

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: **A43-00208**

Date Received: 6/ 5/1989

Receipt No: S007492

Received By: _____

AMENDED

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

AMENDED

1. Name: J RICHARD WARD FAMILY TRUST 208-346-6232
Address: C/O RICHARD WARD
PO BOX 127
LEADORE ID 83464

2. Date of Priority: MAR 1, 1900

3. Source: PARKS CREEK Springs (PARK SPRINGS) Trib. to: CASSIA CREEK
PARKS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	26E	6	NE	SE			CASSIA

5. Description of diverting works:
DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/300 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	26E	32	SW	NE		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	26E	32	SE	SW		IRR	30.0
			NW	SE		IRR	20.0
					Section Acres		60.0
14S	26E	5	NE	NW		IRR	15.0
			NW	NW		IRR	10.0
			SW	NW		IRR	30.0
					Section Acres		55.0
		6	NE	SE		IRR	5.0
					Section Acres		5.0
					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:
A43-00413, 00209

14. Remarks:
SEE TRANSFER #527.

12/30/98, DJ: CLAIM AMENDED TO CORRECT PLACE OF USE LEGAL
DESCRIPTIONS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS ET AL AMENDED
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 Organizations:

I do solemnly swear or affirm that I am trustee of
Title
J. Richard Ward Family Trust, that I have signed the foregoing
Organization
document in the space below as trustee of
Title
J. Richard Ward Family Trust and that the statements contained in the
Organization
foregoing document are true and correct.

J. Richard Ward
Signature of Authorized Agent
Trustee for J. Richard Ward Family Trust
Title and Organization
12/30/98
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of December 19 98

Douglas R. Jones
Notary Public

Seal

Residing at Bohl ID
My Commission Expires 8/18/2001

PARCEL NO.

RP 14526E223000 A

TAX CODE 16-00

1997

CATEGORY DESCRIPTION
5 DRY GRAZING

LOTS/ACRES

40.000 AC

MARKET VALUE

1,280

40.000

1,280*

OWNER WARD J RICHARD FAMILY TRUST
% WARD J RICHARD, TRUSTEE
& WARD CINDY E, TRUSTEE
P O BOX 127
LEADORE ID 83464

LEGAL NWNW
S 22 T 14 R 26

PROPERTY ADDRESS

PARCEL NO. RP 14526E223000 A TAX CODE 16-00

PARCEL NO.

RP 14526E222400 A

TAX CODE 16-00

1997

CATEGORY DESCRIPTION
5 DRY GRAZING

LOTS/ACRES

40.000 AC

MARKET VALUE

1,280

40.000

1,280*

OWNER WARD J RICHARD FAMILY TRUST
% WARD J RICHARD, TRUSTEE
& WARD CINDY E, TRUSTEE
P O BOX 127
LEADORE ID 83464

LEGAL NENW
S 22 T 14 R 26

PROPERTY ADDRESS

PARCEL NO. RP 14526E222400 A TAX CODE 16-00

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A43-00208**
Date Received: 6/ 5/1989
Receipt No: S007492
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: J RICHARD WARD FAMILY TRUST 208-346-6232
Address: C/O RICHARD WARD
PO BOX 127
LEADORE ID 83464

2. Date of Priority: MAR 1, 1900

3. Source: PARKS CREEK Springs (PARK SPRINGS) Trib. to: CASSIA CREEK
PARKS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	26E	6		NE	SE		CASSIA

5. Description of diverting works:
DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/300 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	26E	5	NE	NW		IRR	15.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	26E	5	NW		NW		IRR	10.0
			SW		NW		IRR	30.0
							Section Acres	55.0
		32	SW		NE		IRR	10.0
			SE		SW		IRR	30.0
			NE		SE		IRR	20.0
							Section Acres	60.0
14S	26E	6	NE		SE		IRR	5.0
							Section Acres	5.0
							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:
A43-00413, 00209

14. Remarks:
SEE TRANSFER #527.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS ET AL AMENDED
vs Decree Defendant

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: AUG-20-1997
PAGE: A-32

RIGHT NUMBER: 43-10331

NAME & ADDRESS: J RICHARD WARD FAMILY TRUST
C/O RICHARD WARD~~721N 550E~~ ~~FIRTH ID 83236~~ *PO Box 127*
*Leadone ID 83464*SOURCE: SPRING *UNNAMED STREAM* TRIBUTARY: SINKSQUANTITY: *013* ~~1.00~~ CFS
.02

PRIORITY DATE: 01/01/1884

POINT OF DIVERSION: T14S R26E S21 *B1 SWNW N 1/2 N 1/2, SWNW* RP14S26E21 0000A
S22 *ENE NW* Within CASSIA County
RP14S26E22 2400A

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE STOCKWATER S/300 BEEF STOCK

PERIOD OF USE
01-01 12-31QUANTITY
~~1.00~~ CFS
.02

PLACE OF USE:

STOCKWATER

T14S R26E S21
S22

Within CASSIA County

NENE

NWNE

SWNW

NWNW

~~OK FROM FAX 10-31-91~~

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

N11
COMMENTS
DELETE
SPRING RUNS ON BLM PROPERTY IN SENW, SEC 21 THEN RE-ENTERS CLAIMANT'S PROPERTY IN NWNE, SEC 21 AND SINKS ON CLAIMANT'S PROPERTY. CLAIMANT FILED ON ENTIRE ESTIMATED FLOW RATE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

*8-26-97 from 8-22-97 assessor records +
deputy assessor Judy Zollinger.*

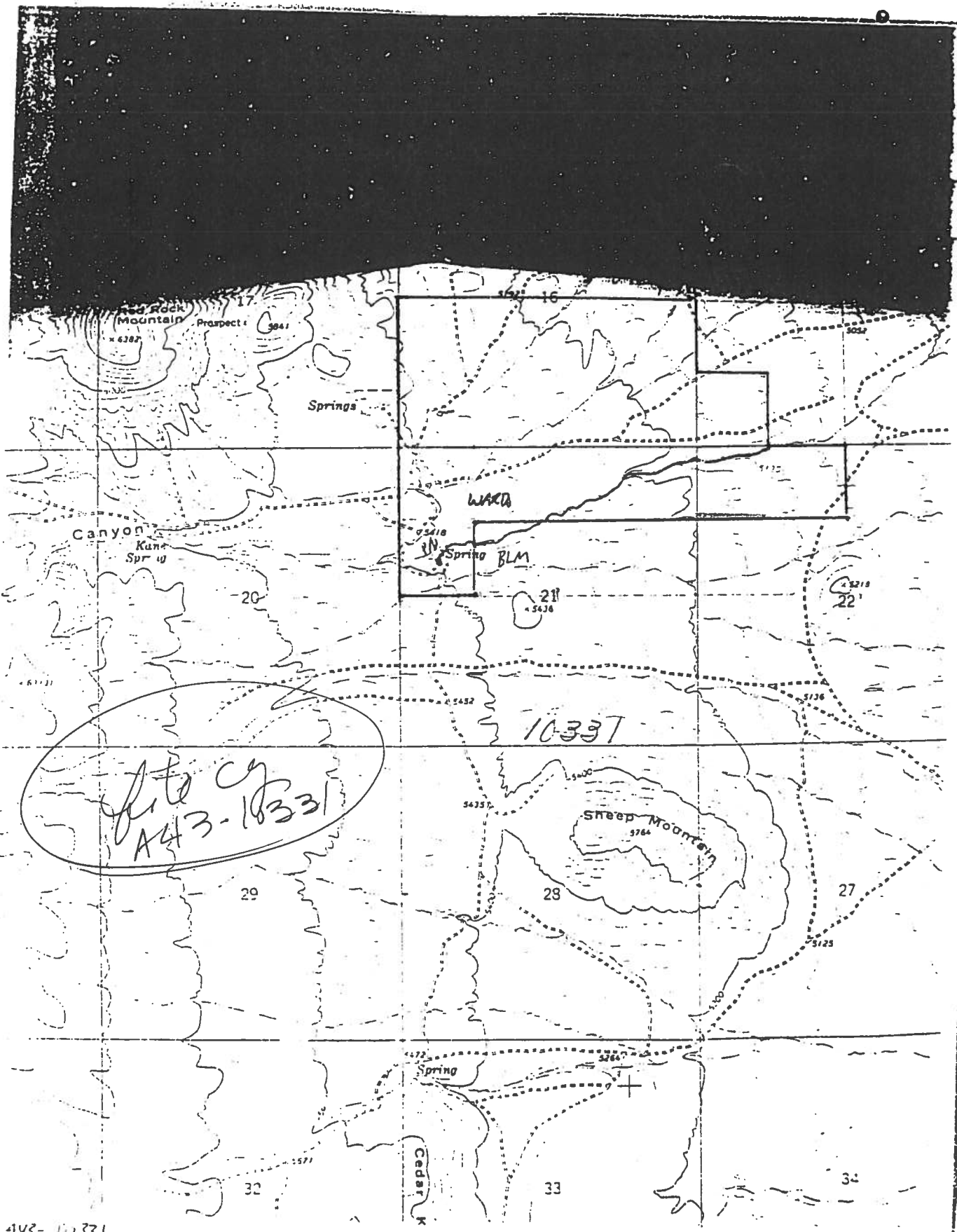
Receipt Number : S007492

Page 1 Of 3

Receipt Amt :

505.00

A4310328	25.00	A4310329	25.00	A4310330	25.00
A4310331	25.00	A4310332	25.00	A4310333	25.00
A4310335	25.00	A4300413	170.00	A4300208	50.00
A4300209	50.00	A4302060	60.00		



443-10331



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNORKARL J. DREHER
DIRECTOR

cc: W.M.

October 21, 1997

J RICHARD WARD FAMILY TRUST
C/O RICHARD WARD
PO BOX 127
LEADORE ID 83464+ A43-10328, -10329, -10330, -10332,
-10333, -10335, -00413, -00208,
-00209 + -02060RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #43-10331✓all records modified
11-4-97 -ps

Dear Claimant:

We need your assistance to verify your legal property descriptions on Notice of Claim #43-10331. I have enclosed a copy of the map from your Notice of Claim filed in June, 1989, for your convenience. There appears to be a discrepancy in Section 22. I've outlined the property boundary submitted by you in green, and outlined the property the Cassia County Assessor shows you as not owning in Section 22 in pink (NWNW, Sec. 22). You can see the discrepancy. The assessor's records confirm your ownership of the other tracts claimed for this water right.

Please explain, document, or submit information that either shows your ownership of the tract in question or your authority to have a water right on property you don't own under this name.

The Assessor also notified us the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

I have enclosed an Adjudication Name Index listing the Notices of Claim filed by you. The address on each of these claims will be updated to your current address. If there has been a change in ownership of the property connected with any of the water rights referenced on the enclosed Name Index, please call me toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record(s).

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter. Please return the letter by October 30, 1997. Thank you for your help.

J Richard Ward Family Trust
October 21, 1997
Page 2

If your mail delivery address changes in any form, please
contact us in writing so we can update our records.

Sincerely,



Sally Sherman
Technical Records Specialist
Adjudication Bureau

#####

The address is correct as shown above or as otherwise changed.

Cindy E. Ward
Claimant Signature

SS:state:tf

Enclosures:

Copy of #A43-10331

Adjudication Name Index

Office of

CASSIA COUNTY ASSESSOR

Martell C. Holland

1459 Overland Avenue
Burley, Idaho 83318
Phone (208) 678-3540

FACSIMILE TRANSMITTAL COVER SHEET

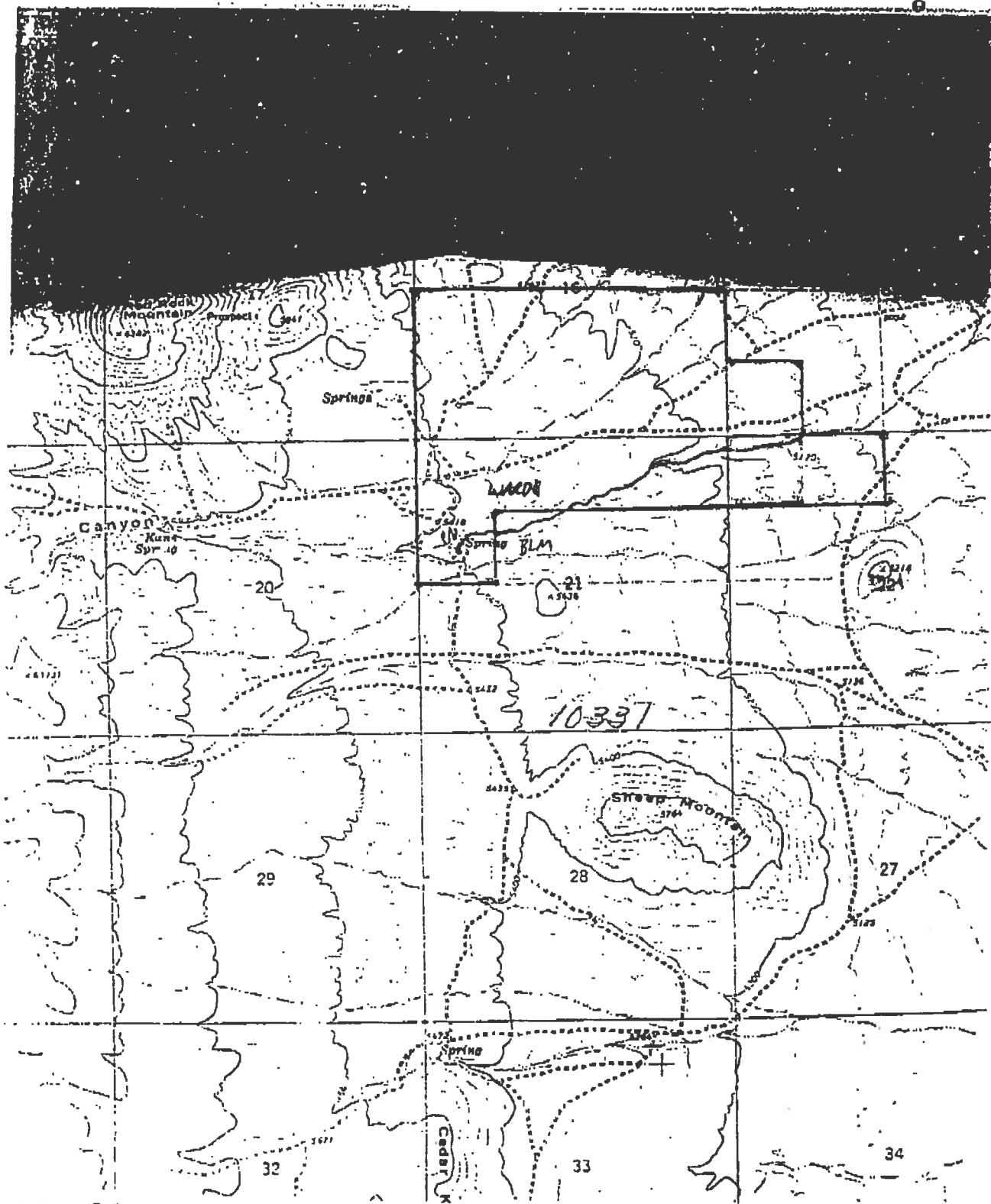
DATE: 10-31-97
TO: Sally
ATTN: Water Resources
FAX NUMBER: 1-208-327-7866
FROM: Cassia Co.
FAX NUMBER: (208) 677-1003

TOTAL NUMBER OF PAGES SENT, INCLUDING THIS PAGE: 5

RE: J Richard Ward Family Trust.
MEMO, MESSAGE OR SPECIAL INSTRUCTIONS:

If you do not receive all pages clearly, or if the transmission is not successfully received, please call the sender as soon as possible at our telephone number set forth above. THANK YOU.

FORMS\FAX.FRM



443-10331

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
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CIVIL CASE NUMBER: 39576

Ident. Number: A43-00208
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Receipt No: S007492
Received By:

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ACQUIRED UNDER STATE LAW

1. Name: J. RICHARD WARD FAMILY TRUST 208-346-6232
Address: C/O RICHARD WARD
721N 550E
FIRTH, ID 83236

2. Date of Priority: MAR 01, 1900

3. Source: PARKS CREEK Trib. to: CASSIA CREEK
SPRINGS (PARK SPRINGS) PARKS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	26E	6	NE	SE			CASSIA

5. Description of diverting works:
DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/300 BEEF STOCK

A43-00208

Page 1

Date: 06/05/89

MICROFILMED

MAR 02 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	26E	5	NE	NW		IRR	15.0
			NW	NW		IRR	10.0
			SW	NW		IRR	30.0
						Section Acres	55.0
		32	SW	NE		IRR	10.0
			SE	SW		IRR	30.0
			NE	SE		IRR	20.0
						Section Acres	60.0
		14S	26E	6	NE	SE	
						Section Acres	5.0
						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:
A43-00413, 00209

14. Remarks:
SEE TRANSFER #527.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

ALBION-IDAHO LAND CO.
Decree Plaintiff

vs JOBE ADAMS ET AL AMENDED
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 Organizations:

I do solemnly swear or affirm that I am Trustee Title of J. Richard Ward Family Trust Organization, that I have signed the foregoing document in the space below as Trustee Title of J. Richard Ward Family Trust Organization and that the statements contained in the foregoing document are true and correct.

J. Richard Ward
Signature of Authorized Agent

Trustee, J. Richard Ward Family Trust
Title and Organization

June 5, 1989
Date

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 5 th day

of June 19 89

Lon. Wente
Notary Public

Seal

Residing at TF

My Commission Expires 5/94

RECEIVED

JUN 29 1989

Department of Water Resources
Southern Region Office

Lori,

I apologize for taking so long to
get this copy to you.

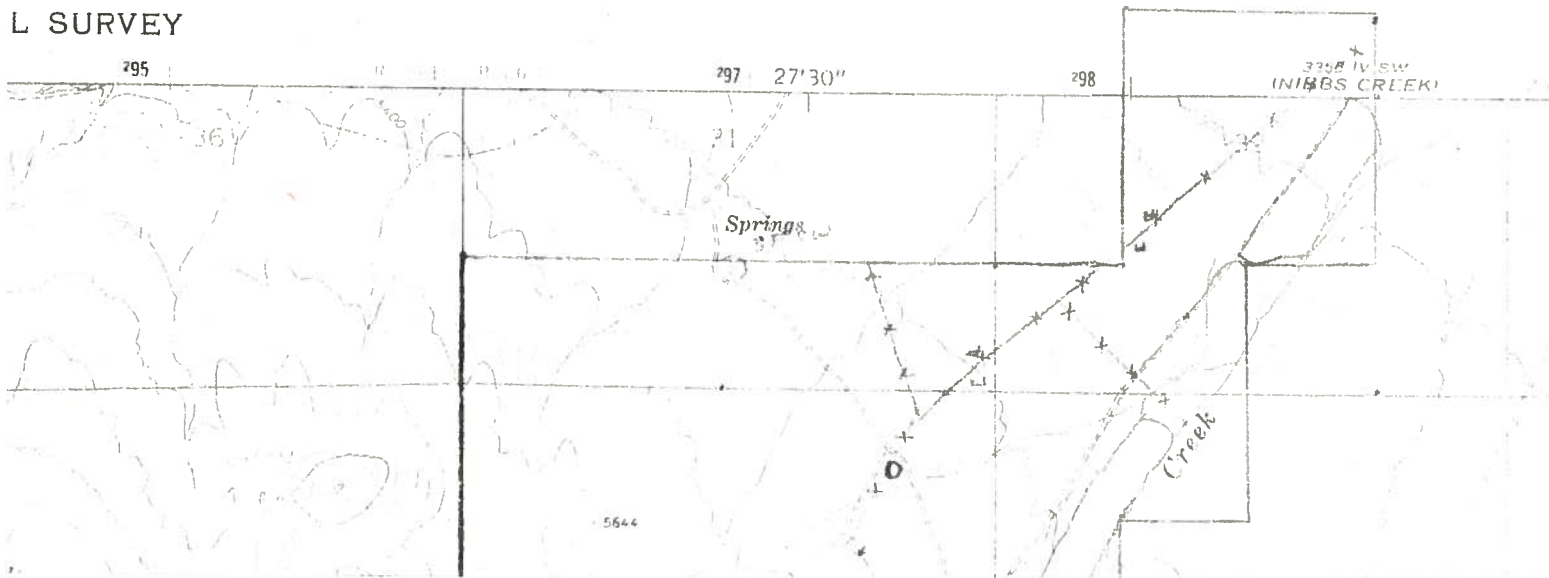
Thanks,

Cindy Ward
filed under

J Richard Ward Family Tru

$4 \frac{1}{16} = 1 \text{ mile}$

STATES
THE INTERIOR
L SURVEY



07/06/2001

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

RIGHT NUMBER: 43-208

NAME AND ADDRESS: J RICHARD WARD FAMILY TRUST
C/O RICHARD WARD
PO BOX 127
LEADORE, ID 83464

SOURCE: PARKS CREEK TRIBUTARY: CASSIA CREEK

QUANTITY: 0.4 CFS

PRIORITY DATE: 03/01/1900

POINT OF DIVERSION: T14S R26E S6 SENESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.40 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>							
T13S R26E S32	SWNE	5.6	T13S R26E S32	NESW	0.7		
T13S R26E S32	SESW	20	T13S R26E S32	NWSE	18		
T14S R26E S5	NENW	14	T14S R26E S5	NWNW	11	LOT 4	
T14S R26E S5	SWNW	18	T14S R26E S5	NWSW	0.8		
T14S R26E S6	SENE	0.4	T14S R26E S6	NESE	3		

91.5 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 91.5 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS. 43-208, 43-209, AND 43-413.

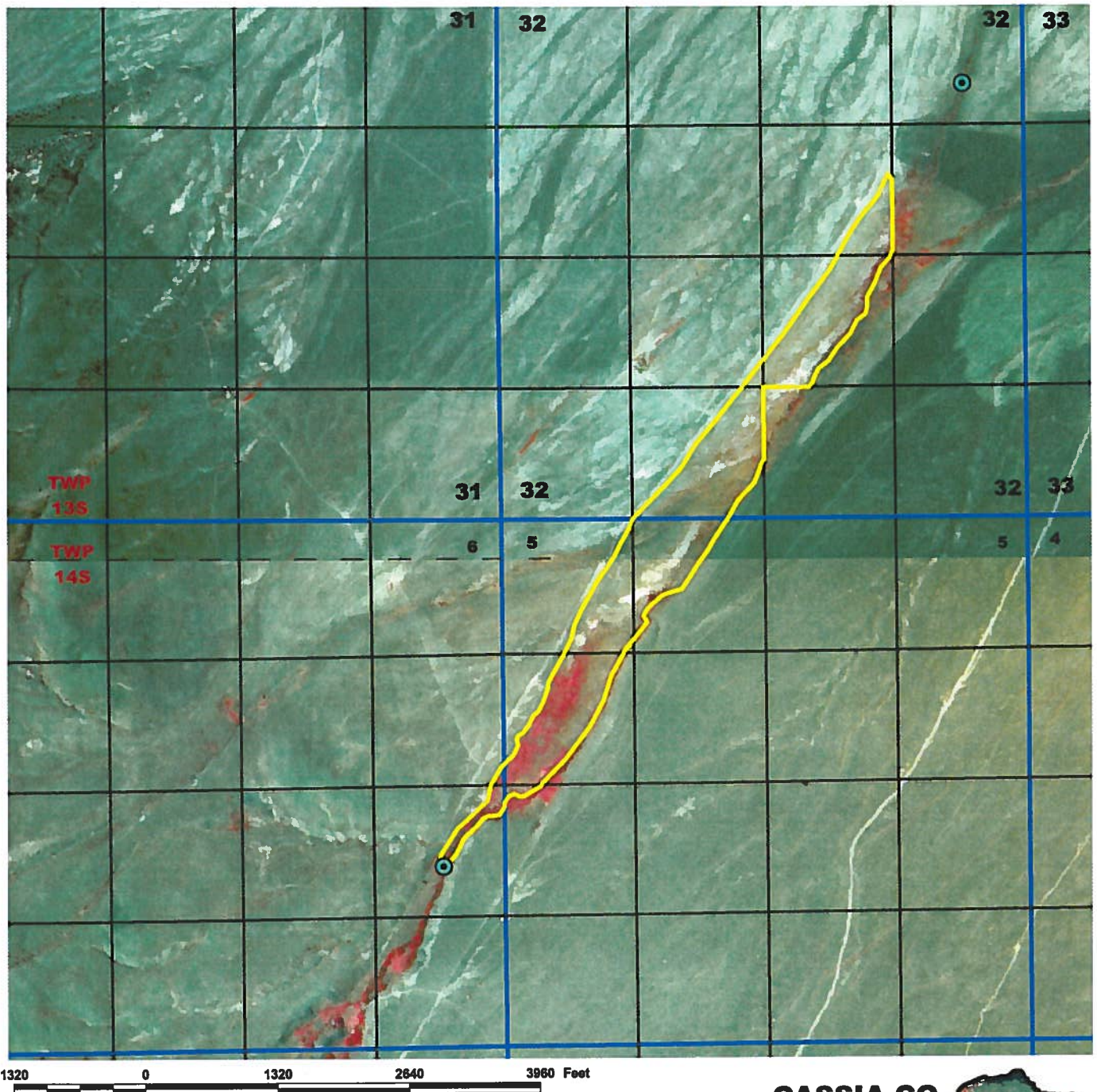
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - Decreed

Idaho Department of Water Resources

**RECOMMENDED PLACE OF USE FOR
43-208, 43-209, and 43-413**



PLACE OF USE

TWP 13S, RNG 26E, SEC 32

TWP 14S, RNG 26E, SEC 5 & 6

Data entry on July 5, 2001

GIS PLACE OF USE PRESENTATION

1987/1988 NAPP AERIAL PHOTOGRAPHY

DATA ENTRY BY KELLY K CHRISTENSEN

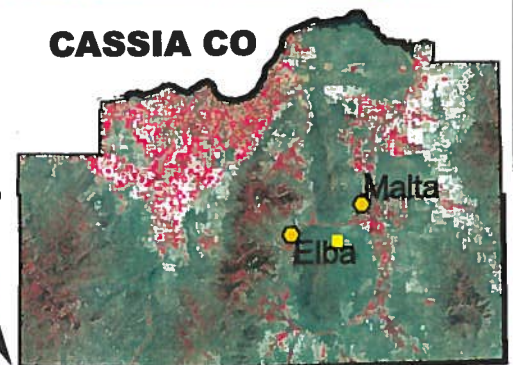
● RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES

CASSIA CO





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

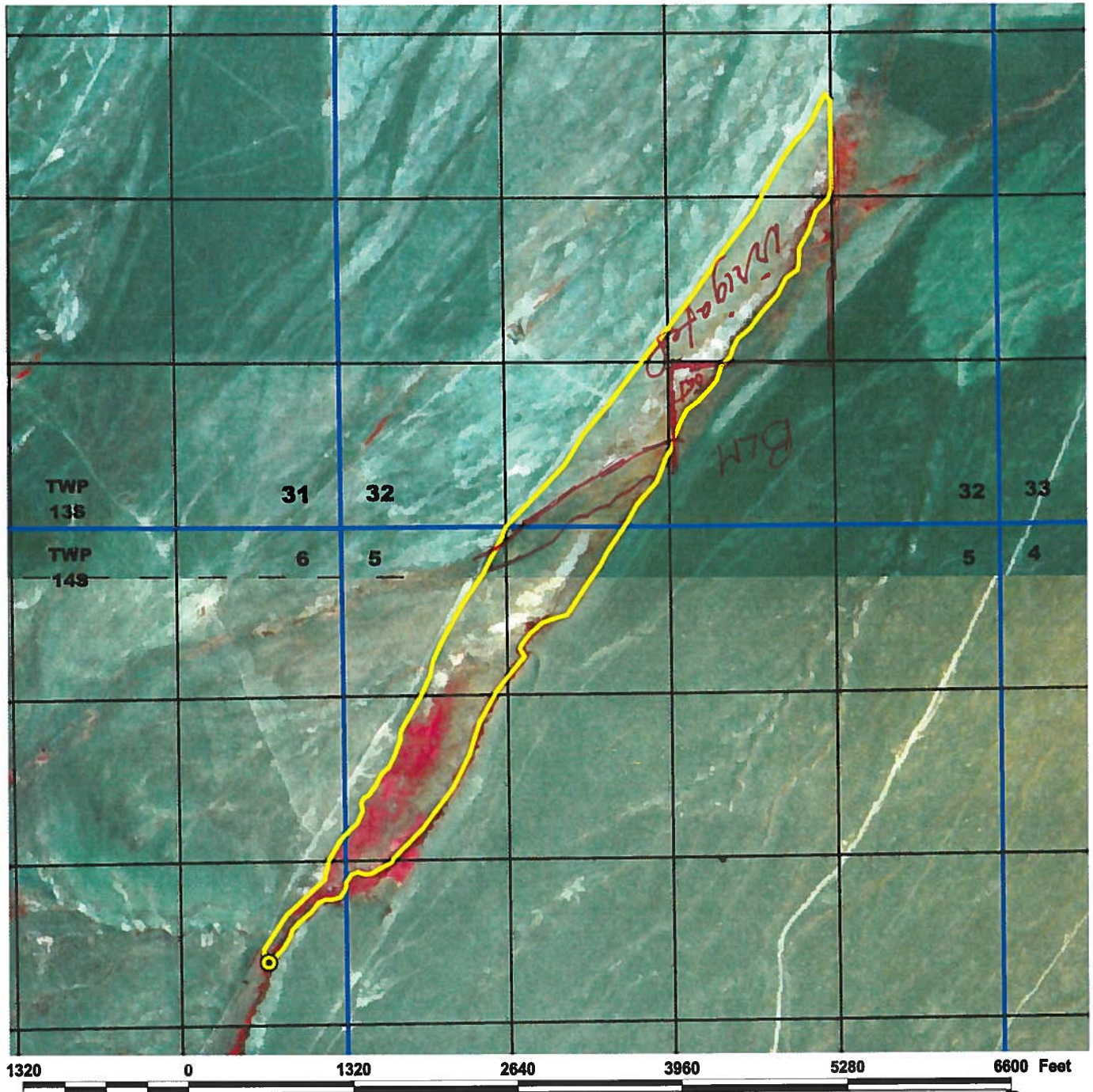
Richard Ward

43-208-209-413

Remove BLM corner from P/U

Idaho Department of Water Resources

RECOMMENDED PLACE OF USE FOR 43-208, 43-209, and 43-413



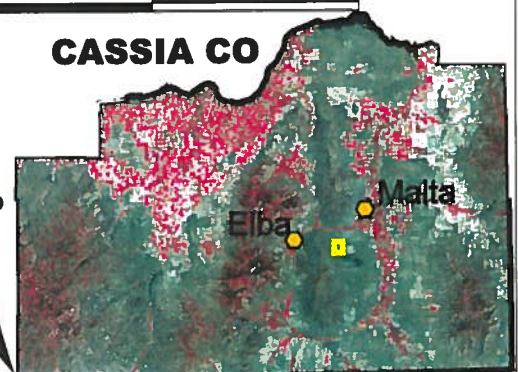
PLACE OF USE
TWP 13S, RNG 26E, SEC 32
TWP 14S, RNG 26E, SEC 5 & 6
Data entry on March 16, 2001

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

-  RECOMMENDED POINT OF DIVERSIO
-  RECOMMENDED PLACE OF USE
-  SECTION LINES
-  QUARTER/QUARTER LINES



CASSIA CO



03/16/2001

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

RIGHT NUMBER: 43-208

NAME AND ADDRESS: J RICHARD WARD FAMILY TRUST
C/O RICHARD WARD
PO BOX 127
LEADORE, ID 83464

SOURCE: PARKS CREEK

TRIBUTARY: CASSIA CREEK

QUANTITY: 0.4 CFS

VERIFIED BY *KKC*

PRIORITY DATE: 03/01/1900

POINT OF DIVERSION: T14S R26E S6

SENESE

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
0.40 CFS

*Recommendation
revised per NOE from
May 30, 2001 meeting
BLM approved
KKC*

PLACE OF USE:

IRRIGATION Within CASSIA County

T13S R26E S32	SWNE	5.6	T13S R26E S32	NESW	0.7
T13S R26E S32	SESW	20	T13S R26E S32	NWSE	18
T13S R26E S32	SWSE	3.5	T14S R26E S5	NENW	14
T14S R26E S5	NWNW	11	T14S R26E S5	SWNW	18
T14S R26E S5	NWSW	0.8	T14S R26E S6	SENE	0.4
T14S R26E S6	NESE	3			

95 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 95 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 43-208, 43-209, AND 43-413.

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 - Decreed

Log for claim A43-00208

Spatial Dynamics LRR

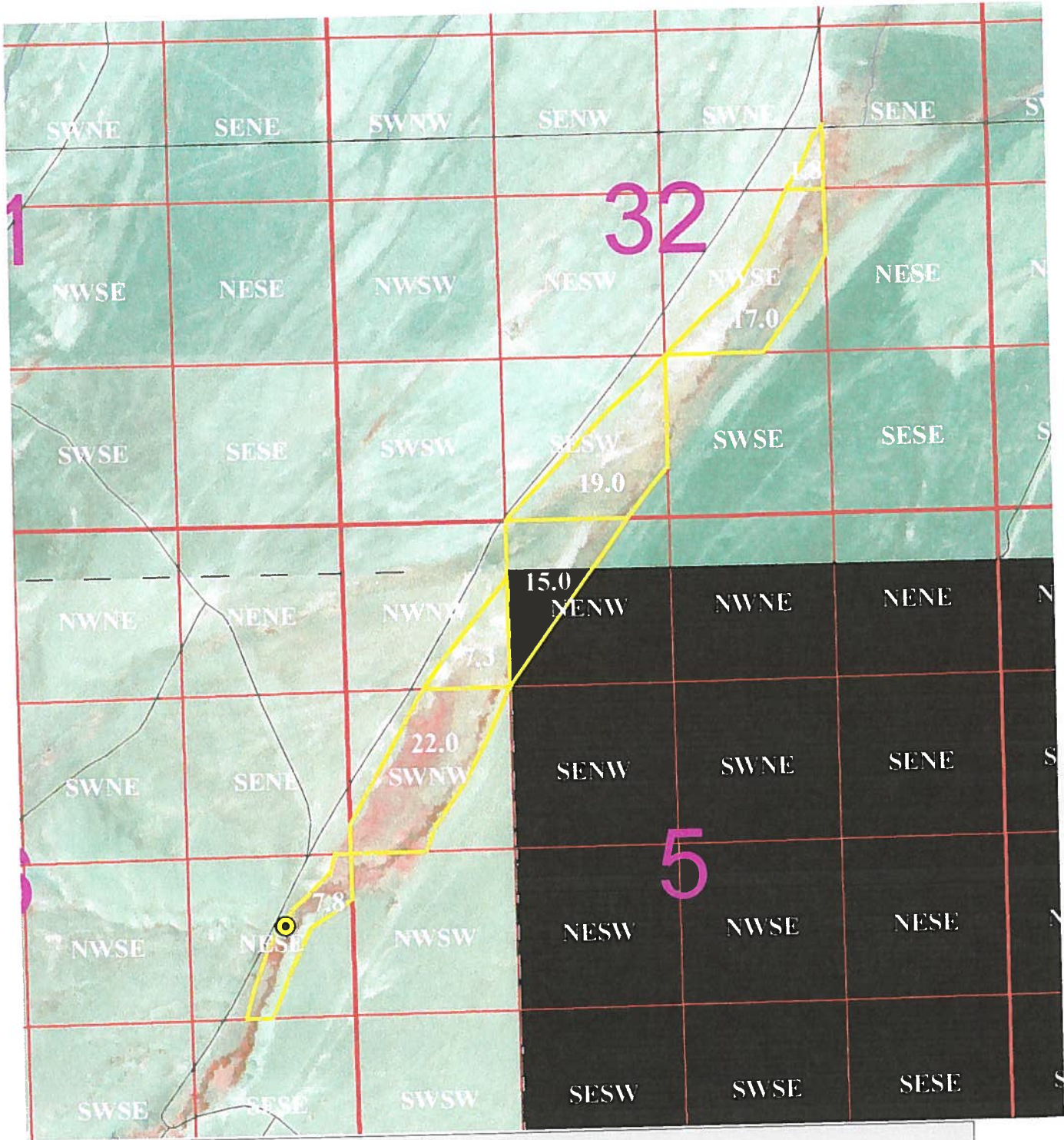
1/27/00

T	R	SEC	QQ	Acros Claimed	Acros Found	COMMENT
13	26	32	SWNE	10	1.8	
13	26	32	SESW	30	19	
13	26	32	NWSE	20	17	
14	26	5	NENW	15	15	
14	26	5	NWNW	10	7.3	
14	26	5	SWNW	30	22	
14	26	6	NESE	5	7.8	
Totals:				120	89.9	

Wednesday, February 02, 2000

Water Right Claim Number A43-00208

Townships , 13S26E, 14S26E



Legend

	Irrigated Area		Section line		Roads
	Place of Diversion		Quarter Section Line		Streams and canals



00208 - No maps

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

CERTIFICATE OF WATER RIGHT
Transferred Right No. 527

THIS IS TO CERTIFY That BERTHA M. WICKEL, of Burley, Idaho,
is the owner of, and using, a certain water right bearing the following
dates of priority:

0.1 cubic foot per second as of March 1, 1884
0.4 cubic foot per second as of March 1, 1900
0.8 cubic foot per second as of March 1, 1909

of the waters of Parke Creek and Parke Springs, tributary to Cassia
Creek, County of Cassia, State of Idaho, decreed to O. S. Marshall and
Kate Marshall, et al, by decree of Judge C. C. Cavanah of the District
Court of the United States for the District of Idaho, Southern Division,
in and for the County of Cassia, in the case of

ALBION-IDAHO LAND COMPANY VS. JOBY ADAMS, et al,
said decree bearing date of October 19, 1923, as amended on January 8,
1929, for the purpose of irrigating the following described lands,
situate, lying and being in Water District No. 8-C, in the County of
Cassia, State of Idaho, to-wit:

Southeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$);
North Half of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$); South
Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$); South Half
of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$); Northeast Quarter
of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$), of Section Twenty-
one (21), Township Thirteen (13) South, Range Twenty-
six (26) East, Boise Meridian.

That the said decree has been entered in the records of the Department
of Reclamation of the State of Idaho, in Book 5 of Decrees at page 324.

That Bertha M. Wickel has become the owner of said water right
by deed of record in the office of the County Recorder of Cassia County,
Idaho.

That, now, upon the application of Bertha M. Wickel for a
transfer of 1.3 cubic feet per second of said water, made before the

Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of said 1.3 cubic feet per second of the waters of Parke Creek and Parke Springs upon the following described lands, to-wit:

Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4} NE\frac{1}{4}$); North Half of the Southeast Quarter ($N\frac{1}{2} SE\frac{1}{4}$); South Half of the Southwest Quarter ($S\frac{1}{2} SW\frac{1}{4}$); South Half of the Southeast Quarter ($S\frac{1}{2} SE\frac{1}{4}$); Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4} SW\frac{1}{4}$), of Section Twenty-one (21), Township Thirteen (13) South, Range Twenty-six (26) East, Boise Meridian,

is hereby ABANDONED and the lands to be irrigated under such right, and to which the water right hereby confirmed shall become appurtenant by this certificate for irrigation and domestic purposes, are described as follows, to-wit:

Lots Three (3) and Four (4), Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4} NW\frac{1}{4}$); Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4} SW\frac{1}{4}$), of Section Five (5); East Half of the Southeast Quarter ($E\frac{1}{2} SE\frac{1}{4}$); Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4} SE\frac{1}{4}$), of Section Six (6); Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4} NE\frac{1}{4}$) of Section Seven (7), Township Fourteen (14) South, Range Twenty-six (26) East, Boise Meridian.
Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4} NW\frac{1}{4}$); Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} NE\frac{1}{4}$); Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4} SW\frac{1}{4}$); Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4} SE\frac{1}{4}$); Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4} SW\frac{1}{4}$); Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4} SW\frac{1}{4}$), of Section Thirty-two (32), Township Thirteen (13) South, Range Twenty-six (26) East, Boise Meridian,

situate, lying and being in the County of Cassia, State of Idaho, said water thereby limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amounts, to-wit:

0.1 cubic foot per second as of March 1, 1884
0.4 cubic foot per second as of March 1, 1900
0.8 cubic foot per second as of March 1, 1909

That the above right hereby transferred has heretofore been diverted from the said Parke Creek through a canal known as "Cottle Ditch," and will hereafter be diverted through various ditches from Parke Creek

and Parke Springs situated upon the lands to be irrigated.

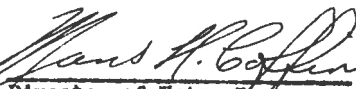
That the lands last above described have no other water right appurtenant thereto.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 1st day of March, 1934.

(SEAL)

R. W. FARIS
Commissioner of Reclamation

By 
Director of Water Resources

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of)
BERTHA M. WICKEL,)
for a Transfer of Water, County of)
Cassia.)

ORDER GRANTING TRANSFER

WHEREAS, on the 1st day of March, 1934, at the Department of Reclamation of the State of Idaho, the matter of the application of Bertha M. Wickel for a transfer of water right came on regularly for hearing, pursuant to the published notice; and

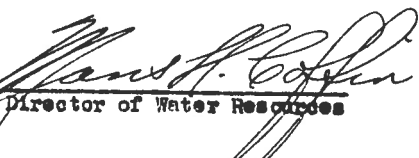
WHEREAS, no protest has been filed against the said application and the evidence filed by the applicant with her said application shows that a greater duty of water would result by reason of the transfer and that no one would be injured thereby:

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is, hereby GRANTED and that a Certificate of Transfer of Water Right be issued the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 1st day of March, 1934.

R. W. FARIS
Commissioner of Reclamation

By


Director of Water Resources

James S. McGill

1886-June 5 43 0206 2 s.f. c 1911

To be diverted from Clear Creek for the irrigation of

Lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, Twp. 15 S. R. 27 E.B.M.

PROVIDED, that the amount of water which said James S. McGill shall be entitled to receive from the said Clear Creek shall not, at any time, when added to the amount he then is entitled to receive, or receiving of the waters of Raft River, exceed one inch per acre, or an aggregate of 4 s.f.

1909-Apr. 1 43 0207 1.3 s.f. c 1911

To be diverted from Raft River for the irrigation of SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 32, Twp. 15 S. R. 26 E.B.M.

G. S. Marshall

Kate Marshall

1900-Mar. 1 43 0208 4 s.f. c 1911

1909-Mar. 1 43 0209 3 s.f. c 1911

To be diverted from Parke Creek for the irrigation of

SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, Twp. 13 S. R. 31 E.B.M.

1873-June 16 43 0210 8 s.f.

To be diverted from Cassia Creek for the irrigation of S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, Twp. 13 S. R. 26 E.B.M.

1909 April 1 See amending decree for Place of Use & Source of Water

R. M. Maxfield 0.6 s.f.

Annie Maxfield

1887-Apr. 30 43 0211 8 s.f. c 1911

1894-Apr. 1 43 0212 2 s.f. c 1911

To be diverted from Green Canyon Creek for the irrigation of NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17 and SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, Twp. 14 S. R. 25 E.B.M. Also a further tract of land described as follows: Beginning 14 rods 10 inches South of the NE corner of SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp. 14 S. R. 25 thence South 65 rods, 15 $\frac{1}{2}$ feet 2 inches; thence West 80 rods, thence North 55 rods 15 $\frac{1}{2}$ feet 2 inches; thence East 80 rods to place of beginning.

North American Mortgage Co.

1888-July 1 43 0213 .9 s.f. c 1911

To be diverted from Cassia Creek for the irrigation of SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, Twp. 17 S. R. 26 E.B.M.

1886-July 1 43 0214 .4 s.f. c 1911

To be diverted from Cassia Creek for the irrigation of NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 15 S. R. 26 E.B.M.

1894-Apr. 1 43 0215 2.4 s.f. c 1911

To be diverted from Cassia Creek for the irrigation of NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 15 S. R. 26 and SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, Twp. 13 S. R. 26 E.B.M.

UNRECORDED