

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: A43-02215
Date Received: 3/ 8/1993
Receipt No: S015465
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VAUDIS J. WARD 208-824-5560
Address: HC 61 BOX 1560
ELBA ID 83326
OR
Name: CLARK W. WARD 208-824-5560
Address: HC 61 BOX 1560
ELBA ID 83326
OR
Name: SARA JANE WARD 208-824-5560
Address: HC 61 BOX 1560
ELBA ID 83326

2. Date of Priority: APR 30, 1917

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
15S	25E	18	NW	NE	NW		CASSIA

5. Description of diverting works:
DIRT DAM & PIPE LINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/31	0.600		
STOCKWATER	09/01	05/01	0.130		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	25E	18	SW	NW	lot 2	IRR	20.0
			SE	NW		IRR	10.0
Section Acres							30.0
Total Acres							30.0

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:

43-04110, 43-00401, 43-10291, 43-02044

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 12936

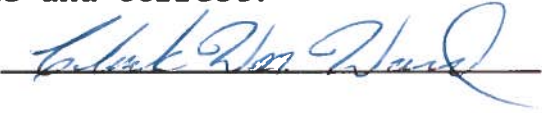
16. Signature(s)

(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: 03/08/93

Date: _____

MICROFILMED

MAR 19 1993

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of March 1993

Robert V. Horstelt
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires January 16, 1995

MICROFILMED
MAR 19 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)10/03/97 14:26:31
Page 1

Water Right Number - R43-02215	Prefix Translation: RESEARCH	Old (D) Number - 12936
+ - - - - Last Name - - - +	+ - - - - First Name - - +	+ - - - - Address - - - - - +
*** A - ATTORNEY ***		
RIGBY	RAY W	1 - PO BOX 250
		2 -
		3 -
		City- REXBURG
		Phone - 208-356-3633
State- ID	Zip- 834400250	
*** C - CURRENT OWNER ***		
WARD	VAUDIS J	1 - HC 61 BOX 1560
		2 -
		3 -
		City- ELBA
		Phone - 208-824-5560
State- ID	Zip- 83326	
*** D - CURRENT OWNER ***		
WARD	CLARK W	1 - HC 61 BOX 1560
		2 -
		3 -
		City- ELBA
		Phone - 208-824-5560
State- ID	Zip- 83326	
*** E - CURRENT OWNER ***		
WARD	SARA JANE	1 - HC 61 BOX 1560
		2 -
		3 -
		City- ELBA
		Phone - 208-824-5560
State- ID	Zip- 83326	
*** F - CURRENT OWNER ***		
DURFEE	I LEO	1 -
		2 -
		3 -
		City- ALMO
		Phone - 208-000-0000
State- ID	Zip- 83312	
*** G - CURRENT OWNER ***		
04/30/1917	17 SOUTHERN	+ - - - - Stage - - - +
+ - - - - Priority Date - - +	+ - - - - Region - - - +	+ - - - - Status - - - +
		L - LICENSE
+ - - - - Source - - - - - +	+ - - - - Tributary - - - - - +	
		GRAPE CREEK
		RAFT RIVER
*** H - CURRENT OWNER ***		
15S 25E 18 NW NE NW	(31) CASSIA	+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot Rflg County		
Code Description	Period From	Period To
01 - IRRIGATION	04/15	10/31
04 - STOCKWATER	09/01	05/01
+ - - - - Total Div. Rate - +	+ - - - - Total Div. Volume - +	+ - - - - Total Consumptive Use - +
0.600	0.600	0.0

"DO NOT FILM"

Water right number - R43-02215 Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
15S	25E	18	SW NW	20.0	01	IRRIGATION	(31) CASSIA	
15S	25E	18	SE NW	10.0	01	IRRIGATION	(31) CASSIA	
Total Acres:						30.0		
+ - - Diversion Means - DIRT DAM & PIPE LINE.								
+ - - Non-Irrigation Use - S/200 CATTLE								
+ - - Other Rights for Same Use - 43-04110, 43-00401, 43-10291, 43-02044								
+ - - GEN OWNERSHIP CODE UPDATED TO SHOW ATTORNEY 07-17-1995 BY FH.								
+ - - No Old Water Right Numbers Found								
+ - - Conditions of Approval - - - - -								
+ - - No Conditions of Approval found.								
+ - - Decree Plaintiff - - - + - - - Decree Defendant - - - + - - Decree Date - - - + - - 00/00/0000								
+ - - Date: 10/03/1997 User Id: TFAWCETT Subject: ADDRESS CORRECTION								
+ - - CORRECTED ATTORNEY'S ADDRESS AND TELEPHONE NUMBER.								
+ - - Audit Fields - - + 10/03/97 TFAWCETT								
+ - - Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 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 - 03/08/1993 Last Amended Date - 00/00/0000 Temporary Right - P								
+ - - Receipt Number - S015465 Water District - -								
+ - - POU Ownership Flag - Y Federal/State Indicator - S								
+ - - Name Connector - OR Presumption Flag - -								
+ - - Notice of Error Flag - -								

"DO NOT FILM"



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 26, 1997

RECEIVED

SEP 30 1997

Department of Water Resources
Southern Region

TRISH FAWCETT
IDAHO DEPT OF WATER RESOURCES
1341 FILLMORE ST SUITE 200
TWIN FALLS ID 83301-3380

RE: ADDRESS & OWNERSHIP CHANGES FOR SOUTHERN REGION

Dear Ms. Fawcett:

Enclosed is a list of southern region records that our office changed. After the records were changed I realized I should have sent them to your office to do the changes.

I apologize for the inconvenience.

The first item (for Basin 43) is a change of address for attorney Ray Rigby that was sent to us from Boise.

The second item (for Basin 72) is a change of ownership from San Felipe Ranch to Mountain Springs Ranch LLC that was sent to us from San Felipe Ranch.

If you have questions, do not hesitate to contact me.

Sincerely,

Jennifer Hoagland
Technical Records Specialist

Enclosure

RECEIVED

SEP 30 1997

Department of Water Resources
Southern Region

SD-1151-2

Idaho Department of Water Resources
Selection File Maintenance, Screen II

Date 09/25/97
Time 09:46:21

Go to Page ____

Page: 1

34-00057	34-00058	34-00187A	34-12432	34-00195D
34-00196C	34-00796	34-00834	34-00836	34-02277
34-02480B	34-02491E	34-07075	34-10484	34-10490
34-12431	A01-00175	A21-00083	A21-00141	A21-02035
A21-02037	A21-04153	A21-10166	A21-11088	A21-11146
A21-11147	A22-00654	A22-00655	A22-07069	A22-07103
A22-07114	A22-07230	A22-11162	A34-00211	A34-00676A
A34-00801	A34-00802	A34-02075	A34-07146	A34-10688
A34-10694	A34-10701	A34-10706	A34-10709	A43-00407
A43-00419	A43-02044	A43-02215	A43-04110	A43-07112
A43-10290	A43-10291	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-

A21-04153 }
A22-10166 }

Ray. Rigby ~~was~~ ^{is} owner, all other numbers he
is the attorney.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83726-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

SEP 30 1997

Department of Water Resources
Southern Region

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 19, 1997

RAY W RIGBY

~~25 N 200 E~~ P.O. Box 250
REXBURG ID 83440

9-15-97 records
NOT modified.
-P

Re: Snake River Basin Adjudication (SRBA)
Change of Address

RECEIVED

AUG 28 1997

Department of Water Resources

Dear Mr. Rigby:

IDWR has been notified by the U.S. Post Office the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights and those of your clients can be sent only to the address on your water rights or as otherwise changed by you.

I have enclosed a Selection File Contents sheet which lists not only water rights under your name as Claimant, but also those of your clients.

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

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

If there has been a change in ownership of the properties connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

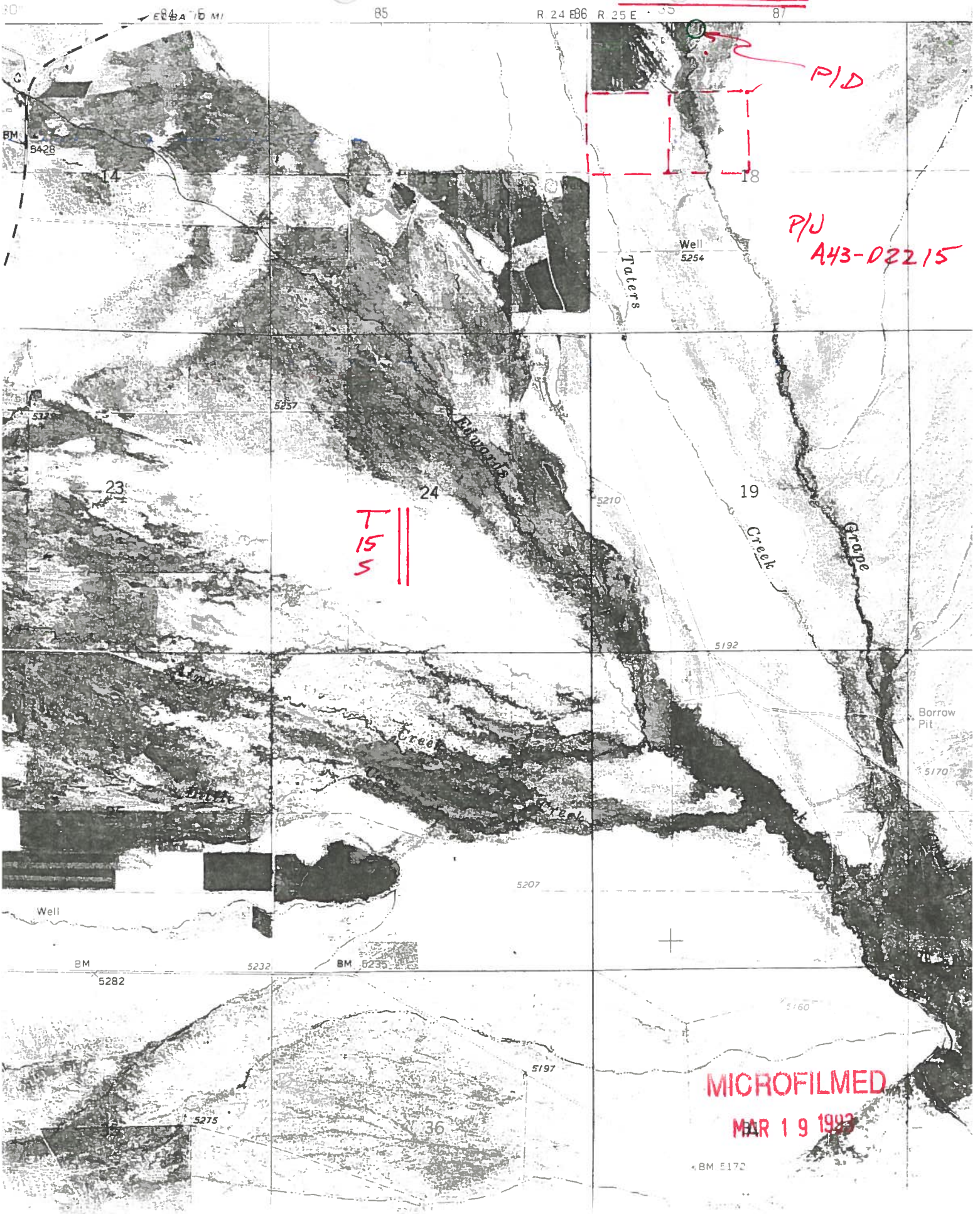
Enclosure

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

Claimant/Attorney For Claimant Signature

R24E

R25E



P/D

P/U
A43-D2215

T
15
S

MICROFILMED
MAR 19 1983

SHE AGREED THAT IT SOUNDED APPROPRIATE TO COMMUNICATE WITH HER AT THE OUTSET AND THAT IF AND WHEN I NEED TO DO THE FIELD EXAM I WILL NOTIFY THE FIRM ATTN MR. RIGBY AS PER OUR EXAM MANUAL. ANY FURTHER CONTACTS WILL BE TO MR. RIGBY PER THE MANUAL. CC TO FILE(S).

ROUTING SLIP

TO: NICK SPENCER
 FROM: H-50.
 DATE: 06-06-95 TIME: _____

PER:	
Our Conversation	
Your Request	
The Attached	✓

FOR YOUR:		REVIEW AND:	
Information	✓	Take Proper Action	✓
Approval		Comment	✓
Signature		Draft A Reply <i>or call</i>	✓ <i>me</i>

ATTACHED TO BE:			
Posted		Returned To Me	
Circulated		Filed	
Distributed		Copied (_____ copies)	

- please see reverse -

A REVIEW OF THIS FILE FOR PLOTTING PDS FOR MEASUREMENT THIS SEASON REVEALS THE FOLLOWING:

1. 1. ORIGINAL CLAIMS SIGNED BY ATTORNEY RAY RIGBY BUT NO ATTORNEY CODE FOUND ON PROOF QUERY OR ON SEL FILES FOR 43.
2. 2. NO EVIDENCE OF PRIORITY RETURN(S) FOR THE BENEFICIAL USE CLAIMS.
3. 3. LETTER COPY TO CLAIMANT 02-06-1992 RE: SYSTEM ANALYSIS AND A LEGAL ANALYSIS FOR A43-02215, -02044 AND -10290. DUE TO THE ERROR NOTED IN ITEM 1 ATTORNEY DIDN'T SEE THIS CONTACT ABOUT THE ISSUES. A COPY OF THE LETTER AND A REQUEST FOR OUTCOME(S) TO KKC 04-20-95.
4. 4. ATTORNEY ADDRESS INCOMPLETE AND NO PHONE NUMBER.

1. Attorney file updated w/ claimant name, claim # 04-24-95 by H.

*RAY RIGBY
 356-3633
 FAX 356-0768
 04-20-95*

*CC:
 -02044
 -10290*

COPY

ENTATION

m No.A43-00407 ET AL

Information requests regarding
 e used to document IDWR
 BA claim or claims when the
 tion report is not readily
 be filed in all relevant

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A43-00407 ET AL

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

04-21-1995 9:00 AM

A REVIEW OF THIS FILE FOR PLOTTING PDS FOR MEASUREMENT THIS SEASON REVEALS THE FOLLOWING:

1. ORIGINAL CLAIMS SIGNED BY ATTORNEY RAY RIGBY BUT NO ATTORNEY CODE FOUND ON PROOF QUERY OR ON SEL FILES FOR 43.
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3. LETTER COPY TO CLAIMANT 02-06-1992 RE: SYSTEM ANALYSIS AND A LEGAL ANALYSIS FOR A43-02215, -02044 AND -10290. DUE TO THE ERROR NOTED IN ITEM 1 ATTORNEY DIDN'T SEE THIS CONTACT ABOUT THE ISSUES. A COPY OF THE LETTER AND A REQUEST FOR OUTCOME(S) TO KKC 04-20-95.
4. ATTORNEY ADDRESS INCOMPLETE AND NO PHONE NUMBER.

1. Attorney file updated w/ claimant name, claim # 04-24-95 by FH.

RAY RIGBY
356-3633
FAX 356-0768
04-20-95

CC:
-02044
-10290

COPY



DEPARTMENT
Southern Reg

CECIL D. ANDRUS
Governor

06-Feb-1992

CLARK W WARD
HC 61 BOX 1560
ELBA ID 83326

RE: PROOF OF PRIORITY FIL:

URCES
301 (208) 736-303

L. KEITH HIGGINSON
Director

Dear Mr Ward

It may be that a system analysis of your water use would be the best way to determine the status of your claims and we are not planning that phase of claims review at this time. It is anticipated that the latter part of the summer will be when we review systems in your area. At that time we will need a more accurate land list of the irrigated acres as it relates to each source. The acres covered by Grape Creek should be independently identified as should the acres covered by groundwater. This will be necessary to see how many acres are covered by decreed rights and how many acres should be covered by the licensed or beneficial use rights.

There is still some question as to the status of 43-02215. ✓
Further research is needed and the department's legal staff is tied up in a court action which will delay the analysis until at least next week. It appears the status of A43-02044 may face the same legal analysis as 43-02215. ✓ When they have been analyzed, I will let you know the status of those rights. As the status of A43-10290 is related to the outcome for the above rights, doing nothing at this time would probably be your best option.

A43-10291 still needs evidence of use and priority date to be submitted, as we discussed. Whenever you collect the information please send it in and we will place it with the original claim.

If you have any questions please call me and I'll try to explain what is going on.

Sincerely

Kelly K. Christensen
Sr. Water Resource Agent

COPY

COPY

06/14/2001

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

RIGHT NUMBER: 43-2215

NAME AND ADDRESS: CLARK WARD
SARA JANE WARD
VAUDIS J WARD
HC 61 BOX 1560
MALTA, ID 83342

SOURCE: GRAPE CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 0.6 CFS

PRIORITY DATE: 04/30/1917

POINT OF DIVERSION:	T14S R25E S31	LOT 4	SWSWSW	Within CASSIA County
	T15S R25E S6		NESESW	Within CASSIA County
	T15S R25E S7		NESENW	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.60 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>							
T15S R25E S18		NENW	40	T15S R25E S18	LOT 1	NWNW	40
T15S R25E S18	LOT 2	SWNW	39	T15S R25E S18		SESW	40
T15S R25E S18		NESW	40	T15S R25E S18	LOT 3	NWSW	38
T15S R25E S7		NESW	39	T15S R25E S7	LOT 3	NWSW	37
T15S R25E S7	LOT 4	SWSW	40	T15S R25E S7		SESW	40

393 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 30 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 383 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-407, 43-2215, 43-4110, 43-7112, 43-10290, 43-13029.

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.

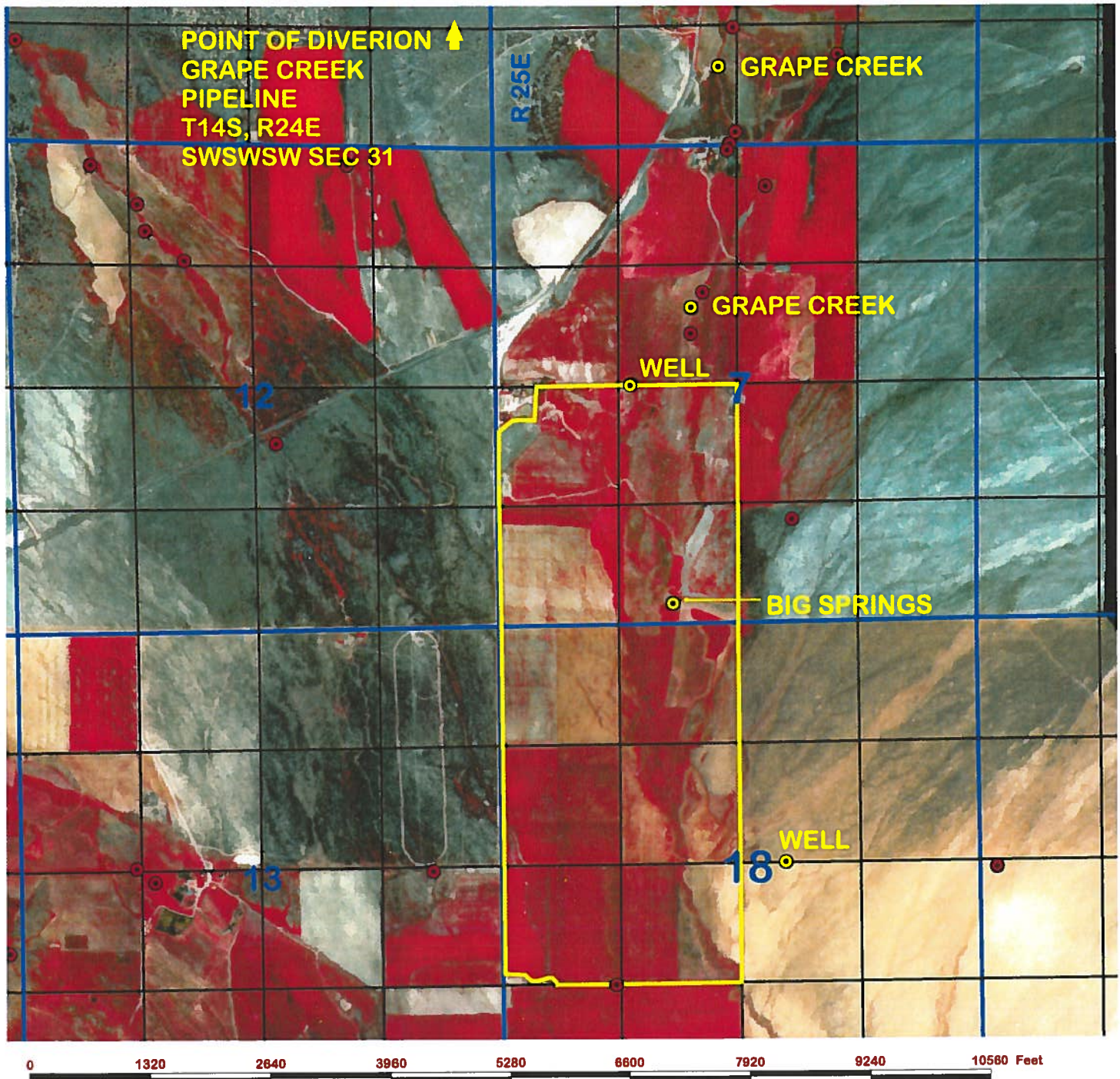
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Idaho Department of Water Resources

RIGHTS: 43-407, 43-2215, 43-4110,
43-7112, 43-10290, 43-13029

RECOMMENDED PLACE OF USE
TWP 15S, RNG 25E,
Data entry on June 14, 2001



○ 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

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: 43-2215

CLARK W WARD
HC 61 BOX 1560
ELBA ID 83326
Telephone Number: (208)824-5560

SARA JANE WARD
HC 61 BOX 1560
ELBA ID 83326
Telephone Number: (208)824-5560

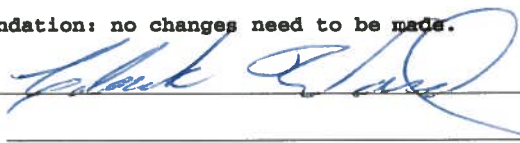
VAUDIS J WARD
HC 61 BOX 1560
ELBA ID 83326
Telephone Number: (208)824-5560

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: 6/4/01 SIGNATURE: 

Please print your name: _____

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

01/26/2001

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

RIGHT NUMBER: 43-2215

NAME AND ADDRESS: CLARK W WARD
SARA JANE WARD
VAUDIS J WARD
HC 61 BOX 1560
ELBA ID 83326

SOURCE: GRAPE CREEK

TRIBUTARY: RAFT RIVER

QUANTITY: 0.6 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 6.86 CFS. COMBINED RIGHT
NOS.: 43-407, 43-2115, 43-4110, 43-7112, 43-10290.

PRIORITY DATE: 04/30/1917

POINT OF DIVERSION:	T14S R25E S31	LOT 4	SWSWSW	Within CASSIA County
	T15S R25E S6		NESESW	Within CASSIA County
	T15S R25E S7		NESENW	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.60 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T15S R25E S18		NENW	40	T15S R25E S18	LOT 1	NWNW	40
T15S R25E S18	LOT 2	SWNW	40	T15S R25E S18		SENW	40
T15S R25E S18		NESW	40	T15S R25E S18	LOT 3	NWSW	39
T15S R25E S7		NESW	39	T15S R25E S7	LOT 3	NWSW	33
T15S R25E S7	LOT 4	SWSW	41	T15S R25E S7		SESW	40

392 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 343 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-407, 43-2215, 43-4110, 43-
7112, 43-10290.

43-13029

383

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 30 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 - License

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

CLAIM NUMBER: A43-02215

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	VAUDIS J WARD	04/30/1917	IRRIGATION	04-15 10-31	0.60 CFS	
C	CLARK W WARD		STOCKWATER	09-01 05-01	0.13 CFS	
C	SARA JANE WARD					

TOTAL DIVERSION: 0.60 CFS

Water Source: GRAPE CREEK

Tributary to: RAFT RIVER

Stage: LICENSE

Point(s) of Diversion:

T15S R25E S18

NWNEW

CASSIA County

Place of use Legal Description for: IRRIGATION

NE	NW	SW	SE	SUM
T R S : Lt Ac Lt Ac Lt Ac Lt Ac	NEW : Lt Ac Lt Ac Lt Ac Lt Ac	NSW : Lt Ac Lt Ac Lt Ac Lt Ac	SES : Lt Ac Lt Ac Lt Ac Lt Ac	
15S 25E 18 :		20 10 :		
				TOTAL ACRES
				30.0
				30.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: CASSIA

Non-Irrigation Uses: S/200 CATTLE

Other Rights: 43-04110, 43-00401, 43-10291, 43-02044

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

003

43-407 from also
incl in
no div

SEE CLAIM FILE 43-407 FOR DOCS



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

November 3, 2000

Clark Ward
PO Box 1560
Elba, Idaho 83326

RE: Snake River Basin Adjudication (SRBA)

Dear Clark,

I have come across several unresolved issues as I prepare to make my recommendations for your various claims at Almo. It has been just about a year since I visited your place, and I suspect that we have been equally busy in the interim. Here is a summary of what I need to complete your water right recommendations.

First, there is no proof of priority in the files showing when you first put the water of Big Springs (claim 43-10290) or Keg Creek (43-10291) to use for irrigation. Although I documented that there was evidence of use from these sources in 1999, there must be proof that the surface water was used prior to 1971 in order for me to recommend your water right. New appropriations of surface water after 1971 required a permit and license, therefore, if I don't have any evidence of use prior to that date, I have to disallow the two claims.

I have also done some research regarding your 1890 claim to water based upon decreed right 43-419 in the Jobe Adams Decree. This is the decree that identified the source as Raft River, but you are actually diverting Edwards and Little Cove Creeks, as well as runoff from Doug Ward's field. Because there is no historical delivery to your property from Edwards or Almo in accordance with the Jobe Adams Decree, it would seem that your water right is not based upon the decree, but upon the beneficial use of the water. Once again, this requires that you provide some documentation of when you began using the water from the creeks to irrigate your land. It would be after the date of the Jobe Adams Decree, which was signed in October 1928. I have looked at the aerial photos we have in the office which are dated 1976. They don't clearly indicate that irrigation was occurring then. If you can find some photos that show irrigation on the property prior to 1971 it would be helpful, also statements from neighbors or others who have personal knowledge of irrigation on the property but no financial interest in it. ASCS may be able to help you with photos, as they did fly that area and have archives in Salt Lake City.

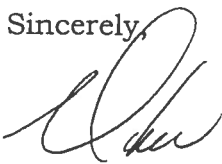
Our engineers in Boise did some investigating, and information found in our files supports your claim for a diversion of 1.2 cfs from the well located in at the north end of your place, in Section 7 (43-4110). There is a discrepancy in the number of acres irrigated from the well, however. In 1981, the claim filed

by Vaudis Ward only listed 80 acres in the NWSW and SWSW Section 7 that had been irrigated beginning in 1959. In 1989 you included another 40 acres in the NWNW Section 18 on the SRBA claim. Since you increased the number of acres irrigated from the well after the mandatory permit statute for groundwater came into effect in 1961, the additional 40 acres represents an enlargement of the original claim. The legislature passed a law that all enlargement claims receive a priority date of June 30, 1985, therefore, this 40 acres can't just be included in the claim you filed in 1989, but must be a separate claim.

I also did some more research into the old licenses on Grape Creek that you filed SRBA claims on. I now think that the license issued to Ivan Leo Durfee in 1920 for 30 acres and .6 cfs from Grape Creek (43-2215) is still valid. It was licensed shortly before the Jobe Adams lawsuit was filed and so it is possible that this use of Grape Creek was left out. But I believe the 1909 license (43-2044) in the name of Bronson, was given up. First of all, it appears from the Application for Permit by Leo Durfee in 1917 that he intended to develop lands that should have already been irrigated if the 1909 licensed right was in use. Second, and more importantly, the 1909 license would have been a long established right and thus included in the Jobe Adams Decree.

If you have questions about the different claims and what information I need, feel free to call me here at the office. If we need to have a meeting I can make an appointment that will be convenient for you, and this would probably be the best way for you to file the enlargement claim. Mr. Rigby is still listed in our files as your attorney. If he still represents you, I encourage you to seek his advice about the above issues. If you wish me to forward a copy of this letter to him, I certainly will. I look forward to hearing from you.

Sincerely,



Vikie Hancock
Sr. Water Resource Agent



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

October 29, 1999

Clark Ward
HC 61 Box 1560
Elba, Idaho 83326

RE: Snake River Basin Adjudication (SRBA)

Dear Clark,

I have been organizing the data I collected during my field exam of your systems on October 12, 1999, and wanted to review the things that I need more information on before I can complete the processing of your claims.

I did some research of Department records and found the 1990 drilling log for your well east of the house in the NESW Section 7. It stated that the pump test produced 801 gpm. I also found the 1997 drilling log for deepening what appears to be the same well, however, and it states the pump test produced 60 gpm. This would be substantially less than the diversion rate of 1.27 cfs that you claimed for A43-04110. It would be very beneficial to you to locate any information you may have that would provide me with an accurate diversion capacity for this well.

We talked about the need for some sort of proof of priority for the spring claimed as A43-10290, and for your use of Keg Creek claimed as A43-10291. As we discussed, I would be willing to meet with you in Almo and talk to your uncle if he would be available to provide some personal knowledge of the use of these sources on the farm. Another thing that I would like to verify for the file is the historical use of Edwards, Almo and Little Cove Creeks to fulfill the Raft River water allotted to your grandfather by water right 43-00419 in the amendment to the 1928 Jobe Adams decree.

I've enclosed readable copies of the two old licenses, 43-02215 & 43-02044, that we discussed during my field exam visit, so that you and your attorney may review them. I am still inclined to disallow the claims based upon these two licenses because the Jobe Adams Decree supercedes them, and because your historical use of the water from Grape Creek has been as it was awarded to the four parties in that decree.

I'll be attending meetings at the State Office in Boise all next week, but will be back at my desk on November 8th. Call if you have any questions, comments, or want to set up a time to meet to talk about the above. Hope you had a successful elk hunt.

Sincerely,

Vikie Hancock
Water Resource Agent

Field Exam Notes

Field Exam Date: 10/12/1999

Claim Nos: A43-00407, -04110, -07112, -10290, -10291, -02215, -02044

Agent: Vikie Hancock

Claimant Clark Ward accompanied me on this field exam. The above claims are appurtenant to sections 7 and 18, T15S, R25E. Claimant also has claim A43-00419 which represents a separate system that is located in section 30 T15S, R25E.

Claim **A43-00407** is a claim based on a decree for 3.2 cfs from Grape Creek. It is agreed, by the three users of Grape Creek, that there are four total water shares on the creek. One is owned by Ron Ward, two are owned by Jay L. Black, and one is owned by the claimant, who is downstream of the other two users.

Claimant has three diversions from Grape Creek. Two are direct diversions from the stream channel and are used to flood irrigate lands in the SW $\frac{1}{4}$ of section 7 and the E $\frac{1}{2}$ NW $\frac{1}{4}$ section 18. Of these two, the top diversion is in the NE SE SW section 6. It is diverted to the west into a cement ditch that traverses the west side of Jay Black's field in the SESW Sec 6, and then parallels the highway until it reaches the NW corner of the claimant's place of use. It then flows into a pond, and claimant irrigates all directions from the pond into the NWSW section 7. When there is a lot of water early in the season, flooding can extend into the SWSW section 7. The second stream channel diversion is in the NE SE NW section 7. This diversion is in Ron Ward's field, and conveys water by ditch to flood the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ and is mixed with water from the spring (and occasionally Keg Creek) to flood irrigate the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ section 18 early in spring when there is sufficient water.

There is also a diversion from Grape creek into a pond and pipeline in Section 31 that is shared with the other two users of Grape Creek. Two pipes convey water from the pond. A 12 inch pipe supplies water to Ron Ward and Jay Black. An 8 inch pipe supplies this claimant. The pipeline enters the claimant's property at the NE corner of the NWSW section 7. The water is immediately put into the mainline sprinkler system. At this point, water from the well represented as BU claim A43-04110 is also put into the mainline sprinkler and mixes with Grape Creek water. Water from well licensed as 43-07112 is added into the mainline at the SE corner of the SWNW section 18. Sprinkler irrigation is used on the SWSW section 7; the NWNW, S $\frac{1}{2}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$ section 18. There are times when surface water is used exclusively in the sprinkler system and times when surface and GW are mixed in the system. Some areas that are flooded early in the year are also sprinkled later in the year, if necessary. Claimant stated that only surface water is used to flood irrigate.

Both wells were GPS'd, tagged and information recorded from the pump and motor. Both pumps had been turned off on September 1st. Claim **A43-04110**, is based on a statutory claim filed in 1981 for a well drilled in 1959, in the NW SW section 7, and an approved transfer of POD to a new well drilled in the NE SW section 7 in 1989. According to IDWR records, this well was deepened in 1994 and tested at 60 gpm. The claimant said that he had had a pump test done by Layne Pump and would look for those records. The original Stat claim was for 1.2 cfs for irrigation on 80 acres. The AJ claim was for 1.27 cfs on 120 acres with stockwater. As stated above, the water from this well is put into the mainline sprinkler system and mixes with Grape Creek water and GW from the well in section 18.

Claim **A43-07112** is based on a license for .93 cfs of GW for irrigation on 143 acres in section 18. The AJ claim adds .07 cfs for stockwater, but all other elements are claimed as licensed. As noted before, water from this well is injected into the mainline sprinkler system and is interconnected with water from the well in section 7 and with Grape Creek water.

Claim number **A43-10290** is for the waters of a spring located in the SWSESW section 7. The spring was observed but not measured as the discharge rate was diminished from the peak of the irrigation season. The capacity of the natural channel flowing from the spring appeared to be greater than 1.07 cfs. The natural channel is diverted to the west and east to flood irrigate land in the SESW section 7 and NENW section 18, and mixes with water from Grape Creek and Keg Creek when available to irrigate into the SENW section 18. According to claimant's notes on the GIS printout during the field exam, no water from the spring is used in the NESW as claimed in 1989. Waters from the spring are not incorporated into the sprinkler system. I explained to Mr. Ward that we were in need of some proof of priority for the beneficial use of the spring. He indicated that he may be able to have his uncle sign an affidavit as he has memories of water usage on the farm.

Claim **A43-10291** was originally filed for irrigation and stockwater from Savage, Keg and Cliff creeks and an unnamed stream. In talking to Mr. Ward, he clarified his usage, which agreed with some undated notes found in the file: Claimant has no diversion from Savage creek, but wants to protect his utilization of the waters of this creek after it runs into Grape Creek. I discussed the fact that Jay Black uses the waters of Savage Creek to irrigate with, but has not filed a claim on it. Mr. Ward was aware of Mr. Black's usage. I told him that it may be beneficial for the three users to meet with me and come to an agreement on how we can preserve the status quo on Savage Creek. Claimant has no diversion from Cliff Creek and states that it reaches his property very few years. He mostly uses it for stockwater, and the same goes for the "Unnamed stream". I told him that for \$25 he could file a claim for stockwater on these two streams, but that an irrigation claim did not seem appropriate.

Claimant does irrigate from Keg Creek in the years that it has sufficient flow. The diversion was GPS'd in the NWSWSE section 7. Water is conveyed by ditch and flooded out onto an area in the W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ that is brush covered, but

used for cattle pasture. It is collected into a ditch that run along the east property line and mixes with Grape Creek water to irrigate in the SESW Section 7, and irrigates about 30 acres. The pasture in SWSE looks consistent with intermittent irrigation from an ephemeral stream. Claimant stated that he has not bothered to clear the bush because it provides winter cover for his cows and also the deer and birds that frequent the area. There was no water in Keg Creek at the time of the field exam. I discussed the lack of evidence of priority with the claimant and he said he would try to find something.

Claims **A43-02215** and **A43-02044** are based on licensed rights from Grape Creek that pre-date the Jobe Adams decree. These licenses were appurtenant to property that claimant now owns along Grape Creek, but neither the license holders nor the place of use were enjoined in the 1928 decree. I talked to the claimant about the language in the Jobe Adams decree that was interpreted by our attorney, Nick Spencer, to mean that the decree intended to identify all usages on Grape Creek that were occurring at the time the decree was issued in 1928. Documents in the file indicate that claimant's grandfather, Orville Ward, purchased the property at a sheriff's sale in 1937. I told the claimant that my suspicions were that, in 1928, the homesteaders had left, the land was not being irrigated and therefore no claims were filed in the Jobe Adams lawsuit which covered the licensed rights, therefore they were invalid. Claimant said that one of the license holders, Leo Durfee, was a relative of his grandfather's, and that he believed the grandfather purchased the property after Durfee had given up. I told him that at this point I was inclined to disallow the claims based on these licenses and consider them superceded by the decree. We agreed that the water from Grape Creek had been used as decreed in the Jobe Adams for years, and was the status quo. Mr. Ward attempted to read the license and engineer report copies that I had in the files, but they were very poor quality. Since the claimant is represented by Mr. Rigby, I suggested that he talk to him about this issue, and told him that I would get more readable copies of the licenses and reports so that he could go over them. I also left him a copy of the Grape Creek page of the Jobe Adams decree. The places of use identified in these licenses for Grape Creek are now included in the acres licensed under 43-07112 for GW.

See field exam notes on GIS print out in file, GPS log sheet #3 and photographs.

See claim file A43-00419 for field exam notes pertaining to that claim.

SEE ADDITIONAL PHOTOS IN CLAIM FILES
A43-10290, A43-10291, A43-07112, A43-00407

43-2215

State of Idaho
License and Certificate of Water Right

Water License No. 12936Amount 0.6 sec. ft.Water District No. 8-BPriority April 30, 1917

THIS IS TO CERTIFY that I. LEO DUFFEE,
of Almo, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 30, 1917; that Permit No. 12936
was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.7
second feet, was issued thereunder on April 17, 1920, showing that said works
were completed on the 10th day of March, 1920; and that on the 10th
day of May, 1920,

I. LEO DUFFEE,

of Almo, Idaho, made proof to the satisfaction of the
Commissioner of Reclamation State of Idaho, of a right to the use of the waters of Grape Creek,
a tributary of Raft River, for the purpose of irrigation & domestic use,
under Use Permit No. 12936 of the State Engineer, and that said right to the use of said
waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State
Engineer of Idaho and entered of record in Volume 5 of Licenses, at page 2629, on the 11th
day of September, 1920;

The right hereby confirmed dates from April 30, 1917;

The Point of Diversion is located
in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, Tp. 15 S, R. 25 E, B.M. County of Cassia.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
exceed 0.6 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S	25 E	18	SW $\frac{1}{4}$ NW $\frac{1}{4}$	19	20
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	36	10
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of
use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 11th
day of September, 1920.

W. C. STURGEON,
Commissioner of Reclamation State Engineer.

By S. T. BAER,

Deputy.

(SEAL)

REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. 8-B

1. State name of applicant and number of permit: I. Leo Durfee- Permit 12936
2. State source of water supply: Grape Creek
3. Location of point of diversion: NE 1/4 Sec. 18, T. 15 S., R. 25 E., B.M.
4. Describe works as they exist, giving dimensions and capacities of same:
E. and I.R. dam, 3' H. 6' L.
2 ditches, 1' B. 0.5' D. Cap. 0.5 Sec. ft. each.
5. State whether or not water has been turned into works of diversion: Yes.
6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SW 1/4, SE 1/4, NE 1/4 & NW 1/4, Sec. 18, T. 15 S., R. 25 E., B.M.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? One.
9. Give names and amount of each right: I. Leo Durfee.
10. What large stream would the water here appropriated finally reach? Snake River.
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: Thru ditches to Grape Creek to Raft River to Snake River.

Remarks: SW 1/4 NW 1/4 Sec. 18, 20 A. cult.SE 1/4 NW 1/4 " 10 A. "Remainder not cultivated.This examination was made on the 12th day of May, 1920.

(Signed)

L. R. Annett.

Examiner.

[illegible]

12936

3
 Approved J. Lee Harper
 The letter was noted
 & Harper which
 was passed the
 on dinner is
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 to be Harper.

12936

RE - 43-2217

November 9, 1927.

Re: Permits 9373-12936.

Mr. Iwan L. Durfee,
 Almo, Idaho.

Dear Sir:

Referring to your letter of the 2nd instant,
 would say that your later Permit No. 12936 is in
 good standing upon the records of this office,
 and that cancellation of the earlier lapsed permit,
 No. 9373 would have no bearing whatever upon the
 later permit.

The notices of cancellation are being sent
 out on lapsed permits in order to clear our records
 and not because there is any question as to the
 water right.

Very truly yours,

GEO. M. CARTER,
 Commissioner of Reclamation,

by

Chief Clerk.

B:3

12936

MICROFILMED
 MAR 03 1993

12936 Q. E. S. S. S.
Nov. 21-27

Dept. of Reclamation

Bore Lake.

Dear Sir:-

Some time ago I received notice that my part of completion of work was held for cancellation. Permit me.

Q 373-

I have since I withdrew of water right stating the right-burden of the water of record hereby confirmed, as provided by the laws of Idaho signed by Commissioner of Reclamation W. G. Smead.

right. I signed J. Lee Hays
and your letter was sent
to you & Hays which
is the same person. The
pencil No. on Hays is
12936.

Yours Truly
Dean Lee Hays.

12936

Re: Po

Mr. Iva
Almo, I

Dear St

Re:
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B.P

15S25E

[illegible]

Deeded acres to
Orville ward
4-15-37

 Licensed Tracts 4-30-1917

A43-02215

RECEIVED

Deed of County Property

MAR 13 1992

Department of Water Resources
Northern Region Office

THIS INDENTURE, made this 13th day of April, 1937, between
Cassia County, State of Idaho, party of the first part, and ORVILLE WARD
of Almo, Idaho, party of the second part;

WITNESSETH, That whereas the hereinafter described parcel of land situated within the County of Cassia, State of Idaho, and hereinafter more particularly described, has heretofore been offered for sale at public auction held under the provisions of Section 30-718 of the Idaho Code Annotated; and

WHEREAS, pursuant to the provisions of Section 30-713 of the Idaho Code Annotated, the Board of County Commissioners in and for the County of Cassia, State of Idaho, did on the 8th day of March, 1937, by order recorded in Book 8 of Commissioners' Minutes at page 290 thereof, fix a minimum price on said parcel of land, to wit: the price of \$ 100.00; and

WHEREAS, said order as so recorded was published as a part of said Commissioners' proceedings in the Burley Bulletin, then the official county newspaper, published weekly at Burley, Cassia County, Idaho, in an issue of said newspaper bearing date the 11th day of March, 1937, affidavit of the publication of which is on file in the office of the County Recorder of Cassia County, Idaho, as Document No. 123653 and recorded in Book 8 of Commissioners' Minutes at page 292 thereof; and

WHEREAS, at a meeting of the said Board of County Commissioners of Cassia County, Idaho, on the 13th day of April, 1937, the matter of the private sale of said parcel of land came before the board and the board finding that no person had appeared within a period of thirty days following the date of said publication of said proceedings, to file a protest with the clerk of said board; and

WHEREAS, Orville Ward, appeared before the board and offered to purchase the said parcel of land for the sum of \$ 100.00, and said price being no less than the minimum price so heretofore fixed by the board, and said sum appearing to the board to be a reasonable price for such land, it was ordered by the board that such offer be accepted and that private sale be made of such parcel of land for the said sum of \$ 100.00 to the said

Orville Ward

NOW, THEREFORE, the said party of the first part, for and in consideration of the said sum of \$ 100.00, lawful money of the United States, paid to Jack Henderson, the County Treasurer of Cassia County, State of Idaho, by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold and by these presents does grant, bargain, sell and convey unto the said party of the second part and to his heirs and assigns, forever, all the following described real estate situated in Cassia County, State of Idaho, and more particularly described as follows, to-wit:

Sec. 18,
Lot 4, Sec. 7; Lots 1, 2, 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ /-- all in Twp.
15 S. R. 25 E. B. M.

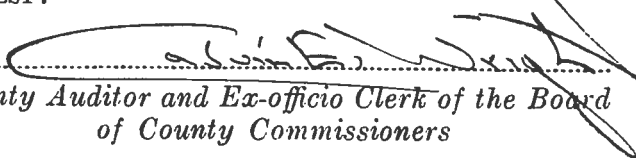
TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to his heirs and assigns forever.

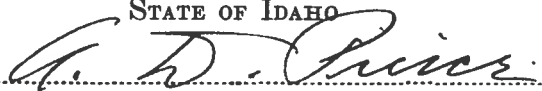
IN WITNESS WHEREOF, The Board of County Commissioners of said Cassia County, State of Idaho, has caused the name of said county to be hereunto subscribed by its Chairman, and the seal of said Board of County Commissioners to be hereunto affixed.

ATTEST:

CASSIA COUNTY

STATE OF IDAHO


County Auditor and Ex-officio Clerk of the Board
of County Commissioners

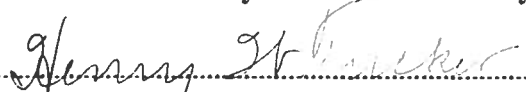
By 
Chairman of the Board of County Commissioners

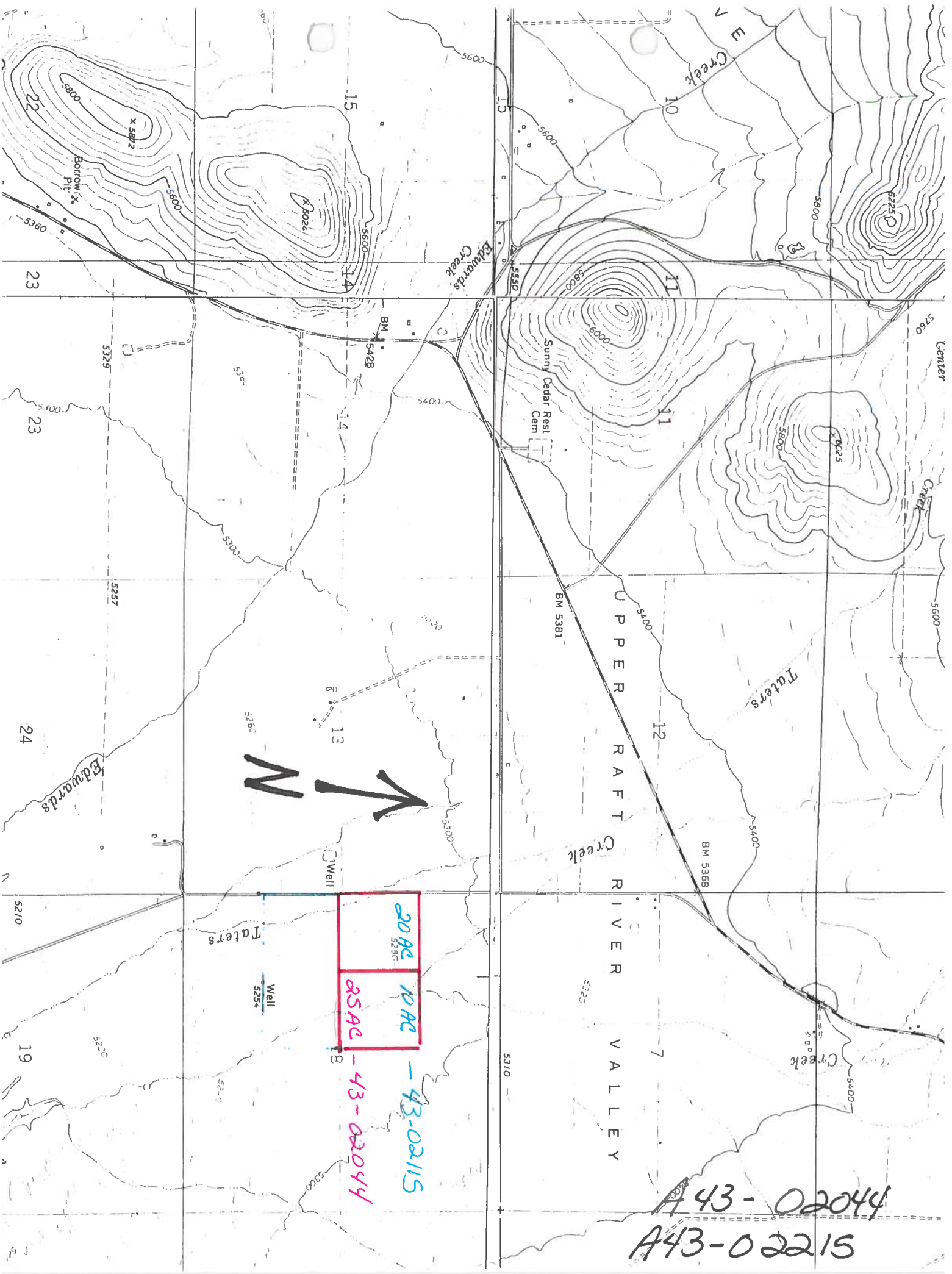
STATE OF IDAHO }
COUNTY OF CASSIA } ss.

On this 13th day of April, 1937, before me, Henry W. Tucker, a Notary Public for the State of Idaho in the County of Cassia, personally appeared A. D. Pierce, known to me to be the chairman of the Board of County Commissioners of said Cassia County, the municipal corporation which executed the within and foregoing instrument, and acknowledged to me that such municipal corporation executed the same by and through him as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My Commission expires June 1, 1938


Notary Public for the State of Idaho, residing
at Burley, Idaho



A43-02044
A43-02215

43-00477	J. P. Jensen right 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	Geo. D. Graham right 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	C. V. Spencer right 1882-Apr. 30	2 s.f. ✓	$NW\frac{1}{4}$, Sec. 25, Twp. 15 S. R. 24 E.B.M.
398	Jno. Miller right 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	Charles Heath right 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	Henry T. F 1884-Mar.		$E\frac{1}{4}$, Sec. 10, Twp. 15 S. R.
401	Robert J. 1884-Apr.		$NE\frac{1}{4}SW\frac{1}{4}$, Sec. 23, Twp. 15 S. R.

Jobe Adams Decree

Filed 5-17-1922

Signed 10-18-1928

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:

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.

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.

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.

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.

INTENT
TO BE
INCLUDED
IN
ALL
OF
GR
CREEK
HEIR
PER
DICK
7-13-9