

Grape Creek

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: A43-00406
Date Received: 5/18/1989
Receipt No: 4003037
Received By: J. E.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VENNA C. WARD 208-824-5594
Address: BOX 1540
ELBA, ID 83326
AND/OR
Name: RONALD C. WARD 208-824-5594
Address: BOX 1540
ELBA, ID 83326

2. Date of Priority: APR 01, 1880

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	24E	36	SW	NE	NE		CASSIA
	25E	31	SW	SW	SW		CASSIA
15S	25E	6	NE	NE	SW		CASSIA
		7	NW	NW	NE		CASSIA
			NE	SE	NW		CASSIA
			SE	SE	NW		CASSIA

5. Description of diverting works:
6 DIV. POINTS PIPELINE POND FOR SPRINKLERS, DAM OR CONCRETE HDGAT

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 700.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER
A43-00406

Page 1

Date: 05/18/89

MICROFILMED

MAR 03 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14S	25E	31	SW		NW	2	IRR	5.0
			NW		SW	3	IRR	25.0
			SW		SW	4	IRR	23.0
			SE		SW		IRR	32.0
							Section Acres	85.0
15S	25E	7	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			NE		NW		IRR	35.0
			SE		NW		IRR	40.0
			NW		SE		IRR	40.0
							Section Acres	195.0
							Total Acres	280.0

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:
43-02507

14. Remarks:

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

ALBION-IDAHO LAND CO.
Decree Plaintiff

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): Ronald C. Ward Date: 5/18/89
Date: _____

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 10 day

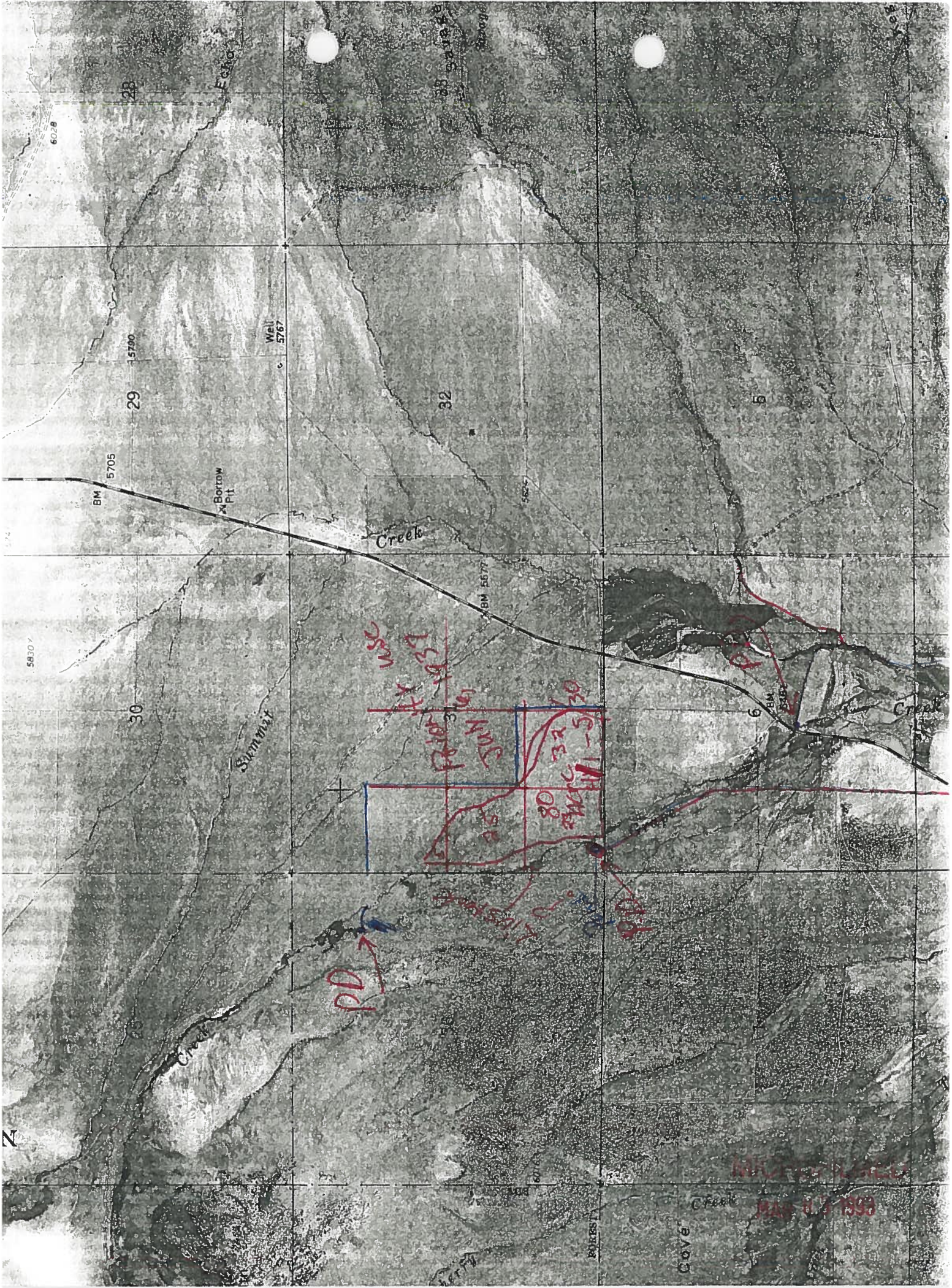
of May 19 89

Seal

John Dale Cochran
Notary Public

Residing at Boise Id

My Commission Expires 6/2/94



6 DAY
3
3

160

120

Savage

P.D.

1937
VALLEY

2 160/240

214



MICROFILMED

MAR U 3 1993

Geological Survey
the Soil Conservation Service

Scale from 1:78 000-scale
August 20, 1976

Not grid ticks: Idaho coordinate
inverse Mercator
inverse Mercator grid ticks,
meridian datum

by scanning techniques
e or mismatched images;
sitions for map point.

Department of Water Resources pursuant to
pieces of claims and objections in the Snake
express or implied, is made and no legal
its agents, contractors and reviewers.

Copies Of These Maps Can Be Obtained
At Bonneville Blue Print, Boise Idaho

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, MENLO PARK, CALIF. 94025

COMMUNICATION DOCUMENTATION

From: Vikie Hancock

February 2, 2004

Regarding:

Customer:

Grape Creek / Summit Creek

Jay Black

Jay Black came into the office in response to a letter he received from the USFS dated Jan 26, 2004, regarding his lack of a recorded water right on Summit Creek in Cassia County.

Jay Black, Ron Ward and Clark Ward all have SRBA decreed rights on Grape Creek (decree date June 2002). At the time of my recommendations, I was unaware that their diversions from Grape Creek included water diverted from Summit Creek and injected into the Grape Creek Channel approximately 1.5 miles upstream of their uppermost claimed point of diversion. Therefore, Summit Creek was not included as a source and the point of diversion was not included in their SRBA decreed rights.

Grape Creek was included in the Jobe Adams Decree of 1929, and Jay Black told me this date that most likely the ditch from Summit Creek to Grape Creek was constructed not long after Grape Creek was put to use by the original homesteaders. He knows that it existed when he was a small child and he remembers that in or around 1967 his family put in a permanent structure to divert the entire flow of Summit Creek to Grape Creek, cutting off the original Summit Creek channel all together. Before that time they cleaned and repaired the diversion each year. He also remembers that the Forest Service noticed the newly constructed permanent structure and disapproved, however they did not ask to have the dam removed.

Two options exist in the SRBA for the Wards and Mr. Black to obtain a recorded historical water right on Summit Creek:

- 1) File late claims on Summit Creek base upon beneficial use with a priority date one day after the Jobe Adams decree. Combined, the rights based upon beneficial use and the Grape Creek rights based upon the Jobe Adams decree would be limited to the diversion rate decreed, which was already one inch per acre.
- 2) Ask to have the SRBA decrees set aside, corrected and re-decreed with the addition of Summit Creek as a source and the points of diversion and injection added to their SRBA decreed rights. Priority 4-1-1880.

Mr. Black felt that the most correct was to have his SRBA decrees set aside and corrected to include Summit Creek. His opinion is that the use of Summit Creek was inadvertently left out of the Jobe Adams as it was inadvertently left out of the SRBA. He believes that the ditch from Summit to Grape existed well before 1929 and that a priority date of that year would not accurately reflect

their right. He estimates that 0.5 cfs is the entire flow of Summit Creek and that it is already counted in the Grape Creek rights.

As of this date there is only one recorded water right on Summit Creek . SRBA decreed right 43-10657 is for instream stockwater use in the name of USFS. Priority date is 5/1/1880. POU is just above the Black/Ward diversion from Summit to Grape Creek.

Mr. Black is going to inform Ron and Clark Ward that he intends to petition the Court to set aside his decree. I gave him the Court's address and asked him to keep me informed after they had their hearing so that I could make the new recommendations and keep the process going.

Jay Black 43-402 } -1880
43-404 }

Ron ward 43-406 - 1880

Clark ward 43-407 - 1880

Jay Black also has rights 43-403 & 43-405
for high water on Grape Creek which he
does not think he needs to amend.

VA

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 43-10657 V2

WATER RIGHT NUMBER: 43-10657 V2

Owner Type

Current Owner

Name and Address

UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE, ID 83724
(208)387-0835

Decreed June 2000

Priority Date: 05/01/1880

Basis: Beneficial Use

Status: Active

Source

SUMMIT CREEK

Tributary

SINKS

Beneficial Use

STOCKWATER

From To

6/01 to 9/30

Diversion Rate

0.020 CFS

Annual VolumeTotal Diversion:

0.020 CFS

Location of Point(s) of Diversion

SUMMIT CREEK	NE1/4NE1/4	Sec. 26, Twp 14S, Rge 24E, B.M.
CASSIA County	(Beginning of Reach)	
SUMMIT CREEK	SW1/4NW1/4	Sec. 25, Twp 14S, Rge 24E, B.M.
CASSIA County		
SUMMIT CREEK	SW1/4NW1/4	Sec. 25, Twp 14S, Rge 24E, B.M.
CASSIA County	(Injection)	
SUMMIT CREEK	SW1/4NW1/4	Sec. 25, Twp 14S, Rge 24E, B.M.
CASSIA County	(Ending of Reach)	

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	24E	25						X	X		X	X				X	X		
14S	24E	26	X																

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-10657 V2

2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Point of Diversion WATER FROM SUMMIT CREEK IS DIVERTED INTO A DITCH IN THE SWNW, T14S, R24E, S25 AND CARRIED TO GRAPE CREEK.
2. Explanatory FOREST SERVICE RECORD ID = 0414 17040210 05 0002

Comments:

1. RBROWN 4/27/1999 REVISION
Comment: ADDED DITCH DESCRIPTION

Dates and Other Information:

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

Combined Use Limits:

SubCase:

SubCase Number: 43-10657
Class: 1
SF5 Filed Date: 4/28/1999
Special Master Recom Signed Date: 5/7/1999
Attorney Assigned: NICHOLAS B SPENCER
Adjudication Agent:
Basis of Claim:
Date Filed: 7/7/1998 Objection Status: Active



United States
Department of
Agriculture

Forest
Service

Intermountain Region

324 25th Street
Ogden, UT 84401
801-625-5605

File Code: 2720-3

Date: **JAN 26 2004**

Mr. Jay L. Black
P.O. Box 103
Almo, ID 83342

**REGISTERED – RETURN
RECEIPT REQUESTED**

Dear Mr. Black:

We met with you and the Wards in September 2003, to review the Summit Creek Ditch and your applications for Agriculture Irrigation and Livestock Watering System easements (commonly referred to as "Ditch Bill" easements). While reviewing the system, we took the opportunity to survey the location of the point of diversion and ditch with a Global Positioning System unit.

Ditch Bill easements are authorized by Public Law 99-545. This act stipulates criteria that must be met in order to obtain an easement. One criterion requires the applicant to have a valid existing water right for the water conveyed by the water system. By law, the Forest Service cannot issue a permanent Ditch Bill easement without a valid water right.

Your application indicates that water right A43-00406, a water right owned by all of the persons using the Summit Creek Ditch, is the water right associated with your water systems on Grape Creek. This water right does not appear to authorize the water you take from Summit Creek. Upon further review of the State water records, we could not find any right to you or the Wards for the Summit Creek water you divert off the National Forest.

At this time, the State water right records would indicate you do not have a water right for Summit Creek on National Forest System lands, and your application and those of the Wards do not meet all criteria for the Ditch Bill easement. This problem will need to be remedied, and we suggest you contact:

Idaho Department of Water Resources (IDWR)
Southern Region Office
1341 Fillmore Street
Suite 200
Twin Falls, Idaho 83301
Phone: (208) 736-3033



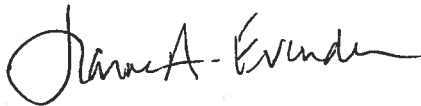
J. L. Black

Specifically, you will need to provide a water right that recognizes your right to divert water from Summit Creek at a point of diversion shown on the enclosed map. As mentioned earlier, the ditch and point of diversion were surveyed and the map was prepared from the survey information.

We think this matter should be of some importance and we are willing to work with you. We would appreciate your earliest consideration of this matter. Please initiate action through the IDWR within the next 2 months.

Please contact Jim Nutt at 208-331-5941 or Bob Klarich at 801-625-5159 if you have questions regarding this letter or your easement application. If you file for the Summit Creek diversion, please contact Jim or Bob after you file with IDWR.

Sincerely,



JEANNE A. EVENDEN
Director, Lands

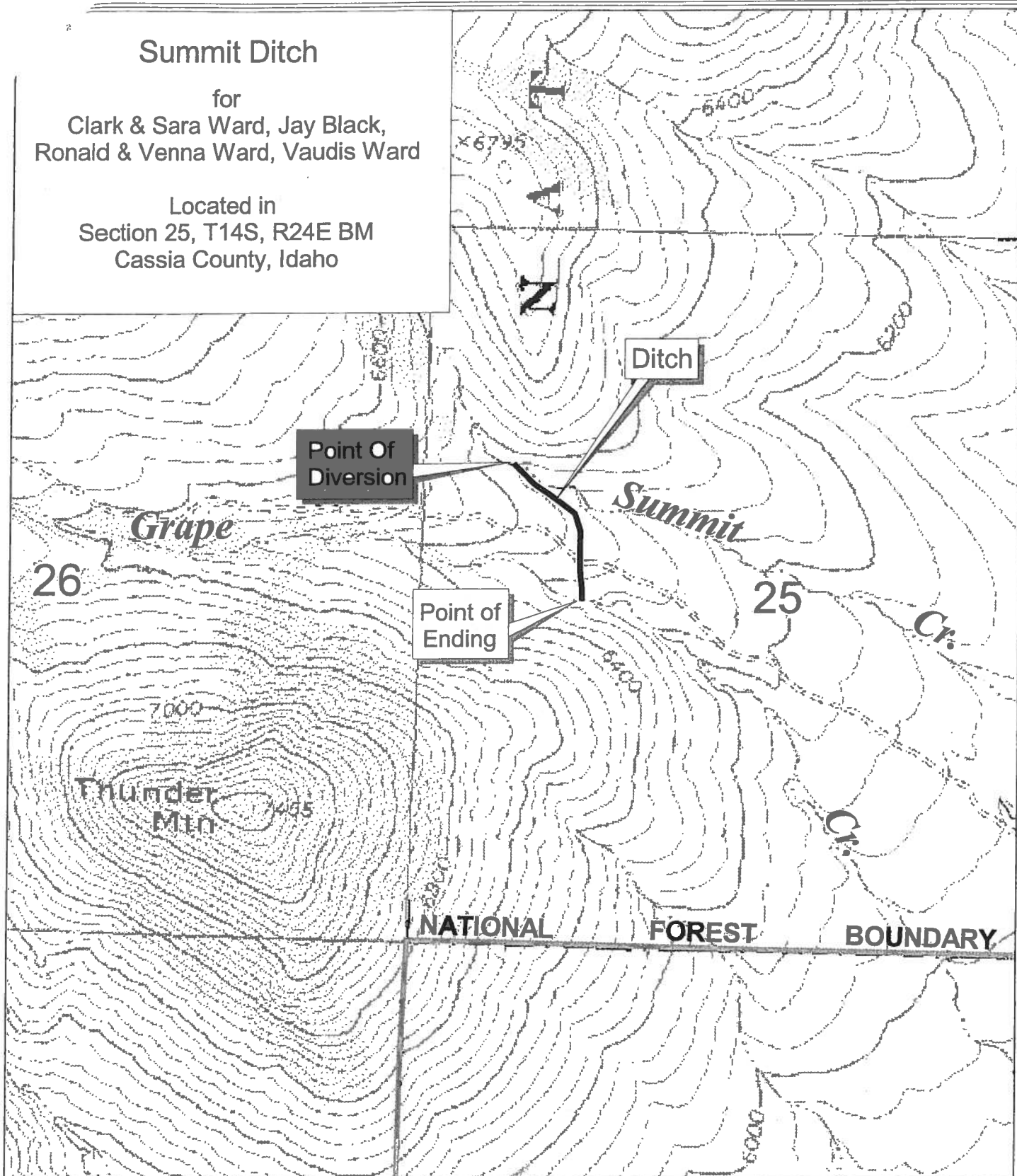
Enclosure

ALL 1880
Jay Black
43-402
43-404
Clark Ward
43-407
Ron Ward
43-406

Summit Ditch

for
Clark & Sara Ward, Jay Black,
Ronald & Venna Ward, Vaudis Ward

Located in
Section 25, T14S, R24E BM
Cassia County, Idaho



The Point of Diversion is located southerly 1700 feet more or less and easterly 640 feet more or less from the NW corner of Section 25.



0 500 1000 1500 2000 Feet

SOURCE: USGS 7.5 Minute Quadrangle
Jim Sage Canyon
PROJECTION: UTM Zone 12
DATUM: NAD 27

M.Loros
1-22-2004

Farm Stock

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: 43-10187

RONALD C WARD
PO BOX 109
ALMO ID 83312
Telephone Number: (208)824-5594

VENNA C WARD
PO BOX 109
ALMO ID 83312
Telephone Number: (208)824-5594

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:

6/1/01

SIGNATURE:

Ronald C. Ward

Please print your name:

Ronald C. Ward

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

stockwater
claim

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: 43-406

VENNA C WARD
PO BOX 109
ALMO ID 83312
Telephone Number: (208)824-5594

RONALD C WARD
PO BOX 109
ALMO ID 83312
Telephone Number: (208)824-5594

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: 6/1/01

SIGNATURE:

Ronald C. Ward

Please print your name:

Ronald C. Ward

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

11/13/2000

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

RIGHT NUMBER: 43-406

NAME AND ADDRESS: RONALD C WARD
VENNA C WARD
PO BOX 109
ALMO, ID 83312

SOURCE: GRAPE CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 3.2 CFS

USE OF THIS RIGHT WITH RIGHT NO. 43-2507 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.74 CFS.

PRIORITY DATE: 04/01/1880

POINT OF DIVERSION:	T14S R25E S31	LOT 4	SWSWSW		Within CASSIA County
	T15S R25E S6		SESESW	Rediversion	Within CASSIA County
	T15S R25E S7		NWNWNE		Within CASSIA County
	T15S R25E S7		NESENW		Within CASSIA County
	T15S R25E S7		SESENW		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 S7	NWNE	40	T15S R25E S7	SWNE	40
T15S R25E S7	NENW	30	T15S R25E S7	SENEW	39
T15S R25E S7	NWSE	38			
187 ACRES TOTAL					

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-2507 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 187 ACRES IN A SINGLE
IRRIGATION SEASON.

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

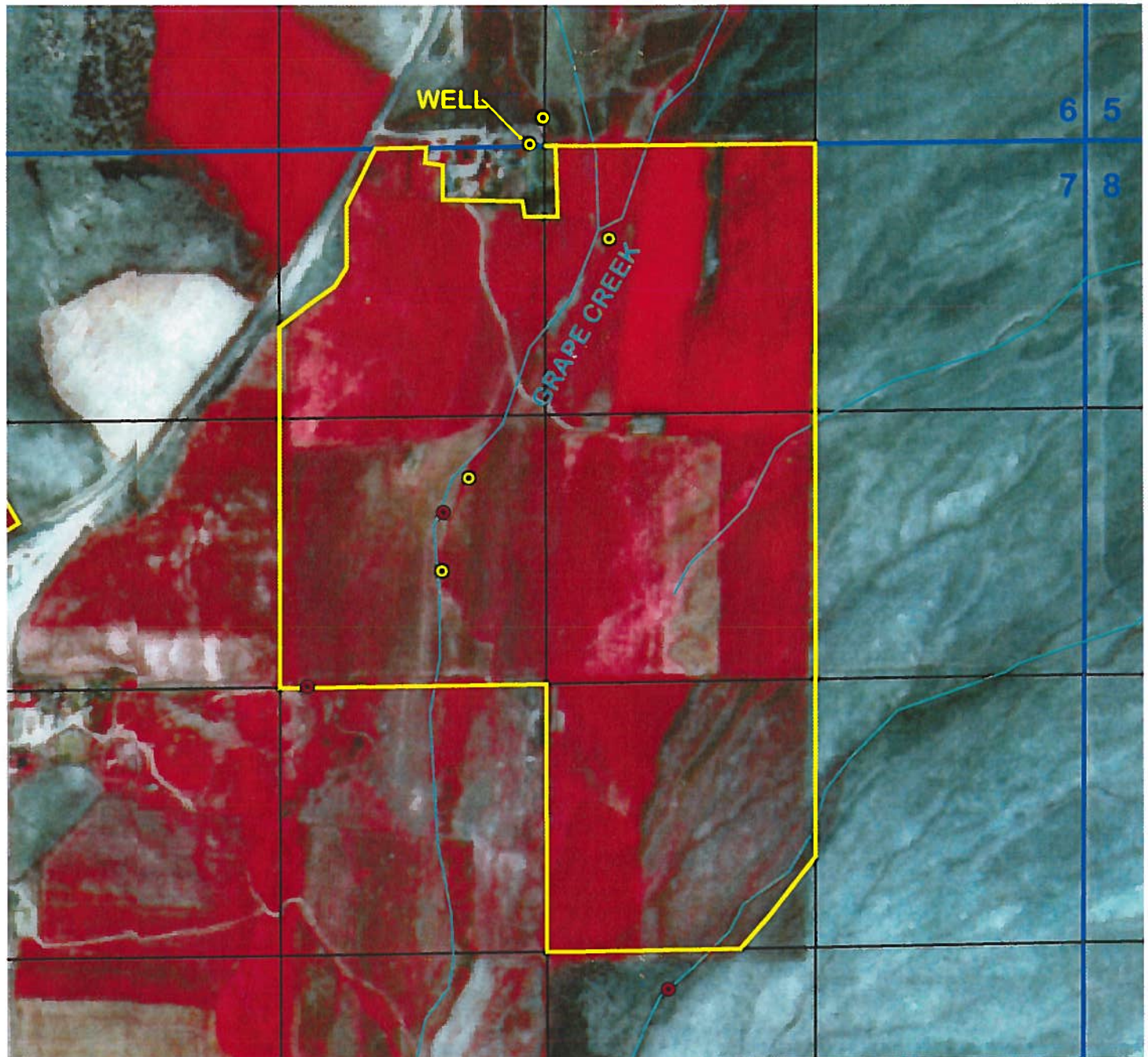
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR
FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A
POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decree

Idaho Department of Water Resources

**RIGHTS: 43-406
and 43-2507**

**RECOMMENDED PLACE OF USE
TWP 15S, RNG 25E, Sec 7
Data entry on November 8, 2000**



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



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

~~700.00~~

Stage: DECREED

CASSIA County
CASSIA County
CASSIA County
CASSIA County

SE

TOTAL ACRES

Field Inspection Flag: D
Presumption Flag: D

Comb limits { 187 ac
3.74 cfs

Field Exam Notes

Field Exam Date: 09-30-1999

Claim No: A43-00406, -02507, -07138

Agent: Vikie Hancock

Mr. Ward accompanied me during the field exam. He was at the end of irrigation season, and no sprinklers were running at the time. The two wells had been turned off on Sept 18th. Water in Grape Creek was much diminished, and was no longer being turned into the pond in Section 31 for diversion into the gravity sprinkler system. A measurement to determine bankful capacity of Grape Creek was conducted approximately 100 yards upstream of the pond in the SWSW Section 31.

The system represented by claims A43-00406 (decree on Grape Cr.) and A43-02507 (GW license), is a combination of surface and GW, pumped and gravity driven sprinkler, and flood. It is all interchangeable within the acres irrigated by claimant in Section 7.

Grape Creek is shared by the Claimant, upstream user Jay Black and downstream user Clark Ward. Grape Creek was only used for flood irrigation until the early 1980s when ASCS helped the three users install a gravity sprinkler system utilizing a pond in the SWSWSW section 31, and two pipelines. An 8 inch pipeline goes to Clark Ward, a 12 inch pipeline serves Jay Black and Ron Ward. All water from Grape Creek is diverted into the pond in spring, after which the water is turned into the two pipelines. The three users agree that on or about October 1st of each year, the water is put back into the creek channel for stockwater. The pipeline has enabled much more efficient use of Grape Creek and less reliance on groundwater pumping.

There are considered to be 4 water shares on Grape Creek. One is owned by the claimant, one by Clark Ward, and two by Jay Black because his family purchased two of the original four Jobe Adams decreed parcels. The three parties work together to insure that they all have enough water to last the season. It was stated by Ron Ward that he uses more Grape Creek water early in the season and more GW late in the season because he has the best well and his GW supply lasts later than Clark Ward's or Jay Black's. (This was corroborated the next day by J. Black).

Claimant also uses Grape Creek water to irrigate ~~the~~ non-decreed pasture land in section 31. This is usually for about 10 days in early spring, and only when there is so much water that there is also enough going downstream to get the decreed acres of all three claimants wetted up. It is done with the full knowledge of the other two water users. Ron Ward and Jay Black contend that using the water on this pasture in the early spring makes the creek run stronger during the rest of the year, and J. Black says it positively effects how long his wells in NENE section 6 last. I explained to claimant that these acres

in section 31 could not be claimed under his decreed right #A43-00406 with a 1880 priority date, but may be claimed as an expansion under beneficial use with a 1937 priority, which is when he said his father began irrigating the pasture land. Claimant was not sure if he should file a claim for this high water, even though he intends to keep using it in years when it is available. I informed him that the cost to file an expansion claim would be \$50.00 with no fees for acreage because he had already paid for those under 43-00406. Claimant says this top pasture is great for calving in the spring and he generally leaves the grass over winter so that it is available for the cows then.

Within the claimant's property in section 7 there are 160 acres upon which 3.2 cfs of Grape Creek water has been decreed. He also has 113 acres licensed for 2.26 cfs from a well located in the NW NE Section 7. Grape Creek water from the pipeline is accessed at a valve along the west edge of his property and is mixed with the GW. At times the entire sprinkler system is using surface water, and at times the entire sprinkler system is using ground water. Sometimes it is using a combination of both, and note that claimant says there is more pressure in the Grape Creek pipeline than in the pipeline from the well. In normal years, claimant says he usually uses Grape Creek water exclusively until June 1st, at which time he switches to mostly GW for sprinkling, but few years are that normal. There are also four surface diversions from Grape Creek as it winds through the fields. These are used to flood irrigate the bottommost part of the field, which is meadow. One diversion is north of his property and is used to flood the top portion of the NW NE section 7. One more is diverted to the east, and two more are diverted to the west to flood these meadows. Claimant says that, in extremely dry years, he has had to run groundwater out onto the meadows, as the meadows are as important to him as the other hay ground and grain fields. Claimant runs cattle and uses the farm to raise cattle feed.

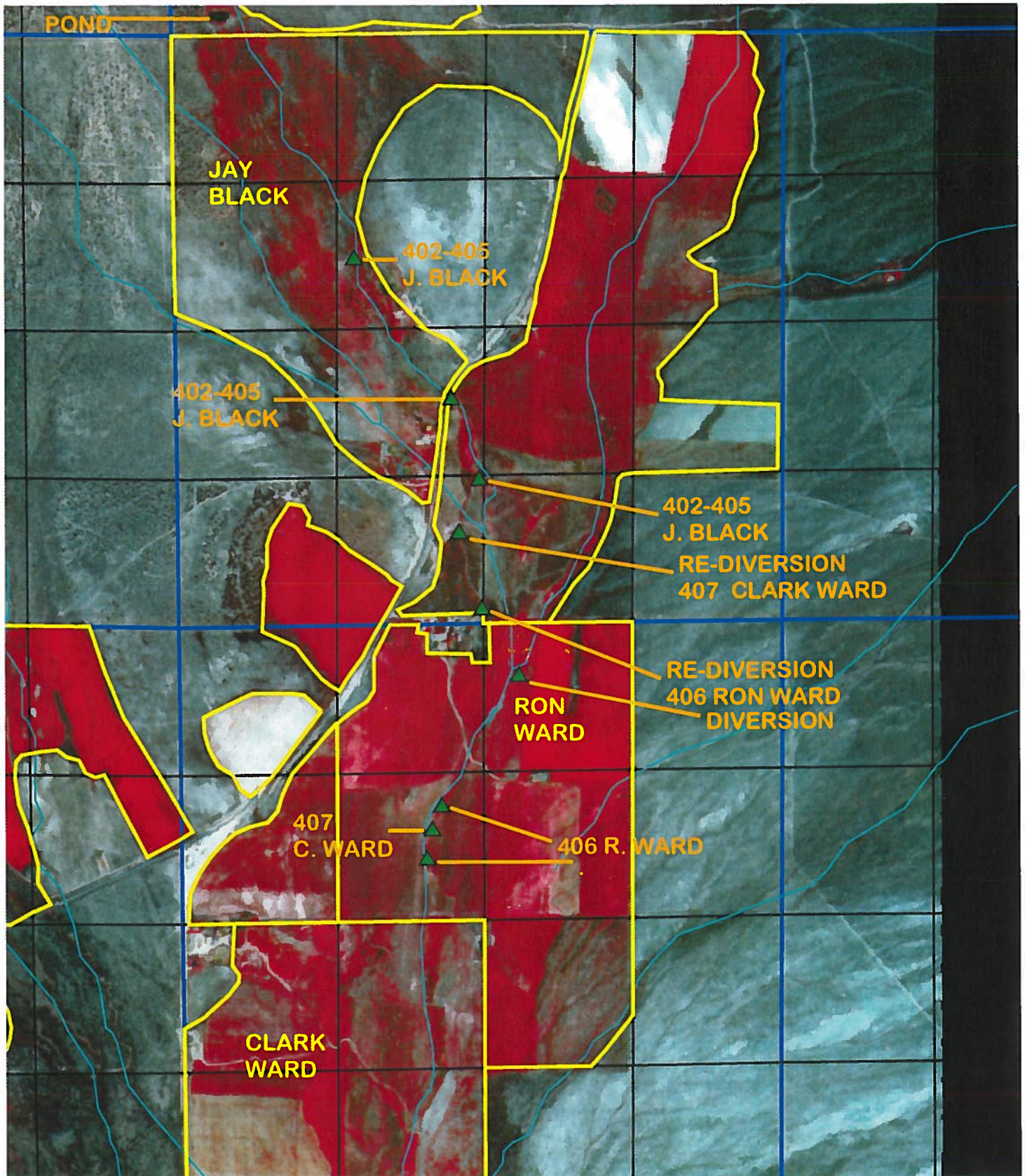
Claim A43-07138 is based on a GW license for 101 acres in section 19 and is unrelated to the system in section 7 or 31. It appeared to be as licensed, with sprinkler mainlines still in place, but no longer running. I observed and noted to claimant a dry area in the center of the property that is not irrigated, and we discussed marginal irrigation to a crested wheat field in the NENE section 19 that did not show up on the NAPP photo. Grape creek channel still goes through the center of the property and is left as a riparian area.

See also field notations on GIS print outs, and measurement notes, in the file A43-00406.

FILE NOTES

GRAPE CREEK DIVERSIONS

TWP 15S RNG 25E



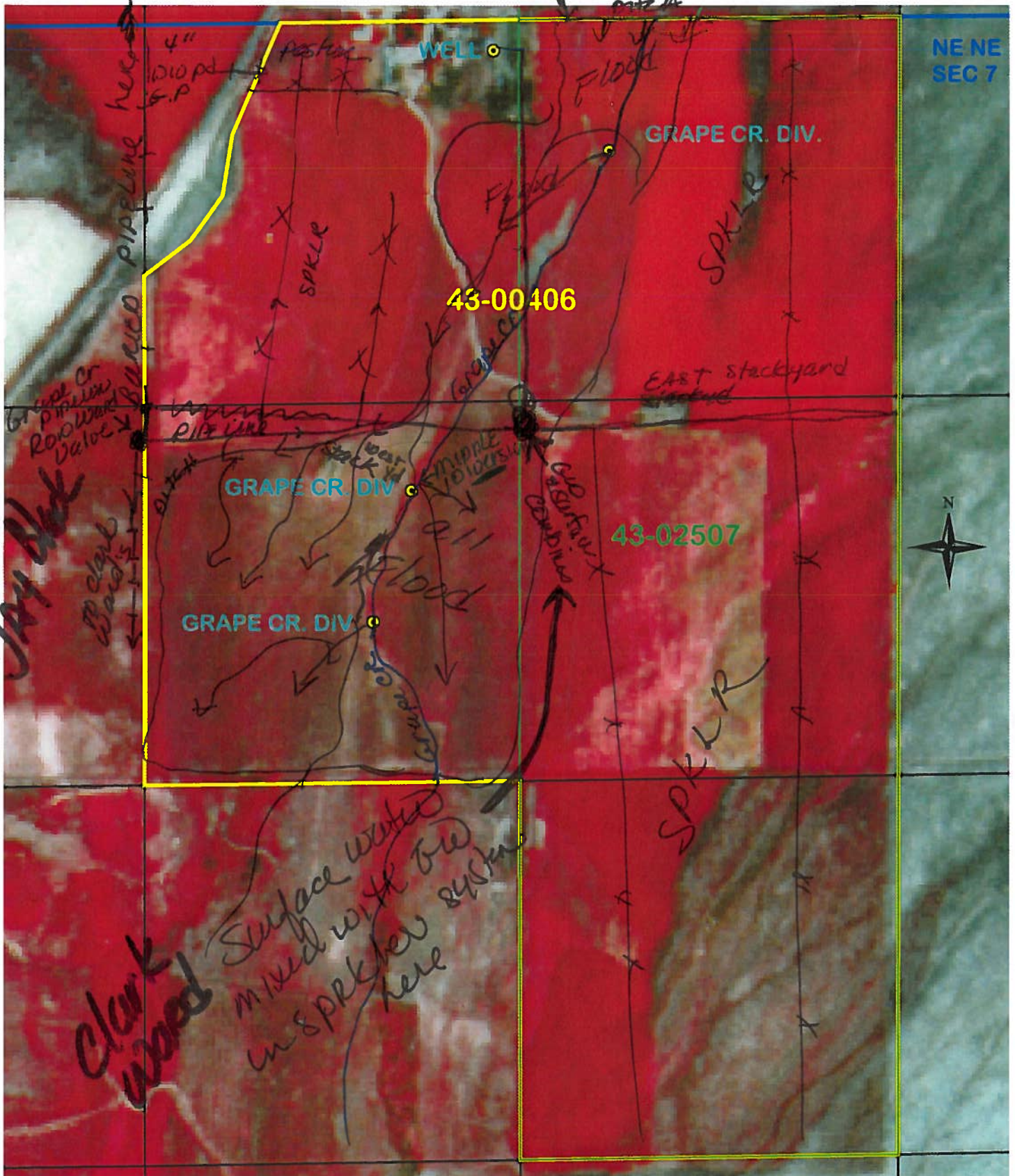
V. HANCOCK

1987 NAPP AERIAL PHOTOGRAPHY

FIELD NOTES

CLAIM NO(S): A43-00406, 43-02507

TWP 15S, RNG 25E, SEC 6, 7



V HANCOCK

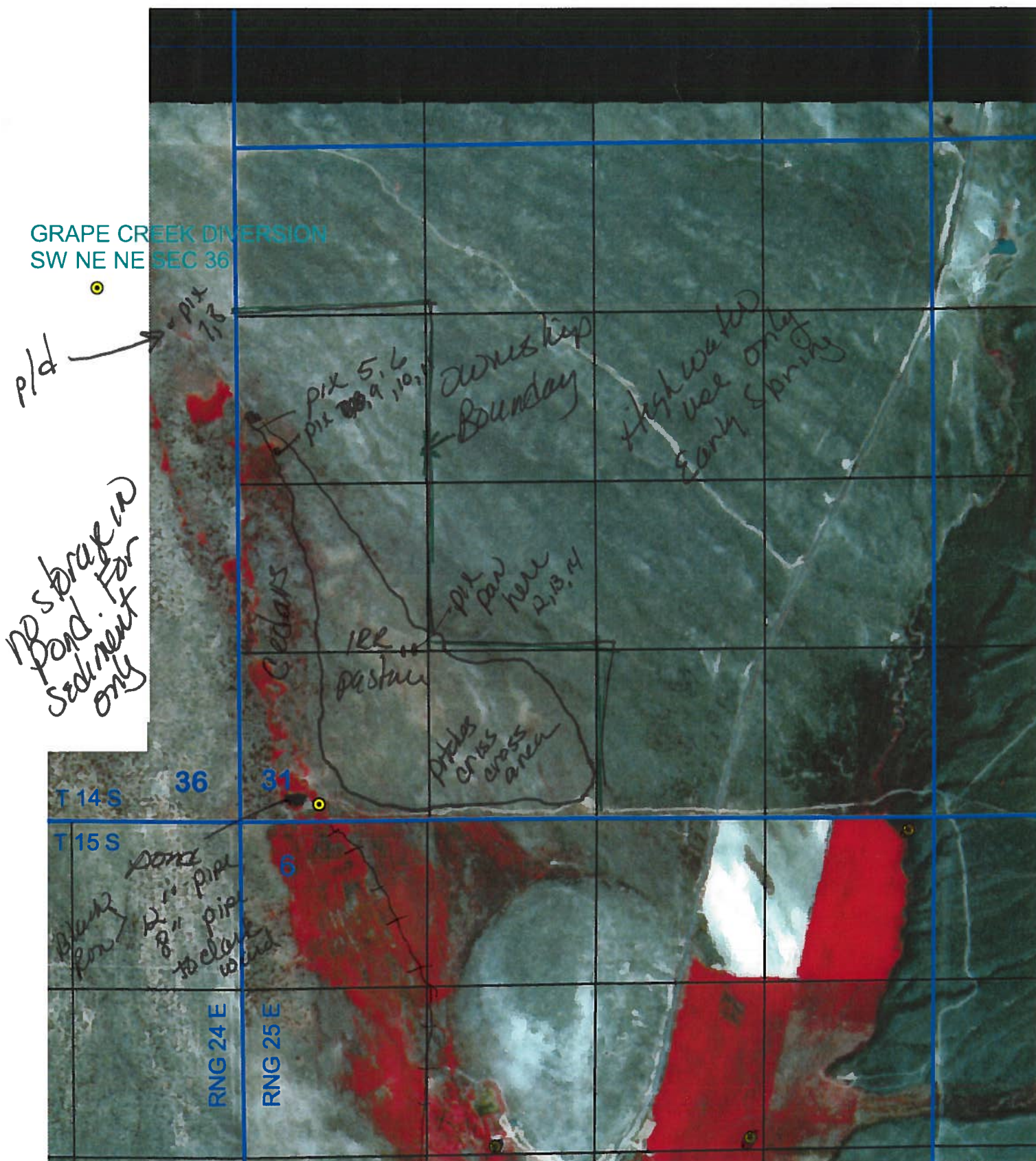
Date: 9-30-99

1987/1988 NAPP PHOTOGRAPHY

FIELD NOTES

Claim No(s): 43-00406

TWP 15S, RNG 25E
Section 31



V HANCOCK

Date:
9-30-99

Buried pipe

1987/1988 NAPP PHOTOGRAPHY

A43-02507 - GW Home well
A43-07138 GW Section 19 well

FIELD EXAM NOTES AND PHOTO LOG

Claim Nos: A43-00406 - Grape Creek Date 9-30 1999

Claimant / Area of Concern: Rox Ward Page 1 of 2

Roll	Pic #	Description
26	5	✓ in diversion ditch - looking upstream
	6	" " looking downstream
	7	P/d Grape creek - topmost - in sec 36
	8	Downstream at POO Sec 36 - GPS R093017A
	9	Pan of pasture irrigated in section 31 from start of irrigation. In the
	10	
	11	
	12	Pan of lower portion of Pasture. The "Horizontal 80" Note cedar trees at edge of irr at west.
	13	
	14	
27	1	2 pipes emerging from Pond - diversion into pipeline for split system from Grape Creek Rox ward, Clark Ward, Jay Black. Decreed right
	2	Pond ref above ↑ R093017a GPS file
	3	Pt where Grape Creek enters Pond
	4	Home well 43-02507, R093018a GPS file
	5	Surface water diversion from Grape Creek above property line to North.
	6	
	7	
	8	IRRIGATES TOPMOST Portion of nw nw ne SEC 7
	9	VOID
	10-14	Pan of Pasture NE-E-SE from Grape Creek
	15	Middle Diversion R093018B at middle diversion pt.

Agent: Vikie Hancock

Notes: Upper pasture in sec 31. Only waters for short period from Grp Cr - 10 days maybe. Pond - no storage.

Usually turns on 2507 well in early June runs thru September, usually. This year turned off 9-18.

A43-00406 Grube Cr
A43-07138 G-W Sec T9 well
A43-02507 G-L House well

FIELD EXAM NOTES AND PHOTO LOG

Claim Nos: Ron Ward - Cont'd Date 9-30 1999

Claimant / Area of Concern: Grape Creek - GW (2 wells) Page 2 of 2

[illegible]

Agent: Vikie Hancock

Notes: Water in pipeline from Grape Creek pond has more pressure than well. Can add G. Creek water to GW system by opening valve.

PIX 7



DIVERSION IN SEC 36 TO IRRIGATE
UNDEREED ACRES IN SECTION 31

PIX 8



DITCH HEADING SE from P/D ABOVE

A43-00406 (Sec 31)

PK 10, 11



IN UPPER 80 AC PARCEL SECTION 31

IRRIGATED AREA IN LOWER 80 AC PARCEL SECTION 31



PK 12, 13, 14

DNR-00406 / Sec 31

Roll 27
Pix 2



Pipeline within screen

Grape creek comes in here

Pond for pipeline diversion on Grape Creek

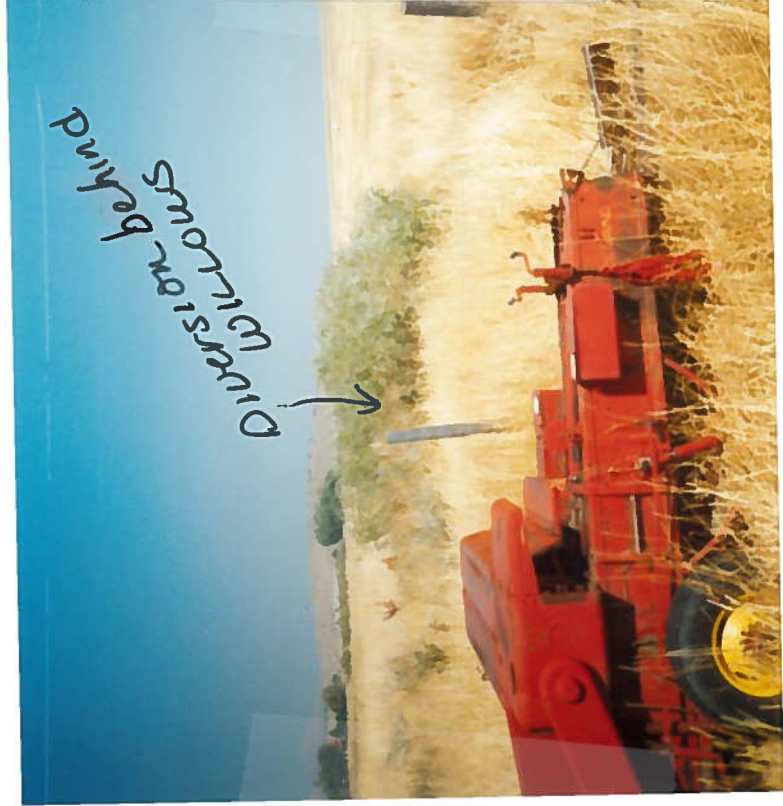
Pix 1

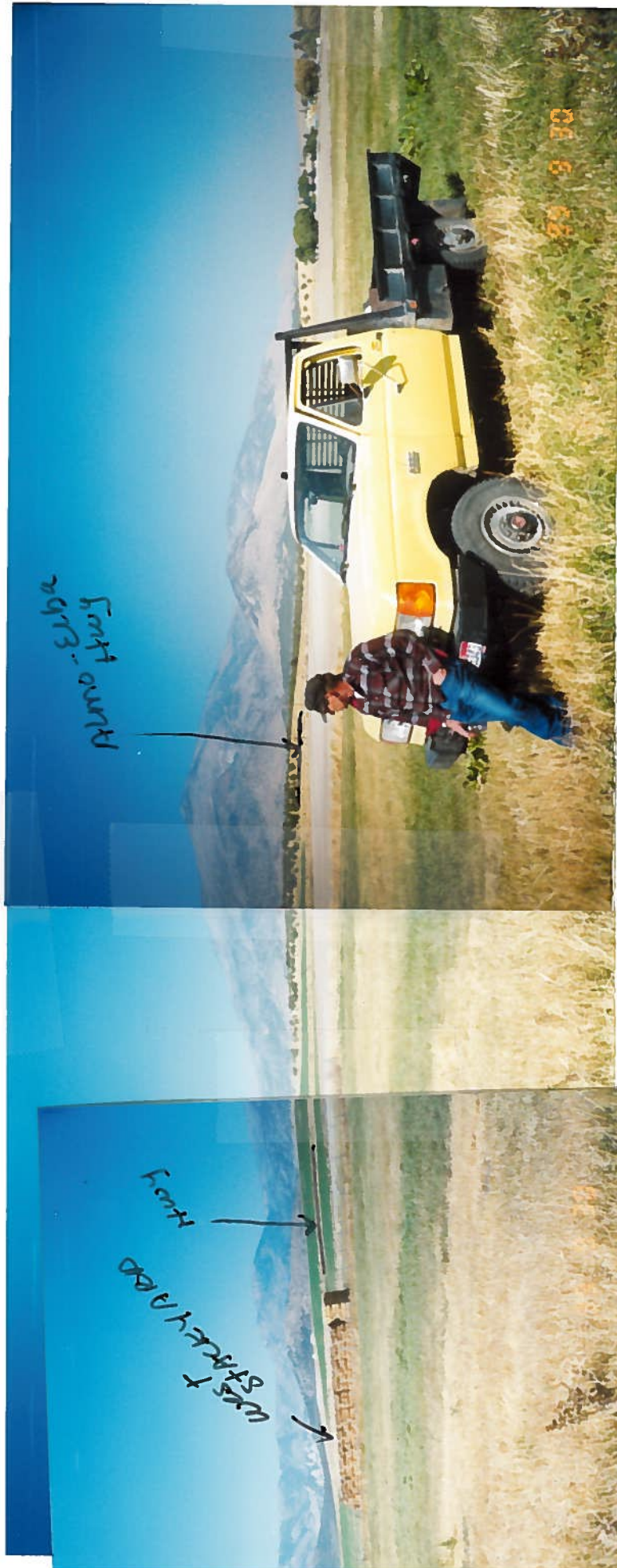


Pipeline from pond looking South



Well - claim 02507.





Poll to west of Grape Creek from middle Diversion

A43-00406



1 Grape Creek at GPS point R093018B
version in field.



Grape
Creek →



→ Fast
Stacky Red

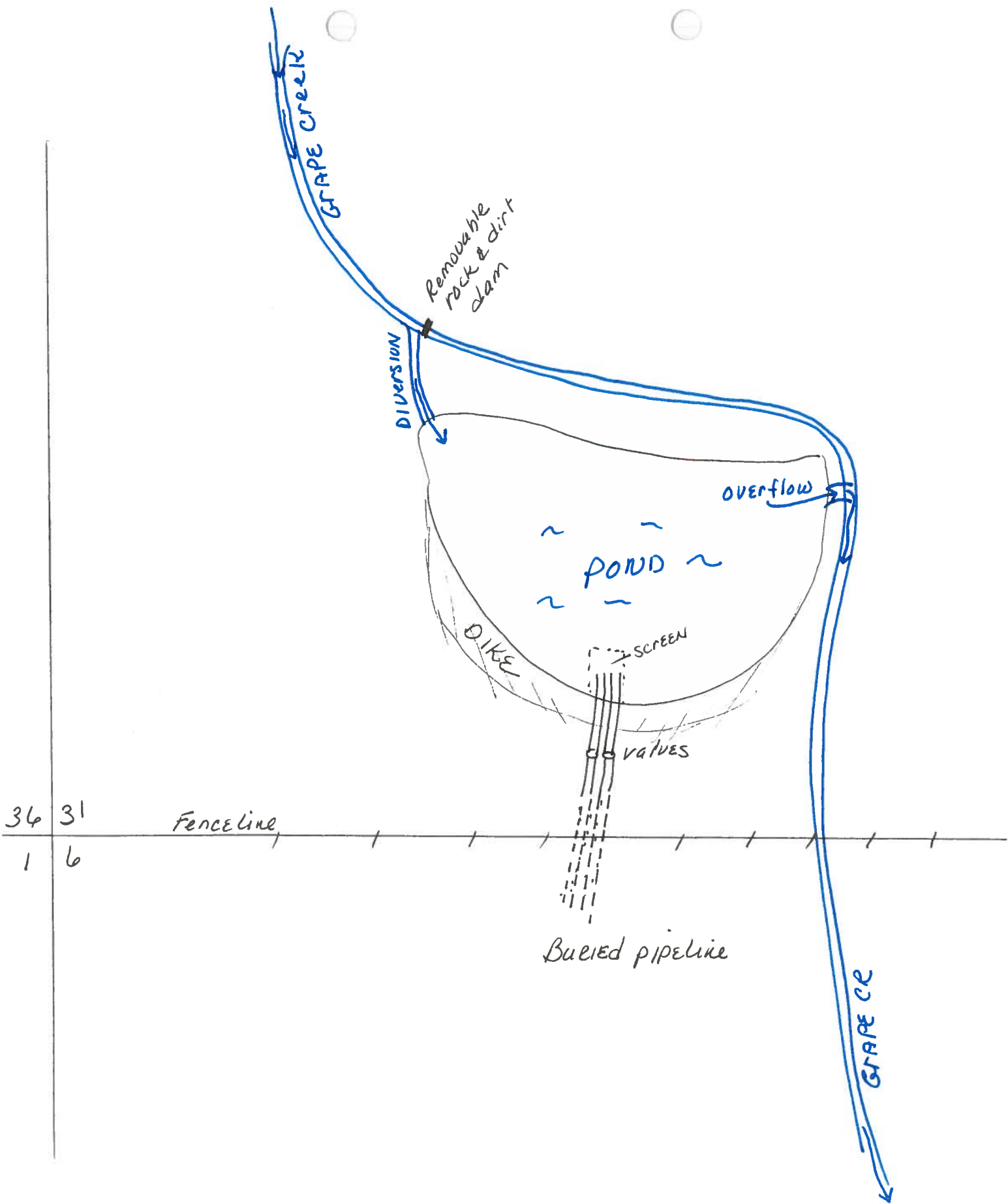


→ Grape
Creek

BANKFULL CAPACITY WORKSHEET

CAPACITY
IN
CFS

ALSO SEE MEASUREMENT NOTES



A43-00404

43-00477	<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.
13-00396	<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:

3-00402 403	<u>Chas. Wake and the other heirs</u> at law of <u>Eliza Wake</u> 1880-Apr. 1 1881-Apr. 1	3.2 s.f. 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	<u>Asael Lowe and other heirs at</u> law of <u>John Lowe, deceased.</u> 1880-Apr. 1 1890-Apr. 1	3.2 s.f. .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	<u>John C. Ward and</u> <u>Nellie Ward</u> 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	<u>Orville Ward and</u> <u>Nina Ward</u> 1880-Apr. 1	3.2 s.f.	

Tc
1)
NI
2)
ALBION-IDAHO LAND COMPANY
-vs-
JOBE ADAMS, et al
DECREE #992 10-18-1928

H.W 16.8 cfs total = 840"

AH3-004