

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: **A43-00329**
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: BEVERLY WARD 208-638-5526
Address: BOX 444
ELBA ID 83326
AND/OR
Name: PAUL A WARD 208-638-5526
Address: BOX 444
ELBA ID 83326

2. Date of Priority: APR 30, 1877

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
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	1.000		

7. Total Quantity Appropriated is:
1.000 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:
43-0328-0330 & 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 FROM COTTONWOOD.

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 Rive Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pa 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 A. 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 A. Christensen
Notary Public

Seal

Residing at Kimberly old
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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THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A43-00329**
Date Received: 5/25/1989
Receipt No: M003703
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
Address: BOX 444
ELBA ID

208-638-5526

83326

AND/OR

Name: BEVERLY WARD
Address: BOX 444
ELBA ID

208-638-5526

83326

2. Date of Priority: APR 30, 1877

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	1.000		

7. Total Quantity Appropriated is:

1.000 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:
43-0328-0330 & 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.

- WARRANTY DEED -*
- ☐ 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,
 Assigned by IDWR: -00329, -00330, -00331, -00474
- ☐ 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 208-638-55
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 _____
 _____ 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: 71

Further Action Needed:

ON-LINE UPDATE

Further Action Taken

Date: 01-04-96 By: 71

Final Review and Data-Entry

Date: 01-05-96 By: 71

Claim Numbers of Split, if any:

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

COPY

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
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CIVIL CASE NUMBER: 39576

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Date Received: 5/25/1989
Receipt No: M003703
Received By: _____

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

2. Date of Priority: APR 30, 1877

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:
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Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		

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

9. Non-irrigation uses:
NONE

10. Place of Use:

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						Section Acres	61.0
						Total Acres	136.0

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43-0328-0330 & 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

JOBE ADAMS ET AL
Decree Defendant

vs

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 _____

50

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: A43-00329
Date Received: 5/18/1989
Receipt No: M003703
Received By: R. J. 24

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

2. Date of Priority: APR 30, 1877

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

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IRRIGATION	04/01	11/01	1.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A43-00329

Cons Use

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:
43-0328-0330 & 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): Curt M. Ward Date: 5/25/89
Date: _____

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of May 19 89

Robert W. Hoostell
Notary Public

Seal

Residing at Twin Falls, Idaho
My Commission Expires 1/16/1995

**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.: 43-329

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: 43-329

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

PAUL A WARD
1960 S ELBA/ALMO RD
ELBA ID 83342

SOURCE: CASSIA CREEK
COTTONWOOD CREEK

TRIBUTARY: RAFT RIVER
TRIBUTARY: CLYDE CREEK

QUANTITY: 1.00 CFS

PRIORITY DATE: 04/30/1877

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	1.000 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.

Water Right 43-329

1

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 43-00329

(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)

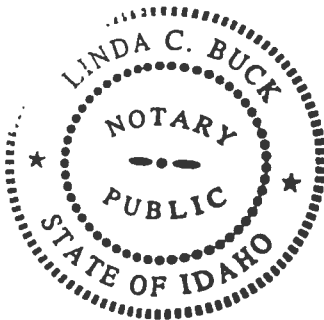
Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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 C. Brown
(Attorney signing in representative capacity)

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



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: 43-329
NAME AND ADDRESS: BEVERLY WARD
1960 S ELBA/ALMO RD
ELBA ID 83342

PAUL A WARD
1960 S ELBA/ALMO RD
ELBA ID 83342

MIXED OWNERSHIP

-THE PLACE OF USE IDENTIFIED BELOW
CONTAINS BOTH PRIVATE AND PUBLIC LAND
-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: 1.000 CFS

PRIORITY DATE: 04/30/1877

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	1.000 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 BLM/PA-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.

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.

**THE FOLLOWING REMARK INSERTED UNDER PLACE OF USE WOULD
ELIMINATE THE BLM'S OBJECTION**

**-THE USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON
FEDERAL PUBLIC LAND**

1222450
D/C

134

29

149

103499
50' Hwy

368
D/C

548

535691
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

T13 S R25 E

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

[illegible]

09999 Del PL 107 Act of Cong 1/23/1951
completed 1/15/1962. All of surface water & 1/15/1962
not including
09999 A 1 Sec 8 So, Grant

00999 4 2 Sec 8 not located
00999 4 6 Sec 7 1/2 independent
00999 4 5 Sec 7 1/2 flagstaff
00999 4 3 Sec 8 1/2 flagstaff

$\frac{d}{dt} \left(\frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$

DI 1A199 ABAP Lenneth Lee Term 12/18/1991
Sec 33 SENW

[illegible][illegible][illegible]

	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	

[illegible]

1. *Chlorophyll a* (Chl *a*)

1. *Journal of the American Medical Association*, 1997; 278: 1039-1044.

[illegible][illegible][illegible]

1. *What is the purpose of the study?*

1. *Staphylococcus aureus* 2. *Staphylococcus epidermidis* 3. *Staphylococcus saprophyticus* 4. *Staphylococcus sciuri* 5. *Staphylococcus carnosus* 6. *Staphylococcus hyicus* 7. *Staphylococcus epidermidis* 8. *Staphylococcus aureus* 9. *Staphylococcus aureus* 10. *Staphylococcus aureus* 11. *Staphylococcus aureus* 12. *Staphylococcus aureus* 13. *Staphylococcus aureus* 14. *Staphylococcus aureus* 15. *Staphylococcus aureus* 16. *Staphylococcus aureus* 17. *Staphylococcus aureus* 18. *Staphylococcus aureus* 19. *Staphylococcus aureus* 20. *Staphylococcus aureus* 21. *Staphylococcus aureus* 22. *Staphylococcus aureus* 23. *Staphylococcus aureus* 24. *Staphylococcus aureus* 25. *Staphylococcus aureus* 26. *Staphylococcus aureus* 27. *Staphylococcus aureus* 28. *Staphylococcus aureus* 29. *Staphylococcus aureus* 30. *Staphylococcus aureus* 31. *Staphylococcus aureus* 32. *Staphylococcus aureus* 33. *Staphylococcus aureus* 34. *Staphylococcus aureus* 35. *Staphylococcus aureus* 36. *Staphylococcus aureus* 37. *Staphylococcus aureus* 38. *Staphylococcus aureus* 39. *Staphylococcus aureus* 40. *Staphylococcus aureus* 41. *Staphylococcus aureus* 42. *Staphylococcus aureus* 43. *Staphylococcus aureus* 44. *Staphylococcus aureus* 45. *Staphylococcus aureus* 46. *Staphylococcus aureus* 47. *Staphylococcus aureus* 48. *Staphylococcus aureus* 49. *Staphylococcus aureus* 50. *Staphylococcus aureus* 51. *Staphylococcus aureus* 52. *Staphylococcus aureus* 53. *Staphylococcus aureus* 54. *Staphylococcus aureus* 55. *Staphylococcus aureus* 56. *Staphylococcus aureus* 57. *Staphylococcus aureus* 58. *Staphylococcus aureus* 59. *Staphylococcus aureus* 60. *Staphylococcus aureus* 61. *Staphylococcus aureus* 62. *Staphylococcus aureus* 63. *Staphylococcus aureus* 64. *Staphylococcus aureus* 65. *Staphylococcus aureus* 66. *Staphylococcus aureus* 67. *Staphylococcus aureus* 68. *Staphylococcus aureus* 69. *Staphylococcus aureus* 70. *Staphylococcus aureus* 71. *Staphylococcus aureus* 72. *Staphylococcus aureus* 73. *Staphylococcus aureus* 74. *Staphylococcus aureus* 75. *Staphylococcus aureus* 76. *Staphylococcus aureus* 77. *Staphylococcus aureus* 78. *Staphylococcus aureus* 79. *Staphylococcus aureus* 80. *Staphylococcus aureus* 81. *Staphylococcus aureus* 82. *Staphylococcus aureus* 83. *Staphylococcus aureus* 84. *Staphylococcus aureus* 85. *Staphylococcus aureus* 86. *Staphylococcus aureus* 87. *Staphylococcus aureus* 88. *Staphylococcus aureus* 89. *Staphylococcus aureus* 90. *Staphylococcus aureus* 91. *Staphylococcus aureus* 92. *Staphylococcus aureus* 93. *Staphylococcus aureus* 94. *Staphylococcus aureus* 95. *Staphylococcus aureus* 96. *Staphylococcus aureus* 97. *Staphylococcus aureus* 98. *Staphylococcus aureus* 99. *Staphylococcus aureus* 100. *Staphylococcus aureus*

FOR CHAIRS EFFECTING DISPOSAL OF 150 OF

INVESTIGATIONS DOCUMENTS

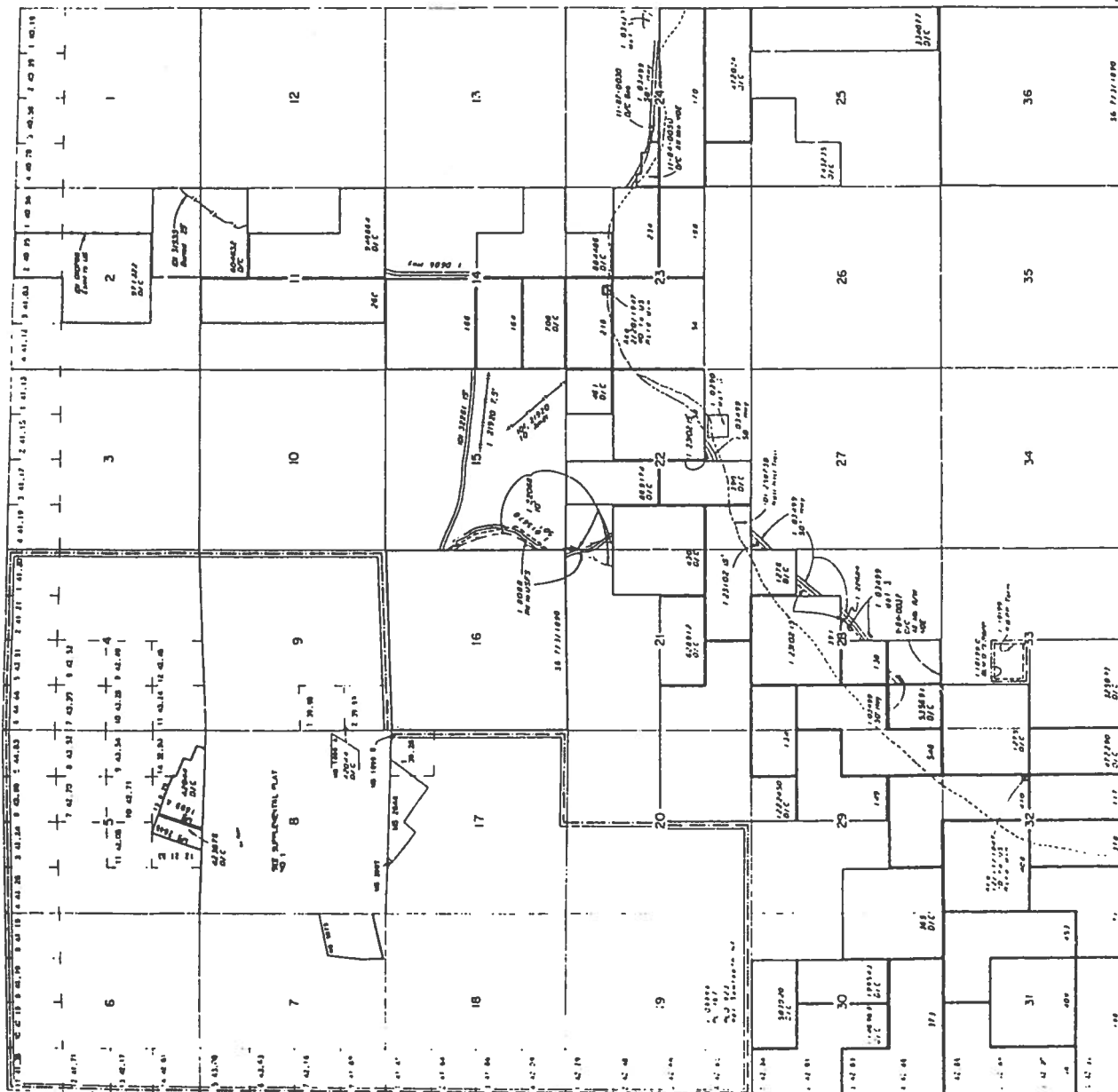
C.
... ..

33321

USE PLATS

LS REPRESENT THE LAST EFFECTIVE DATE. SEE

16
OF THE ORIGINAL WITH -



WARNING: STANDSTILL!

The plot of the Bureau's Report of this case should be read carefully as a graphic display of the searching nature of the Security Service's investigation. The case history, which was first published in late 1955, was one of the earliest examples of a report to the relevant British and American authorities.

SCALE IN CUBIC INCHES



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 Resource
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 8334.

☐ 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]

05/11/2001

**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: 43-329

BEVERLY WARD

PO BOX 444

ELBA ID 83326

Telephone Number: (208)638-5526

PAUL A 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:

☒ 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: 43-329

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

SOURCE: CASSIA CREEK
COTTONWOOD CREEK

TRIBUTARY: RAFT RIVER
CLYDE CREEK

QUANTITY: 1 CFS

VERIFIED BY KKC

PRIORITY DATE: 04/30/1877

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	1.00 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County					
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

PHOTOS

MISC

*Claim Part of
combined system.
See 43-00328 for system
Analysis and recommendation*

Water Right Number - R43-00329

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - - - - First Name - - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

WARD

PAUL A

1 - BOX 444

2 -

3 -

City- ELBA

Phone - 208-638-5526

1 - BOX 444

2 -

3 -

City- ELBA

Phone - 208-638-5526

State- ID Zip- 83326

WARD

BEVERLY

1 - BOX 443

2 -

3 -

City- ELBA

Phone - 208-638-5526

State- ID Zip- 83326

*** O - ORIGINAL OWNER ***

WARD

ART M

1 - BOX 443

2 -

3 -

City- ELBA

Phone - 208-638-5536

1 - BOX 443

2 -

3 -

City- ELBA

Phone - 208-638-5536

State- ID Zip- 83326

WARD

BETH P

1 - BOX 443

2 -

3 -

City- ELBA

Phone - 208-638-5536

State- ID Zip- 83326

+ - - Priority Date - - +

04/30/1877

+ - - Region - - - +

17 SOUTHERN

+ - - Stage - - - +

D - DECREED

+ - - Status - - - +

+ - - Source - - - - +

CASSIA CREEK

COTTONWOOD CREEK

+ - - Tributary - - - - +

RAFT RIVER

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	1.000	

+ - Total Div. Rate - +

1.000

+ - Total Div. Volume - +

1.000

+ - Total Consumptive Use - +

0.0

+ - KW Usage - +

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	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

VERIFIED BY KKC

Prefix Translation: RESEARCH

+ - - - Diversion Means - HEADGATE & MEASURING FLUME TO RICE-LESSEY DITCH & COTTONWOOD DITCH

+ - - Non-Irrigation Use -

Other Rights for Same Use - 43-00328-43-00330 & 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.

4200329 Old Water Right Numbers

C18 - - - - 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 4-2-1412(6), IDAHO CODE.

	+ - - - +	+ - - - +	+ - Decree Date - +
ALBION-IDAHO LAND CO.	- - - +	- - - +	00/00/0000
JOB# ADAMS ET AL	- - - +	- - - +	

Date: 01/04/1996	User Id: FHITCHCO	Subject: COPIED FROM REMARKS	Comments
SEE DECREE FOR FURTHER DESCRIPTION OF P. U.			
OWNERSHIP CHANGE 01-04-1996 BY FH.			

02/28/00 KCHRISTE

[illegible]

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	-	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:24:31
02/28/00

PAGE: 2
QUICKLOOK INFORMATION

2
CLAIM NUMBER: A43-00329

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	-		KKC 9-7-94	N	KKC 2-28-00	KKC 2-28-00	KKC 2-28-00	
POINT OF DIV	-			Y				
SOURCE	-			Y				
PLACE OF USE	-			Y				
DIV. AMOUNT CFS/VOLUME	-			N				
CONSUMPTIVE USE	-			-				
PURPOSES OF USE	-			N				
PERIOD OF USE	-			Y				
BASIS OF CLAIM	-			N				
REMARKS								

This is the only page of CVR used.
This is a part of a combined system
made up of 43-00328 thru 43-00331
See 43-00328 For analysis,
and supporting docs.

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 1976</u> IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO <u>1987-88</u> IDWR ID NO. <u>GIS Rectified</u>	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO <u>1978 (used as field map notes</u>	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO <u>origin 43-00200)</u>	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 _____	_____	_____
(x) SYSTEM DESCRIPTION	DATE DRAWN <u>2-28-00</u>	_____	See 43-00328 for original doc.
(x) PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER <u>GIS layout</u>	DATE <u>2-25-00</u>	<u>1</u>	<u>origin 43-00328</u>
() OTHER <u>" land list</u>	DATE <u>2-25-00</u>	<u>1</u>	<u>" " "</u>

CLAIM NUMBER
43-00328
00331

DATE
2-25-00

TRANSFER NUMBER

00329

AGENT
KKC

CLAIMED ACRE TOTAL
136

00330

GIS ACRE TOTAL
88

				NE				NW				SW				SE			
	TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	13S	25E	29												36			39	75
GIS															34.3			156	
RECOM															34			16	51
CLAIM	13S	25E	32																76
GIS						31	30												38
RECOM						24.1	14.1												
						24	14												
CLAIM																			
GIS																			
RECOM																			

B43-POU.SHP
88 acres @ .02 cfs = 1.76c

SHAPE NOS.
Decred ratios

169 54 ac (east P/U)
00328 - 0.6

170 34 ac (west P/U)
00329 1.0

B43-POD.SHP
00330 0.4

NOS. DESCRIPTION
00331 0.48

10 Sec 6 NWSWNE
2.48

Rice Lessey Ditch
difference = 0.72c

33 Sec 24 NESWNW

(Cottonwood source)

DBF TABLES UPDATED

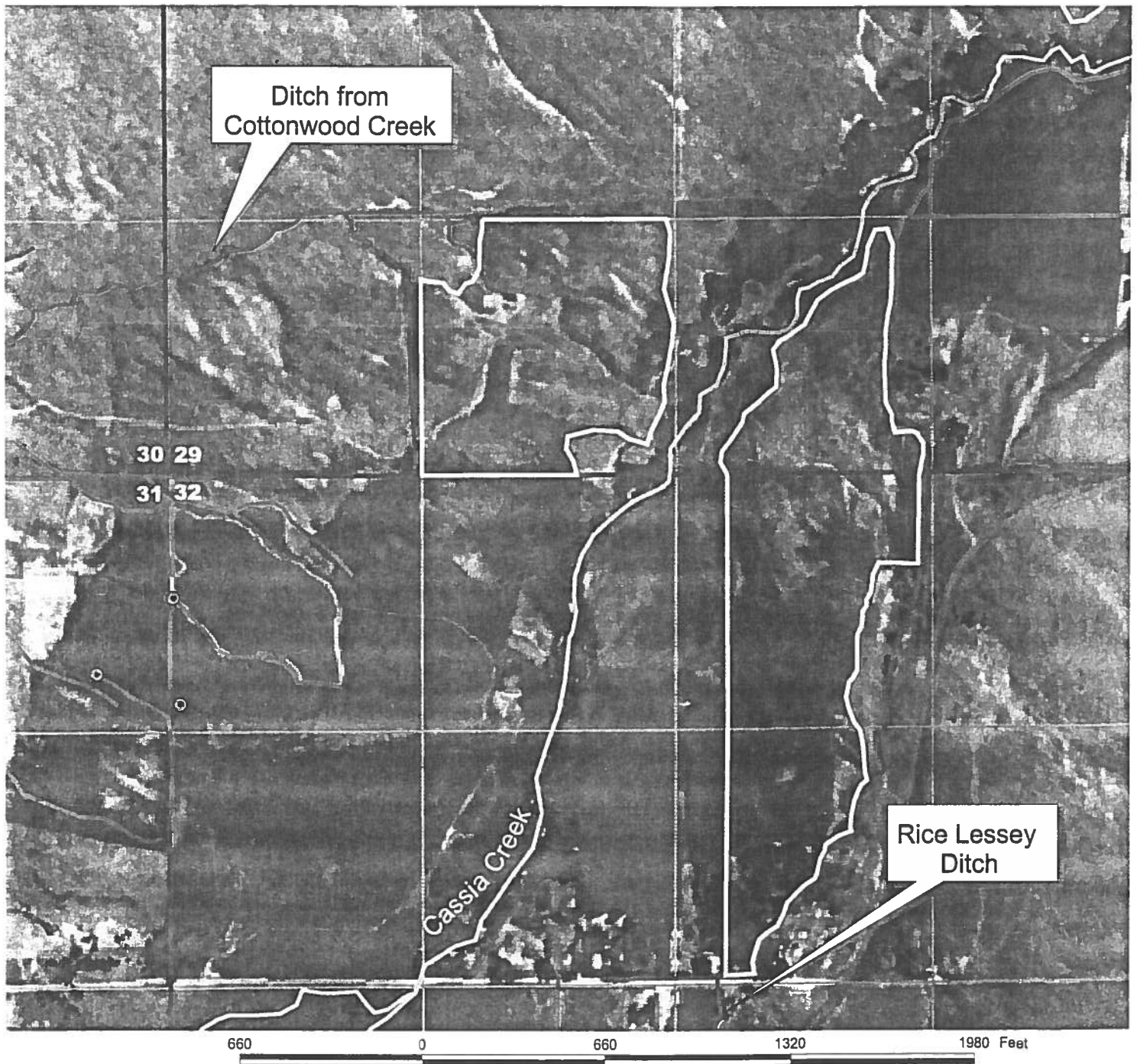
B43-DBPOU.DBF 2-25-00

B43-DBPOD.DBF

IPEG LAYOUT 43-00328 thru 00331 WARD.JPG

IDAHO DEPARTMENT OF WATER RESOURCES

**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

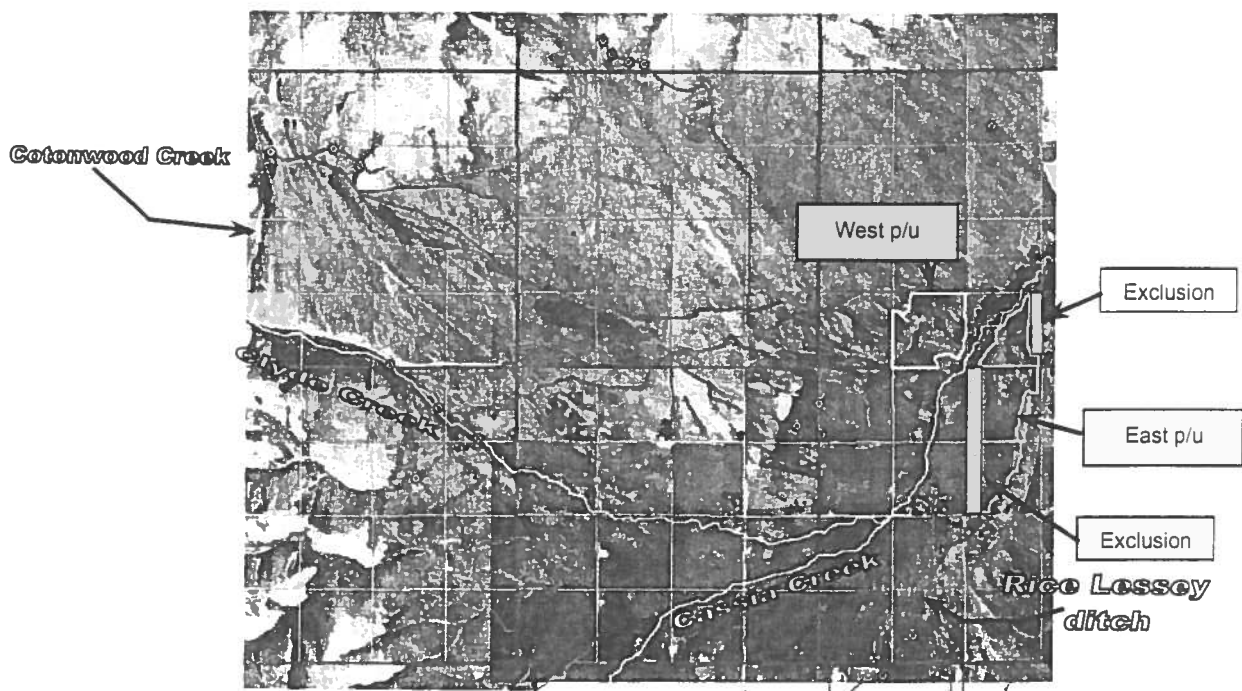
CASSIA CO.



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.