

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: **A43-00328**
Date Received: 5/25/1989
Receipt No: M003703
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: PAUL A WARD 208-638-5526
Address: BOX 444
ELBA ID 83326
AND/OR
Name: BEVERLY WARD 208-638-5526
Address: BOX 444
ELBA ID 83326

2. Date of Priority: DEC 31, 1874

3. Source: CASSIA CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
13S	24E	25	NE	SW	NW		CASSIA
14S	25E	6	NE	NW	SW		CASSIA

5. Description of diverting works:
HEADGATE & MEASURING FLUME TO RICE-LESSEY 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	0.600		

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

8. Total consumptive use is 408.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

COPY

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	25E	29	SE	SW		IRR	36.0
			SW	SE		IRR	39.0
					Section Acres		75.0
		32	NW	NE		IRR	31.0
			SW	NE		IRR	30.0
					Section Acres		61.0
					Total Acres		136.0

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:
43-0329-0330 & 0331

14. Remarks:

SEE DECREE FOR FURTHER DESCRIPTION OF P. U.

OWNERSHIP CHANGE 01-04-1996 BY FH.

CLAIM AMENDED TO ADD A POINT OF DIVERSION ON COTTONWOOD CREEK.

DATA ENTERED 4-11-96 KKC

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

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): Paul G. Ward Date: 4/11/96

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 11 day
of Apr 19 96 Kelly L. Christensen
Notary Public

Seal

Residing at Kimberly Rd
My Commission Expires 3-2-98

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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IN RE THE GENERAL ADJUDICATION
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CIVIL CASE NUMBER: 39576

Ident. Number: **A43-00328**
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Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name:	PAUL A WARD	208-638-5526
Address:	BOX 444	
	ELBA ID	83326
AND/OR		
Name:	BEVERLY WARD	208-638-5526
Address:	BOX 444	
	ELBA ID	83326

2. Date of Priority: DEC 31, 1874

3. Source: CASSIA CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
14S	25E	6	NE		NW		SW		CASSIA

5. Description of diverting works:
HEADGATE & MEASURING FLUME TO RICE-LESSEY 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	0.600		

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

8. Total consumptive use is 408.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	25E	29	SE		SW		IRR	36.0
			SW		SE		IRR	39.0
							Section Acres	75.0
		32	NW		NE		IRR	31.0
			SW		NE		IRR	30.0
							Section Acres	61.0
							Total Acres	136.0

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:
43-0329-0330 & 0331

14. Remarks:

SEE DECREE FOR FURTHER DESCRIPTION OF P. U.

OWNERSHIP CHANGE 01-04-1996 BY FH.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ALBION-IDAHO LAND CO.

Decree Plaintiff

JOBE ADAMS ET AL

vs Decree Defendant



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: 11-28-95

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____.

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

☐ 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) TRR RTS A43-00200, -00205, -00241, -00328, -00329, -00330, -00331, -00474
 Assigned by IDWR: _____

☐ Name and Address of Former Owner/Claimant(s)(Seller): ART M. WARD OR BEYH P. WARD
Box 443

☐ New Owner/Claimant (Purchaser): ELBA, ID. 83326 208-638-5536
PAUL A. WARD AND/OR BEVERLY WARD

☐ New Mailing Address: PO Box 444
ELBA, ID 83326

☐ New Telephone Number: 208 638-5526

☐ 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:

DOMESTIC/STK RTS: A43-10619 DOMESTIC
-10620 STOCK

☐ Attach proof of ownership, describe proof attached: WARRANTY DEED

(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) X Paul A. Ward Date 1/2/96

X Beverly Ward Date 1/2/96

☐ Signature of Former Owner/Claimant(s): _____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 01-02-96 By: TH

Further Action Needed:

ON-LINE UPDATE

Further Action Taken

Date: 01-04-96 By: TH

Final Review and Data-Entry

Date: 01-05-96 By: TH

Claim Numbers of Split, if any:

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

COPY

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IN RE THE GENERAL ADJUDICATION
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ACQUIRED UNDER STATE LAW

1. Name: ART M. WARD 208-638-5536
Address: BOX 443
ELBA, ID 83326

AND/OR

Name: BETH P. WARD 208-638-5536
Address: BOX 443
ELBA, ID 83326

2. Date of Priority: DEC 31, 1874

3. Source: CASSIA CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	25E	6	NE	NW	SW		CASSIA

5. Description of diverting works:
HEADGATE & MEASURING FLUME TO RICE-LESSEY 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	0.600		

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

8. Total consumptive use is 408.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	25E	29	SE	SW		IRR	36.0
			SW	SE		IRR	39.0
					Section Acres		75.0
		32	NW	NE		IRR	31.0
			SW	NE		IRR	30.0
					Section Acres		61.0
					Total Acres		136.0

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:
43-0329-0329 & 0331

14. Remarks:
SEE DECREE FOR FURTHER DESCRIPTION OF P. U.

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

ALBION-IDAHO LAND CO.
Decree Plaintiff

vs

JOBE ADAMS ET AL
Decree Defendant

MICROFILMED
MAR 03 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): _____ 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 _____

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: A43-00328

Date Received: 5/18/1989

Receipt No: M003703

Received By: R. V. Z

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ART M. WARD 208-638-5536
Address: BOX 443
ELBA, ID 83326

AND/OR

Name: BETH P. WARD 208-638-5536
Address: BOX 443
ELBA, ID 83326

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14S	25E	6	NE	NW	SW		CASSIA

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6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.600		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-
NO

Cons. Use

A43-0

1

Date: 05/25/89

MICROFILMED
MAR 03 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	25E	29	SE	SW		IRR	36.0
			SW	SE		IRR	39.0
					Section Acres		75.0
		32	NW	NE		IRR	31.0
			SW	NE		IRR	30.0
					Section Acres		61.0
					Total Acres		136.0

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:
43-0329-0329 & 0331

14. Remarks:
SEE DECREE FOR FURTHER DESCRIPTION OF P. U.

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

ALBION-IDAHO LAND CO.
Decree Plaintiff

vs

JOBE ADAMS ET AL
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): Art M Ward Date: 3/25/89

Date: _____

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 25th day

of May 19 89

Robert V. Horstelt
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires 1/16/1995



**DO
NOT
FILM**

Water Right Number - 43-00328 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
WARD

W. A.
1 -
2 -
3 -
City-
Phone -
1 -
2 -
3 -

State- Zip-

WARD

MRS. W. A.

State- Zip-
City-
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/31/1874 17 SOUTHERN D - DECREED

+ - - Source - - - - - + + - - - - Tributary - - - - - +
CASSIA CREEK RAFT RIVER

+ - - - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +
TwN Rng Sec Tract Lot Rflg County

+ - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume - - - - - +
Code Description Period From Period To 0.600
01 - IRRIGATION

+ - - Total Div. Rate - - + + - - Total Div. Volume - - + + - - Total Div. Capacity - - +
0.600

+ - - - - - - - - - - - Place of Use - - - - - Description County - - - - - +
TwN Rng Sec Tract Lot Acres Code (31) CASSIA
13S 25E 29 SE SW 01 IRRIGATION (31) CASSIA
13S 25E 29 SW SE 01 IRRIGATION (31) CASSIA
13S 25E 32 NW NE 01 IRRIGATION (31) CASSIA
13S 25E 32 SW NE 01 IRRIGATION (31) CASSIA

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 43-0329-0331

+ - - - - - - - - - - - Remarks - - - - - +
SEE DECREE FOR FURTHER DESCRIPTION OF P. U.

+ - - - - - - - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

WATER RIGHT

+ - Decree Date - +
10/18/1928

1
1
1
1
1
1
1
1
1
1

Water Rights Dates and Flags Area

| | |
|------------------|-------|
| Field Exam Fee | - |
| Swan Falls | - |
| Temporary Right | - P |
| DLE/Carey Act | - |
| Water District | - 43C |
| Transfer/Amended | - |

| | |
|------------------|-------|
| Field Exam Fee | - |
| Swan Falls | - |
| Temporary Right | - P |
| DLE/Carey Act | - |
| Water District | - 43C |
| Transfer/Amended | - |

**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

Subcase No.: 43-328

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

COPY

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

Signature of Authorized Agent Date

Signature of Authorized Agent Date

Title and Organization

Title and Organization

IDWR Concurrence Date
Sr Water Resource agent

Approved as to form Date
Attorney for IDWR

06/18/2002

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

RIGHT NUMBER: 43-328

NAME AND ADDRESS: PAUL A WARD
1960 S ELBA/ALMO RD
ELBA ID 83342

BEVERLY WARD
1960 S ELBA/ALMO RD
ELBA ID 83342

SOURCE: CASSIA CREEK
COTTONWOOD CREEK

TRIBUTARY: RAFT RIVER
TRIBUTARY: CLYDE CREEK

QUANTITY: 0.60 CFS

PRIORITY DATE: 12/31/1874

POINT OF DIVERSION:

T13S R24E S25 NESWNW Within CASSIA County

T14S R25E S6 NWSWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 4/01 10/31 | 0.600 CFS |

PLACE OF USE: IRRIGATION Within CASSIA County

| | | | | | |
|---------------|------|------|---------------|------|------|
| T13S R25E S29 | SESW | 34.0 | T13S R25E S29 | SWSE | 16.0 |
| T13S R25E S32 | NWNE | 24.0 | T13S R25E S32 | SWNE | 14.0 |

88 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 88 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:
43-00328, 43-00329, 43-00330, AND 43-00331.

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS

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: Decreed

THE COMBINED FLOW RATE FOR THE COMBINED RIGHTS LISTED BELOW
INCLUDES 0.72 CFS FOR CONVEYANCE LOSS BETWEEN THE POINTS OF
DIVERSION AND THE FIELD HEADGATES. COMBINED RIGHTS: 43-00328,
43-00329, 43-00330, AND 43-00331.

CERTIFICATE OF SERVICE

I certify that on _____, 2002, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

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

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Paul A Ward
1960 S Elba/Almo Rd
Elba ID 83342

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

United States of America acting through
Usdi Bureau of Land Management
Idaho State Office
1387 S Vinnell Wy
Boise Id 83709-1657

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ Facsimile

Signature of person or attorney mailing the form

RECEIVED

FEB 19 2002

Department of Water Resources
Southern Region

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 43-00328

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

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

Name: Paul A. Ward

Address: 1960 S. Elba/Almo Rd.; Elba, ID. 83342

Name: Beverly Ward

Address: 1960 S. Elba/Almo Rd.; Elba, ID. 83342

Name:

Address:;

Name:

Address:;

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: _____

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: See attached

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):

The legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

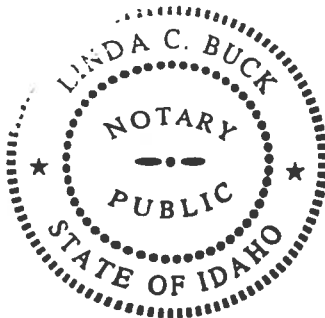
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Gary A. Madenford
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: February 7, 2002

Linda C. Buck



Linda C. Buck

Notary Public for Idaho

Residing at: Mountain Home

My Commission Expires: 12-21-2005

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.

G. CERTIFICATE OF MAILING

I certify that on Feb. 8, 2002, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

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

Name: Paul A. Ward

Address: 1960 S. Elba/Almo Rd.; Elba, ID. 83342

Name: Beverly Ward

Address: 1960 S. Elba/Almo Rd.; Elba, ID. 83342

Name:

Address: ;

Name:

Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

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


Signature of Objector or attorney mailing on Objector's behalf

09/19/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-328
NAME AND ADDRESS: PAUL A WARD
1960 S ELBA/ALMO RD
ELBA ID 83342
BEVERLY WARD
1960 S ELBA/ALMO RD
ELBA ID 83342

Mixed Ownership:

- The place of use identified below contains both Private & Public Lands.
- Clarify the Pou such that it is clear that only private land is intended.

SOURCE: CASSIA CREEK
COTTONWOOD CREEK

TRIBUTARY: RAFT RIVER
TRIBUTARY: CLYDE CREEK

QUANTITY: 0.600 CFS

PRIORITY DATE: 12/31/1874

POINT OF
DIVERSION:

T13S R24E S25 NESWNW Within CASSIA County
T14S R25E S6 NWSNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4/01 10/31

QUANTITY
0.600 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

| | | | | | |
|---------------|------|------|---------------|------|------|
| T13S R25E S29 | SESW | 34.0 | T13S R25E S29 | SWSE | 16.0 |
| T13S R25E S32 | NWNE | 24.0 | T13S R25E S32 | SWNE | 14.0 |

-The use of water under this right does not include
a use on Federal Public Land.
88 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 88 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:
43-00328, 43-00329, 43-00330, AND 43-00331.

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

THE COMBINED FLOW RATE FOR THE COMBINED RIGHTS LISTED BELOW INCLUDES
0.72 CFS FOR CONVEYANCE LOSS BETWEEN THE POINTS OF DIVERSION AND THE
FIELD HEADGATES. COMBINED RIGHTS: 43-00328, 43-00329, 43-00330, AND
43-00331.

43-00000

1222450
D/C

134

T135
R25E

29

149

103499
50' Hwy

535691
D/C

548

368
D/C

Acq
12/11/1947
WD to US
Rstd Min

408

410

1275
D/C

32

453

71

378

117

472290
D/C

325
D/C

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

CASSIA COUNTY
JURY DISTRICT SEC 3

MT PLAT[illegible]

000000 1561812/211 Hwy 2 3rd Sec 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860,

1999 ABAP Landfill Use Term 12/18/1991
See 33 SENW

UNIDENTIFIED SCAPT REFER TO INDENT
FOR CANCELING DISPOSAL OF
SIMULTANEOUS DOCUMENTS

[illegible]

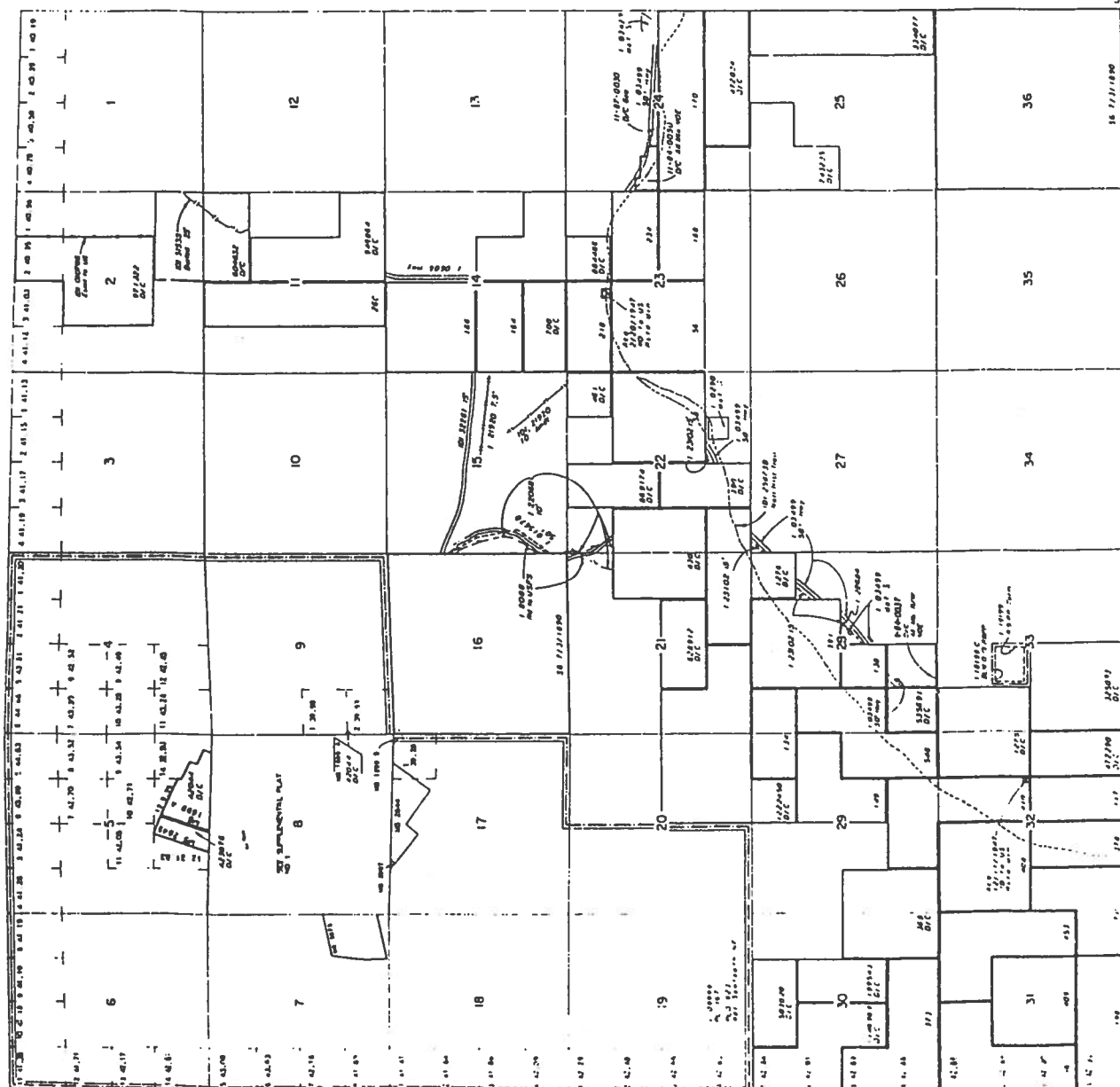
— 427 —

[illegible]

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER.

W. A. RAYMOND, 1714 EIGHTH ST.

SCALE IN CHAINS





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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 6, 2001

PAUL A WARD
BEVERLY W WARD
1960 S ELBA/ALMO RD
ELBA ID 3342

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. 43-200, 43-205, 43-241,
43-328, 43-329, 43-330, 43-331, 43-474, 43-2337,
43-10176, 43-10177, 43-10619, 43-10620, 43-11147
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in Address on the water right claim(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

RECEIVED

MAY 31 2001

Department of Water Resources
Southern Region

CHANGE IN ADDRESS

☐ Water Right Number(s): 43-331, 43-330, 43-329, 43-328.

43-205, 43-200, 43-10176, 43-2337

43-10179, -10177, 10620, 11147, -241, -474

☐ Old Mailing Address:

PO Box 444

Elba

☐ New Mailing Address:

Paul A Ward

Beverly W Ward.

1960 S Elba / Almo Rd Elba 83340

☐ New Telephone Number: (208) 638 - 5526

☐ Signature of Claimant(s): x Paul A. Ward

Date: _____

| | |
|-------------------------------|-----------------|
| FOR IDWR USE ONLY | |
| Initial Review and Data Entry | |
| Date: | By: |
| Further Action Needed: | |
| Further Action Taken | |
| Date: | By: |
| Final Review and Data Entry | |
| Date: 5/31/01 | By: [Signature] |

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-328

PAUL A WARD
PO BOX 444
ELBA ID 83326
Telephone Number: (208)638-5526

BEVERLY WARD
PO BOX 444
ELBA ID 83326
Telephone Number: (208)638-5526

RECEIVED
JUN 04 2001
Department of Water Resources
Southern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

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

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

X I AGREE with this proposed recommendation: no changes need to be made.

DATE:

5/31/01

SIGNATURE:

Paul A. Ward

Please print your name:

Paul A. Ward

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

02/07/2001

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

RIGHT NUMBER: 43-328

NAME AND ADDRESS: BEVERLY WARD
PAUL A WARD
BOX 444
ELBA, ID 83326

VERIFIED BY: KKC

SOURCE: CASSIA CREEK
COTTONWOOD CREEK

TRIBUTARY: RAFT RIVER
CLYDE CREEK

QUANTITY: 0.6 CFS

PRIORITY DATE: 12/31/1874

POINT OF DIVERSION: T13S R24E S25 NESWNW Within CASSIA County
T14S R25E S6 NWSWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------|---------------|----------|
| IRRIGATION | 4-01 10-31 | 0.60 CFS |

PLACE OF USE:

| <u>IRRIGATION Within CASSIA County</u> | | | |
|--|------|----|-----------------------|
| T13S R25E S29 | SESW | 34 | T13S R25E S29 SWSE 16 |
| T13S R25E S32 | NWNE | 24 | T13S R25E S32 SWNE 14 |

88 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 88 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-00328, 43-00329, 43-00330, AND 43-00331.

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

THE COMBINED FLOW RATE FOR THE COMBINED RIGHTS LISTED BELOW
INCLUDES 0.72 CFS FOR CONVEYANCE LOSS BETWEEN THE POINTS OF
DIVERSION AND THE FIELD HEADGATES. COMBINED RIGHTS: 43-00328,
43-00329, 43-00330, AND 43-00331

R PROOF

CVR

MAPS

*See 43-00200
for field map
original*

PHOTOS

MISC

Water Right Number - R43-00328

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
WARD

PAUL A

1 - BOX 444
2 -
3 -

State- ID Zip- 83326

WARD

BEVERLY

City- ELBA
Phone - 208-638-5526
1 - BOX 444
2 -
3 -

State- ID Zip- 83326

*** O - ORIGINAL OWNER ***
WARD

BETH P

1 - BOX 443
2 -
3 -

State- ID Zip- 83326

WARD

ART M

City- ELBA
Phone - 208-638-5536
1 - BOX 443
2 -
3 -
City- ELBA
Phone - 208-638-5536

State- ID Zip- 83326

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
12/31/1874 17 SOUTHERN D - DECREED

+ - - Source - - - - - + - - - - - Tributary - - - - - +
CASSIA CREEK RAFT RIVER
COTTONWOOD CREEK CLYDE CREEK

| Twn | Rng | Sec | Tract | Lot | Rflg | County | Point of Diversion |
|-----|-----|-----|----------|------|------|--------|--------------------|
| 13S | 24E | 25 | NE SW NW | (31) | | CASSIA | |
| 14S | 25E | 6 | NW SW NE | (31) | | CASSIA | RICE LESSEY DITCH |

| Code | Description | Period From | Water Use | Period To | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|-----------|----------------|------------------|
| 01 - IRRIGATION | | 04/01 | 10/31 | | 0.600 | |

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KM Usage - +
0.600 0.0

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|-------------|
| 13S | 25E | 29 | SE SW | | 34.0 | 01 | IRRIGATION | (31) CASSIA |
| 13S | 25E | 29 | SW SE | | 16.0 | 01 | IRRIGATION | (31) CASSIA |
| 13S | 25E | 32 | NW NE | | 24.0 | 01 | IRRIGATION | (31) CASSIA |
| 13S | 25E | 32 | SW NE | | 14.0 | 01 | IRRIGATION | (31) CASSIA |

total 88 ac

VERIFIED BY KKC

Prefix translation: RESEARCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 43-00329-43-00330 & 43-00331

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 88 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-00328, 43-00329, 43-00330, AND 43-00331.

EXP THE COMBINED FLOW RATE FOR THE COMBINED RIGHTS LISTED BELOW INCLUDES 0.72 CFS FOR CONVEYANCE LOSS BETWEEN THE POINTS OF DIVERSION AND THE FIELD HEADGATES. COMBINED RIGHTS: 43-00328, 43-00329, 43-00330, AND 43-00331.

4300328

Conditions of Approval

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

ALBION-IDAHO LAND CO.

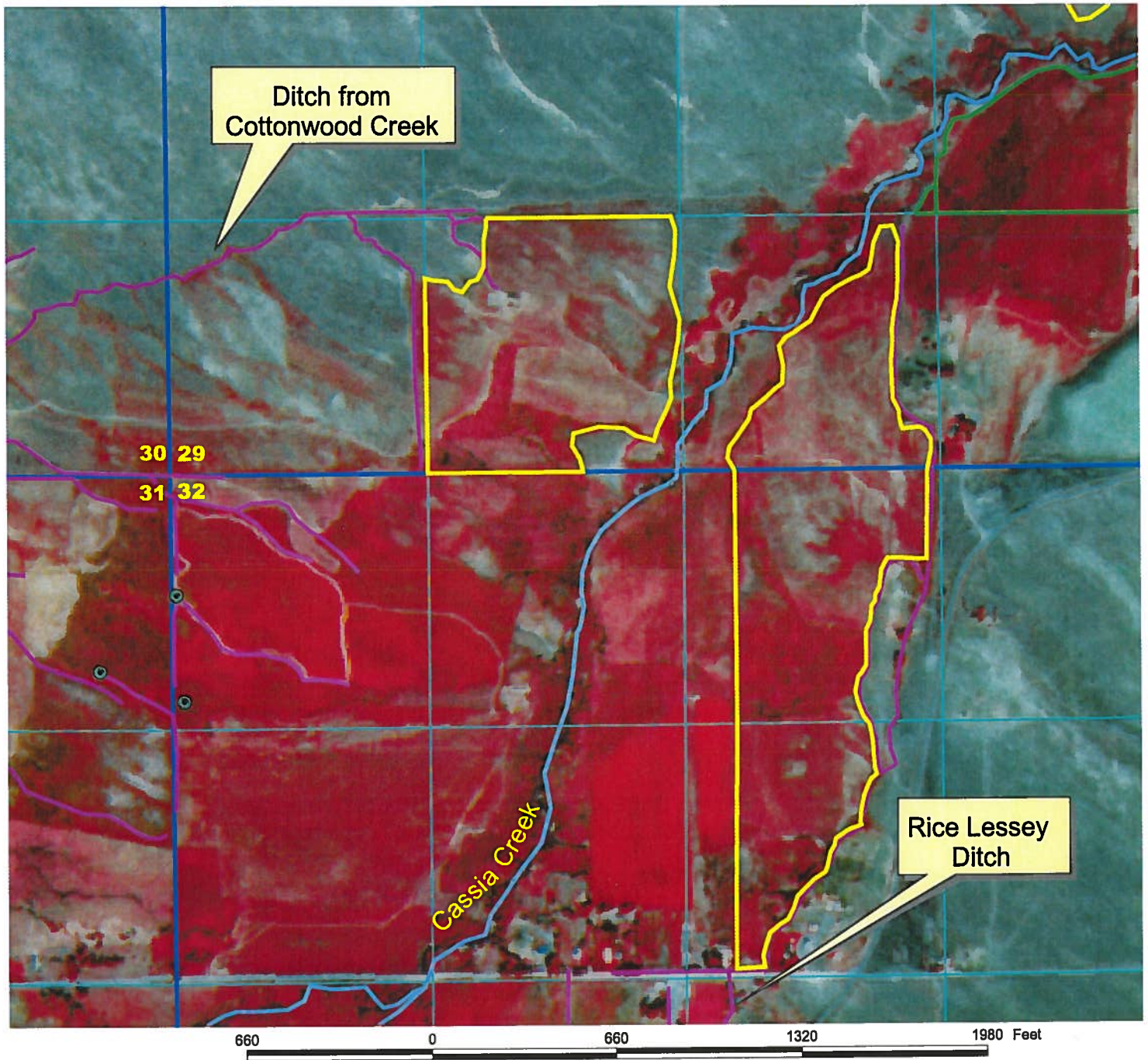
OWNERSHIP CHANGE 01-04-1996 BY FH.

02/28/00 KCHRISTE

+ + - - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 09/07/1994 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 05/25/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - M003703 | Water District | - 43C |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - AND/OR | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

RECOMMENDED PLACE OF USE FOR 43-00328, 43-00329, 43-00330 & 43-00331

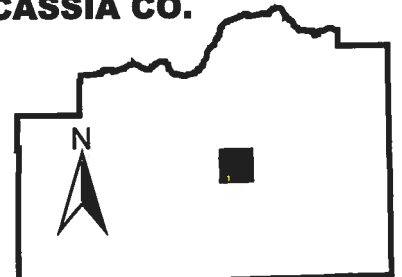


PLACE OF USE
TWP 13S RNG 25E, SEC 29 & 32
data entry on: February 25, 2000

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

-  POINT OF DIVERSION
-  PLACE OF USE
-  SECTION LINES
-  QUARTER/QUARTER LINES

CASSIA CO.



CLAIM NUMBER 43-00328 00331 DATE 2-25-00
00329 AGENT KKC
00330

TRANSFER NUMBER _____
 CLAIMED ACRE TOTAL 136
 GIS ACRE TOTAL 88

| | TWP | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | |
|-------|------------|------------|-----------|----|-------------|-------------|----|----|----|----|----|----|----|----|-------------|----|----|------------|-----------|
| | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |
| CLAIM | <u>13S</u> | <u>25E</u> | <u>29</u> | | | | | | | | | | | | <u>36</u> | | | <u>39</u> | <u>75</u> |
| GIS | | | | | | | | | | | | | | | <u>34.3</u> | | | <u>156</u> | |
| RECOM | | | | | | | | | | | | | | | <u>34</u> | | | <u>16</u> | <u>50</u> |
| CLAIM | <u>13S</u> | <u>25E</u> | <u>32</u> | | <u>31</u> | <u>30</u> | | | | | | | | | | | | | <u>61</u> |
| GIS | | | | | <u>24.1</u> | <u>14.1</u> | | | | | | | | | | | | | <u>38</u> |
| RECOM | | | | | <u>24</u> | <u>14</u> | | | | | | | | | | | | | |
| CLAIM | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | |
| RECOM | | | | | | | | | | | | | | | | | | | |

B43-POU.SHP

88 acres @ .02 cfs = 1.76 cfs

SHAPE NOS.

Decred rates

169 5.4 ac (east Pk)

00328 - 0.6

170 34 ac (west Pk)

00329 1.0

B43-POD.SHP

00330 0.4

NOS. DESCRIPTION

00331 0.48

10 Sec 6 NWSWNE
Rice Lessey Ditch

2.48 cfs
difference = 0.72 cfs

33 Sec 24 NESWNW
(Cottonwood source)

DBF TABLES UPDATED

B43-DBPOU.DBF 2-25-00

B43-DBPOD.DBF n

JPEG LAYOUT 43-00328 thru 00331 WARD.JPG

Rights decreed from Cassia Creek and Cottonwood Creek.
Not differentiated between rights.

| | | |
|--------|------------|---------------------|
| 43-328 | .60 | PP/U = 88 ac |
| - 329 | 1.00 | * <u>.02 CFS/Ac</u> |
| - 330 | .40 | <u>1.76 CFS</u> |
| - 331 | <u>.48</u> | |
| | 2.48 CFS | |

Combined decreed rates exceed the calculated
~~rate~~ 1" per acre rate of 1.76 CFS.

Conveyance losses are necessary for both
Rice Lessey and the Cottonwood ditches.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:50:07
04/19/99

PAGE: 17
QUICKLOOK INFORMATION

51
CLAIM NUMBER: A43-00328

| WR ELEMENT | DATA
DISCREPANCY
Y/N | CORRESPONDENCE
SENT/RECEIVED
BY WHOM/DATE | FIELD EXAM
BY WHOM/DATE | CHANGE
CLAIM
Y/N | ELEMENT
DOCUMENTED
WHOM/DATE | COMPLETED
REVIEW
WHOM/DATE | COMPLETED
DATA ENTRY
WHOM/DATE | VERIFIED
DATE
WHOM/DATE |
|---------------------------|----------------------------|---|----------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE | | | 9-7-94
KRC | N | 2-25-00
KRC | 2-28-KRC
KRC | 2-28-00
KRC | |
| POINT OF DIV | Y | | " | Y | " | " | " | |
| SOURCE | | | " | Y | " | " | " | |
| PLACE OF USE | Y | | " | Y | " | " | " | |
| DIV. AMOUNT
CFS/VOLUME | | | " | N | " | " | " | |
| CONSUMPTIVE USE | - | | " | - | - | | " | |
| PURPOSES OF USE | | | " | N | " | " | " | |
| PERIOD OF USE | Y | | " | Y | " | " | " | |
| BASIS OF CLAIM | | | " | N | " | " | " | |
| REMARKS | Y | | " | | | | | |

BARCODE UPDATED
WHOM/DATE

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

| TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) | IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION | COPY INCLUDED
IN FILE? |
|--|---|---------------------------|
| ☒ ORTHOPHOTOQUAD | DATE OF PHOTO <u>CC 80</u> IDWR ID NO. <u>1976</u> | Y() N() |
| ☐ TOPOGRAPHIC | DATE FIELD CHECKED _____ IDWR ID NO. _____ | Y() N() |
| ☒ NAPP | DATE OF PHOTO <u>1987/88</u> IDWR ID NO. <u>GIS MAP</u> | Y() N() |
| ☒ ASCS AERIAL PHOTO | DATE OF PHOTO <u>1978</u> <u>GIS Rectified</u>
<u>used as the field map notes.</u> | Y() N() |
| ☐ ASCS COLOR SLIDE | DATE OF PHOTO _____ | Y() N() |
| ☐ BLM OR USFS AERIAL PHOTO | DATE OF PHOTO _____ | Y() N() |
| ☐ TOWNSHIP SURVEY (GOVERNMENT PLAT) | DATE OF SURVEY _____ | Y() N() |
| ☐ SCS SOIL SURVEY MAP | DATE ISSUED _____ | Y() N() |
| ☐ SUBDIVISION PLAT MAP | DATE OF MAP _____ | Y() N() |
| ☐ OTHER _____ | DATE _____ | Y() N() |
| ☐ OTHER _____ | DATE _____ | Y() N() |
| ☐ OTHER _____ | DATE _____ | Y() N() |

| LIST OF ATTACHMENTS (CHECK IF ATTACHED) | IF ATTACHED, SUPPLY APPROPRIATE INFORMATION | NO. OF
PAGES | NOTES |
|--|---|-----------------|--|
| ☐ LICENSING FIELD EXAM | DATE OF FIELD EXAM _____ | _____ | _____ |
| ☐ WATER RIGHT LICENSE | DATE LICENSE SIGNED _____ | _____ | _____ |
| ☐ IDWR APPROVED TRANSFER | DATE TRANSFER APPROVED _____ | _____ | _____ |
| ☒ SYSTEM DESCRIPTION | DATE DRAWN <u>2-28-00</u> | <u>1</u> | <u>Photo is short narrative</u> |
| ☒ PHOTOGRAPHS | DATE(S) PHOTOS TAKEN <u>9-7-94</u> | <u>3</u> | <u>Saved as 43-00328 to 00731 ward PH analysis</u> |
| ☐ SPLIT RIGHT REVIEW | DATE REVIEW COMPLETED _____ | _____ | _____ |
| ☐ HUBBLE ANALYSIS | DATE ANALYSIS COMPLETED _____ | _____ | _____ |
| ☐ CONVEYANCE LOSS ANALYSIS | DATE ANALYSIS COMPLETED _____ | _____ | _____ |
| ☐ FLOW MEASUREMENT CALCULATIONS | DATE SYSTEM MEASURED _____ | _____ | _____ |
| ☐ OTHER _____ | DATE _____ | _____ | _____ |
| ☐ OTHER _____ | DATE _____ | _____ | _____ |

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:50:07
04/19/99

PAGE: 1
GENERAL INFORMATION

35
CLAIM NUMBER: A43-00328

LAST: WARD FIRST: ART M
ADDRESS: BOX 443
CITY: ELBA STATE: ID ZIP: 83326
PHONE NUMBER: 208-638-5536

OWNER CODE: O

LAST: WARD FIRST: PAUL A
ADDRESS: HC 61 BOX 1335
CITY: ELBA STATE: ID ZIP: 83342
PHONE NUMBER: 208-638-5526

OWNER CODE: C

LAST: WARD FIRST: BEVERLY
ADDRESS: HC 61 BOX 1335
CITY: ELBA STATE: ID ZIP: 83342
PHONE NUMBER: 208-638-5526

OWNER CODE: C

LAST: WARD FIRST: BETH P
ADDRESS: BOX 443
CITY: ELBA STATE: ID ZIP: 83326
PHONE NUMBER: 208-638-5536

OWNER CODE: O

| FIELD EXAM REQUIRED? | DATABASE | FIELD EXAMINER |
|---------------------------------------|----------|----------------|
| VERIFICATION REQUIRED DUE TO REMARKS? | Y | Y() N() |

CLAIM REMARKS: GEN SEE DECREE FOR FURTHER DESCRIPTION OF P. U.

OWNERSHIP CHANGE 01-04-1996 BY FH.

CLAIM AMENDED TO ADD A POINT OF DIVERSION ON COTTONWOOD CREEK.
DATA ENTERED 4-11-96 KKC

CONTACT PERSON: Paul Ward

PHONE NUMBER: () -

DATE OF FIELD EXAM: 9/7/94

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: no one in field

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A43-00328 PRIORITY DATE: 12-31-1874 STAGE: D

B. WR RECORD: # 43-00328 PRIORITY DATE: 12-31-1874 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

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

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

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

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y(☐) N(☐)

LICENSE ISSUED

N/A(☒) Y(☐) N(☐)

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

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

N/A(☒) Y(☐) N(☐)

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

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N(☐)

NOTES: the claim basically conforms to the decree therefore I
accept the priority date as claimed.

RECOMMENDED PRIORITY DATE:

12-31-1874

REVIEWED BY

KKC

DATE 2-25-00

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD
FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|-----------|------|------|------|-----|-----|-----|-----|-------------|--------|------------------|------------------|
| A43-00328 | 13S | 24E | 25 | NE | SW | NW | OK | | CASSIA | COTTONWOOD DITCH | |
| A43-00328 | 14S | 25E | 6 | NE | NW | SW | | | CASSIA | RICE-LESSY DITCH | |

OTHER AJ CLAIMS WITH SAME AJ POD

| A PREFIX | R PREFIX |
|-----------|-----------|
| A43-00241 | R43-00325 |
| A43-00325 | R43-00326 |
| A43-00326 | R43-00329 |
| A43-00329 | R43-00330 |
| A43-00330 | R43-00331 |
| A43-00331 | |

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: CASSIA CREEK

TRIB: RAFT RIVER

B. WR POINT OF DIVERSION AND SOURCE:

4300328 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: CASSIA CREEK

TRIB: RAFT RIVER

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

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

AJ FIELD EXAM (DATE OF FIELD EXAM 9-7-94 NAME OF EXAMINER KKC) Y(✓) N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: See narrative dated 2-25-00 43-00328 to 00331 ward P4 analysis

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

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD
FLAG | COUNTY | DIVERSION NAME | DIVERSION NBR |
|------|------|------|-----|-----|-----|-----|-------------|--------|-----------------------------|---------------|
| 13S | 24E | 25 | NE | SW | NW | OK | | CASSIA | ~~COTTONWOOD DITCH~~ | |
| 14S | 25E | 6 | NE | NW | SW | | | CASSIA | RICE LESSY DITCH | |
| | | | NW | SW | NE | | | | LESSY | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |

SOURCE: CASSIA CREEK
Cottonwood Creek

TRIB: RAFT RIVER
Clyde Creek (P/D in sec 25)

REVIEWED BY: KKC

DATE: 2-25-00

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

↑ See narrative

A. ROOT WATER RIGHT NUMBERS: A43-00328
R43-00328

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-----|-----|-----|-----|-----|-----|-----------------------------|------------------|---------------|-----------------|----------------|------------------|
| 13S | 25E | 29 | SE | SW | | WARD, PAUL A | A43-00328 / 36.0 | 43-00328 / | 39.0 | | |
| | | | SE | SW | | WARD, BEVERLY | A43-00329 / 36.0 | 43-00329 / | | | |
| | | | SE | SW | | WARD, BEVERLY | A43-00330 / 36.0 | 43-00330 / | | | |
| | | | SE | SW | | WARD, BEVERLY | A43-00331 / 36.0 | 43-00331 / | | | |
| | | | SE | SW | | WARD, PAUL A | R43-00329 / 36.0 | - / | | | |
| | | | SE | SW | | WARD, PAUL A | R43-00330 / 36.0 | - / | | | |
| | | | SE | SW | | WARD, PAUL A | R43-00328 / 36.0 | - / | | | |
| | | | SE | SW | | CASSIA CREEK IRRIGATION CO. | | 43-00015 / | | | |
| 13S | 25E | 29 | SW | SE | | WARD, PAUL A | A43-00328 / 39.0 | 43-00328 / | | | |
| | | | SW | SE | | WARD, BEVERLY | A43-00329 / 39.0 | 43-00329 / | | | |
| | | | SW | SE | | WARD, BEVERLY | A43-00331 / 39.0 | 43-00331 / | | | |
| | | | SW | SE | | WARD, PAUL A | R43-00329 / 39.0 | - / | | | |
| | | | SW | SE | | WARD, PAUL A | R43-00330 / 39.0 | 43-00330 / | | | |
| | | | SW | SE | | WARD, PAUL A | R43-00328 / 39.0 | - / | | | |
| | | | SW | SE | | WARD, BEVERLY | A43-00330 / 39.0 | - / | | | |
| | | | SW | SE | | CASSIA CREEK IRRIGATION CO. | | | | | |
| | | | SW | SE | | RICE, SYLVIA D. | | | | | |
| | | | SW | SE | | RICE, SYLVIA D. | | | | | |
| 13S | 25E | 32 | NW | NE | | WARD, PAUL A | A43-00328 / 31.0 | 43-00328 / | 39.0 | | |
| | | | NW | NE | | WARD, BEVERLY | A43-00329 / 31.0 | 43-00329 / | | | |
| | | | NW | NE | | WARD, BEVERLY | A43-00331 / 31.0 | 43-00331 / | | | |
| | | | NW | NE | | WARD, PAUL A | R43-00329 / 31.0 | - / | | | |
| | | | NW | NE | | WARD, PAUL A | R43-00330 / 31.0 | 43-00330 / | | | |
| | | | NW | NE | | EDWARDS, LARRY | A43-00153B / 8.7 | - / | | | |
| | | | NW | NE | | EDWARDS, LARRY | A43-00154 / 8.7 | 43-00154 / | | | |
| | | | NW | NE | | EDWARDS, LARRY | A43-00155 / 8.7 | 43-00155 / | | | |
| | | | NW | NE | | EDWARDS, LARRY | A43-02431 / 2.0 | 43-02431 / | 8.0 | | |
| | | | NW | NE | | EDWARDS, LARRY | R43-00154 / 8.7 | - / | | | |
| | | | NW | NE | | EDWARDS, LARRY | R43-00155 / 8.7 | - / | | | |
| | | | NW | NE | | EDWARDS, LARRY | R43-02431 / 2.0 | - / | | | |
| | | | NW | NE | | WARD, PAUL A | R43-00328 / 31.0 | - / | | | |
| | | | NW | NE | | WARD, BEVERLY | A43-00330 / 31.0 | - / | | | |
| | | | NW | NE | | CASSIA CREEK IRRIGATION CO. | | 43-00015 / | | | |
| | | | NW | NE | | HUBBARD, DAVID | | 43-00153 / | | | |
| 13S | 25E | 32 | SW | NE | | WARD, PAUL A | A43-00328 / 30.0 | 43-00328 / | 29.0 | | |
| | | | SW | NE | | WARD, BEVERLY | A43-00329 / 30.0 | 43-00329 / | | | |
| | | | SW | NE | | WARD, BEVERLY | A43-00330 / 30.0 | 43-00330 / | | | |
| | | | SW | NE | | WARD, ART W | A43-10254 / | - / | | | |
| | | | SW | NE | | WARD, ART W | A43-10255 / | - / | | | |

See GIS layout and land list form showing acre
comparison and recommendation
KKC

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-----|-----|-----|-----|-----|-----|-----------------------------|------------------|---------------|-----------------|----------------|------------------|
| | | | SW | NE | | WARD, PAUL A | A43-10619 / | - / | | | |
| | | | SW | NE | | WARD, PAUL A | R43-00328 / 30.0 | - / | | | |
| | | | SW | NE | | WARD, PAUL A | R43-00330 / 30.0 | - / | | | |
| | | | SW | NE | | EDWARDS, LARRY | A43-00153B / 8.7 | - / | | | |
| | | | SW | NE | | EDWARDS, LARRY | A43-00154 / 8.7 | 43-00154 / | | | |
| | | | SW | NE | | WARD, PAUL A | A43-10620 / | - / | | | |
| | | | SW | NE | | EDWARDS, LARRY | R43-00154 / 8.7 | - / | | | |
| | | | SW | NE | | EDWARDS, LARRY | R43-00155 / 8.7 | 43-00155 / | | | |
| | | | SW | NE | | WARD, PAUL A | R43-10620 / | - / | | | |
| | | | SW | NE | | EDWARDS, LARRY | A43-00155 / 8.7 | - / | | | |
| | | | SW | NE | | WARD, PAUL A | R43-00329 / 30.0 | - / | | | |
| | | | SW | NE | | WARD, BEVERLY | A43-00331 / 30.0 | - / | | | |
| | | | SW | NE | | WARD, ART W | R43-10254 / | - / | | | |
| | | | SW | NE | | WARD, ART W | R43-10255 / | - / | | | |
| | | | SW | NE | | WARD, PAUL A | R43-10619 / | - / | | | |
| | | | SW | NE | | CASSIA CREEK IRRIGATION CO. | | 43-00015 / | | | |
| | | | SW | NE | | HUBBARD, DAVID | | 43-00153 / | | | |

ADDITIONAL POU FOUND

TOTAL ACRES A43-00328 136.00 148.00

POU COUNTY: CASSIA

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

Y() N(☒)

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

| CLAIM NO. | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|--------------|----------------|-----------|----------------|-----------|----------------|
| A43-00328 | CASSIA CREEK | WARD, PAUL A | 0.600 | 0.004 | | |
| A43-00153B | CASSIA CREEK | EDWARDS, LARRY | 0.190 | 0.004 | | |
| A43-00154 | CASSIA CREEK | EDWARDS, LARRY | 0.400 | 0.009 | | |
| R43-00154 | CASSIA CREEK | EDWARDS, LARRY | 0.400 | 0.009 | | |
| R43-00155 | CASSIA CREEK | EDWARDS, LARRY | 1.280 | 0.028 | | |

*Diff P14
Diff System*

| CLAIM NO. | SOURCE | NAME | DIV. | | DIV. | |
|-----------|--------------|----------------|-----------|-----------|-----------|-----------|
| | | | DIV. RATE | RATE/ACRE | DIV. VOL. | VOL./ACRE |
| A43-00155 | CASSIA CREEK | EDWARDS, LARRY | 1.280 | 0.028 | | |
| R43-00328 | CASSIA CREEK | WARD, PAUL A | 0.600 | 0.004 | | |
| A43-00329 | CASSIA CREEK | WARD, BEVERLY | 1.000 | 0.007 | | |
| R43-00329 | CASSIA CREEK | WARD, PAUL A | 1.000 | 0.007 | | |
| A43-00330 | CASSIA CREEK | WARD, BEVERLY | 0.400 | 0.002 | | |
| R43-00330 | CASSIA CREEK | WARD, PAUL A | 0.400 | 0.002 | | |
| R43-00331 | CASSIA CREEK | WARD, PAUL A | 0.480 | 0.003 | | |
| A43-00331 | CASSIA CREEK | WARD, BEVERLY | 0.480 | 0.003 | | |
| R43-02431 | GROUNDWATER | EDWARDS, LARRY | 0.400 | 0.018 | | |
| A43-02431 | GROUNDWATER | EDWARDS, LARRY | 0.400 | 0.018 | | |

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

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------------------|-----------------------|----------------|---------------------|-----------|--------|
| ~~A43-00153B~~ | ~~STOCKWATER~~ | EDWARDS, LARRY | FROM 01-01 TO 12-31 | 0.190 CFS | |
| ~~A43-10254~~ | ~~DOMESTIC~~ | WARD, ART W | FROM 01-01 TO 12-31 | 0.040 CFS | |
| ~~A43-10255~~ | ~~STOCKWATER~~ | WARD, ART W | FROM 01-01 TO 12-31 | 0.020 CFS | |
| ~~A43-10619~~ | ~~DOMESTIC~~ | WARD, PAUL A | FROM 01-01 TO 12-31 | 0.040 CFS | |
| ~~A43-10620~~ | ~~STOCKWATER~~ | WARD, PAUL A | FROM 01-01 TO 12-31 | 0.020 CFS | |
| R43-10620 | STOCKWATER | WARD, PAUL A | FROM 01-01 TO 12-31 | 0.020 CFS | |
| R43-10254 | DOMESTIC | WARD, ART W | FROM 01-01 TO 12-31 | 0.040 CFS | |
| R43-10255 | STOCKWATER | WARD, ART W | FROM 01-01 TO 12-31 | 0.020 CFS | |
| R43-10619 | DOMESTIC | WARD, PAUL A | FROM 01-01 TO 12-31 | 0.040 CFS | |

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

Y(~~X~~) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 43-0329-0330 & 0331

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

N/A() Y(~~X~~) N()

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

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

N/A() Y() N(~~X~~)

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

Y(~~X~~) N()

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

Y() N(~~X~~)

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. CC-80; () TOPOGRAPHIC QUAD, IDWR NO. _____;

() NAPP, IDWR NO. Aerial; () ~~ASCS~~ PHOTO; () OTHER _____

NOTES: See Attachment 43-00328 to 00371 and P/H analysis dated
2-25-00.

RECOMMENDATIONS:

TOTAL ACRES: 88 N/A()

REVIEWED BY: KKC

DATE: 2-25-00

A. AJ CLAIMED USES:

| PURPOSE OF USE | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| A43-00328 IRRIGATION | FROM 04-01 TO 10-31-01 | 0.600 CFS | |
| TOTAL DIVERSION RATE/VOLUME | | 0.600 CFS | |

B. WR RECORDED USES:

| PURPOSE OF USE | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| 43-00328 IRRIGATION | FROM TO | 0.600 CFS | |
| TOTAL DIVERSION RATE/VOLUME | | 0.600 CFS | |

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(☒) N(☐)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(☐) N(☒)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(☒) N(☐)

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

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

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

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☒) N(☐)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☐) N(☐)

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

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☐) N(☐)

NOTES: The use found was irrigation as decreed & claimed

The decree did not list a season of use therefore I am recommending the current dept standard of 4-1 10-31.

The claimed rate matches the decreed rate therefore I am recommending that rate.

AJ CLAIM TOTAL DIVERSION RATE: 0.600 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.600 CFS

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

N/A() Y(☒) N()

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

N/A() Y() N(☒)

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

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

Y() N(☒)

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

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

Y(☒) N()

E.

MEASUREMENT METHOD

FLOW MEASUREMENT

SEE ATTACHED CALCULATIONS.

F.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 88 x 0.02 CFS/ACRE = 1.76 CFS
(Taken from pou review)

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 408.0 AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

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

NOTES: See Attachment. 43-00328/00331 Ward P/4 analysis
dated 2-25-00. KKC

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

| REC.
PURPOSE OF USE | REC. PERIOD
FROM TO | REC. DIV
RATE CFS | REC. DIV
VOL. AF/A | REC. CONS.
USE |
|------------------------|---------------------------------|--------------------------------------|--|--|
| IRRIGATION | 04-01 ~~11-01~~
16-31 | DATABASE EXAMINER
0.600 <u>OK</u> | DATABASE EXAMINER
<u> </u> | DATABASE EXAMINER
408.0 <u> </u> |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| TOTAL FOR THIS RIGHT | | 0.600 <u> </u> | <u> </u> | 408.0 <u> </u> |

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: KKC

DATE: 2-25-00

FLAG:

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

P&H
limit to 88 ac
328, 329, 330, 331

EXPLANATORY CONDITIONS (CODE):

P/D comb. RL.
Get data from Arc View

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 43-00328

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.600

EXAMINER

CFS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A43-00328 | 0.600 | R43-00328 | 0.600 | 43-00328 | 0.600 |
| TOTAL CFS | | 0.600 | | 0.600 | | 0.600 |

DIVERSION RATE REVIEW

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

DATABASE
Y

FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: Kelly A. Christensen DATE: 2-28-00

NAME OF FIELD EXAMINER: _____ TITLE: Sr Water Resource Agent

Original
in 43-00200

Field diam
9-7-94
KKC

end of
field

HEL
21.7

29 28
92 33

E58

A

75.0
430

B

55.3

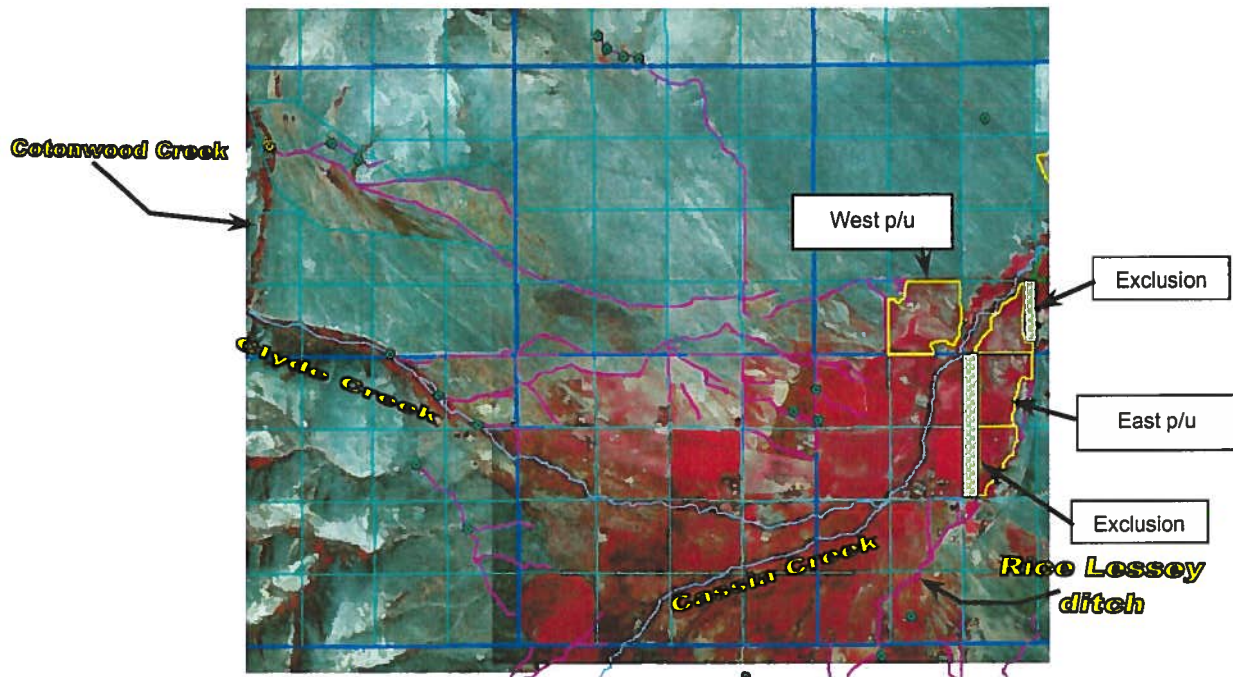
1422

E53

43-00328, 43-00329, 43-00330 AND 43-00331

ANALYSIS

The place of use is split into two separate systems by Cassia Creek. The ground east of Cassia Creek is irrigated through the Rice Lessey ditch delivery system. The ground west of Cassia Creek is irrigated through a Cottonwood ditch delivery system. Cassia Creek water cannot physically reach the west p/u. There are two parcels listed in the decree and are shown as the rectangles labeled Exclusion.



Paul Ward indicated that the 4 rights were rotated between the Rice Lessey ditch system for the east p/u and the Cottonwood ditch system for the west p/u on an as needed basis. The Jobe Adams decree often tied separated place of uses and claims into one description that did not identify which right(s) is/are tied to which place of use. Under some parcels the water use by right and place of use has been established by historic practice. In other cases the multiple rights have been used under a permissible place of use concept for a unified place of use. This appears to be the latter case.

I am recognizing that, although the decree did not specify Cottonwood Creek as a source, it has and is the source for the west p/u as specified in the decree. I am also recognizing that Cassia Creek, through the Rice Lessey ditch is the source for the east p/u. As the water is alternated between the two points of diversion for the irrigation of the respective parcels I am not splitting the claims based upon the diversion points.

I found 88 irrigated acres and at 1 in/acre the recommended rate is 1.76 cfs. The combined diversion rate for the four rights is 2.48 cfs. The decreed rate exceeds the 1 in/acre by 0.72 cfs. When the four rights are combined the 0.72 cfs is for conveyance losses from the points of diversion to the field head gates of the two delivery systems.

CLAIM # A43-00328, 00329, 00330, & 00331
DATE PHOTOS TAKEN; 09-07-94
PICTURE SET # 1

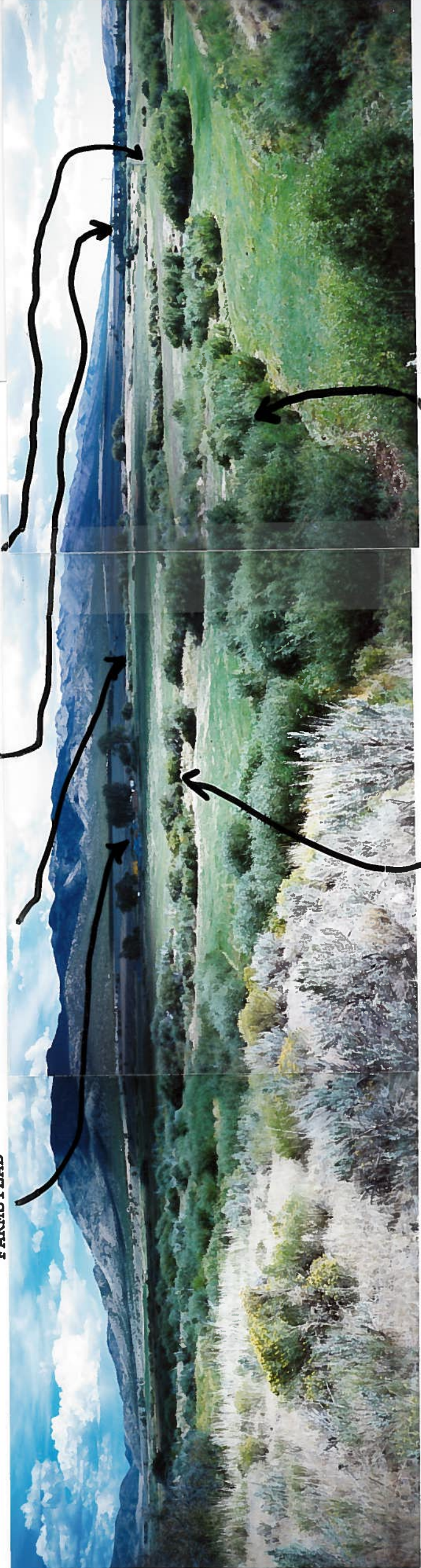
THIS PHOTO SET SHOWS THE GROUND ON EITHER SIDE OF CASSIA CREEK FROM THE HILLSIDE NORTHWEST OF THE MEADOWS.
YOU ARE LOOKING SOUTH ON THE RIGHT TO EAST ON THE LEFT.

ANDERSON
FARMSTEAD

RICE-LESSY
DITCH

WARD
FARMSTEAD

NORTHEAST CORNER
OF EDWARDS P/U



NATURAL DRAINAGE CHANNEL

CASSIA CREEK

CLAIM # A43-00328, 00329, 00330, & 00331
DATE PHOTOS TAKEN; 09-07-94
PICTURE SET # 2

THE LOCATION FOR THIS PHOTO SET IS ROUGHLY HALF WAY BETWEEN THE WARD FARMSTEAD AND THE ANDERSON FARMSTEAD TO THE NORTH AND JUST WEST OF THE RICE-LESSY DITCH. YOU ARE LOOKING NORTH ON THE RIGHT TO NORTH NORTHWEST ON THE LEFT. THE GROUND TO THE RIGHT OF THE FENCE WAS NOT BEING IRRIGATED THIS YEAR BUT SHOWED EVIDENCE OF PAST IRRIGATION. I FOUND A DIVERSION FROM THE RICE-LESSY DITCH AND THE REMNANTS OF A CIPOLLETTI WEIR.

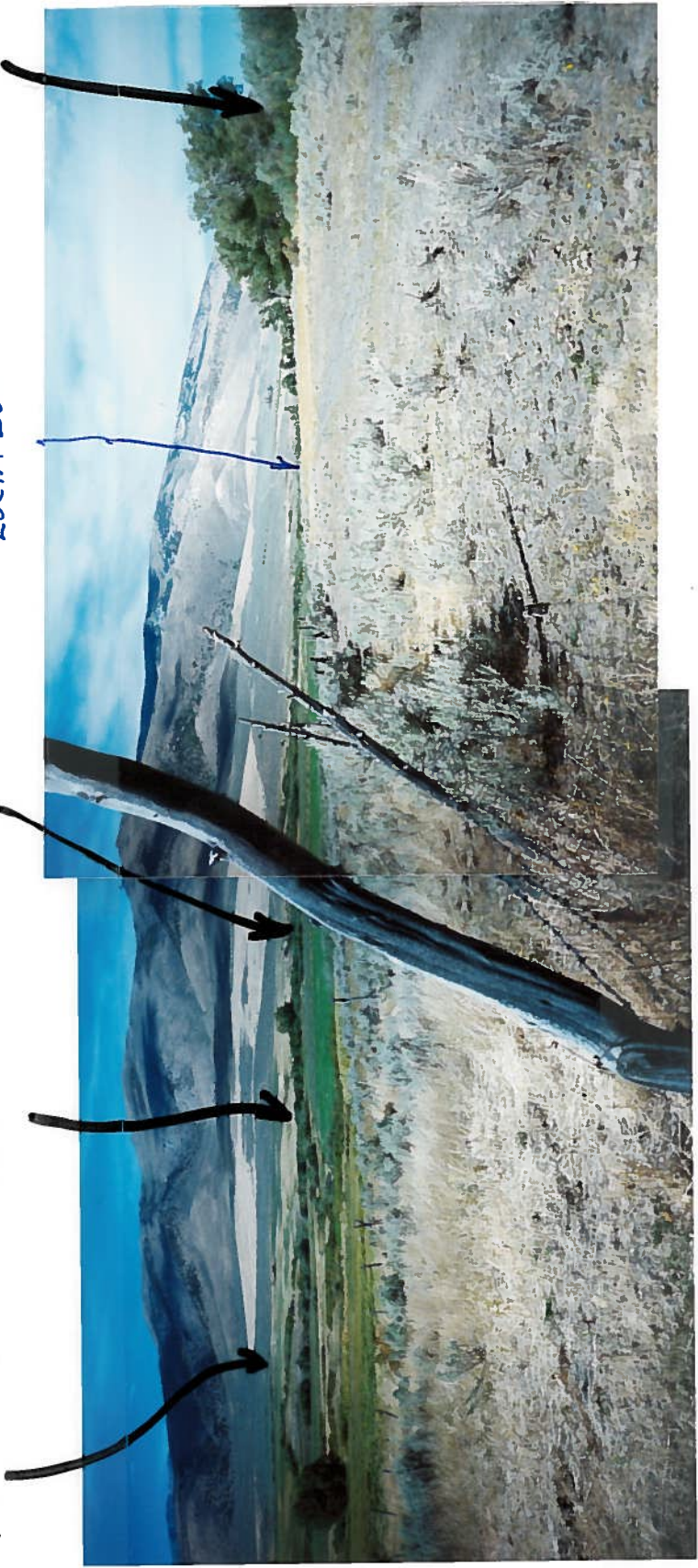
NORTHWEST CORNER
OF P/U AS DECREEED

PHOTO SET 1
LOCATION

CASSIA
CREEK

PHOTO SET 3
LOCATION

RICE-LESSY
DITCH



CLAIM # A43-00328, 00329, 00330, & 00331
DATE PHOTOS TAKEN: 09-07-94
PICTURE SET # 3

THIS PHOTO SHOWS THE IRRIGATED GROUND WEST OF THE ANDERSON FARMSTEAD. THE DIVERSION POINT FROM THE RICE-
LESSY DITCH IS JUST OUTSIDE THE PICTURE FRAME TO THE RIGHT.

