

500

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: A43-00403A
Date Received: 5/31/1989
Receipt No: 1003787
Received By: RB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAY L. BLACK 208-824-5593
Address: BOX 103
ALMO, ID 83312

OR
Name: KENNETH S. BLACK 208-824-5593
Address: BOX 103
ALMO, ID 83312

2. Date of Priority: APR 01, 1881

3. Source: GRAPE 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	31	SW	SW	SW		CASSIA
15S	25E	6	SW	SE	NW		CASSIA
			NE	NE	SW		CASSIA

5. Description of diverting works:
1 HEADGATES IN CREEK, TO GRAVITY DITCHES, PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A43-00403A

Page 1

Date: 05/31/89

MICROFILMED
MAR 03 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15S	25E	6	NE		NE	1	IRR	35.0
			NW		NE	2	IRR	27.0
			SE		NE		IRR	29.0
			NE		NW	3	IRR	23.0
			NW		NW	4	IRR	40.0
			SW		NW	5	IRR	40.0
			SE		NW		IRR	10.0
			NE		SE		IRR	40.0

Section Acres 244.0

Total Acres 244.0

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:
43-00402, A43-02247, A43-02279

14. Remarks:
THE A WAS ASSIGNED TO THIS CLAIM AS THE NO. 43-00403 HAD ALRERAD
Y BEEN CLAIMED. THE PROOF REPORT IS ATTACHED.

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): Kenneth L. Black Date: 5/31/89

Date: _____

State of Idaho)
County of Boise) SS.

Subscribed and sworn (or affirmed) before me this 31 day

of May 19 89

John Dal Carlen
Notary Public

Seal

Residing at Boise Id

My Commission Expires 6/2/90

5

Projection and 10,000-foot grid ticks: Idaho coordinate
 system, central zone (transverse Mercator)
 1000-meter Universal Transverse Mercator grid ticks,
 zone 12, 1987 North American datum

A43-00403A

SCALE 1:24 000

Can MICROFILMED
MAR 03 1993

THIS MAP COMES WITH NATIONAL MAP ACTUARY STANDARD

Water Right Number - 43-00403

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

+ - First Name - - +

+ - - - - Address - - - - +

- - - - -

*** C - CURRENT OWNER ***

CHAS. & OTHER HEIRS

1 -

2 -

3 -

City-

Phone -

State-

Zip-

WAKE

CHAS. & OTHER HEIRS

1 -

2 -

3 -

City-

Phone -

State-

Zip-

+ - - Priority Date - - +

17

+ - - Region - - - +

+ - - Stage - - - +

+ - - Status - - - +

04/01/1881

17

D - DECREED

+ - - Status - - - +

Source - - - - -

+ - - - -

+ - - - - Tributary - - - - +

+ - - - -

+ - - - - Twn Rng Sec Tract Lot Rflg County Point of Diversion - - - - +

+ - - - -

Code

Description

Period From

Period To

Water Use

Diversion Rate

Diversion Volume

01 - IRRIGATION

Period From

Period To

Water Use

Diversion Rate

Diversion Volume

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

3.200

Period From

Period To

Water Use

Diversion Rate

Diversion Volume

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
15S	25E	6	NE NE	1		01	IRRIGATION		31 CASSIA
15S	25E	6	NW NE	2		01	IRRIGATION		31 CASSIA
15S	25E	6	SE NE			01	IRRIGATION		31 CASSIA
15S	25E	6	NE NW	3		01	IRRIGATION		31 CASSIA
15S	25E	6	NW NW	4		01	IRRIGATION		31 CASSIA
15S	25E	6	SW NW	5		01	IRRIGATION		31 CASSIA
15S	25E	6	SE NW			01	IRRIGATION		31 CASSIA
15S	25E	6	NE SE			01	IRRIGATION		31 CASSIA

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 43-0402

Remarks -
No Remarks found.

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MAR 03 1993

Water right number - 43-00403

Adj. flag translation: Standard Water Right Number

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +
ALBION-IDAHO LAND CO.

+ - - - - Decree Defendant - - - +
JOBE ADAMS ET AL

+ - Decree Date - +
10/18/1928

+ - - Audit Fields -

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 04/08/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 43D
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 10/18/1928				

MICROFILMED
MAR 03 1993

PD 6-28-02

06/05/2001

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

RIGHT NUMBER: 43-403A

NAME AND ADDRESS: JAY L BLACK
KENNETH S BLACK
PO BOX 103
ALMO, ID 83312

SOURCE: GRAPE CREEK

TRIBUTARY: RAFT RIVER

QUANTITY: 3.2 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 10.4 CFS. COMBINED RIGHT
NOS.: 43-402, 43-404, 43-405, 43-2247, 43-2279, 43-10304 AND
43-13030.

PRIORITY DATE: 04/01/1881

POINT OF DIVERSION:	T14S R25E S31	LOT 4	SWSWSW	Within CASSIA County
	T14S R25E S31	LOT 4	SWSWSW	Within CASSIA County
	T14S R25E S31	LOT 4	SWSWSW	Within CASSIA County
	T15S R25E S6		SWSENW	Within CASSIA County
	T15S R25E S6		NENESW	Within CASSIA County
	T15S R25E S6		NESESW	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	3.20 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>									
T15S R25E S6	LOT 1	NENE	31	T15S R25E S6	LOT 2	NWNE	27		
T15S R25E S6		SWNE	23	T15S R25E S6		SENE	26		
T15S R25E S6	LOT 3	NENW	24	T15S R25E S6	LOT 4	NWNW	44		
T15S R25E S6	LOT 5	SWNW	43	T15S R25E S6		SENW	11		
T15S R25E S6		NESW	35	T15S R25E S6	LOT 6	NWSW	9.4		
T15S R25E S6		SESW	14	T15S R25E S6		NESE	23		
T15S R25E S6		NWSE	38	T15S R25E S6		SWSE	30		

378.4 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 43-402 IS LIMITED TO THE
IRRIGATION OF THE SAME 244 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 378 ACRES IN A
SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-402, 43-
404, 43-405, 43-2247, 43-2279, 43-10304 AND 43-13030.

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

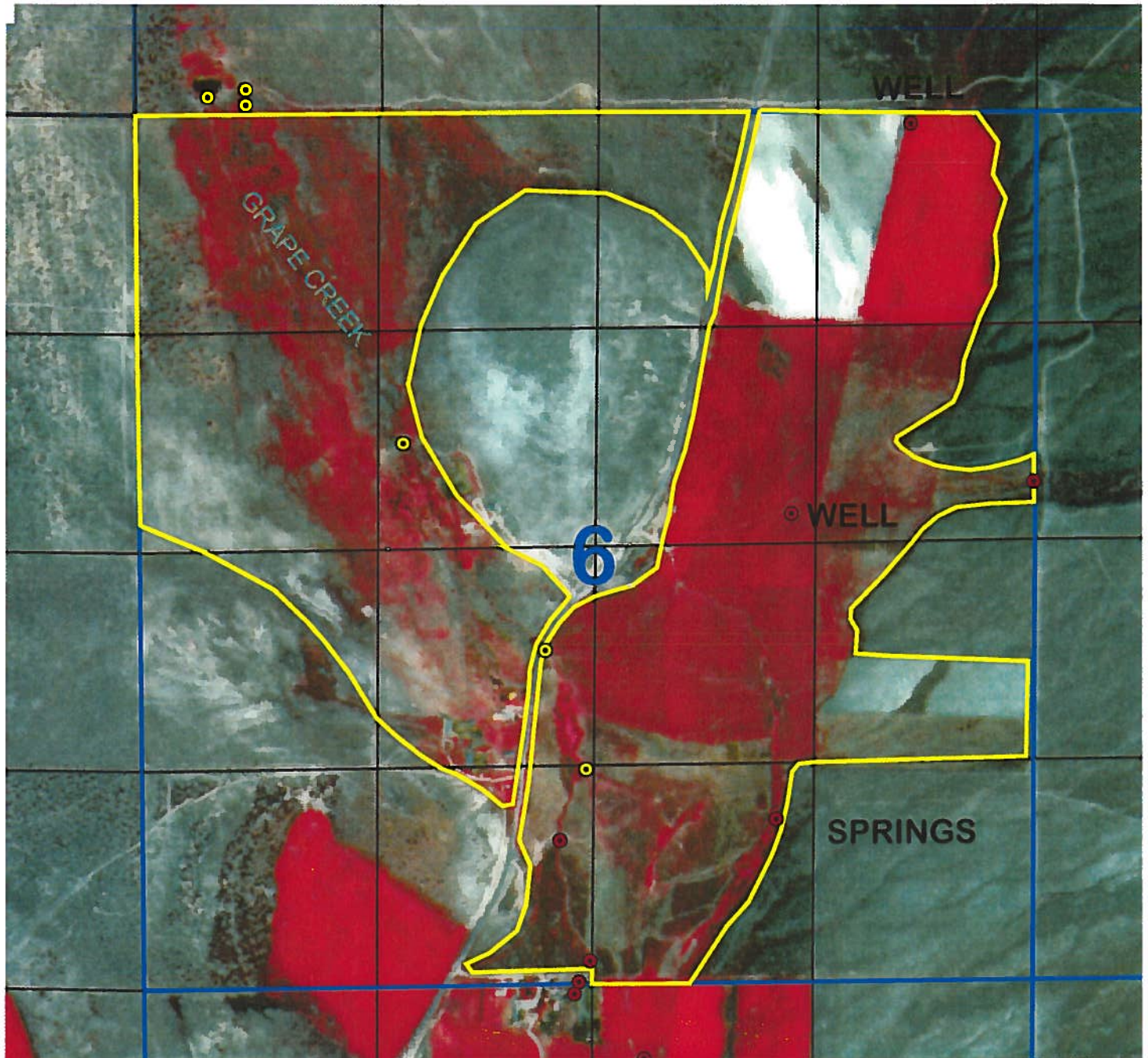
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Idaho Department of Water Resources

**RIGHTS: 43-402, 43-403A, 43-404, 43-405,
43-2247, 43-2279, 43-10304, 43-13030**

**RECOMMENDED PLACE OF USE
TWP 15S, RNG 25E, SEC 06
Data entry on June 5, 2001**



0 1320 2640 3960 5280 Feet

● RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES



**GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
PREPARED BY VIKIE HANCOCK**

11/08/2000

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

RIGHT NUMBER: 43-403A

NAME AND ADDRESS: JAY L BLACK
KENNETH S BLACK
BOX 103
ALMO, ID 83312

SOURCE: GRAPE CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 3.2 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.5 CFS. COMBINED RIGHT NOS.:
43-402, 43-404, 43-405, 43-2247, 43-2279, 43-10304.

PRIORITY DATE: 04/01/1881

POINT OF DIVERSION: T14S R25E S31 LOT 4 SWSWSW Within CASSIA County
T15S R25E S6 SWSENW Within CASSIA County
T15S R25E S6 NENESW Within CASSIA County
T15S R25E S6 NESESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

APP POD

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-31	3.20 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T15S R25E S6	LOT 1	NENE	31	T15S R25E S6	LOT 2	NWNE	27
T15S R25E S6		SWNE	23	T15S R25E S6		SENE	22
T15S R25E S6	LOT 3	NENW	24	T15S R25E S6	LOT 4	NWNW	44
T15S R25E S6	LOT 5	SWNW	43	T15S R25E S6		SENE	11
T15S R25E S6		NESW	35	T15S R25E S6	LOT 6	NWSW	9.6
T15S R25E S6		SESW	14	T15S R25E S6		NESE	23
T15S R25E S6		NWSE	38	T15S R25E S6		SWSE	30

374.6 ACRES TOTAL

378 ac - added 13030

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 375 ACRES IN A
SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-402, 43-
404, 43-405, 43-2247, 43-2279, 43-10304.

USE OF THIS RIGHT WITH RIGHT NO. 43-402 IS LIMITED TO THE
IRRIGATION OF THE SAME 244 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE

EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

RECOMMENDATION NOTES

From: Vikie Hancock

11/7/00

Regarding: Claims 43-402, 3.2 cfs
and 43-403, 3.2 cfs

These claims are based upon two rights in the 1928 Jobe Adams decree appurtenant to the same place of use. The tracts identified in the decree, as well as the combined diversion amount of 6.4 cfs from Grape Creek, indicates that a maximum total of 320 acres are included in the decreed place of use. GIS analysis shows that it is unlikely that the entire 320 acres were irrigated in the 1880s. This claim for 244 acres within the decreed place of use is probably more accurate given the topography of the area.

The water decreed under these rights are co-mingled with other water from Grape Creek and also groundwater, and used to both flood and sprinkler irrigate a total of 375 acres. My recommendation is that when combined these rights are limited to the irrigation of the same 244 acres within the permissible place of use identified.

6-5-01

 Per language in the decree, 43-403(A) is for "high water" and thus not subject to the 1 inch per acre limitation.

402	3.2	1880
403	3.2	1881 (high water)
404	3.2	1880
405	0.8	1890
10.4 cfs decreed		



Gas (ppm)

PPU 375ac

RECOMMENDATION NOTES

From: Vikie Hancock

11/7/00

Regarding: Claims 43-402, 3.2 cfs
and 43-403, 3.2 cfs

These claims are based upon two rights in the 1928 Jobe Adams decree appurtenant to the same place of use. The tracts identified in the decree, as well as the combined diversion amount of 6.4 cfs from Grape Creek, indicates that a maximum total of 320 acres are included in the decreed place of use. GIS analysis shows that it is unlikely that the entire 320 acres were irrigated in the 1880s. This claim for 244 acres within the decreed place of use is probably more accurate given the topography of the area.

The water decreed under these rights are co-mingled with other water from Grape Creek and also groundwater, and used to both flood and sprinkler irrigate a total of 375 acres. My recommendation is that when combined these rights are limited to the irrigation of the same 244 acres within the permissible place of use identified.

Field Exam Notes

Field Exam Date: 10-01-1999

Claim No: A43-00402, -00403A, -00404, -00405, -02279, -02247, 04069, A43-07144, -10304

Claimants: Jay L. Black, Kenneth Black, J. Spencer Black

Agent: Vikie Hancock

Mr. Jay L. Black and Agent Jeanne Robertson accompanied me on this field exam. In response to a question regarding any updates of address or ownership of these claims, Mr. Black said that J. Spencer Black should be removed from all the claims. I explained that some sort of deed of conveyance would be needed, and he said that could be provided.

This ranch has two irrigation systems. Both include both surface and groundwater, sprinkler and flood irrigation.

Claims **A43-00402, -00403A, -00404, and -00405** are based upon Jobe Adams decreed rights to Grape Creek. There were four original ranches that used all the water of Grape Creek, and Blacks own two of those ranches. It is agreed by the three current users of Grape Creek that the decrees on Grape Creek represent four total shares: Black has 2 shares, Ron Ward has 1 share and Clark ward has 1 share. Until the recent past, the water was used on a timed rotation. In the early 1980s a pond and two pipelines were constructed that convey Grape Creek water from a diversion point in the SWSW Section 31 T14S R25E. An 8 inch pipe goes to property irrigated by Clark Ward. A 12 inch pipe diverts water to property irrigated by Jay Black and Ron Ward. *(See claim files A43-00406 and A43-00407 for information about the other claimants' systems).*

The buried pipeline runs southeast through Jay Black's land until it intersects the $\frac{1}{4}$ section line between the SWNW and SENW of section 6. It then follows this line directly south. Approximately one quarter of the way south into the SW $\frac{1}{4}$ of section 6, there is a valve where claimant has a piped diversion that conveys the water east and into the main sprinkler line. It mixes with groundwater from the two wells licensed under 43-02279 and water from the spring claimed as A43-10304. Sprinkler irrigation from this source occurs in the NE $\frac{1}{4}$ section 6 and the N $\frac{1}{2}$ SE $\frac{1}{4}$ section 6.

Claimant also has a surface diversion from Grape Creek in the SWSWSW Section 31, T14S R25E. The ditch from this diversion runs west along the North section line of section 6 and south along the west section line of section 6 to flood irrigate the NW $\frac{1}{4}$ of section 6, excluding the hill. Another diversion from the Grape Creek channel is located on the southeastern edge of the hill in the SENW section 6. It is used to irrigate to the west of the creek and specifically the old orchard. Two surface diversions are located on the east side

of the highway. One is just after Grape Creek crosses under the highway. The ditch from this diversion runs southeasterly and then turns east to cross the south end of the NWSE. The difference in vegetation between the land sprinkled north and the land flooded south of this ditch can clearly be seen on the GIS layout. The last diversion from Grape Creek also goes out to the east and is located in the SE NE SW of the section.

Claim **A43-02279** is based upon a license for ground water issued in 1965. The first well in the SESWNE was supplemented by a second well in the NENENE in 1980. These two wells are interconnected and mingle with the water from the Grape Creek pipeline, and with the spring. The second well in the NENENE is powered by a diesel motor, and Mr. Black stated that it pumped 140 gpm, and that both wells were dependant on groundwater recharge that typically takes place in spring. He said he thinks that the irrigation Ron Ward does from Grape Creek on his pasture in section 31 prolongs the time that he can use his wells in section 6. Sprinkler irrigation from this source occurs in the NE ¼ and the N ½ SE ¼ of section 6. The place of use claimed represents an accomplished transfer from the tracts licensed, and from the data on the 1980 transfer application.

Claim **43-10304** is on a spring that is located in the SWSE section 6. A 5 hp pump is used to pump the water from this spring into a reservoir built after 1987. From the reservoir the water is piped into the main sprinkler lines. Before the reservoir was constructed, the water from the spring was pumped directly into sprinkler lines. Claimant said that this water is mainly used to run sprinklers up a draw in the S ½ of the NESE section 6. He runs one ¼ mile line with 5gpm sprinkler heads. He said that the spring was always a wet spot and that the farm garden was there in the old days. However, through the years the meadow was drained by using tiles and then perforated pipe, and the water was directed toward the spring, so that there is more water available now than when the place was first homesteaded.

Claimant also uses water from **Savage Hollow Creek**, although he has not filed a claim for it. It is used to flood irrigate a draw in the SENE section 6, and also out into the field below it when the water is sufficient. Savage Hollow Creek is tributary to Grape Creek. Clark Ward filed a claim on Savage Hollow Creek for irrigation use to protect his right to the water after it joins Grape Creek, even though he has no diversion on Savage Hollow Cr. Clark Ward is aware of Mr. Black's irrigation use of Savage Hollow, but Mr. Black is reluctant to file a claim on it. During my conversation with Clark Ward, I said that it may be good for me to meet jointly with him, Ron Ward and Jay Black to see what they wanted to do about Savage Creek so that all interests are protected.

Claim **A43-02247** was brought to my attention by Agent Kelly Christensen after my field exam of the Black property. It is based upon a license for the water of Grape Creek. It seems to be of a date that would make it superceded by the Jobe Adams Decree, but further investigation is required due to the particulars of this license.

A second system is used by Mr. Black in sections 1 and 12 T15S R24E. This is a combination of groundwater and surface water from Tater Creek. *See claim file A43-04069 for additional information and photos.*

13-00477	<u>J. P. Jensen right</u> July 31-1882	1.5 s.f.	$S\frac{1}{2}SW\frac{1}{4}$, Sec. 9, $NW\frac{1}{4}SE\frac{1}{4}$, Sec. 10, Twp. 15 S. R. 24 E.B.M.
3-00396	<u>Geo. D. Graham right</u> 1883-Apr. 30	1.5 s.f.	$N\frac{1}{2}SE\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, Sec. 21, Twp. 15 S. R. 24 E.B.M.
397	<u>C. V. Spencer right</u> 1882-Apr. 30	2 s.f.	$NW\frac{1}{4}$, Sec. 25, Twp. 15 S. R. 24 E.B.M.
398	<u>Jno. Miller right</u> 1882-Apr. 30	1 s.f.	$E\frac{1}{2}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, Sec. 10, Twp. 15 S. R. 24 E.B.M.
399	<u>Charles Heath right</u> 1883-May 31	1 s.f.	$S\frac{1}{2}SW\frac{1}{4}$, Sec. 22 and $NW\frac{1}{4}NW\frac{1}{4}$, Sec. 27, Twp. 15 S. R. 24 E.B.M.
400	<u>Henry T. Eames right</u> 1884-Mar. 31	1 s.f.	$E\frac{1}{2}NW\frac{1}{4}$ and $W\frac{1}{2}NE\frac{1}{4}$, Sec. 10, Twp. 15 S. R. 24 E.B.M.
401	<u>Robert J. Eames right</u> 1884-Apr. 30	1 s.f.	$E\frac{1}{2}SE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, Sec. 23, Twp. 15 S. R. 24 E.B.M.

GRAPE CREEK

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That Grape Creek, heretofore mentioned as a tributary of Almo Creek be, and hereby is, set off as a separate water district, and that the defendants and cross-complainants hereinafter named shall have the exclusive right to the use of the waters of Grape Creek to the extent of their various appropriations hereinafter set forth for the irrigation of their respective tracts of land hereinafter described, and that such right is independent of and superior to the rights of the various users of water from Almo Creek, and that the use of the water by said parties hereinafter named shall not be considered as a violation of the injunctive provisions of this decree, and that the use of all of said waters by the herein-after named defendants shall not be construed as an invasion of the rights of the water users of Almo Creek; that as between the hereinafter named defendants, their priorities and rights to use the waters of said Grape Creek be, and hereby are, fixed as follows:

-00402
403
Chas. Wake and the other heirs
at law of Eliza Wake
1880-Apr. 1 3.2 s.f.
1881-Apr. 1 3.2 s.f.

To be diverted from Grape Creek
High water of Grape Creek for the
irrigation of $NW\frac{1}{4}$, Sec. 6, Twp. 15 S.
R. 25 E.B.M., also Lots 1 and 2, and
 $NE\frac{1}{4}SE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, Sec. 6, Twp. 15 S. R.
25 E.B.M.

404
405
Asael Lowe and other heirs at
law of John Lowe, deceased.
1880-Apr. 1 3.2 s.f.
1890-Apr. 1 .8 s.f.

To be diverted from Grape Creek for the
irrigation of $SW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$,
 $SE\frac{1}{4}SW\frac{1}{4}$, Sec. 6, Twp. 15 S. R. 25 E.B.M.

406
John C. Ward and
Nellie Ward
1880-Apr. 1 3.2 s.f.

To be diverted from Grape Creek for the
irrigation of $NW\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$,
 $SE\frac{1}{4}NW\frac{1}{4}$, Sec. 7, Twp. 15 S. R. 25 E.B.M.

407
Orville Ward and
Nina Ward
1880-Apr. 1 3.2 s.f.

To be diverted from Grape Creek for the
irrigation of $NE\frac{1}{4}NW\frac{1}{4}$, Sec. 13, Lot 3,
 $NE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, Sec. 7, Twp. 15 S. R.
25 E.B.M.





IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE AVE
TWIN FALLS ID 83301
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

May 15, 1995

NOTE TO FILE: A43-00403A

Counter claim A43-00403B against the decreed right 43-00403 has been recommended for disallowal based upon remark code P01; NO LAWFUL APPROPRIATION SHOWN.

A portion of that right was inadvertently claimed. Mr Wickel acknowledged that he had no interest in that right.


Kelly K Christensen
Sr Water Resource Agent

Frank: BACK
If you want you can
recommend 403A as
403 seeing as there
is only one valid claim
against that decreed
right.