

RECEIVED

NOV 26 2002

Department of Water Resources

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 43-2474
Date Received: 5/16/1989
Receipt No: S007143
Received By:

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

1. Name of Claimant(s)

ROBERT W WARD Phone: (208)824-5589
PO BOX 1580
ELBA ID USA 83326

NANCY WARD Phone: (208)824-5589
BOX 1580
ELBA ID USA 83326

2. Date of Priority: 06/03/1959

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15S	25E	19	NW SW NW	CASSIA	
15S	24E	13	NW NE SE	CASSIA	

5. Description of diverting works:

WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	1.63	

7. Total Quantity Appropriated is:
1.63 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

SCANNED

NOV 26 2002

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15S	24E	13	NE	SE	IRRIGATION	29
			SE	SE	IRRIGATION	38
			Section Acres		67	
15S	24E	24	NE	NE	IRRIGATION	36
			SE	NE	IRRIGATION	7.2
			Section Acres		43.2	
Total Acres						110.2

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:

14. Remarks:

15. Basis of Claim: License

16. Signature(s)

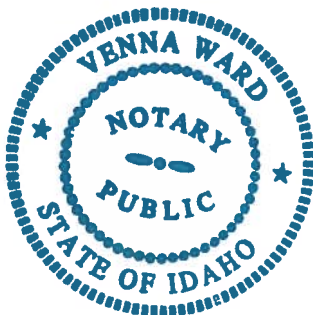
For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Robert Ward Date: 19 Aug 02
Nancy Ward Date: Aug. 19, 2002

State of Idaho)
County of Idaho - Cassia) SS.

Subscribed and sworn (or affirmed) before me this 19 day of Aug 2002



Venna Ward

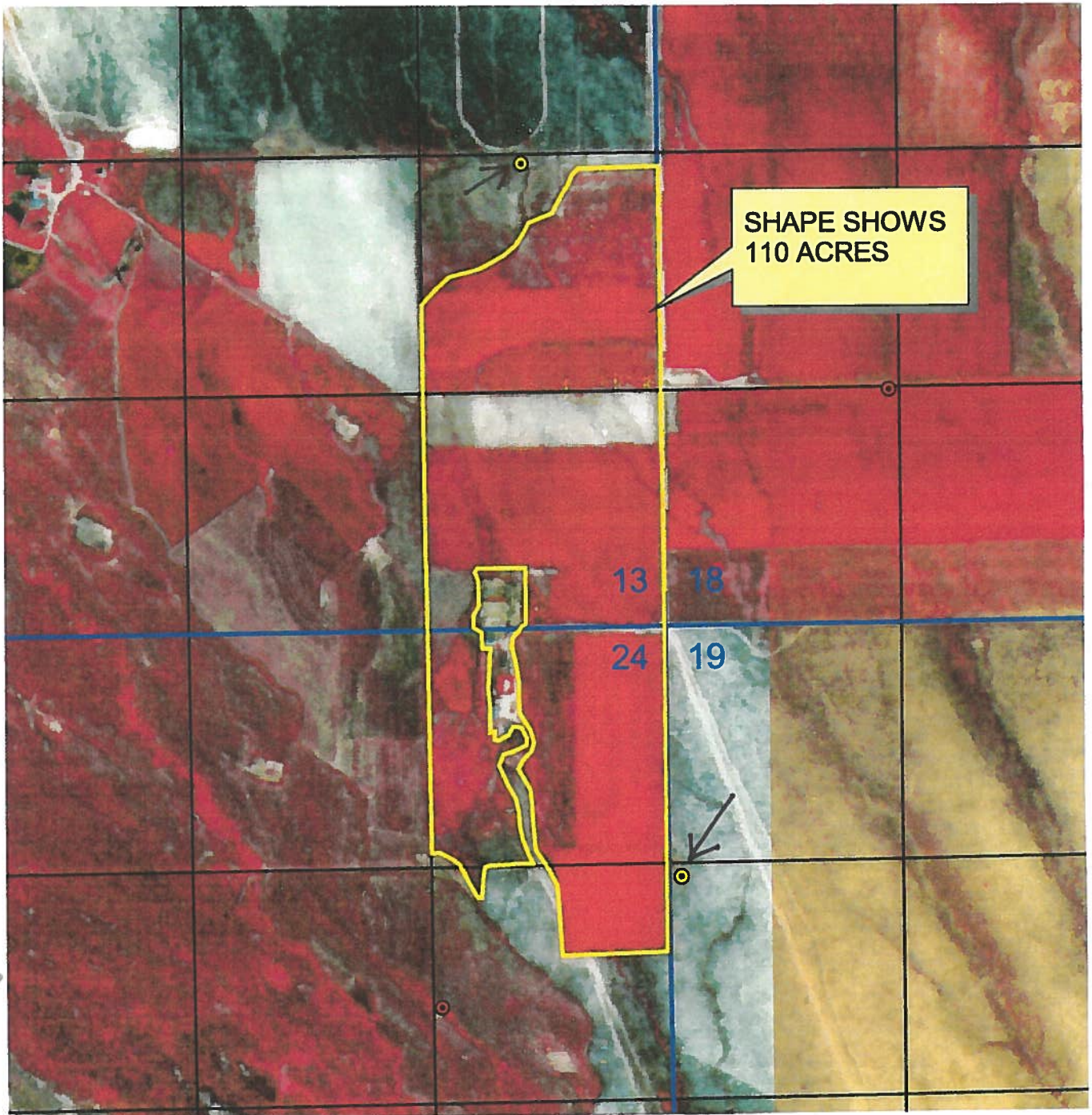
Notary Public

Residing at Alma, Id

My commission Expires 9/23/03

43-2474

TOWNSHIP 15S
RNG 24E II RNG 25E



● WELL

SECTION LINE

QUARTER SECTION LINE



SCANNED
NOV 26 2002

PREPARED BY V HANOCK
IDWR
07/03/2002

State of Idaho License and Certificate of Water Right

Water License No. G-28028

Amount.....1.63 c.f.s.

Water District No. _____

Priority.....June 3, 1959.

THIS IS TO CERTIFY that

WAELEY B. WARD

of Elba, Idaho

, made application for a permit to appropriate the

public waters of the State of Idaho, dated June 3

, 19 59 ; that Permit No. G-28028

was issued under said application; that Certificate of Completion of works, with a carrying capacity of

1.63 second feet, was issued thereunder on November 9

, 19 64 , showing that said works

were completed on the 1st day of May

, 19 64 ; and that on the 1st

day of May

, 19 64 ,

WESLEY B. WARD

of Elba

, State of Idaho

, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of a well

, a tributary of subterranean flow

, for the purpose of irrigation and

domestic use, under Use Permit No. G-28028

of the Department of Reclamation

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 Reclamation Engineer of Idaho and entered of record in Volume

13 of Licenses at page 8047 , on the 9 day of

November

, 19 64 ;

The right hereby confirmed dates from

June 3

, 19 59 ;

The Point of Diversion is located

In the NE 1/4

SE 1/4, Sec. 13

, Tp. 15 S, R. 24 E.

, B. M. Cassia County

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 1.63 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.	24 E.	13	NE 1/4 SE 1/4	40	21
		24	SE 1/4 SE 1/4	40	14
			NE 1/4 NE 1/4	40	22
			SE 1/4 NE 1/4	40	18
			NE 1/4 SE 1/4	40	23
			SE 1/4 SE 1/4	40	12
Total number of acres to be irrigated:					110

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 State Reclamation Engineer, affixed at Boise, Idaho, this

9th day of November

, 19 64 .

/s/ RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

SCANNED
NOV 26 2002

43-02474

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER ADOPTING SPECIAL MASTER REPORT AND RECOMMENDATION; SETTING ASIDE PARTIAL DECREE; GRANTING AMENDED CLAIM was mailed on November 05, 2002, with sufficient first-class postage to the following:

NANCY WARD
BOX 1580
ELBA, ID 83326
Phone: 208-824-5589

ROBERT W WARD
PO BOX 1580
ELBA, ID 83326
Phone: 208-824-5589

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STEVE R. WARD
2850 S NARROWS RD
MALTA, ID 83342
Phone: 208-824-5575

SCANNED

NOV 26 2002

ORDER

Page 1 11/05/02

FILE COPY FOR 00320

Robbin Hall
Deputy Clerk

RECEIVED

NOV 26 2002

Department of Water Resources

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED 311 2002

2002 NOV 5 PM 12 56

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) Subcases: 43-02474
)
) ORDER ADOPTING SPECIAL MASTER
) REPORT AND RECOMMENDATION;
) SETTING ASIDE PARTIAL DECREE;
) GRANTING MOTION TO FILE
) AMENDED NOTICE OF CLAIM

On September 4, 2002, Special Master Dolan issued a *Special Master Report and Recommendation*, recommending that the *Partial Decree* issued in the above-captioned subcase on June 28, 2002, be set aside for the purpose of allowing the claimants to file an amended notice of claim for the water right. No party has filed a motion to alter or amend the *Special Master Report and Recommendation*, and the time for filing same has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, the following is HEREBY ORDERED:

1. The *Partial Decree* issued in subcase 43-02474 on June 28, 2002, is **set aside**.
2. The claimant's motion to file an amended notice of claim is **granted** and IDWR may file an amended director's report for the amended claim by November 5, 2003.

Dated 11/5/02


ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

Idaho Department of Water Resources Receipt

Receipt ID C066005

Payment Amount \$27.00 Date Received 11/26/2002 1:41:13 PM Region State Status
Payment Type Check Check Number 3031

Payer WARD STEVE OR TONYA

Comment WATER RIGHT/CLAIM # 43-02474 AMENDED NOTICE OF CLAIM

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$27.00	ADJUDICATION FILING FEE	0337	41503	1155	


Signature Line (Dept. Representative)

RECEIVED

JAN 05 2001

Department of Water Resources
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 43-2474
Date Received: 5/16/89
Receipt No: 5023585
Received By: V#

23.00
FOR
ADDITION
ACRES

*** AMENDED ***

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERT W WARD Phone: (208)824-5589
BOX 1580
ELBA ID USA 83326

NANCY WARD Phone: (208)824-5589
BOX 1580
ELBA ID USA 83326

2. Date of Priority: 06/03/1959

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County
15S	24E	13	NW	NE	SE	CASSIA

5. Description of diverting works:

WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.63	

7. Total Quantity Appropriated is:
1.63 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
15S	24E	13	NE	SE		IRRIGATION	30
			SE	SE		IRRIGATION	30
						Section Acres	60
15S	24E	24	NE	NE		IRRIGATION	16
			SE	NE		IRRIGATION	7
						Section Acres	23
						Total Acres	83

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:

14. Remarks:

THIS WELL HAS JUST BEEN REDRILLED UNDER THIS LICENSE. NEW WELL DRILLED MAY 10, 1989. 11-20-00 AMENDED CLAIM TO ADD ACRES IRRIGATED BUT NOT INCLUDED IN ORIGINAL SRBA CLAIM.

15. Basis of Claim: License

16. Signature(s)

RECEIVED
JAN 02 2001
Department of Water Resources
Bozeman, Montana

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):

Robert Ward
Nancy Ward

Date: 26 Dec 00

Date: Dec 26 00

State of Idaho)

County of Cassia)

SS.

Subscribed and sworn (or affirmed) before me this

of

December 26, 2000

26th

Linna Ward

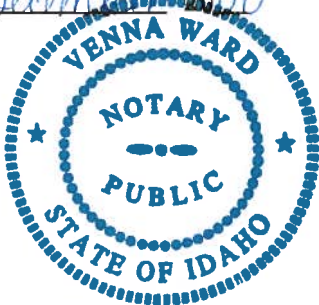
Notary Public

Residing at

Almo, Idaho

My commission Expires

9/23/03



NOTE: THIS AMENDED NOTICE OF CLAIM FOR A WATER RIGHT RESIDES ON A TEMPORARY DATABASE UNTIL SUCH TIME AS A SIGNED COPY IS RECEIVED BY THE DEPARTMENT.

Idaho Department of Water Resources Receipt

Receipt ID S023585

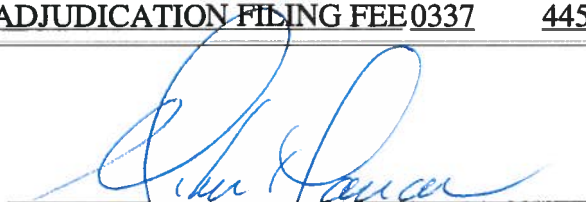
Payment Amount	\$23.00	Date Received	1/24/01 8:28:41 AM	Region	Southern	Status
Payment Type	Check	Check Number	2020			

Payer WARD, ROBERT AND NANCY

Comment Payment for additional acres added to existing AJ claim 43-2472.

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$23.00	ADJUDICATION FILING FEE	0337	44503	1155	


Signature Line (Dept. Representative)

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: A43-02474
Date Received: 5/16/1989
Receipt No: S007143
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT W. WARD 208-824-5589
Address: BOX 1580
ELBA, ID 83326
OR
Name: NANCY WARD 208-824-5589
Address: BOX 1580
ELBA, ID 83326

2. Date of Priority: JUN 03, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15S	24E	13	NW	NE	SE		CASSIA

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.630		

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

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	24E	13	NE	SE		IRR	30.0
			SE	SE		IRR	30.0
						Section Acres	60.0
						Total Acres	60.0

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:
NONE

14. Remarks:
THIS WELL HAS JUST BEEN REDRILLED UNDER THIS LICENSE.
NEW WELL DRILLED MAY 10, 1989.

15. Basis of Claim: LICENSE
Water Right Number: 28028

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): Robert Ward Date: 16 May 89

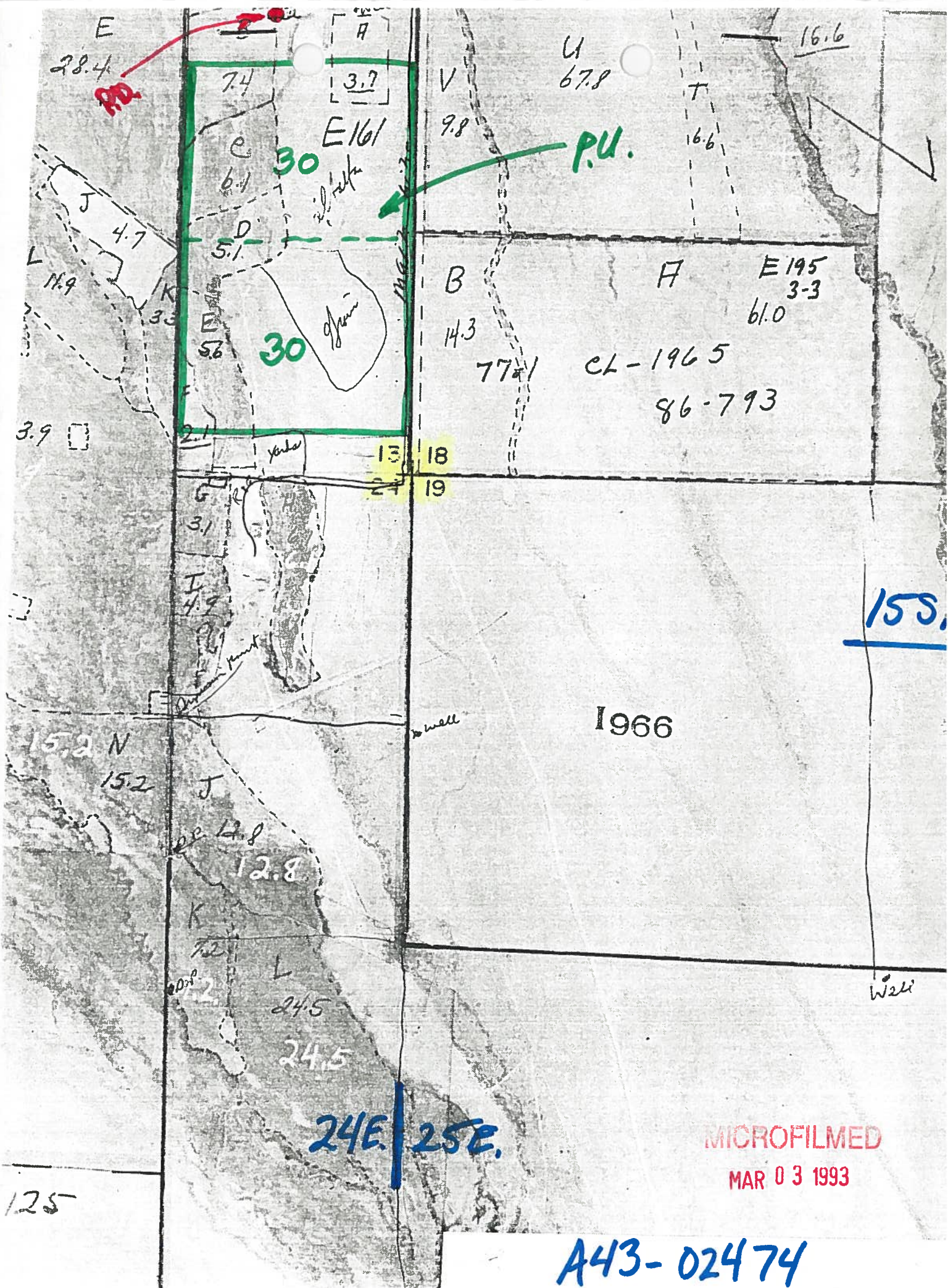
Date: _____

State of Idaho)
County of Twin Falls) SS.

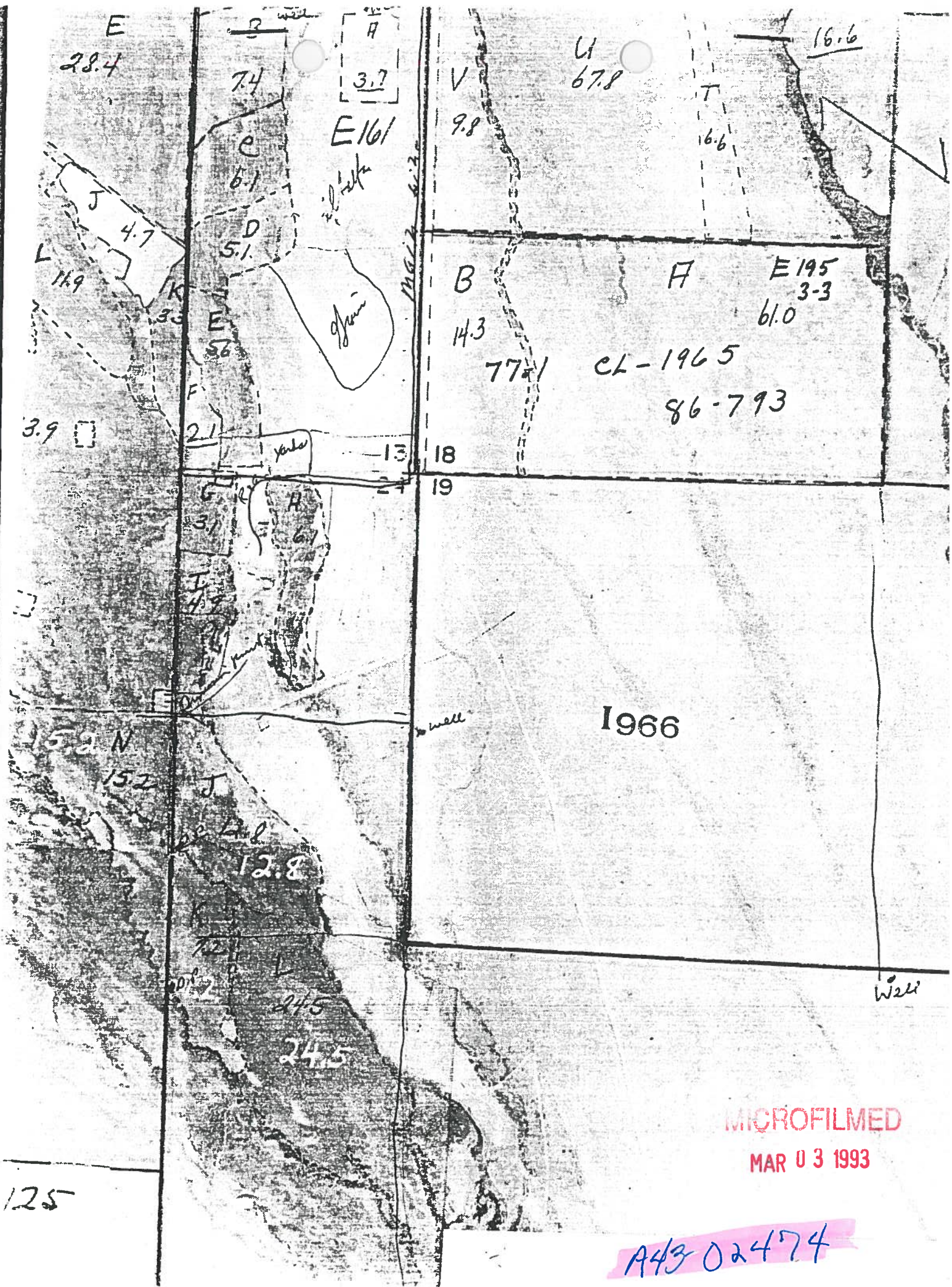
Subscribed and sworn (or affirmed) before me this 16th day
of May 19 89 Steve Collins
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 2, 1994



A43-02474



MICROFILMED
MAR 03 1993

A43 02474

09/27/2002

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

RIGHT NUMBER: 43-2474
NAME AND ADDRESS: NANCY WARD
BOX 1580
ELBA ID 83326

ROBERT W WARD
PO BOX 1580
ELBA ID 83326

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 1.63 CFS
440.00 AFY
PRIORITY DATE: 06/03/1959
POINT OF DIVERSION:

T15S R24E S13 NWNESE Within CASSIA County
T15S R25E S19 NWSWNW Lot 2 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	1.630 CFS 440.00 AFY

PLACE OF USE:	T15S R24E S13	NESE	29.0	T15S R24E S13	SESE	38.0
	T15S R24E S24	NENE	36.0	T15S R24E S24	SENE	7.2

110.2 ACRES TOTAL

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: License

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

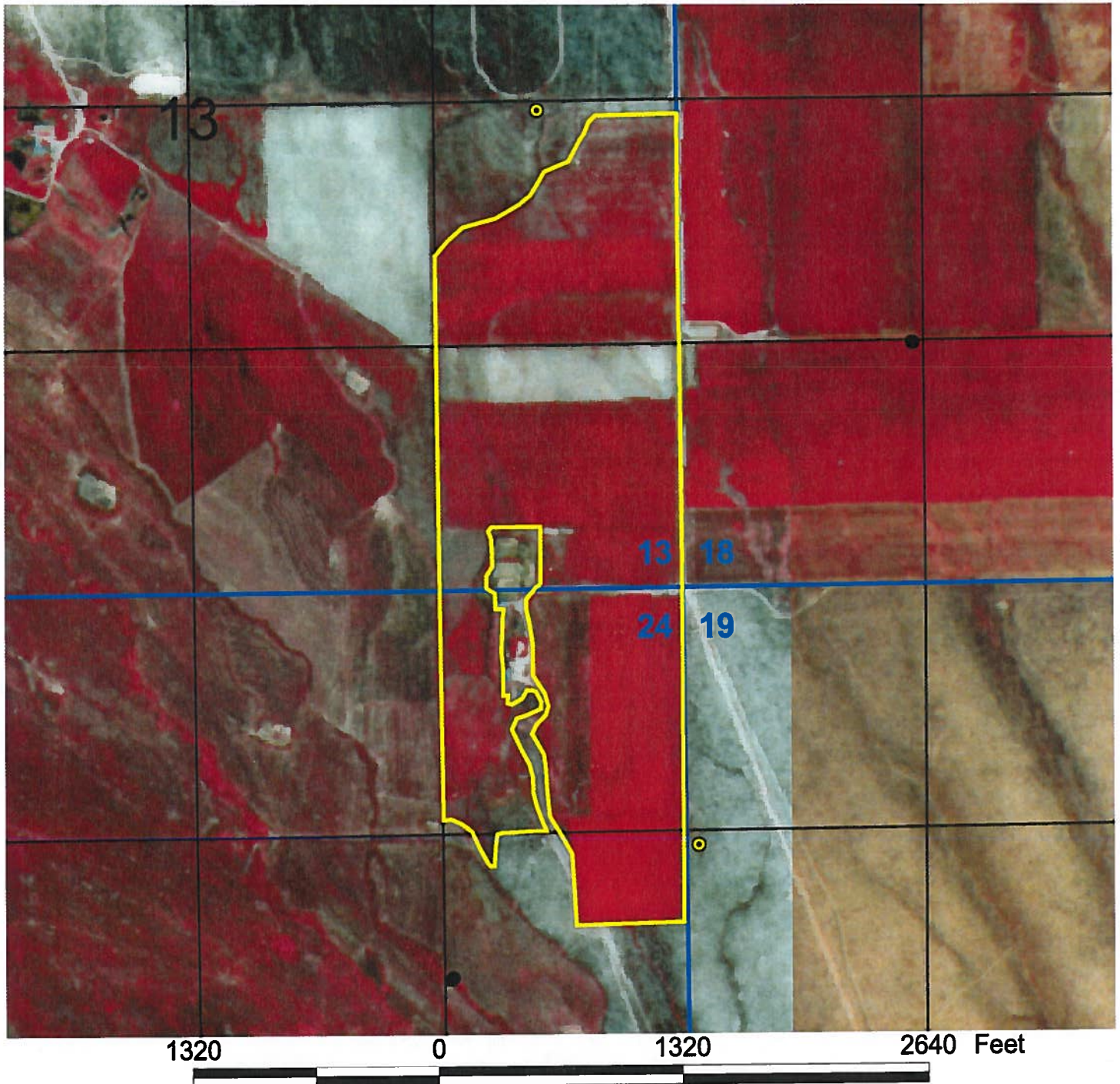
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

AMENDED PARTIAL DECREE FILED 3-27-2003
AMENDED DIRECTOR'S REPT 9-27-2002

Idaho Department of Water Resources

RIGHT: 43-2474

RECOMMENDED PLACE OF USE
TWP 15S, RNG 24E, SEC 13, 24
TWP 15S, RNG 25E, SEC 19
PREPARED SEPTEMBER 27, 2002



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



**GIS PLACE OF USE PRESENTATION
1987 NAPP AERIAL PHOTOGRAPHY**

PREPARED BY VIKIE HANCOCK

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED 38 908

2002 NOV 5 PM 12 56

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) Subcases: 43-02474
)
) ORDER ADOPTING SPECIAL MASTER
) REPORT AND RECOMMENDATION;
) SETTING ASIDE PARTIAL DECREE;
) GRANTING MOTION TO FILE
) AMENDED NOTICE OF CLAIM

On September 4, 2002, Special Master Dolan issued a *Special Master Report and Recommendation*, recommending that the *Partial Decree* issued in the above-captioned subcase on June 28, 2002, be set aside for the purpose of allowing the claimants to file an amended notice of claim for the water right. No party has filed a motion to alter or amend the *Special Master Report and Recommendation*, and the time for filing same has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, the following is HEREBY ORDERED:

1. The *Partial Decree* issued in subcase 43-02474 on June 28, 2002, is set aside.
2. The claimant's motion to file an amended notice of claim is granted and IDWR may file an amended director's report for the amended claim by November 5, 2003.

Dated 11/5/02


ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-2474 V2

WATER RIGHT NUMBER: 43-2474 V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NANCY WARD BOX 1580 ELBA, ID 83326 (208)824-5589
Current Owner	ROBERT W WARD PO BOX 1580 ELBA, ID 83326 (208)824-5589

Priority Date: 06/03/1959

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	1.630 CFS	440.00 AF
	<u>Total Diversion:</u>	1.630 CFS	440.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4SE1/4	Sec. 13, Twp 15S, Rge 24E, B.M.
CASSIA County		
GROUND WATER	L2 NW1/4SW1/4NW1/4	Sec. 19, Twp 15S, Rge 25E, B.M.
CASSIA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	24E	13													29.0			38.0	67.0
15S	24E	24	36.0			7.2													43.2

Total Acres: 110.2

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-2474 V2

3. C18 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.

Remarks:Comments:09/27/2002 V HANCOCK:

43-2474 VERSION 2 RESULTED FROM A SETTING ASIDE OF THE FIRST PARTIAL DECREE SO THAT THE SRBA DECREE COULD BE CORRECTED TO INCLUDE THE ENTIRE NUMBER OF ACRES LICENCED (110) AND SO THAT AN ADDITIONAL POINT OF DIVERSION COULD BE INCLUDED. THIS ADDITIONAL POINT OF DIVERSION IS A WELL IN THE NWSWNW SECTION 19, T15S, R25E. SEE SUPPORTING DOCUMENTS IN THE FILE.

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:
 State or Federal: S
 Owner Name Connector: OR
 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

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	9/27/2002 12:08:51 PM	vhancock			Active
POD	9/27/2002 12:10:09 PM	vhancock			Active
POU	9/27/2002 1:51:27 PM	vhancock			Active
POU	9/27/2002 1:54:47 PM	vhancock			Active
Use	9/27/2002 1:57:47 PM	vhancock			Active
Season	9/27/2002 1:58:36 PM	vhancock			Active
Quantity	9/27/2002 2:00:26 PM	vhancock			Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	9/27/2002 1:50:51 PM	vhancock	Edited point location
POD	9/27/2002 1:51:04 PM	vhancock	Edited PLS
POU	9/27/2002 1:51:29 PM	vhancock	(Yes) 1. Is the basis of this claim a Decree or License?

POU	9/27/2002 1:55:36 PM	vhancock	Edited shape boundary
Priority Date	9/27/2002 12:08:51 PM	vhancock	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license?

Page 3 09/27/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-2474 V2

POD	9/27/2002 12:10:11 PM	vhancock	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? Description for Question 6 - CONTRACT FROM RAFT RIVER RURAL ELEC.
POU	9/27/2002 1:54:48 PM	vhancock	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? Description for Question 8 - SAME NUMBER OF ACRES BUT MORE ACRES ARE NOW IRRIGATED IN S13 THAN IN S24 WHICH DIFFERS FROM LICENSE. Description for Question 13 - 1987 NAPP AERIAL PHOTO. AFFIDAVIT AND CONVERSATIONS WITH STEVE WARD.
POU	9/27/2002 1:55:50 PM	vhancock	Edited PLS
Use	9/27/2002 1:57:48 PM	vhancock	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	9/27/2002 1:58:38 PM	vhancock	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use?
Quantity	9/27/2002 2:00:27 PM	vhancock	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit?

(Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?

(Yes) 10. Is a Irrigation a purpose of use?

Description for Question 10 - 4 AF X 110 AC = 440

September 27, 2002

Steve Ward
Robert Ward
2850 S Narrows Rd
Malta, Idaho 83342

RE: Snake River Basin Adjudication (SRBA)
Claim No.: 43-2474

Dear Steve:

I received your letter and the copy of contract between your Father and RRRE. That was just what we needed.

I am enclosing an updated GIS layout that shows the place of use and points of diversion that I recommended to the SRBA Court in the form of an Amended Director's Report. You should receive a copy of the text Recommendation and then the Partial Decree from the Court. If any questions arise, let me know.

Since you mentioned that your father was out of town, I took the liberty of sending both of you a copy of this map.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Southern Adjudication Unit, Twin Falls

September 27, 2002

Steve Ward
Robert Ward
Box 1580
Elba, Idaho 83326

RE: Snake River Basin Adjudication (SRBA)
Claim No.: 43-2474

Dear Mr. Ward:

I received a letter from Steve and copy of the 1979 contract between you and RRRE. These documents were enough to verify that irrigation use began from the well in Section 19 prior to commencement of the Adjudication in 1987.

I am enclosing an updated GIS layout that shows the place of use and points of diversion that I recommended to the SRBA Court in the form of an Amended Director's Report. The place of use now shows 110 acres. You should receive a copy of the Recommendation and then the Partial Decree from the Court. If any questions arise, let me know.

Since Steve mentioned that you were currently out of town, I have sent a copy of the GIS map to him, also.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Southern Adjudication Unit, Twin Falls

September 24, 2002

To Whom It May Concern:

I am writing this to confirm the year we drilled our irrigation well in SWNW Section 19.

We drilled the well in the Fall of 1979, completing it in October. We farmed the new ground in the Spring of 1980. I remember we purchased a wheel line from Rain for Rent in Paul and also moved two short handlines on the southwest side of the well. I remember this because I purchased my first pick-up, a blue two tone 4 x 4 Chevy in 1980. It was a year old. I used the money I made moving the sprinklers from the new well to make a down payment. We alternated running the wheel line with the handlines because there was not enough water to run all three lines at one time.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steven R. Ward", written over the word "Sincerely,".

Steven R Ward

RECEIVED
SEP 27 2002
Department of Water Resources
Southern Region

27024
24NAME: Bob Ward
~~NANCY~~ CONTRACT INFORMATION

DATE: Oct 1979

LAND DESCRIPTION: NW 1/4 NW 1/4 SEC 19 T 16S R 25E.

LOCATION OF WELL: 82 ME

HP OR KVA: 15

TERM: 8

MINIMUM: 600 ⁰⁰/₀₀

PHASE: 3

VOLTS: 240V. RATE SCHEDULE: C. TERMINATION:

RECEIVED

SEP 27 2002

Department of Water Resources
Southern Region

INDEX
124434Service #27024 (Form C-153-1)
Page 1

AGREEMENT FOR PURCHASE OF POWER

THIS agreement, made this 22nd day of October, 1979, between the Raft River Rural Electric Cooperative, Inc., hereinafter called the Seller, and Robert Ward/Nancy H. Ward, hereinafter called the Consumer.

WITNESSETH, WHEREAS the Consumer is the owner of the following described real estate in the County of Cassia State of Idaho, particularly described as follows, to-wit: NW1/4NW1/4

Section 19, Township 15 South, Range 25 East, of the Boise Meridian. And has a well on the NW1/4NW1/4 of Section 19 of the said real estate and desires to irrigate the irrigable portion of said real estate by pumping water from such well or wells.

NOW, THEREFORE, the Seller agrees to sell and deliver to the Consumer on the above described real estate, electrical energy up to 15 HP KVA, and the Consumer agrees to purchase from the Seller all electrical energy used for pumping water from the well or wells upon said premises for irrigation purposes during the irrigation season of each year for a period of not less than eight (8) years from the date of this contract.

1. Service Characteristics: The electrical energy to be furnished under this contract shall be alternating current, three (3) phase, sixty cycle, 240 volts.

2. Payment: The Consumer shall pay to the Seller for the electrical energy furnished at the rates and upon the terms and conditions set forth in Schedule C which is hereto attached and by reference made a part of this contract.

In the event that the Consumer uses no electrical energy upon the said premises or the amount of electrical energy used by the Consumer during any irrigation season at the purchase price or prices shown on Schedule C shall not equal \$ 600.00 to be paid during any irrigation season, then the Consumer agrees to pay to the Seller a minimum charge of \$ 600.00 for the irrigation season of any year during the life of this contract. The said minimum charge to be paid on or before the 1st day of November of the year in which no electrical energy is used for pumping water for irrigation purposes or the amount used did not equal said minimum charge.

Bills for electrical energy furnished under this contract shall be paid by the Consumer to the Seller at its office at Malta, Idaho, monthly within fifteen days after the bill is mailed to the Consumer. If the Consumer shall fail to pay any such bill within such fifteen day period, the Seller may discontinue the service hereunder, by giving to the Consumer ten (10) days notice in writing of its intention to so do.

Service #27024

(Form C-153-1)
Page 3

IN WITNESS WHEREOF, the Seller has caused its Corporate name to be hereunto subscribed by its manager, and the Consumer has hereunto set his hand and seal and executed these presents in triplicate the day and year first above written.

Nancy H. Ward
Nancy H. Ward

Robert Ward
(Consumer) Robert Ward

4434
STATE OF IDAHO
COUNTY OF CASITA
RECEIVED AT THE REQUEST OF
L. E. Maltz
133
MAR 17 3 37 PM '80
CLERK COUNTY, IDAHO
FRANK E. KEARNS
REGISTER
IF L. E. Maltz
SS

RAFT RIVER RURAL ELECTRIC COOPERATIVE, INC.
By: Golden F. Gardiner
(Manager)

On this 22nd day of October, 19 79, before me, the undersigned, a Notary Public in and for said State, personally appeared Golden F. Gardiner known to me to be the Manager of the Raft River Rural Electric Cooperative, Inc., the Corporation whose name is subscribed to the within instrument, and acknowledged to me that such corporation executed the same.

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

Notary

Commission expires: Life Term

STATE OF IDAHO } ss
County of Cassia }

On this 22nd day of October, 1979, before me, the undersigned,
a Notary Public in and for said State, personally appeared Robert Ward/Nancy H. Ward
known to me to be the person (s) whose name (s) is (are)
subscribed to the within instrument, and acknowledged to me that he (they) executed the
the same.

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

Notary

[illegible]

IRRIGATION PUMP SCHEDULE

NAME	SERVICE NUMBER	DATE	CONTRACT	TERMIN.	H.P.	AVERAGE K.W.	AMT. PAID	DATE PAID	LINE LOAD	SUB STAT.
WARD, Harold 240520	26069 ✓	4/25/63	8	200	60	47	470 ✓	4/13/81	H-10	B
WARD, Paul A. 240524	19048 ✓	3/18/54	1	80	40/50	67	670 ✓	4/16/55	F-20	B
WARD, Robert 240528	26061 ✓	5/8/59	7	311	50	41	410 ✓	4/15	H-10	B
WARD, Robert 27024	27024 ✓	10/22/79	8	600	15	16	160 ✓	4/15	H-10	B
WARD, Ronald 240928	27011 ✓	4/1/81	10	2500	75	64 est.	640	4/15	H-10	B
WARD, Ronald	27010 ✓	7/14/60	8	330	50/75	104	1040 ✓	4/15/81	H-10	B
WARD, Roscoe 240529	3306 ✓	11/24/54	5	400	50	49	490 ✓	5/12	H-10	B
WARD BROS. 240536 (Paskett)	24039 ✓	5/25/55	5	61	60	45	450 ✓	4/17/81	G-10	B
WARD BROS. (Bronson)	24049 ✓	5/21/55	7	240	30/60	84	840 ✓	4/1/81	G-10	B
WARD BROS. M & I	24047 ✓	3/4/55	5	80	30	20	200	4/15	G-10	B
WARD BROS. (Barrett)	24044 ✓	6/19/64	5	240	30/40	61	610 ✓	5/1/81	G-10	B
WARD BROS. (Egbert)	24048 ✓	4/5/54	4	80	30	20	200	4/15/81	G-10	B
WARD BROS. (Fowles)	24040 ✓	3/16/55	6	100	25/30	40	400 ✓	5/1/81	G-10	B
WARDEN, Earl 240611	13044 ✓	5/23/79	8	320	20	27	270 ✓	4/12	L-10	A
WEBB BROS. DAIRY 240770	508 ✓	3/15/73	8	380	150	128	1280 ✓	3/30	M-20	R
WEBB BROS. DAIRY	506 ✓	2/26/80	8	300	350	292	2920 ✓	3/30	M-20	R
WEBB BROS. DAIRY	5045 ✓	4/9/70	8	544	250	189	1890 ✓	3/30	M-20	R
WEBB BROS. DAIRY	1032 ✓	1/8/79	8	422	200+pvt	140	1400 ✓	3/30	M-20	R
WEBB BROS. DAIRY (Manning)	6014 ✓	3/1/80	10	1000	100	84	840 ✓	3/30	M-30	R
WEBB BROS. DAIRY	5014 ✓	1/8/79	8	425	250+pvt	186	1860 ✓	3/30	M-30	R
WEBB BROS. DAIRY	5025 ✓	4/1/76		Pivot			126 ✓	3/30	M-30	R
WHEELER, Philip F. 240541 (Wermer)	402 ✓	2/17/54	5	600	200	157	1570 ✓	3/15/81	C-30	I
WHEELER, Philip F	4020 ✓	3/1/61	8	350	25/50	5736	5736 ✓	4/15/81	B-20	M
WHEELER, Philip F	4022 ✓	5/8/61	10	62	5/25	25	250 ✓	4/15/81	C-30	I

2055
18596
1615
10-1



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

September 9, 2002

Steve Ward
2850 S. Narrows Road
Malta, Idaho 83342

RE: Snake River Basin Adjudication (SRBA)
Amended Claim 43-2474

Dear Steve,

I received a copy of the Order from Special Master Dolan today. We are ready to prepare what is called the Amended Director's Report for this water right. It will be in the same format as the Recommendation that was originally sent to your father.

I spoke to Candice McHugh concerning the second well that you wish to add to the water right. This is the well in the SWNW Section 19. She would like to have some kind of written substantiating evidence of when the well was drilled and when your father began irrigating with the well.

I looked in our department files, and although I found the 1989 drilling log for the re-drilling of the licensed well in the NESE Section 13, there is nothing in our records about the well in Section 19. If your father has information in the form of invoices or well logs that would show when it was drilled or the pump installed that would be good. Often times the driller will have information, if you don't.

To support irrigation use from the well, a written statement from you, your father, or better yet a disinterested party, would suffice. It does not have to be notarized.

As soon as I receive something from you I'll prepare the Amended Director's Report (recommendation) for the court. There will be a short period for anyone to object to the new configuration of the water right, and after that the Court will issue a new Partial Decree based upon my new recommendation.

As ever, if you have questions, give me a call.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Southern Regional Office, Twin Falls

RECEIVED

SEP - 5 2002

Department of Water Resources

2002 SEP -4 PM 2:46

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Subcase 43-02474
	)	(Ward)
Case No. 39576	)	
	)	SPECIAL MASTER REPORT
	)	AND RECOMMENDATION

Findings Of Fact

On June 28, 2002, Presiding Judge Roger Burdick entered a *Partial Decree* to Robert and Nancy Ward, P.O. Box 1580, Elba, Idaho 83326, for 1.63 cfs from groundwater to irrigate 86.9 acres from April 1 to October 31 with a priority date of June 3, 1959. On July 17, 2002, Steve R. Ward, the claimants' son who now leases the land, wrote to the Court asking that the *Partial Decree* be set aside because his parents claimed only 60 acres of irrigated land and IDWR recommended 86.9 acres. Mr. Ward wrote that his parents misunderstood the nature of the claim and should have claimed 110 acres – the number of acres under license.

On July 17, 2002, the Presiding Judge entered an *Order of Reference to Special Master Terrence A. Dolan*. On August 20, 2002, the Wards filed a *Motion to File Amended Notice of Claim* asking to increase the irrigated acreage from 86.9 acres to 110 acres and to add a second point of diversion (well).

A hearing was held by telephone on September 3, 2002. Steve Ward spoke for his parents and Candice M. McHugh appeared for IDWR. Ms. McHugh agreed that the *Partial Decree* needs to be set aside so that additional acreage can be added to the place of use. However, she was not certain whether an additional place of use would be appropriate.

Conclusions of Law

Robert and Nancy Ward have shown good cause to have the *Partial Decree* set aside to correct the number of acres actually irrigated under license.

Recommendation

THEREFORE, IT IS RECOMMENDED that:

1. The *Partial Decree* be set aside, and
2. The Wards' *Motion to File Amended Notice of Claim* be granted so that IDWR may file an amended director's report for the amended claim.

DATED September 4, 2002.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

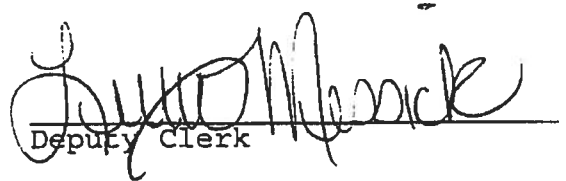
I certify that a true and correct copy of the SPECIAL MASTER REPORT AND RECOMMENDATIONN was mailed on September 04, 2002, with sufficient first-class postage to the following:

NANCY WARD
BOX 1580
ELBA, ID 83326
Phone: 208-824-5589

ROBERT W WARD
PO BOX 1580
ELBA, ID 83326
Phone: 208-824-5589

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STEVE R. WARD
2850 S NARROWS RD
MALTA, ID 83342
Phone: 208-824-5575

A handwritten signature in black ink, appearing to read "Lynn Mearns", is written over a horizontal line. The signature is stylized with a large, looped initial "L".

AUG 20 PM 1:15

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED *MO*

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Subcase

43-2474

(Insert water right number)

Case 39576

STANDARD FORM 4**MOTION TO FILE:**☐ **LATE NOTICE OF CLAIM**☒ **AMENDED NOTICE OF CLAIM**

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☐ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is Steve Ward son of (Robert Ward)

My address is 2850 S Narrows RD
Malta ID 83342

My phone number is: Work 208-436-1111 Home 208-824-5575

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

☒

I must amend my Notice of Claim to the use of water in the SRBA because:

I need to increase the acres to 110 per
the original license and the inclusion of the
second well located in T24S, R25E, Section 19 NWSW, NW.

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

- ☐ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)State of IdahoCounty of Cassia

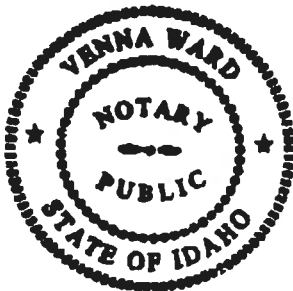
Robert Ward, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Robert Ward
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on Aug 19, 2002
(Insert Date)



Venna Ward
Notary Public for Cassia
Residing at: Almo, ID
My Commission expires: 9/23/03

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on _____, 200__, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

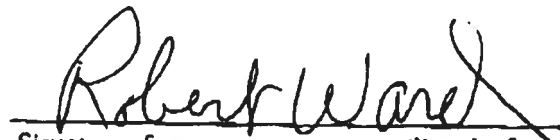
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

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

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)


Signature of person or attorney mailing the form

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 43-2474
Date Received: 5/16/1989
Receipt No: S007143
Received By:AMENDED NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERT W WARD Phone: (208)824-5589
PO BOX 1580
ELBA ID USA 83326NANCY WARD Phone: (208)824-5589
BOX 1580
ELBA ID USA 83326

2. Date of Priority: 06/03/1959

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
15S	25E	19	NW	SW	NW	CASSIA	
15S	24E	13	NW	NE	SE	CASSIA	

5. Description of diverting works:

WELL AND PUMP

6. Water is used for the following purposes:

Purpose
IRRIGATIONFrom To
04/01 11/01C.F.S.
1.63

(or) A.F.A

7. Total Quantity Appropriated is:
1.63 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

43-2474

08/09/2002

Steve Ward
Farm Times

436-1111

2850 S. Narrows Rd
Marta
93342

ftownee@safelink.net

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15S	24E	13	NE	SE	IRRIGATION	29
			SE	SE	IRRIGATION	38
					Section Acres	67
15S	24E	24	NE	NE	IRRIGATION	36
			SE	NE	IRRIGATION	7.2
					Section Acres	43.2
					Total Acres	110.2

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:

14. Remarks:

15. Basis of Claim: License

16. Signature(s)

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):

Robert Ward
Nancy Ward

Date: 19 Aug 02

Date: Aug. 19, 2002

State of Idaho

County of Idaho - Cassia) SS.

Subscribed and sworn (or affirmed) before me this 19 day of Aug 2002



Venna Ward

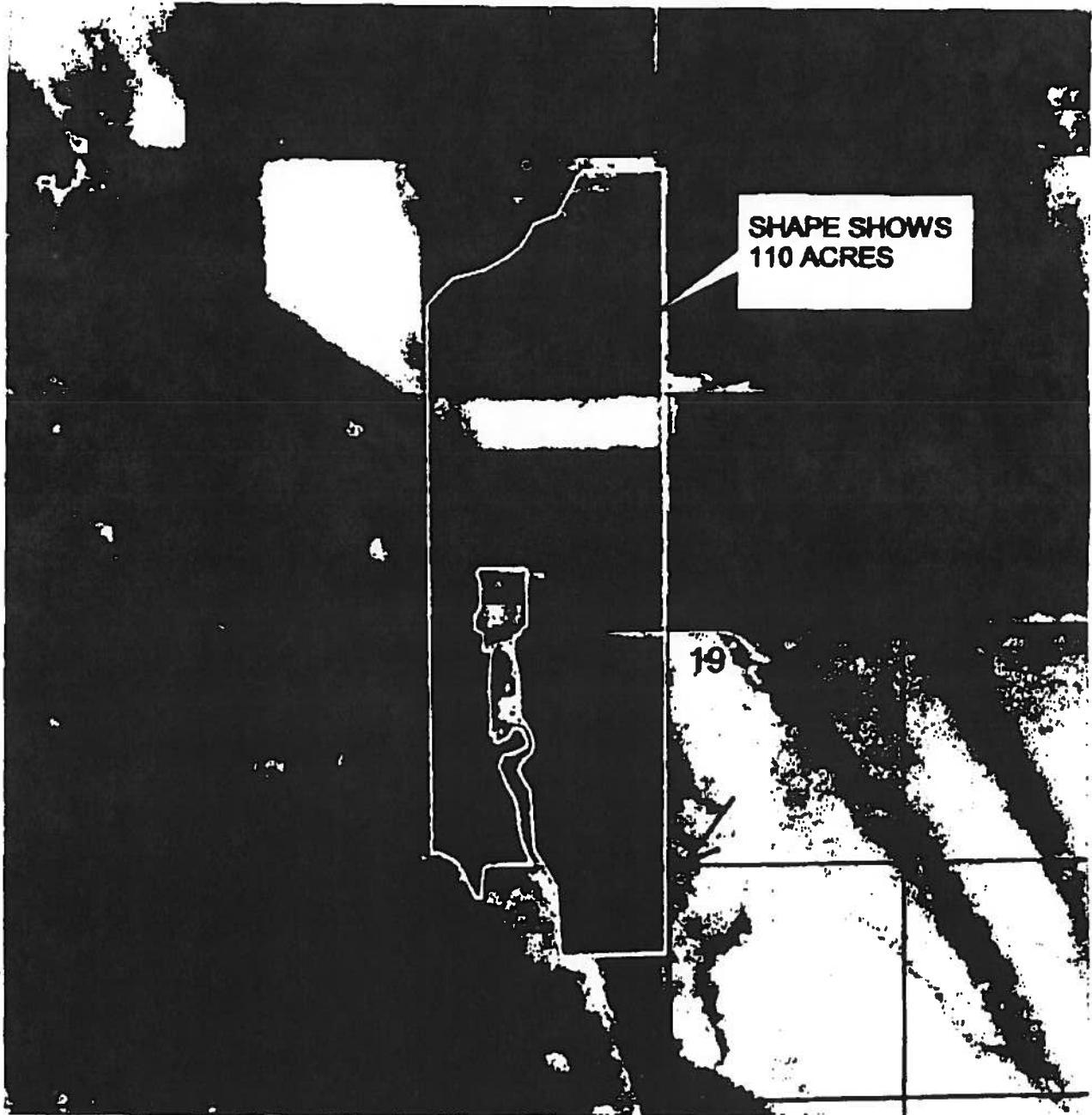
Notary Public

Residing at Alma, Id

My commission Expires 9/23/03

43-2474

**TOWNSHIP 15S
RNG 24E II RNG 25E**



⊙ WELL

SECTION LINE

QUARTER SECTION LINE



PREPARED BY V HANOCK
IDWR
07/03/2002

State of Idaho License and Certificate of Water Right

Water License No. G-26028

Water District No.

Amount 1.63 c.f.s.

Priority June 3, 1959

THIS IS TO CERTIFY that

WESLEY B. WARD

made application for a permit to appropriate the public waters of the State of Idaho, dated June 3, 1959; that Permit No. G-26028 was issued under said application; that Certificate of Completion of work, with a carrying capacity of 1.63 c.f.s., was issued thereunder on November 9, 1964, showing that said work was completed on the 1st day of May, 1964; and that on the 1st day of May, 1964,

WESLEY B. WARD

of Elba

State of Idaho

State Reclamation Engineer

made proof to the satisfaction of the

a tributary of subterranean flow of Idaho, of the right to use the waters of a well

for the purpose of irrigation and domestic use, under the Permit No. G-26028 of the Department of Reclamation

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 Reclamation Engineer of Idaho and entered of record in Volume

13 of Records at page 8047, on the 9 day of November, 1964;

The right hereby confirmed dates from June 3, 1959;

The Point of Diversion is located

in the NE 1/4, SE 1/4, Sec. 13, T. 15 N., R. 24 E., B. M. Cassia County

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 1.63 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.	24 E.	13	NE 1/4	40	21
		24	SE 1/4	40	14
			NE 1/4	40	22
			SE 1/4	40	18
			NE 1/4	40	23
			SE 1/4	40	12
Total number of acres to be irrigated:					110

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 State Reclamation Engineer, affixed at Elba, Idaho, this 9th day of November, 1964.

(SEAL) /s/ RALPH W. THOMAS
Deputy State Reclamation Engineer



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

August 9, 2002

Steve Ward
2850 S Narrows Road
Malta, Idaho 83342

RE: Snake River Basin Adjudication (SRBA)
43-2474 Amendment of Claim

Dear Steve,

Here is the Standard Form 4 you need to fill out, a copy of claim 43-2474 as amended, another copy of the GIS layout showing both wells and the 110 acres that are now included on the claim and a copy of the original license. You will want to send the Form, the signed amended claim and a check for \$27.00 made out to IDWR to the SRBA Court at PO Box 2707, Twin Falls, Idaho, 83303. The GIS layout and license may assist you in documenting the amended place of use.

In your letter of request to the Court to accept this amended claim, our IDWR attorney suggests that you ask that the court consider your request to amend at the same time they consider your request to set aside the partial decree on September 3rd.

As we previously discussed, the necessary changes to the Notice of Claim are the increase of acres to 110 per the original license and the inclusion of the second well located in T24S, R25E, Section 19 NWSWNW. If use of this well to supplement diversion from the north well began prior to 1987, it can be included in the water right as an "accomplished transfer" under Idaho Code 42-1425. Please review the amended claim with your father and have him sign before a notary.

The Standard Form 4 I sent has a dual purpose, so please be sure to complete the section designated for a *Motion to File an Amended Notice of Claim*. Your father will also need to have this form notarized.

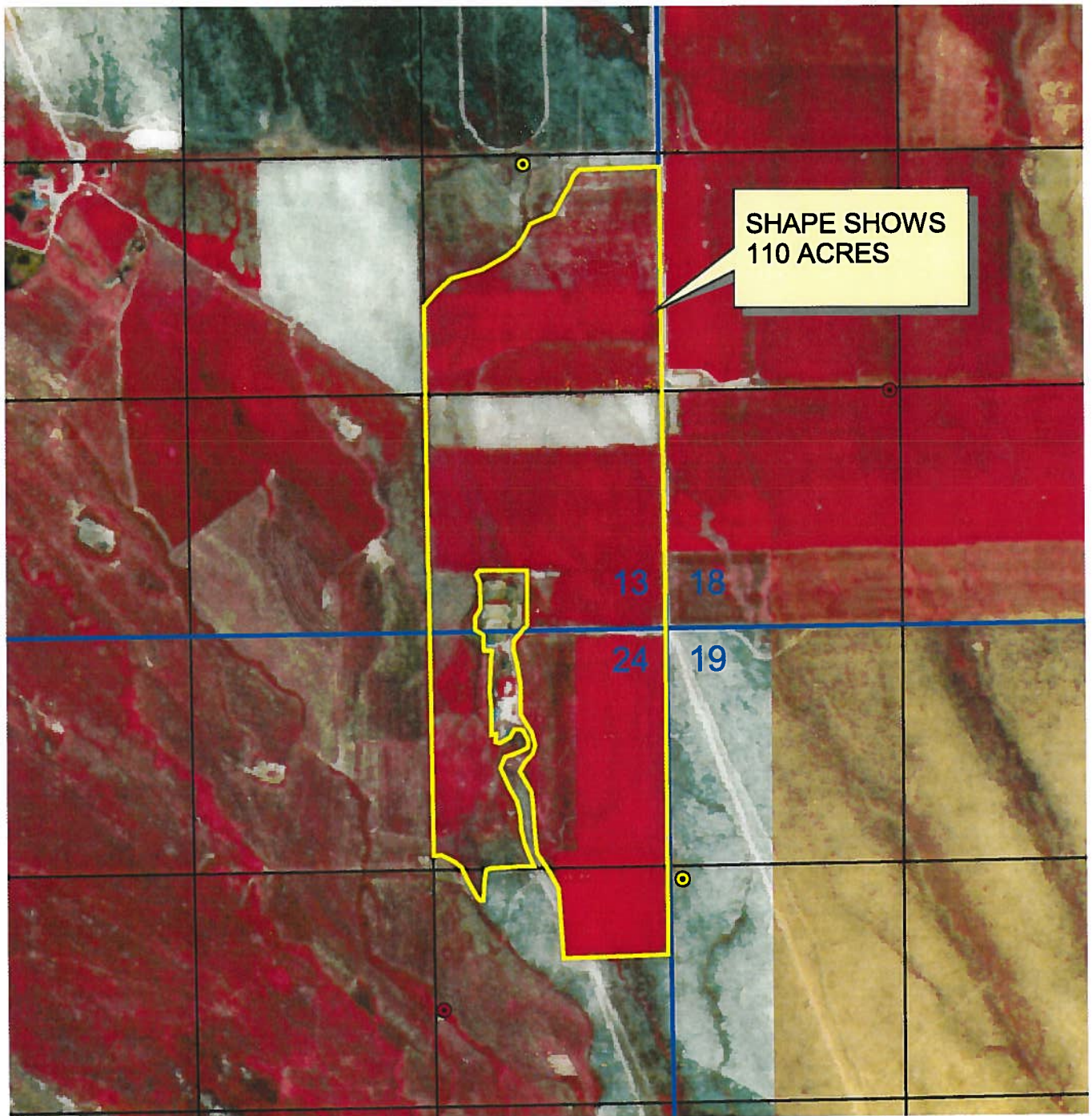
If you have any questions give me a call.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Southern Regional Office, Twin Falls

43-2474

TOWNSHIP 15S
RNG 24E II RNG 25E



● WELL

SECTION LINE

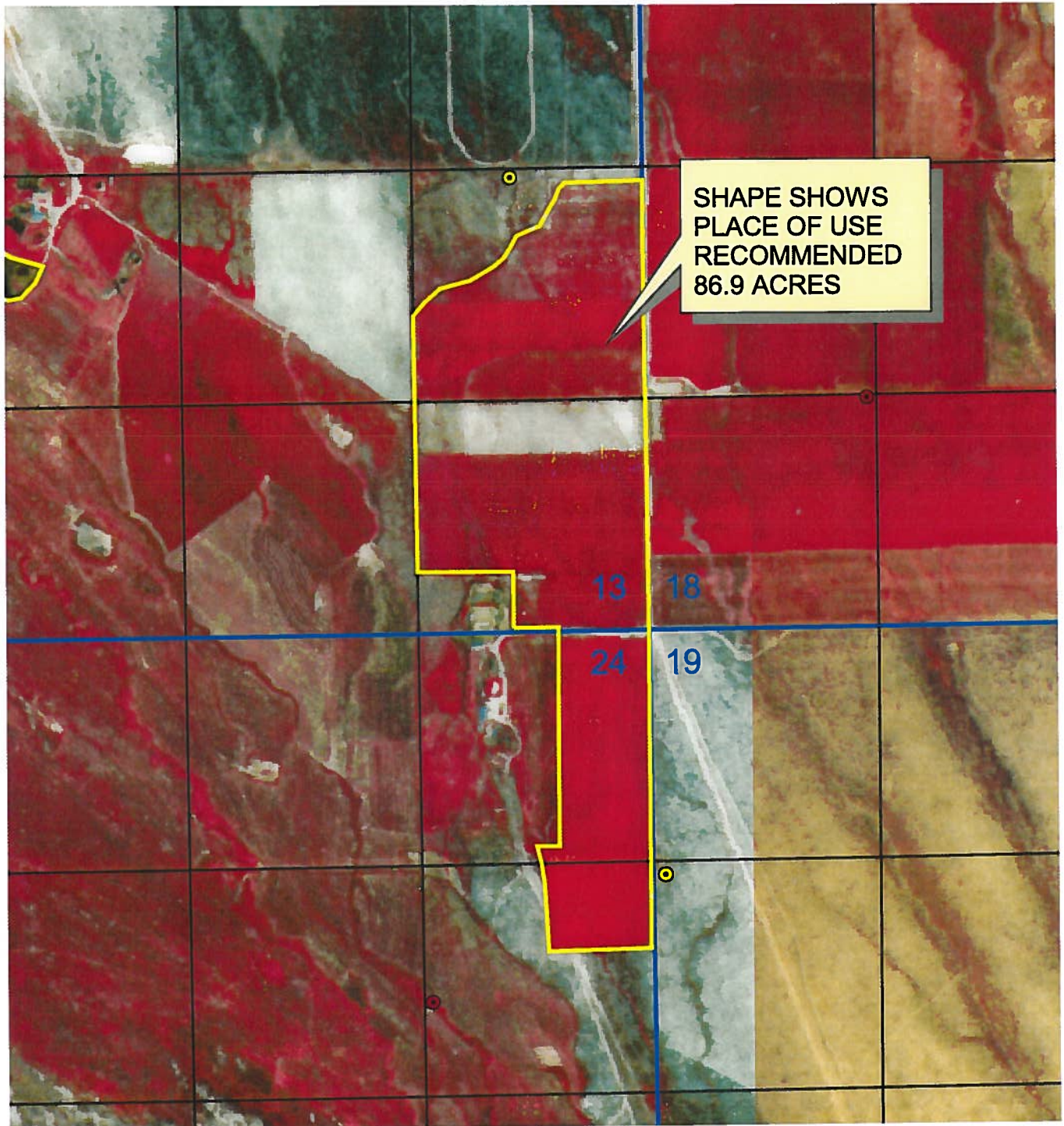
QUARTER SECTION LINE



PREPARED BY V HANOCK
IDWR
07/03/2002

43-2474

TOWNSHIP 15S
RNG 24E II RNG 25E



● WELL

SECTION LINE

QUARTER SECTION LINE



PREPARED BY V HANOCK
IDWR
07/03/2002

RECEIVED

JUL 19 2002

Department of Water Resources

2002 JUL 17 PM 12:16

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

)
) Subcase(s): 43-2474
)
) ORDER OF REFERENCE TO SPECIAL
) MASTER TERRENCE A. DOLAN

On July 17, 2002, this Court received correspondence regarding the above-captioned water right claim(s). A copy of the correspondence is attached to this *Order*. The original of the correspondence was file stamped, docketed as received, and lodged in the subcase file(s). Where the water right claim(s) was/were previously uncontested, a subcase file was created for the correspondence. Where a partial decree(s) was/were previously entered for the water right claim(s), the partial decree(s) was/were also included in the subcase file.

THE FOLLOWING ARE HEREBY ORDERED:

1. That TERRENCE A. DOLAN is appointed Special Master to preside over the above-captioned water right claim(s) for the following purposes:

- a. To determine the intended purpose of the correspondence and the legal significance of the correspondence, if any. For example, the Special Master may determine whether the correspondence constitutes a motion to correct a clerical error pursuant to I.R.C.P. 60(a), or a motion to set aside a partial decree pursuant to I.R.C.P. 60(b), etc.;
- b. To determine whether the correspondence complies with *SRBA Administrative Order 1 (AO1)* and the Idaho Rules of Civil Procedure or whether additional time should be granted to allow the party to file an appropriate motion with the Special Master and/or to obtain counsel in the matter; whether the matter should be

dismissed on its face; or to determine whether the matter would be more appropriately processed administratively through the Idaho Department of Water Resources;

c. If the correspondence is ultimately deemed a sufficient motion, or in the event a new motion is filed in compliance with the applicable rule(s), the Special Master shall conduct all proceedings necessary to issue a recommendation as to the underlying merits. For example, if the Special Master concludes a partial decree should be set aside or amended, the recommendation should not only include that the partial decree be amended or set aside, but should also include how the elements of the water right should be partially decreed.

2. The original of this *Order* shall be placed in the subcase file and the file transferred to the Special Master for proceedings consistent with this *Order*.

3. The Special Master shall issue a *Special Master's Report and Recommendation* on the matter consistent with *AOI*.

IT IS SO ORDERED.

DATED July 17, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER OF REFERENCE TO SPECIAL MASTER TERRENCE A. DOLAN** was mailed on July 17, 2002, with sufficient first-class postage to the following:

Robert Ward
c/o Steve R. Ward
PO Box 1580
Elba, ID 83326

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449


Deputy Clerk

702

July 15, 2002

Steve R. Ward
2850 South Narrows Rd.
Res: (208) 824-5575
Off: (208) 436-1111

702 JUL 17 AM 9:04
DISTRICT COURT-SRBA
TWIN FALLS CO IDAHO
FILED RAJA

Clerk Of The Court
PO Box 2707
Twin Falls, ID 83303-2707

Clerk Of The Court,

I, Steve Ward, of Almo, Idaho, would like to petition to set aside the Partial Decree done on June 28, 2002, #43-2474.

My father's, Robert Ward's place, was originally licensed for 110 acres with 1.63 F.G.S. on June 3, 1959, when his father, Wesley Ward, owned it.

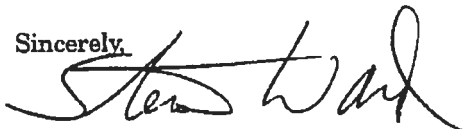
In 1989, my dad filed a claim on only 60 acres of the 110 he was licensed for. In November, 2000, Vickie Hancock called my dad to inquire why only 60 acres. According to aerial maps, it showed more irrigation, and they changed it to 86.9.

After talking with my father, I see that he clearly misunderstood what was going on, and that he needed to claim and file on the 110 acres. He was thinking only of the acres under sprinklers. He did not understand he should have filed on all the ground we use and irrigate, and always have, depending on the year and the amount of water available.

Through working with Vickie on another matter, we discovered this problem. I believe we fall under the IRCP Rule 60A, by my father neglecting to report the correct amount of land we now farm, due to his lack of understanding exactly what he was reporting. I am now leasing the ranch from my father and would like to have the entire 110 acres under decree.

Thank you for your help on this matter.

Sincerely,



Steve R. Ward

SRBA

SUBCASE SUMMARY REPORT 43-02474

[Return to SRBA Home Page](#)

SRBA
07-08-2002

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 43-02474 FILE#: 00000
CLAIMANT: WARD, NANCY
 BOX 1580

ELBA ID 83326
STATUS: PD ISSUED SPECIAL MASTER:
WATER SOURCE: GROUND WATER,

****** PARTIES INVOLVED ******

NANCY WARD	C PRO SE
ROBERT W WARD	C PRO SE

****** ROA ENTRIES ******

06-28-2002 PARTIAL DECREE FILED

06-28-2002

[Return to SRBA Home Page](#)

01/25/2001

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

RIGHT NUMBER: 43-2474
NAME AND ADDRESS: NANCY WARD
ROBERT W WARD
BOX 1580
ELBA, ID 83326

SOURCE: GROUND WATER

QUANTITY: 1.63 CFS
348 AFY

PRIORITY DATE: 06/03/1959

POINT OF DIVERSION: T15S R24E S13 NWNESE 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	1.63 CFS 348.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T15S R24E S13	NESE	29	T15S R24E S13 SESE 35
T15S R24E S24	NENE	16	T15S R24E S24 SENE 6.9

86.9 ACRES TOTAL

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 PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

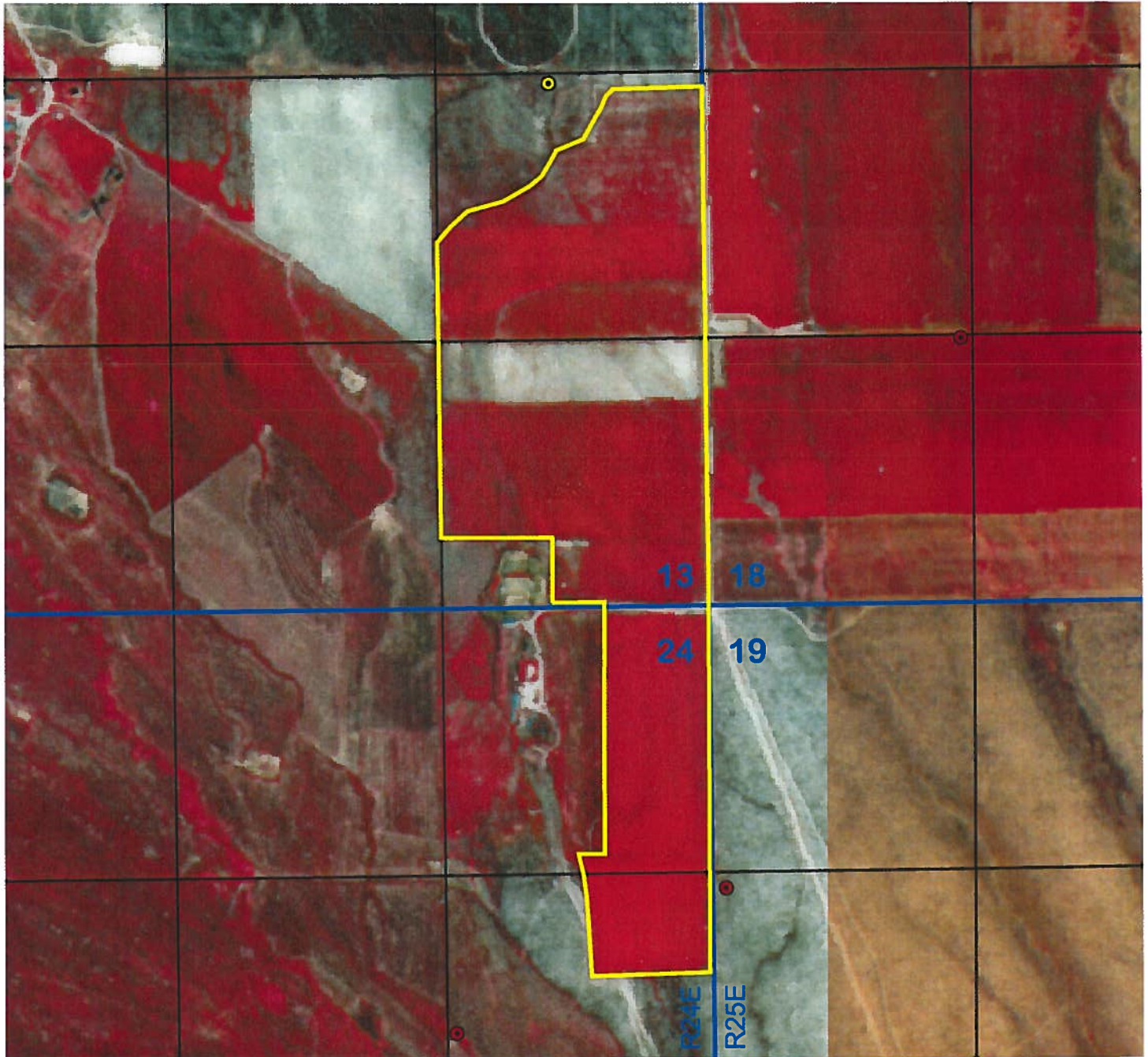
Superseded 7/02

Water Right 43-2474

Idaho Department of Water Resources

RIGHT: 43-2474

RECOMMENDED PLACE OF USE
TWP 15S, RNG 24E,
TWP 15S, RNG 25E,
Data entry on January 24, 2001



● RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES



Superseded 9/27/02

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

DIVERSION
VOLUME

150.00 AFA

Stage: ~~LICENSE~~

CASSIA County

50.0

Boys = 43

Ord Lic for 110 ac. Balance 3 acrt not claimed in SE 8th.
Set file

$87ac \times 4 = 348ab$
 ~~$348ab$~~
 ~~$87ac$~~
 $?$

RECOMMENDATION NOTES

From: Vikie Hancock

1/3/01

Regarding: 43-2474 and 43-4241

43-2474 is a claim based upon a 1959 groundwater license for 1.63 cfs on 110 acres. The claimant, Mr. Robert Ward, originally filed this SRBA claim for a total of 60 acres, all in section 13, T15S, R24E. A subsequent conversation with Mr. Ward determined that, although he does not currently irrigate the entire 110 acres licensed, he does periodically irrigate additional acres in Section 24 that were originally included in the license. These acres are apparent in 1987 NAPP aerial photography. Mr. Ward amended his claim to include these acres. He further stated that most of what he has under sprinkler irrigation is in section 13, and that is why he included only those acres in his claim dated May of 1989. By claiming at least 81.5 acres, Mr. Ward would not be subject to any decrease in licensed diversion rate at this time. Note, however, that in our phone conversation of 11-20-2000, Mr. Ward indicated that he may no longer have the capacity to divert the entire licensed right.

43-04241 is a claim on 50 acres for 3.6 cfs of waste water that flows onto Mr. Ward's property from land currently owned by R.O. Jones and Son (Gary Jones). This SRBA claim is based upon a statutory claim filed by Mr. Ward in 1985 for 3.6 cfs on 180 acres. At the time of filing, this claim was protested by R.O. Jones and son.

It is documented that use of wastewater began at least by 1939, possibly as early as 1910. A statutory claim number 43-4019 for wastewater, which was filed in 1970 and overlapped land included in the 1985 stat claim 43-4241, was not claimed in the SRBA. Neither was statutory claim 43-4068 filed in 1977 on the same place of use, and which listed a source of Tater Creek. Both statutory claim 43-4019 for wastewater and 43-4068 on Tater Creek were protested at the time of filing.

It appears from 1987 NAPP aerial photography that the 50 acres claimed is an accurate description of the number of acres irrigated from wastewater. One inch per acre, or 1.0 cfs, would be the allowed diversion rate.



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 20, 2000

Robert and Nancy Ward
Box 1580
Elba, Idaho 83326

RE: Snake River Basin Adjudication (SRBA)
Claim No.: 43-2474

Dear Mr. and Mrs. Ward,

Enclosed please find an aerial photo display that shows the irrigated acreage that was not included in your original claim filing. I calculated the area to be 23 acres. If this looks correct to you, just sign and notarize the form and send it back along with your check for \$23.00.

It also shows the acres and points of diversion that were included on your claim number 43-4241 for wastewater from Almo and Edwards creeks. If there needs to be a third diversion included on your claim, let me know.

Like you said, if you have any questions, just give me a call.

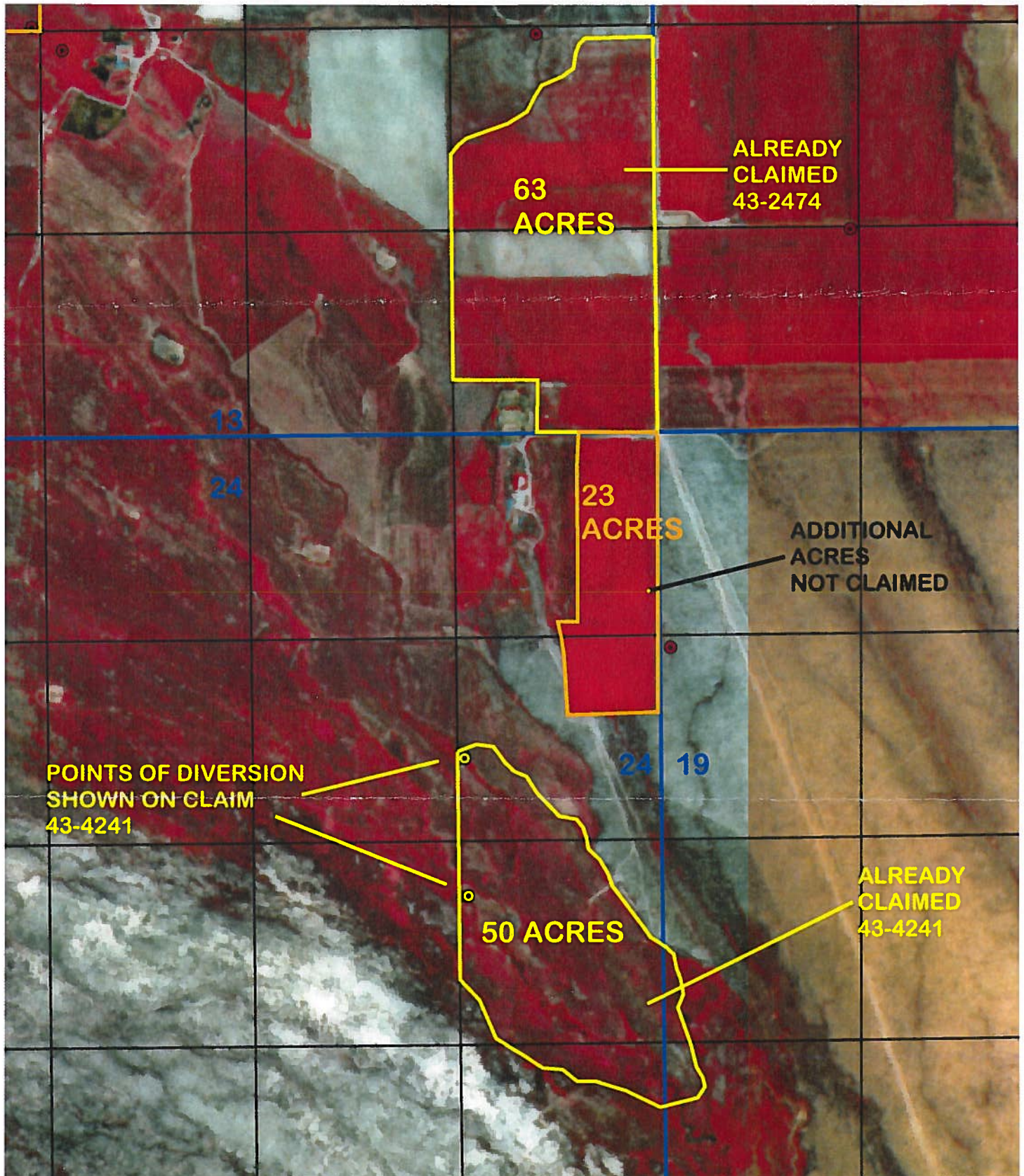
Sincerely,

Vikie Hancock
Sr. Water Resource Agent

FILE NOTES

ROBERT WARD

TWP 15S RNG 24E



V. HANCOCK

1987 NAPP AERIAL PHOTOGRAPHY

CONVERSATION MEMO

Date: 11-20-2000

Regarding:

43-2474

Customer:

Robert Ward

From: Vikie Hancock

I called Mr. Ward to discuss that I had found irrigated acres that were not covered under any of his AJ claims. This concerned acres (approx 23) in the NENE and SENE Section 24.

Mr. Ward returned my call and we talked about the old license being for 110 acres, and that his claim based upon the license was only for the roughly 60 acres in the E $\frac{1}{2}$ SE $\frac{1}{4}$ of section 13. He said that the acres in section 13 were just about all he consistently irrigated out of the well nowadays, and that was under sprinkler line. I asked if that was because the well did not produce enough water, and he said that was a problem sometimes, and that the re-drilling had not significantly helped.

I told him that it appeared in the 1987 aerial photo that the 25 or so acres in section 24 that were located south of his driveway were pretty well irrigated at that time, and that these acres were included in the original license. He said that, yes, it was flood irrigated whenever it was a good water year. I informed him that he could probably include those acres in his claim if he irrigated them periodically, and was willing to pay another \$1.00 an acre. He said he didn't want to give up his right to irrigate them when he could.

I told him that I would send him an aerial photo layout to look at and an amended claim form to sign if he decided to increase the acres claimed. There was also some discussion of the points of diversion for his waste water claim 43-4241 so I included them as claimed on the layout.

Amended claim and layout sent this date.

WELL DRILLER'S REPORT

RECEIVED

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well. JU

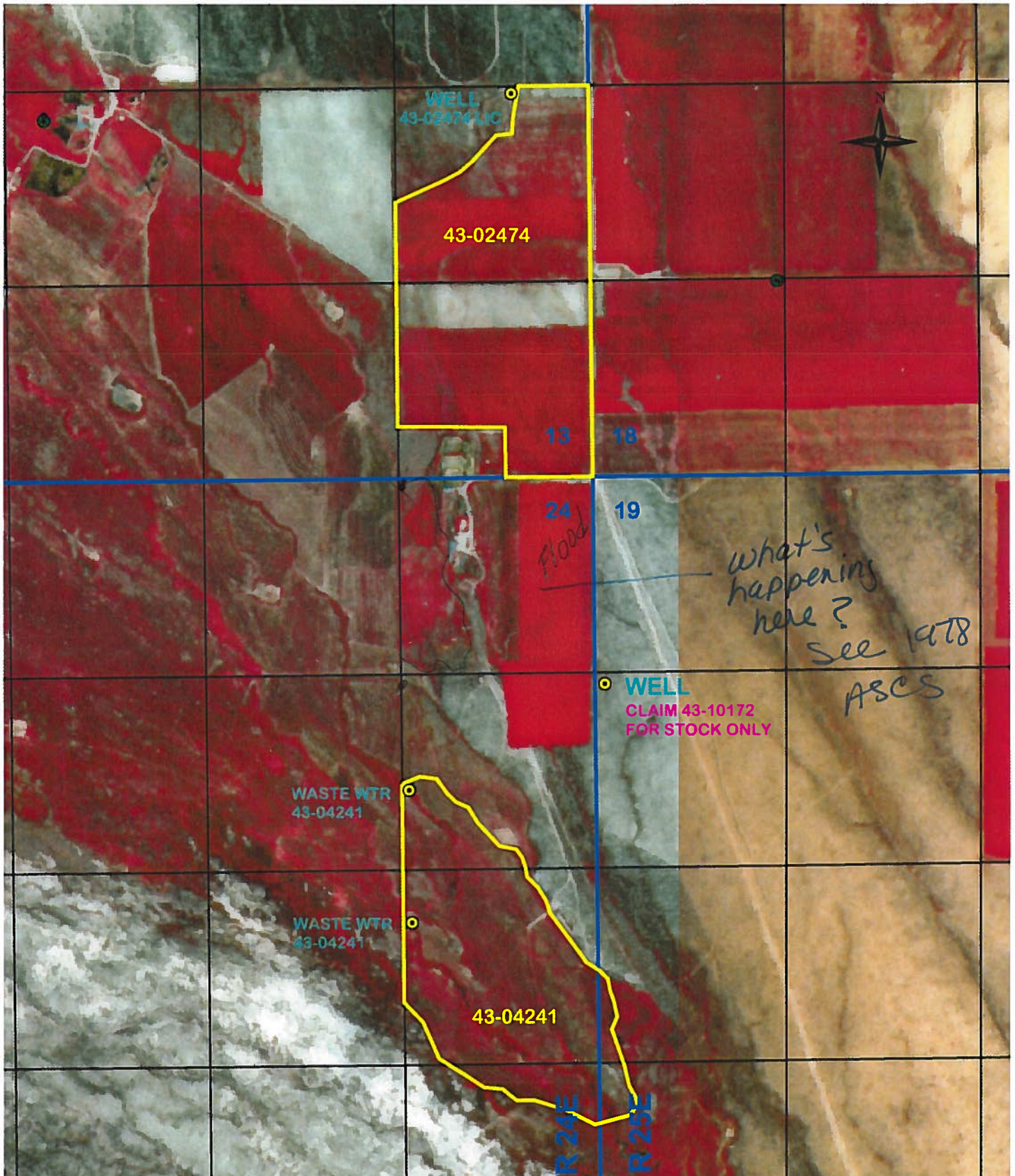
JUL 27 1990

1. WELL OWNER Name <u>Robert Ward</u> Address <u>Almo Idaho</u> Owner's Permit No. <u>43-88-2-02</u> ^{OK} <u>43-2474</u>	7. WATER LEVEL Department of Water Resources Southern Region Office Static water level <u>26</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>56</u> °F. Quality <u>Good</u> <i>Describe artesian or temperature zones below.</i>																																																																																																																
2. NATURE OF WORK ☐ New well ☐ Deepened ☒ Replacement ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)	8. WELL TEST DATA ☒ Pump ☐ Bailer ☐ Air ☐ Other _____ <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> <tr> <td><u>115</u></td> <td><u>300</u></td> <td><u>3</u></td> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped	<u>115</u>	<u>300</u>	<u>3</u>																																																																																																										
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3. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Bore Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td><u>16</u></td> <td><u>0</u></td> <td><u>20</u></td> <td><u>Brown Clay with</u></td> <td></td> <td>☒</td> </tr> <tr> <td></td> <td></td> <td></td> <td><u>Sand and Gravel</u></td> <td></td> <td></td> </tr> <tr> <td><u>14</u></td> <td><u>20</u></td> <td><u>52</u></td> <td><u>Quartzite Boulders</u></td> <td>☒</td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td><u>with Clay</u></td> <td></td> <td></td> </tr> <tr> <td><u>14</u></td> <td><u>52</u></td> <td><u>62</u></td> <td><u>Clay + Gravel</u></td> <td></td> <td>☒</td> </tr> <tr> <td><u>14</u></td> <td><u>62</u></td> <td><u>127</u></td> <td><u>Quartzite Boulders with</u></td> <td></td> <td>☒</td> </tr> <tr> <td><u>14</u></td> <td><u>127</u></td> <td><u>234</u></td> <td><u>Brown Clay with</u></td> <td></td> <td>☒</td> </tr> <tr> <td></td> <td></td> <td></td> <td><u>Quartzite Sand and</u></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td><u>Gravel with Cobble Mix</u></td> <td>☒</td> <td></td> </tr> <tr> <td><u>14</u></td> <td><u>234</u></td> <td><u>237</u></td> <td><u>Sticky Grey Clay</u></td> <td></td> <td>☒</td> </tr> <tr> <td><u>14</u></td> <td><u>237</u></td> <td><u>285</u></td> <td><u>Grey Ash with Some</u></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td><u>granite and latite gravel</u></td> <td>☒</td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td><u>Mix</u></td> <td></td> <td></td> </tr> <tr> <td><u>14</u></td> <td><u>285</u></td> <td><u>372</u></td> <td><u>Fine grey Ash with</u></td> <td></td> <td>☒</td> </tr> <tr> <td></td> <td></td> <td></td> <td><u>layers of clay</u></td> <td></td> <td></td> </tr> <tr> <td><u>14</u></td> <td><u>372</u></td> <td><u>400</u></td> <td><u>Grey Clay with layers</u></td> <td></td> <td>☒</td> </tr> <tr> <td></td> <td></td> <td></td> <td><u>of Sandstone</u></td> <td></td> <td>☒</td> </tr> </tbody> </table>	Bore Diam.	Depth		Material	Water		From	To	Yes	No	<u>16</u>	<u>0</u>	<u>20</u>	<u>Brown Clay with</u>		☒				<u>Sand and Gravel</u>			<u>14</u>	<u>20</u>	<u>52</u>	<u>Quartzite Boulders</u>	☒					<u>with Clay</u>			<u>14</u>	<u>52</u>	<u>62</u>	<u>Clay + Gravel</u>		☒	<u>14</u>	<u>62</u>	<u>127</u>	<u>Quartzite Boulders with</u>		☒	<u>14</u>	<u>127</u>	<u>234</u>	<u>Brown Clay with</u>		☒				<u>Quartzite Sand and</u>						<u>Gravel with Cobble Mix</u>	☒		<u>14</u>	<u>234</u>	<u>237</u>	<u>Sticky Grey Clay</u>		☒	<u>14</u>	<u>237</u>	<u>285</u>	<u>Grey Ash with Some</u>						<u>granite and latite gravel</u>	☒					<u>Mix</u>			<u>14</u>	<u>285</u>	<u>372</u>	<u>Fine grey Ash with</u>		☒				<u>layers of clay</u>			<u>14</u>	<u>372</u>	<u>400</u>	<u>Grey Clay with layers</u>		☒				<u>of Sandstone</u>		☒
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			<u>of Sandstone</u>		☒																																																																																																												
4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other _____																																																																																																																	
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>0.265</u> inches</td> <td><u>14</u> inches</td> <td><u>1</u> feet</td> <td><u>240</u> feet</td> </tr> <tr> <td><u>0.264</u> inches</td> <td><u>12</u> inches</td> <td><u>230</u> feet</td> <td><u>346</u> feet</td> </tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☒ Yes ☐ No How perforated? ☐ Factory ☒ Knife ☒ Torch Size of perforation <u>3/8</u> inches by <u>6</u> inches <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>250</u> perforations</td> <td><u>20</u> feet</td> <td><u>240</u> feet</td> </tr> <tr> <td><u>200</u> perforations</td> <td><u>235</u> feet</td> <td><u>346</u> feet</td> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>20</u> Material used in seal: ☐ Cement grout ☐ Bentonite ☒ Puddling clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☒ Temp. surface casing ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld Describe access port ☐ Cemented between strata <u>Thru Casing</u>	Thickness	Diameter	From	To	<u>0.265</u> inches	<u>14</u> inches	<u>1</u> feet	<u>240</u> feet	<u>0.264</u> inches	<u>12</u> inches	<u>230</u> feet	<u>346</u> feet													Number	From	To	<u>250</u> perforations	<u>20</u> feet	<u>240</u> feet	<u>200</u> perforations	<u>235</u> feet	<u>346</u> feet																																																																																
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6. LOCATION OF WELL Sketch map location <u>must</u> agree with written location. N <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">W</td> <td style="width: 25%; text-align: center;">13</td> <td style="width: 25%; text-align: center;">•</td> <td style="width: 25%;">E</td> </tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </table> S County <u>Cassia</u> Subdivision Name <u>Ward Ranch</u> Lot No. _____ Block No. _____ <u>NE 1/4 SE 1/4 Sec. 13, T. 15 N. R. 24 E.</u>	W	13	•	E													10. Work started <u>1/2/89</u> finished <u>5/10/90</u>																																																																																																
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11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Stan Lloyd Drilling</u> Firm No. <u>294</u> Address <u>Elba, ID.</u> Date <u>5/21/90</u> Signed by (Firm Official) <u>Stan Lloyd</u> and (Operator) _____																																																																																																																	

FIELD NOTES

CLAIM NO(S): A43-04241, 43-02474

TWP 15S ,RNG 24E, SEC 24
TWP 15S, RNG 25E, SEC 19



V HANCOCK

Date: AS CLAIMED

1987/1988 NAPP PHOTOGRAPHY

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1978 ASCS P34
Robert Ward

State of Idaho
License and Certificate of Water Right

Water License No. G-28028

Amount 1.63 c.f.s.

Water District No. _____

Priority June 3, 1959

THIS IS TO CERTIFY that WESLEY B. WARD
of Elba, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 3, 19 59; that Permit No. G-28028
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.63 second feet, was issued thereunder on November 9, 19 64, showing that said works
were completed on the 1st day of May, 19 64; and that on the 1st
day of May, 19 64,

WESLEY B. WARD

of Elba, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
a tributary of subterranean flow, for the purpose of irrigation and
domestic use, under Use Permit No. G-28028 of the Department of Reclamation
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 Reclamation Engineer of Idaho and entered of record in Volume
13 of Licenses at page 8047, on the 9 day of November, 19 64;
The right hereby confirmed dates from June 3, 19 59;
The Point of Diversion is located

in the NE 1/4 SE 1/4, Sec. 13, Tp. 15 S., R. 24 E., B. M. Cassia County

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 1.63 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.	24 E.	13	NE 1/4 SE 1/4	40	21
			SE 1/4 SE 1/4	40	14
		24	NE 1/4 NE 1/4	40	22
			SE 1/4 NE 1/4	40	18
			NE 1/4 SE 1/4	40	23
			SE 1/4 SE 1/4	40	12
			Total number of acres to be irrigated:		110

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 State Reclamation Engineer, affixed at Boise, Idaho, this
9th day of November, 19 64.

(SEAL)

/s/ RALEPH W. THOMAS
Deputy State Reclamation Engineer.

43-02474

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-28028

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant Wesley B. Ward
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the N²SE² of Section 13
T. 15S R. 24E E.B.M. County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: 50 HP US Motor #263790, Layard Bruck Pump (16. Number Plate on pump) 8" x 10' discharge pipe into concrete spillway to open ditch.
5. Water is used for: irrigation and domestic
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions 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 other than irrigation):

E¹SE¹ Sec. 13., E¹SE¹, E¹SE¹ Sec. 21., all in Twp. 15 S., Rge. 24 E.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Robert Ward along.

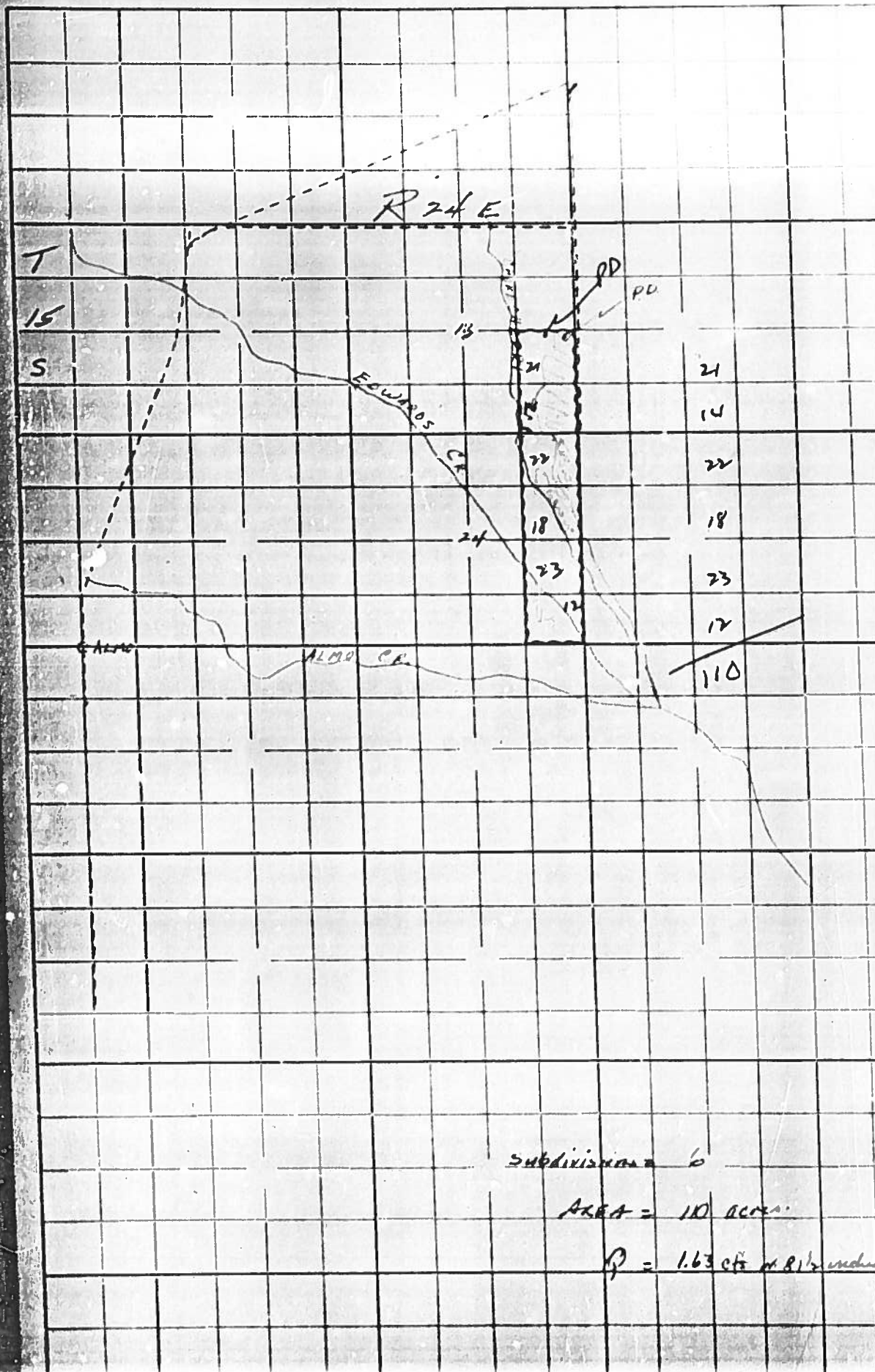
Send assignment forms so Robert can get license in his name.

Measured by Spouting Meter. 3 Rev 3 min. 2 sec. = 1.63 cfs

This examination was made on the 28th day of June 1964

(Signed)

Lloyd Johnson & Alta Hays
Engineers



Form 17A
1-5 M 7-31-62

RECEIVED
MAY 11 1964

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G-28028

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
AND COMPLETION OF WORKS

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case

Ques. 1. State your name, age, residence, occupation and postoffice address:

W Lloyd Knight, Age 59, Alma, Idaho, Rancher

Ques. 2. Are you acquainted with Wesley E Ward, the holder of
Permit No. G-28028? How long have you known him and where does he reside:

17 Years, Elba, Idaho

Ques. 3. Have you read or heard said Permit No. G-28028 read, and are you familiar
with its provisions and conditions: Yes: yes No:

Ques. 4. State source of water supply: Well

State place of diversion: N E 1/4 of SE 1/4 Sec 13, Twp 15 S Range 24 E B M, Cassia Co., Idaho
Describe works for conveying water to place of use: Head Box and Ditch and Reservoir

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 2 Second Feet How much water have you seen being so
conveyed: 2 Second Feet

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

NE 1/4 of SE 1/4 Sec 13, Twp 15 S Range 24 E B M, Cassia County, Idaho

100 acres

SE 1/4 of SE 1/4 Sec 13, Twp 15 S Range 24, also E 1/2 of NE 1/4, NW 1/4
of Sec 24, Twp 15, Range 24 E B M, Cassia County, Idaho.

28028

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Dean Rogers, who is now in Arizona, Clarence Bishop, 732 west 20th, Burley, Ida.

Ques. 7. If for other than irrigation purposes, state purpose and how used:

Irrigation and Livestock

Ques. 8. What is the minimum amount of water required for the purpose specified above:

2 Second Feet

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: 1959 Time used since first use:

Each year.

Ques. 11. Describe all other water rights appurtenant to same place of use:

Edwards Creek and Almo Creek, Cassia County, Idaho

(sign) Nesley Blward

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Burley, County of Cassia
State of Idaho, on this 1st day of May, A.D. 1964.

Poland E. Bateman

My Commission expires: 4-10-68