J. Richard Ward Cindy E. Ward Date 4-19-91
J. Richard Ward Cindy E. Ward Date 4-19-91

[] Signature of Former Owner/Claimant(s) Elmo Elison Louise M. Elison Date 4-19-91
Elmo Elison Louise M. Elison Date 4-19-91

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10/31/91 By: SC

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 10/31/91 By: SC

Claim Numbers of Split, if any:

RECEIVED

MAY 10 1991

Department of Water Resources

Southern Region Office

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MAR 02 1993

213042

WARRANTY DEED

xed

For Value Received

ELMO ELISON and LOUISE M. ELISON, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
 J. RICHARD WARD and CINDY E. WARD, husband and wife
 Address: Box 127
 Leadore, Idaho 83464

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho,
 to-wit:

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
 CASSIA COUNTY, IDAHO

Section 6: SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the following described parcel:

Beginning 10 rods South of the Northwest corner of
 the SE $\frac{1}{4}$ of said Section 6;
 Thence East 80 rods;
 Thence South 70 rods;
 Thence West 80 rods;
 Thence North 70 rods to the Point of Beginning.

Section 7: NE $\frac{1}{4}$ NW $\frac{1}{4}$

TOGETHER WITH all water and water rights, ditches and ditch
 rights used thereon or appurtenant thereto including but not
 limited to Claim of Water Rights Identification #A43-00146A
 and A43-00147A.

SUBJECT TO:

Accruing taxes, levies and assessments; easements and rights-of-way
 of record, if any.

Recorded and indexed by
 30 day of Apr 1991
 L. C. Holland
 Cassia County
 L. C. Holland

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee
 and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to
 and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are
 free from all incumbrances except as above described and that Grantor will warrant and defend the
 same from all lawful claims whatsoever.

Dated: April 19, 1991

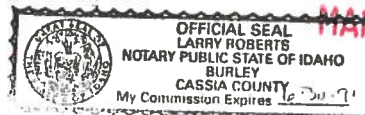
Elmo Elison
 Elmo Elison
Louise M. Elison
 Louise M. Elison

STATE OF IDAHO, COUNTY OF Cassia
 On this 19th day of April, 1991
 before me, a notary public in and for said State, per-
 sonally appeared

Elmo Elison and
 Louise M. Elison

known to me to be the persons whose names are
 subscribed to the within instrument, and acknowledged
 to me that they executed the same.

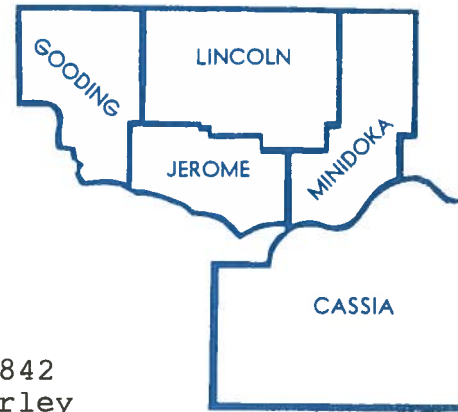
[Signature]
 Notary Public
 Residing at _____, Idaho.
 Commission expires: _____



213042
 MICROFILMED
 MAR 02 1993

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #2842
OFFICE: Burley

May 9, 1991

Idaho Dept. of Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

Dear Clerk:

Enclosed please find an original and one copy of a New Property Owner Notice of Change of Water Right Ownership executed by Elmo and Louise M. Elison and J. Richard and Cindy E. Ward.

Would you please make the necessary changes and return to this office a receipted copy.

Thank you.

Very truly yours,
LAND TITLE AND ESCROW, INC.

A handwritten signature in cursive script that reads "Nancy Garrett".

Nancy Garrett
Escrow Department

/nrg
enc.

RECEIVED

MAY 10 1991

Department of Water Resources
Southern Region Office

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MAR 02 1993

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-4842 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199

SD-ZZZ

Idaho Department of Water Resources
TWP-RNG-SECT QueryDate: 10/31/93
Time: 10:03:11

Twp	Rng	Sect	Tract	Lot	Acres	Use	Code
14S	25E	7	NE NE			01	A43-00015
14S	25E	7	NE NE		40.0	01	A43-00371
14S	25E	7	NE NE		40.0	01	A43-00475
14S	25E	7	NE NE		20.0	01	A43-07107
14S	25E	7	NE NE		20.0	01	A43-10320
14S	25E	7	NE NE		40.0	01	A43-10594
14S	25E	7	NW NE		10.0	01	A43-00147B
14S	25E	7	NW NE			01	A43-00015
14S	25E	7	NW NE			01	A43-00147
14S	25E	7	NW NE NE NW		40.0	01	A43-00146A
14S	25E	7	NW NE NE NW		40.0	01	A43-00147A
14S	25E	7	NW NE			01	A43-00146
14S	25E	7	NW NE		10.0	01	A43-00146B
14S	25E	7	SW NE			01	A43-00015
14S	25E	7	SW NE		25.0	01	A43-00216
14S	25E	7	SW NE		25.0	01	A43-00281
14S	25E	7	SE NE			01	A43-00015

(Enter=Next Page)

(GOLD7=Bail Out)

(Menu _____)

MICROFILMED
MAR 02 1993

SD-33	Last Name: ELISON				STATE	
S	O					
E	W	Water	Priority		Total	Use
L	N	Right No.	Date	Source	Diversion	Code Desc

ELISON						
LANO	C A43-02324B	03/31/1950	GROUNDWATER	0.770	01 IRR	43 DOMES
LOIS	C A43-02324B	03/31/1950	GROUNDWATER	0.770	01 IRR	43 DOMES
LANO	C A43-02546	04/17/1962	GROUNDWATER	1.630	01 IRR	
LOIS	C A43-02546	04/17/1962	GROUNDWATER	1.630	01 IRR	
LANO	C A43-04000A	04/01/1948	GROUNDWATER	1.600	01 IRR	
LOIS	C A43-04000A	04/01/1948	GROUNDWATER	1.600	01 IRR	
LOUISE	C A43-00146A	04/30/1882	CROSS CREEK	0.250	01 IRR	
ELMO	C A43-00146A	04/30/1882	CROSS CREEK	0.250	01 IRR	
ELMO	C A43-00147A	04/30/1885	CROSS CREEK	0.500	01 IRR	
LOUISE	C A43-00147A	04/30/1885	CROSS CREEK	0.500	01 IRR	
ELMO	C A43-00164A	04/01/1871	RAFT RIVER	0.071	01 IRR	
LOUISE	C A43-00164A	04/01/1871	RAFT RIVER	0.071	01 IRR	
ELMO	C A43-00165B	04/30/1871	RAFT RIVER	0.229	01 IRR	

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED
MAR 02 1993

SD-36	Township: 14S	Range: 25E	Section: 7	Tract:	Lot:	
S	L	STATE	O	S	Max # Records 4	
E	O	Water	W	T	Priority Use	
L	Tract T	Right No.	N	AC	G	
		Last, First			Date	
					Code Des	
—	NENE	A43-00015	CASSIA CREEK IRRIG. CO	O	09/11/1883	01 IRR
—	NENE	A43-00371	SPLIT RIGHT	C		43 DOME
—	NENE	A43-00475	VAN KIRK, CHAS.	O	40 D	04/30/1880
—	NENE	A43-00475	HAWKER, RYAN	C		01 IRR
—	NENE	A43-00475	VAN KIRK, CHAS.	O	40 D	04/30/1880
—	NENE	A43-00475	HAWKER, RYAN	C		01 IRR
—	NENE	A43-07107	OTTLEY, REX A.	O	20 L	09/08/1977
—	NENE	A43-07107	HAWKER, RYAN	C		01 IRR
—	NENE	A43-10320	HAWKER, RYAN	C	20 J	03/15/1935
—	NENE	A43-10594	HAWKER, RYAN	C	40 J	04/30/1880
—	NWNE	A43-00147B	BODEN, COLLEEN A.	C	10 D	04/30/1885
—	NWNE	A43-00147B	BODEN, CARL F.	C		01 IRR
—	NWNE	A43-00015	CASSIA CREEK IRRIG. CO	O		09/11/1883
—	NWNE	A43-00015	SPLIT RIGHT	C		43 DOME
—	NWNE	A43-00147	CORE NUMBER, ELLEN HOA	C	D	04/30/1885
—	NWNE	A43-00146A	ELISON, LOUISE	C	40 D	04/30/1882

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED
MAR 02 1993

SD-36	Township: 14S	Range: 25E	Section: 7	Tract:	Lot:
S	L	STATE	O	S	Max # Records 4
E	O	Name	W	T	Priority Use
L Tract	T	Water Right No.	N	AC	G Date Code Des
NWNE	A43-00146A	ELISON, ELMO	C	40	D 04/30/1882
NWNE	A43-00147A	ELISON, ELMO	C	40	D 04/30/1885 01 IRR
		ELISON, LOUISE	C		
NWNE	A43-00146	CORE NUMBER, ELLEN HOA	C		D 04/30/1882 01 IRR
NWNE	A43-00146B	BODEN, COLLEEN A.	C	10	D 04/30/1882 01 IRR
		BODEN, CARL F.	C		
SWNE	A43-00015	CASSIA CREEK IRRIG. CO	O		09/11/1883 01 IRR
		SPLIT RIGHT	C		43 DOME
SWNE	A43-00216	HALFORD, HOWARD	C	25	D 04/30/1880 01 IRR
		HALFORD, RAIDA	C		
SWNE	A43-00281	HALFORD, HOWARD	C	25	D 04/30/1885 01 IRR
		HALFORD, RAIDA	C		
SENE	A43-00015	CASSIA CREEK IRRIG. CO	O		09/11/1883 01 IRR
		SPLIT RIGHT	C		43 DOME
SENE	A43-00371	VAN KIRK, CHAS.	O	40	D 04/30/1880 01 IRR
		HAWKER, RYAN	C		

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED

MAR U 2 1993

SD-ZZZ

Idaho Department of Water Resources
TWP-RNG-SECT Query

Date: 10/31/9
Time: 09:56:4

Twp	Rng	Sect	Tract	Lot	Acres	Use Code	
14S	25E	6	SE SW <i>dr</i>		40.0	01	A43-00146A
14S	25E	6	SE SW <i>ok</i>		40.0	01	A43-00147A
14S	25E	6	SE SW			01	A43-00146
14S	25E	6	NE SE			01	A43-00015
14S	25E	6	NE SE			04	A43-10372
14S	25E	6	NE SE		40.0	01	A43-00371
14S	25E	6	NE SE		40.0	01	A43-00475
14S	25E	6	NE SE		36.0	01	A43-07107
14S	25E	6	NE SE			04	A43-10318
14S	25E	6	NE SE		40.0	01	A43-10320
14S	25E	6	NE SE		40.0	01	A43-00124
14S	25E	6	NE SE			43	A43-10372
14S	25E	6	NE SE			43	A43-10559
14S	25E	6	NE SE			04	A43-10559
14S	25E	6	NE SE		40.0	01	A43-10594
14S	25E	6	NW SE		10.0	01	A43-00147B
14S	25E	6	NW SE			01	A43-00147

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(GOLD7=Bail Out)

(Menu _____)

MICROFILMED

MAR 02 1993

SD-ZZZ

Idaho Department of Water Resources
TWP-RNG-SECT QueryDate: 10/31/9
Time: 09:57:0

Twp	Rng	Sect	Tract	Lot	Acres	Use Code	
14S	25E	6	NW SE			01	A43-00015
14S	25E	6	NW SE ^{out}		30.0	01	A43-00146A
14S	25E	6	NW SE ^{out}		30.0	01	A43-00147A
14S	25E	6	NW SE			04	A43-10220
14S	25E	6	NW SE			01	A43-00146
14S	25E	6	NW SE		10.0	01	A43-00146B
14S	25E	6	SW SE		40.0	01	A43-00147B
14S	25E	6	SW SE			01	A43-00015
14S	25E	6	SW SE			01	A43-00147
14S	25E	6	SW SE ^{out}		10.0	01	A43-00146A
14S	25E	6	SW SE ^{out}		10.0	01	A43-00147A
14S	25E	6	SW SE			01	A43-00146
14S	25E	6	SW SE		40.0	01	A43-00146B
14S	25E	6	SW SE		40.0	01	A43-10261
14S	25E	6	SE SE			01	A43-00015
14S	25E	6	SE SE		40.0	01	A43-00371
14S	25E	6	SE SE		40.0	01	A43-00475

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(GOLD7=Bail Out)

(Menu _____)

MICROFILMED
MAR 02 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

31-Oct-1991 13:28

NANCY GARRETT
ESCROW DEPARTMENT
LAND TITLE AND ESCROW INC.
BOX 177
BURLEY ID 83318

Re: Change of Ownership Adjudication Claim(s) A43-00146A & A43-00147A
ELMO and LOUISE M. ELISON & J. RICHARD and CINDY E. WARD

Dear Ms. Garrett:

Pursuant to the notification that you are representing the new claimants on the above-referenced Adjudication Claim(s), the Department has changed the record(s) of the current owner as you requested. Please note that both Adjudication Claims were originally data entered in error as in the NW1/4NE1/4 of Section 7, whereas, actual legal for Section 7 is the NE1/4NW1/4. This agrees with the legal description listed in the Warranty Deed. I am enclosing a copy of the computerized claim(s).

Please review the record(s) and should you have any questions, please feel free to call this office.

Sincerely,

Judy Givens
Adjudication Secretary

/jg

Enclosures

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MAR 02 1993

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: A43-00147A
Date Received: 5/23/1989
Receipt No: 5007349
Received By: for

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELMO ELISON 208-645-2544
Address: HC 72 BOX 2180
MALTA, ID 83342
OR
Name: LOUISE ELISON 208-645-2544
Address: HC 72 BOX 2180
MALTA, ID 83342
2. Date of Priority: APR 30, 1885
3. Source: CROSS CREEK Trib. to: CASSIA CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	24E	12	NE	SW	NW		CASSIA
5. Description of diverting works:
HEADGATE, BARKER DITCH TO HIGHLINE DITCH TO P/U.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		
7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 300.0 Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	25E	6	SE	SW		IRR	40.0
			NW	SE		IRR	30.0
			SW	SE		IRR	10.0
						Section Acres	80.0
		7	NW	NE		IRR	40.0
						Section Acres	40.0
						Total Acres	120.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-00146A

14. Remarks:

THIS IS PART OF THE WR 43-00147 FOR .80 CFS.
62.5% IS CLAIMED IN THIS RIGHT.
ORIGINAL SOURCE WAS LISTED AS GREEN CANYON CREEK IN THE DECREE,
A TRIBUTARY TO CROSS CREEK. THE P/D IS LOCATED IN CROSS CREEK
ACCORDING TO THE USGS MAPS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.

Decree Plaintiff

vs

JOBE ADAMS ET AL

Decree Defendant

MICROFILMED

MAR 02 1993

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: _____

For Individuals:

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

Signature of Claimant(s): Edna Edison Date: 5-26-'89

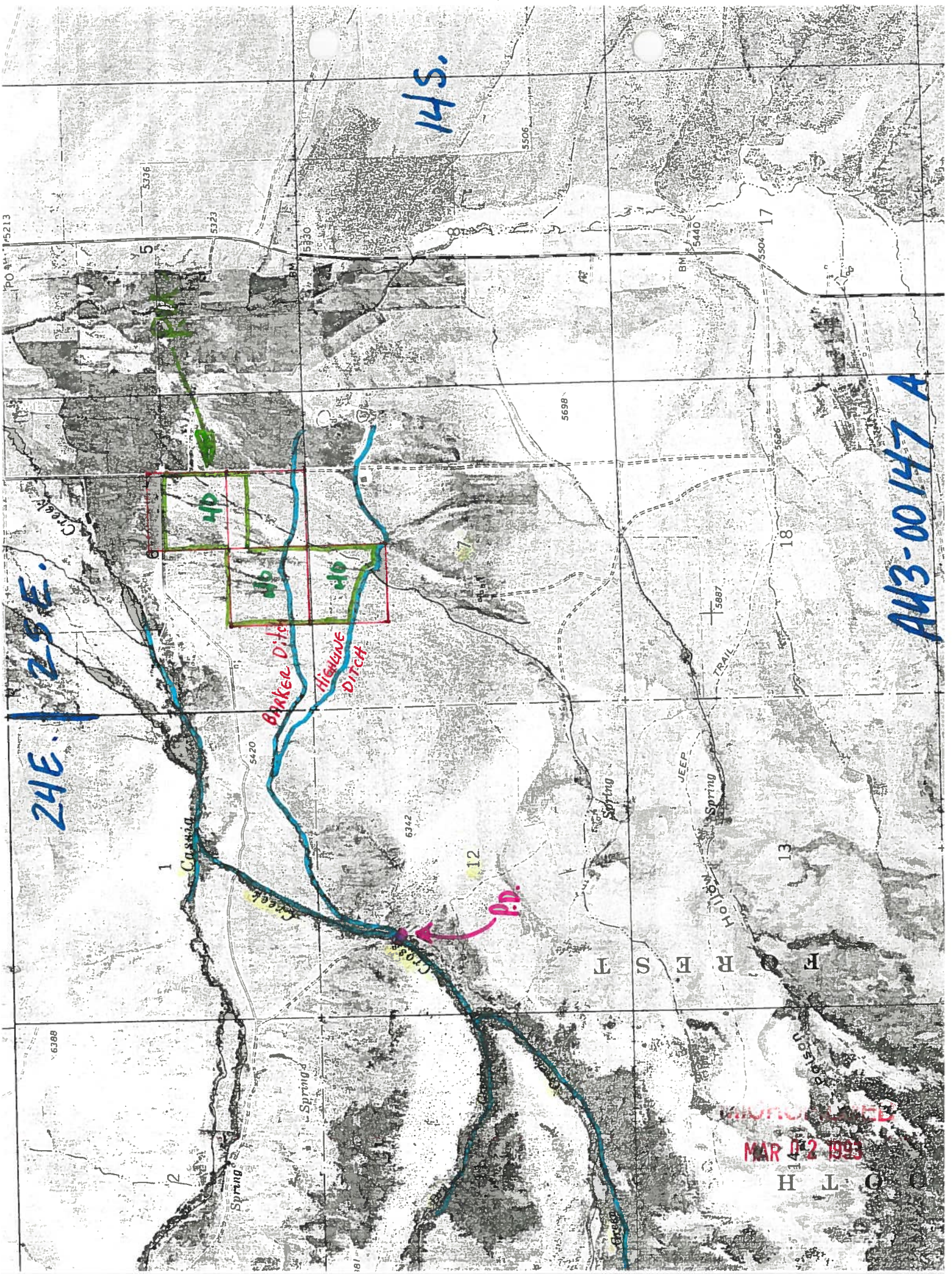
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of May 19 89
Al D. Martin
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/99



PO 41 5213

24E. 25E.

14S.

A43-00147 A

6388

5336

5323

5330

5506

BM 5440

5504

5698

5626

5420

6342

5887

1

12

13

2

Spring

Spring

F O R E S T

MAR 02 1993

H L O O

Baker Ditch

Highway Ditch

Jeep Spring

TRAIL

U.S. Forest Service

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-147A V1

WATER RIGHT NUMBER: 43-147A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J RICHARD WARD PO BOX 127 LEADORE, ID 83464 (208)768-2668
Current Owner	CINDY E WARD PO BOX 127 LEADORE, ID 83464 (208)768-2668
Original Owner	ELMO ELISON 2076 S 2350 E MALTA, ID 83342 (208)645-2544
Original Owner	LOUISE ELISON 2076 S 2350 E MALTA, ID 83342 (208)645-2544

Priority Date: 04/30/1885

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CROSS CREEK	CASSIA CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/1 to 10/31	0.500 CFS	
	<u>Total Diversion:</u>	0.500 CFS	

Location of Point(s) of Diversion

CROSS CREEK	NW1/4NE1/4NW1/4	Sec. 12, Twp 14S, Rge 24E, B.M.
CASSIA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
14S	25E	6																	34.0	30.0	64.0
14S	25E	7																			11.0

Total Acres: 75

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-147A V1

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 WATER IS DELIVERED THROUGH THE BARKER DITCH AND THE OTTLEY DITCH.
2. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 64 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-146A AND 43-147A
3. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 75 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-146A, 43-147A, AND 43-13127.

Comments:

1. kchrste 8/28/2001 CHANGE IN RECOMMENDATION
Comment: CLAIMANT FILED 43-13127 THAT IS IN A PPU WITH THE DECREED RIGHTS, THEREFORE THE PLACE OF USE WAS MODIFIED FOR THIS RIGHT.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector: AND
Water District Number: 43C
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037 DEPT INTERNET WEB SITE: www/idwr.state.id.us

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 28, 2001

RICHARD WARD
PO BOX 127
LEADORE ID 83464

RE: LATE CLAIM 43-13127 AND MODIFIED RECOMMENDATIONS FOR OVERLAPPING
RIGHTS 43-166A AND 43-147A.

Dear Richard

Enclosed is the data entered claim, the recommendation, and layout for 43-13127. Also enclosed are the modifications to 43-146A and 43-147A. My recommendations represent my current understanding of your system.

If you have any additional questions please give me a call.

Sincerely

Kelly K Christensen
Sr. Water Resource Agent
E-mail address: kchrste@idwr.state.id.us
Enclosures



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

E-mail address: kchrste@idwr.state.id.us

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 6, 2001

RICHARD WARD
PO BOX 127
LEADORE ID 83464

RE: RESPONSE TO NOTICE OF ERROR FILINGS MADE MAY 30, 2001

Dear Richard

I have made the following changes to my recommendations for the following systems. Please review the maps and accompanying preliminary recommendations. The preliminary recommendations will be the department's recommendations to the court unless you have additional input.

System 1 43-208, 43-209, and 43-413

I deleted the ground that you identified as BLM ground. We had discussed that the northern portion of the place of use isn't being irrigated at this time but I have left it in the recommended place of use as it was part of the place of use in 1987. You may wish to pursue a transfer to move the place of use to the south. The primary issue you have to consider is that Idaho code 42-222 states that if you go 5 years without using a water right or a portion of that right, it is subject to forfeiture.

System 43-2060

I enlarged the place of use based upon the sketch you completed at the meeting. There were no discernable features in the NAPP photography to exactly identify the place of use. The shape I created exceeds the licensed place of use by about 2 acres so my recommendation is for the 5 licensed acres within the found place of use. The additional acres can be recognized under the permit, 43-7183 that has yet to be licensed.

System 43-146A and 43-147A

I have received the evidence of priority from Elmo that supports a 1953 development of the Ottley ditch off of the Barker ditch. I have enclosed a claim form for your use to file for a beneficial use right for the irrigation of the ground in TWP 14S, RNG 25E, SEC 7, NENW. I identified 11 acres in that quarter/quarter as irrigated. (see enclosed file notes map of the entire place of use. The filing fee for the beneficial use right will be \$50.00. The late fee is waived and there are no variable fees due for this filing as they were covered through the filings for the decreed rights. If you have questions about the claim filing procedure call me at this office and I can discuss them with you. I am not changing my recommendation for the decreed rights until I receive the new claim.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORN
GOVERNOR**

March 19, 2001

**KARL J. DREHER
DIRECTOR**

RICHARD WARD
BOX 127
LEADORE ID 83464

RE: 43-146A AND 43-147A

Dear Richard

The recommendation for the above rights excludes 11 acres in Sec 7 NENW. This quarter is not part of the decreed place of use for the above listed rights. A beneficial use right is required before I can recognize those acres.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

R PROOF

CVR

MAPS

PHOTOS

MISC

.50 CFS 147A

.25 CFS 146A

.75 CFS

NO CONVEYANCE LINES

30ac

34ac

64

11

75ac

MR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

Dates:	Exam Made Date:	Verified Date:
Misc:	Water District Number: 43C	Field Inspection Flag: D
		Presumption Flag:

LAST: ELISON
ADDRESS: HC 72 BOX 2180
CITY: MALTA
PHONE NUMBER: 208-645-2544
OWNER CODE: 0

FIRST: ELMO
STATE: ID ZIP: 83342

LAST: ELISON
ADDRESS: HC 72 BOX 2180
CITY: MALTA
PHONE NUMBER: 208-645-2544
OWNER CODE: 0

FIRST: LOUISE
STATE: ID ZIP: 83342

LAST: WARD
ADDRESS: BOX 127
CITY: LEADORE
PHONE NUMBER: 208-768-2668
OWNER CODE: C

FIRST: J. RICHARD
STATE: ID ZIP: 83464

LAST: WARD
ADDRESS: BOX 127
CITY: LEADORE
PHONE NUMBER: 208-768-2668

FIRST: CINDY E.
STATE: ID ZIP: 83464

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: THIS IS PART OF THE WR 43-00147 FOR .80 CFS.
62.5% IS CLAIMED IN THIS RIGHT.
ORIGINAL SOURCE WAS LISTED AS GREEN CANYON CREEK IN THE DECREE,
A TRIBUTARY TO CROSS CREEK. THE P/D IS LOCATED IN CROSS CREEK
ACCORDING TO THE USGS MAPS.

OWNERSHIP CHANGE 11/1/91 BY JG.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A43-00147A PRIORITY DATE: 04-30-1885 STAGE: D

B. WR RECORD: # 43-00147 PRIORITY DATE: 04-30-1885 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD
N EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

NOTES:

RECOMMENDED PRIORITY DATE:

04-30-1885

REVIEWED BY _____

DATE _____

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:							
TWP.	RGE.	SEC.	1/4	1/4	LOT	COUNTY	DIVERSION NAME
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
SOURCE: _____			TRIB: _____				

REVIEWED BY: _____ DATE: _____

SYSTEM DESCRIPTION: _____

A. ROOT WATER RIGHT NUMBERS:

A43-00147A
A43-00147B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
14S	25E	6	SE	SW		WARD, J. RICHARD	A43-00147A /40.0	-	/		4.0
			SE	SW		WARD, J. RICHARD	A43-00146A /40.0	-	/		
			SE	SW		CASSIA CREEK IRRIGATION CO.		43-00015	/		
			SE	SW		HOAGLAND, ELLEN		43-00146	/		
			SE	SW		HOAGLAND, ELLEN		43-00147	/		
14S	25E	6	NW	SE		WARD, J. RICHARD	A43-00147A /30.0	-	/		7.0
			NW	SE		ELISON, LOUISE	R43-10220 /	-	/		
			NW	SE		BODEN, COLLEEN A.	A43-00147B /10.0	-	/		
			NW	SE		ELISON, LOUISE	A43-10220 /	-	/		
			NW	SE		BODEN, COLLEEN A.	A43-00146B /10.0	-	/		
			NW	SE		WARD, J. RICHARD	A43-00146A /30.0	-	/		
			NW	SE		CASSIA CREEK IRRIGATION CO.		43-00015	/		
			NW	SE		HOAGLAND, ELLEN		43-00146	/		
			NW	SE		HOAGLAND, ELLEN		43-00147	/		
14S	25E	6	SW	SE		WARD, J. RICHARD	A43-00147A /10.0	-	/		1.0
			SW	SE		BODEN, COLLEEN A.	A43-00147B /40.0	-	/		
			SW	SE		BODEN, COLLEEN A.	A43-00146B /40.0	-	/		
			SW	SE		NYE, O. JOHN	A43-10261 /40.0	-	/		
			SW	SE		WARD, J. RICHARD	A43-00146A /10.0	-	/		
			SW	SE		CASSIA CREEK IRRIGATION CO.		43-00015	/		
			SW	SE		HOAGLAND, ELLEN		43-00146	/		
			SW	SE		HOAGLAND, ELLEN		43-00147	/		
14S	25E	7	NE	NW		WARD, J. RICHARD	A43-00147A /40.0	-	/		
			NE	NW		WARD, J. RICHARD	A43-00146A /40.0	-	/		
			NE	NW		CASSIA CREEK IRRIGATION CO.		43-00015	/		
TOTAL ACRES							A43-00147A	120.00			12.00

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N ()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD EXAMINER

POU COUNTY: CASSIA

A. A) CLAIMED USES:

PURPOSES
A43-00147A IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY
.500 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.500 CFS

B. WR RECORDED USES:

PURPOSES
43-00147 IRRIGATION

MONTH/DAY
FROM TO

DIVERSION QUANTITY
.800 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.800 CFS

PRESUMPTION FLAG: D

C. FIELD EXAM REQUIRED?

	FIELD EXAM REQUIRED?	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY?	(Y/N)	N
DUE TO DIVERSION RATE DISCREPANCY?	(Y/N)	Y
DUE TO PERIOD FROM/TO DISCREPANCY?	(Y/N)	Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in notes, below.

NOTES:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.500 CFS
 MR ROOT RIGHT TOTAL DIVERSION RATE: 0.800 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
 ** If an amount smaller than the original diversion rate is **
 ** claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?

FIELD DATABASE EXAMINER
 DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A43-00146A

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A43-00147A	CROSS CREEK	WARD, J. RICHARD	0.500	0.004		
A43-00146A	CROSS CREEK	WARD, J. RICHARD	0.250	0.002		
A43-00146B	CASSIA CREEK	BODEN, COLLEEN A.	0.150	0.002		
A43-00147B	GREEN CANYON CREEK	BODEN, COLLEEN A.	0.300	0.005		
A43-10261	CASSIA CREEK	NYE, O. JOHN	2.100	0.026		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
R43-10220	STOCKWATER	ELISON, LOUISE	FROM 01-01 TO 12-31	.040 CFS	
A43-10220	STOCKWATER	ELISON, LOUISE	FROM 01-01 TO 12-31	.040 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 300.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 0.500	DATABASE EXAMINER	DATABASE EXAMINER 300.0
TOTAL FOR THIS RIGHT		0.500		300.0

REVIEWED BY: _____

DATE: _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 43-00147	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	0.800		

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A43-00147A	0.500	-		-	
-	A43-00147B	0.300	-		43-00147	0.800
-						
TOTAL CFS		0.800				0.800

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 sheet attached? (Y/N)

DATABASE	FIELD
N	EXAMINER

NOTES:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE: