

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: **A43-04110**
Date Received: 5/30/1989
Receipt No: M003762
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

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

2. Date of Priority: AUG 6, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	25E	7	NE	SW			CASSIA

5. Description of diverting works:
WELL 350' DEEP, 6" CASING, 60 HP PUMP, MAINLINE, HANDLINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is 451.9 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER/ 200 HEAD CATTLE

Section Acres 80.0

Date: 08/25/92

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

25-Aug-1992 08:37

Vaudis Ward, Clark Ward & Sara Jane Ward
HC 61 Box 1560
Elba, ID 83326

RE: Amendment of SRBA Claim A43-04110

Dear Claimant(s):

Pursuant to the approval of Transfer No. 3903 your above referenced Notice of Claim(s) in the Snake River Basin Adjudication (has/have) been amended to conform with the transfer. Please find enclosed a printout of the way the claim record has been modified. Please look the modified record over carefully to be sure it correctly reflects your intended change. If you have questions please feel free to contact this office.

Sincerely

A handwritten signature in cursive script, appearing to read 'Allen Merritt'.

Allen Merritt, P.E.
Water Right Supervisor

Encl:

MICROFILMED
MAR 04 1993

RECEIVED

STATE OF IDAHO

JUL 09 1992

Transfer No. 3903

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

Southern Region Office

APPLICATION FOR TRANSFER OF WATER RIGHT

FEB 07 1992

PART 1

Department of Water Resources

Southern Region Office

Name of applicant Vaudis Ward or Clark Ward or Sara-Jane Ward Phone 208-824-5560Post Office address HC 61 Box 1560 Elba, Id. 83326

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Sand problem in existing well.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>43-04110</u>	<u>8/6/1959</u>	<u>1.200</u>	<u>Irrigation</u>	<u>4/1</u> to <u>10/31</u> <u>sq</u>
<u>A43-01110</u>	<u>"</u>	<u>"</u>	<u>"</u>	<u>"</u> to <u>"</u>
<u>"</u>	<u>"</u>	<u>0.07</u>	<u>Stockwater</u>	<u>1-1</u> to <u>12-31</u>
				to _____

2. Total amount of water being transferred 1.200 cubic feet per second and/or _____ acre-feet per annum.3. Source of water ground water tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		<u>NE</u>	<u>SW</u>	<u>7</u>	<u>155</u>	<u>25E</u>	<u>Cassia</u>	<u>NEW WELL</u>

5. Lands irrigated or place of use: No Change

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>155</u>	<u>25E</u>	<u>7</u>									<u>40</u>								<u>40</u>
<u>155</u>	<u>25E</u>	<u>7</u>										<u>40</u>							<u>40</u>
<u>155</u>	<u>25E</u>	<u>18</u>						<u>40</u>											<u>40</u>

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MAR 04 1993

Total acres 80 120

PART 1

6. General Information:

a. Description of diversion system Well, Pump & Sprinkler Irrigation System

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
None

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-04110
And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 24th day of June, 19 92.

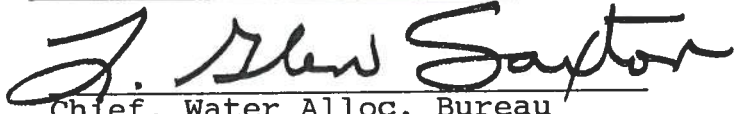
J. Glen Saylor
CHIEF, WATER ALLOC. BUREAU

MICROFILMED
MAR 14 1993

CONDITIONS OF APPROVAL
Transfer of Water Right No. 43-04110

1. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
2. If construction of the well under this right was not initiated prior to July 1, 1987, commencement of well construction or diversion of water under this right is prohibited unless a drilling permit is obtained from the Department.

Dated this 21st day of June, 1992.


Chief, Water Alloc. Bureau

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MAR 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 43-04110 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water ground water tributary to _____4. Date or priority 08/06/1959

5. Water is used for the following purpose:

amount 1.200 for irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: - well + Pump

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>3</u>		<u>NW</u>	<u>SW</u>	<u>7</u>	<u>15S</u>	<u>25E</u>	<u>Cassia</u>	<u>Gramp's Well</u>

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>15S</u>	<u>25E</u>	<u>7</u>									<u>40</u>								<u>40</u>
<u>15S</u>	<u>25E</u>	<u>7</u>										<u>40</u>							<u>40</u>
~~<u>15S</u>~~	~~<u>25E</u>~~	~~<u>18</u>~~							~~<u>40</u>~~										~~<u>40</u>~~

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MAR 14 1993

Total acres 80 ~~120~~

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

MICROFILMED
 MAR 04 1993

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A43-4110 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____4. Date or priority 8-6-1959

5. Water is used for the following purpose:

amount 1.2 cfs for Irrig. purposes from 4-1 to 11-1
(cfs/ac-ft)
amount 0.07 cfs for Stockwater purposes from 1-1 to 12-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.2 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>3</u>		<u>NW</u>	<u>SW</u>	<u>7</u>	<u>15S</u>	<u>25E</u>	<u>Cassia</u>	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals.
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>15S</u>	<u>25E</u>	<u>7</u>					<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>173</u> <u>40S</u>	<u>174</u> <u>40S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>80</u>
		<u>18</u>					<u>S</u>	<u>171</u> <u>40S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>40</u>
		<u>17</u>									<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>					

MICROFILMED

MAR 14 1993

Total acres 120

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____
MICROFILMED
MAR 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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MAR 04 1993

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 4th day of February, 19 92.

Mary A. Baldewin
(Notary Public)

My commission expires 10/16/1992

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 2 attachments

Received by J. F. [Signature] Date 2-4-92 Protest filed by _____

Prelim. check by [Signature] Fee \$50. 5014129 _____

Receipted by [Signature] Date 2-4-92 _____

Published in So. Op. Press Copies of protest forwarded by _____

Pub. dates 3/20 + 3/27/92 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

MICROFILMED

MAR 04 1993

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: A43-04110
Date Received: 5/30/1989
Receipt No: M003762
Received By: AS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: AUG 06, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	25E	7	NW	SW		3	CASSIA

5. Description of diverting works:
WELL 350' DEEP, 6" CASING, 60 HP PUMP, MAINLINE, HANDLINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is 451.9 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 200 HEAD CATTLE
A43-04110

Page 1

Date: 08/11/89

MICROFILMED
MAR 04 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	25E	7		NW		STOCK	
				SW		STOCK	
			NW	SW	3	IRR	40.0
			SW	SW	4	IRR	40.0
				SE		STOCK	
						Section Acres	80.0
		17		SW		STOCK	
		18		NW		STOCK	
			NW	NW		IRR	40.0
				SW		STOCK	
				SE		STOCK	
						Section Acres	40.0
						Total Acres	120.0

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:
A43-07112, A43-00407, A43-10291, A43-02044

14. Remarks:
SURFACE RIGHT ARE CONSTANTLY SUBJECT TO SHORTAGE. THEREFORE, WHATEVER WATER IS AVAILABLE FROM THE SURFACE WATER RIGHTS, IF SHORT, IS SUPPLEMENTED BY THE WELLS, AND USED INTERCHANGEABLY ON THE LANDS CLAIMED BY THIS NOTICE.

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
MAR 04 1995

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: M003762

COPY TO FILE A43-04110

6/26/89 AB

Date: 05/30/89
Time: 19:18:15

NUMBERS PUT ON RECEIPT
ORIGINAL ONLY HAD TOTAL \$

Received

From: O.U. RANCH/WARD, VAUDIS

Type of Payment	Program Acct Class	Amount
SNAKE RIVER BASIN GENERAL ADJUD. FEES	0410162 9337 6490	\$995.00
Total		\$995.00

CHECK 526

WR/NO: A43-07112 A43-10290 A43-00419 A43-10291 A43-04110
A43-10292 A43-00407 A43-10293 A43-02044

Idaho Department of Water Resources

Region: MOBILE I

Signature: _____

MICROFILMED
MAR 04 1993

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
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ACQUIRED UNDER STATE LAW

1. Name: VAUDIS WARD 208-824-5560
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4. Point of Diversion:

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15S	25E	7	NW	SW		3	CASSIA

5. Description of diverting works:
WELL 350' DEEP, 6" CASING, 60 HP PUMP, MAINLINE, HANDLINES.

6. Water is used for the following purposes:

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IRRIGATION	04/01	11/01	1.200		
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is 451.9 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 200 HEAD CATTLE

A43-04110

Page 1

Date: 06/01/89

MICROFILMED
MAR 04 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	25E	7		NW		STOCK	
				SW		STOCK	
			NW	SW	3	IRR	40.0
			SW	SW	4	IRR	40.0
				SE		STOCK	
			Section Acres				80.0
		17		SW		STOCK	
		18		NW		STOCK	
			NW	NW		IRR	40.0
				SW		STOCK	
				SE		STOCK	
			Section Acres				40.0
			Total Acres				120.0

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:
A43-07112, A43-00407, A43-10291, A43-02044

14. Remarks:
SURFACE RIGHT ARE CONSTANTLY SUBJECT TO SHORTAGE. THEREFORE, WHATEVER WATER IS AVAILABLE FROM THE SURFACE WATER RIGHTS, IF SHORT, IS SUPPLEMENTED BY THE WELLS, AND USED INTERCHANGEABLY ON THE LANDS CLAIMED BY THIS NOTICE.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

13098

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 443-04110Date Received 5-30-89Receipt Number MO03762

RECEIVED
MAY 30 1989

**NOTICE OF CLAIM
TO A**

Department of Water Resources

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

Clark W. Ward or,Sara Jane Ward or,1. Name of Claimant (s) Vaudis J. Ward, a widow

208 824-5560
208 824-5560
Phone (208) 824-5559

Mailing Address HC 61, Box 1560, Elba, IdahoZip 833262. Date of Priority (Only one (1) per claim) August 6, 19593. Source of water supply (a) groundwater

which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 15S Range 25E Section 7,1/4 of NW 1/4 of SW 1/4, Govt. Lot, B.M., County of Cassia

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well is 350' deep with 6" pipe, cased the full depth, 60 h.p motor and pump, switch panel, mainline, handlines, and sprinklers.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 1.20 or _____

For Stockwatering purposes from 1-1 to 12-31 amount 0.070 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.27 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 451.90 acre feet per annum for this and other claim for this land.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 200 head of cattle

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
15S	25E	7							S	S	S	S	S	S	S	S	S	S	80
15S	25E	18							S	S	S	S			S	S	S	S	40
15S	25E	17									S	S	S	S					
15S	25E	18													S	S	S	S	

Total number of acres irrigated 120

11. In which county (ies) are lands listed above as place of use located? Cassia

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

43-07112; 43-00401; The Big Spring; Savage Keg & Cliff; 43-02044 or None ()

14. Remarks:

All of the surface rights included within the rights described in paragraph 13 above are constantly subject to shortage. Therefore, whatever water is available from those surface rights, if short, is supplemented by the wells, and used interchangeably on the lands claimed in paragraph 13 above

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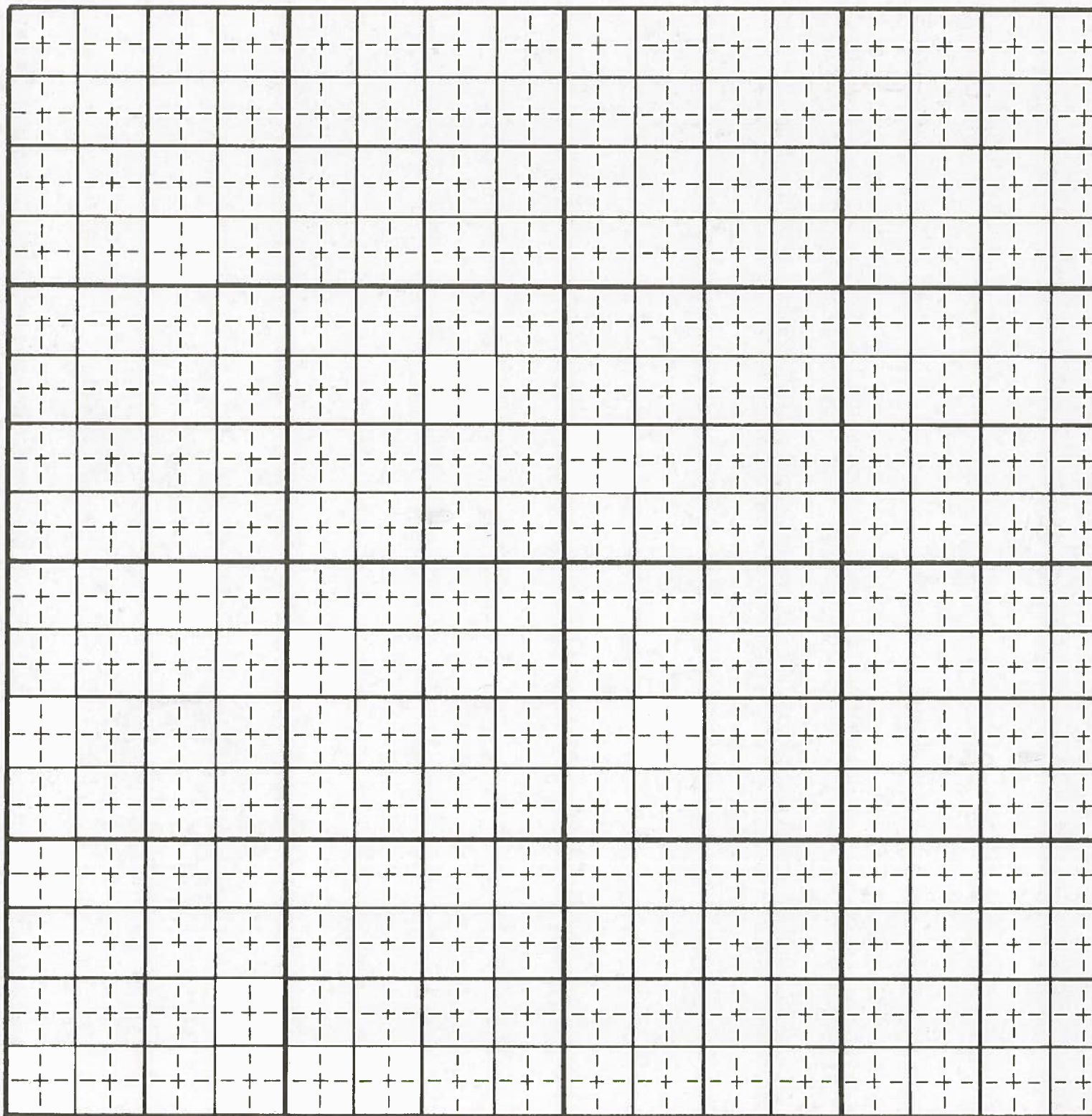
Last Name Ward Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

SEE ATTACHED MAP



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Last Name Ward Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 43-04110
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 2 (IDWR Water Right Report and map)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Clark W. Ward Date 5/24/89
Sara Jane Ward Date 5/24/89

Vander J. Ward Date 5/24/89

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 24th day of May 1989

SEAL

Notary Public Debra A. Keller

Residing at Rexburg, Idaho

My Commission Expires 11/15/93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Ray W. Rigby will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Ray W. Rigby

Address 25 N. 2nd E., Rexburg, Idaho 83440

Date 5/24/89

Last Name Ward Ident. Number _____

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Copies White-State, Yellow-Claimant

B & BOWLER PUMP COMPANY

LOS ANGELES 22, CALIFORNIA, MAILING ADDRESS: P. O. BOX 6991

SHIP TO •

18

TERMS: NET 30 DAYS

PUMP NO.

DATE

INVOICE NO.

8-6-59

103443

DESCRIPTION

UNIT PRICE

AMOUNT

(280')

talling, Rental, Repulling
enging and test well

350.00

290'

MICROFILMED

MAR 6 4 1953

ROUTING WITHIN FIVE DAYS, INTEREST CHARGED AT THE LEGAL RATE ON PAST DUE ACCOUNTS

WARD, O. W.
Elba, Idaho

Meter No. 30-41-038

Meter No.

Date In April 18, 1960 Date Out

Meter Reading 1114 Meter Reading

Date In Date Out

Meter Reading Meter Reading

MINIMUM 40 HP (10,000) X 10

METER READING	USED	NET CHARGE	METER CARD	PENALTY ARREARS	AMOUNT PAID	DATE	BALANCE DUE
Brought Forward							
JAN							
FEB.							
MARCH							
2428	1314*	1844				APR 29 60	11484
APRIL					11484	MAY 12 60	00
2428	2428*	1844				MAY 31 60	1844
MAY					1844	JUN 13 60	00
2428	2428*	1844				JUN 30 60	1844
JUNE					1844	JUL 15 60	00
2428	2428*	1844				JUL 31 60	1844
JULY					1844	AUG 15 60	00
1887	2234*	17404				AUG 31 60	17404
AUG.					17404	SEP 15 60	00
2489	602*	6020				SEP 30 60	6020
SEP					6020	OCT 17 60	00
2492	03*	30				OCT 30 60	30
OCT.					30	NOV 15 60	00
NOV.	Meter disconnected November 2, 1960 Reading 2492						
DEC.							

RECORDED
DEC 14 1960

AGREEMENT FOR ASSUMPTION OF OBLIGATION UNDER AGREEMENT FOR PURCHASE OF
POWER

WHEREAS, on the 1st day of April, 19 68,

Vaudis W. Ward and _____

~~husband and wife~~, did enter into a contract in writing as consumers with the Raft River Rural Electric Cooperative, Inc., as Seller, wherein and whereby the Seller did agree to sell and deliver to the Consumers upon the following described real estate in the County of Cassia, State of Idaho, to-wit:

SW $\frac{1}{4}$ Section 7, Township 15 S-uth, Range 25 East

of the Boise Meridian. And has a well on the NW $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 7

electrical energy up to 40/50 HP k.v.a. and the Consumers did agree to purchase from the Seller all electrical energy used for pumping water from the well or wells upon the 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 the said contract; and

WHEREAS, under and by virtue of the said contract the Consumers did covenant and agree to pay to the Seller for the electrical energy furnished at the rates and upon the terms and conditions set forth in schedule C which was thereto attached and by reference made a part thereof, and did therein agree that in the event that the Consumers use no electrical energy upon the said premises or the amount of electrical energy used by the Consumers during any irrigation season at the purchase price or prices shown on schedule C shall not equal \$ 400.00 to be paid during any irrigation season, then for the irrigation season of any year during the life of said 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 does not equal said minimum charge; and,

WHEREAS, the said contract further provided that bills for electrical energy furnished under the same should be paid by the Consumers to the Seller at its office at Malta, Idaho, monthly, within fifteen (15) days after the bill was mailed to the Consumers; that if the Consumers should fail to pay any such bill within such fifteen day period, the Seller might discontinue the service thereunder by giving to the Consumers ten (10) days notice in writing of its intention so to do; that the Consumers agreed that if, at any time, the rate under which the Seller purchased electrical energy at wholesale should be modified the Seller might make a corresponding modification in its rates for electrical energy furnished thereunder and if the rate to the Consumers be increased by such modification the Consumers should have the right to cancel the contract unless the Seller should elect to furnish the electrical energy at the rates specified in schedule C therein referred to; and

WHEREAS, the said contract further provides as follows,
to-wit:

"The Seller shall use reasonable diligence to provide a constant and uninterrupted supply of electrical energy. But if such supply shall fail, or be interrupted, or become defective, through the act of God, public enemy, by accident, strikes, labor troubles or the burning out of any transformer, generator, or other electrical equipment or for any other cause beyond the reasonable control of the Seller, the seller shall not be liable to the Consumer for any damage that he may sustain by reason of such interruption of service."

"The Consumer shall become a member of the Seller, shall pay the membership fee and be bound by the provisions of the Articles of Incorporation and provisions of the By-laws of the Seller and by such rules and regulations as may from time to time be adopted by the Seller."

"This agreement shall become effective on the date of its execution and shall remain in effect for a period of eight (8) years and thereafter until terminated by either party giving to the other four (4) months notice in writing of its or his desire to terminate the same."

"This contract shall be and constitute a covenant running with the above described real estate and shall be binding upon and enure to the benefit of the successors, assigns or legal representative of the respective parties hereto. Any assignee, grantee or successor in interest of the Consumer shall be required to comply with the terms and conditions of this contract and make the payments as specified and provided herein, not theretofore made by the Consumer." and,

WHEREAS, the parties hereto have purchased the real estate hereinabove described from the Purchasers named in and parties to the said contract for the purchase of electrical energy and are willing to and

desirous of assuming the obligations of the Purchasers named in said contract and of agreeing to perform the same.

NOW, THEREFORE, in consideration of the premises aforesaid and of the release by the Raft River Rural Electric Cooperative, Inc., of the obligations of the Purchasers named in and parties to the said original contract for the sale and purchase of electric energy, the parties hereto do hereby assume and agree to perform all of the terms and conditions of the said contract and to be bound thereby as fully and completely as though they had been parties to the said contract at the date of the making thereof.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals and executed this instrument this 24th day of June 19 77.

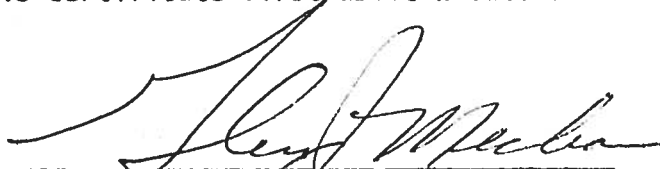
x Vaudis Ward (SEAL)

_____ (SEAL)

STATE OF Idaho)
County of Cassia) ss.

On this 24th day of June, 19 77, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Vaudis W. Ward and _____ known to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they had 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 Public for State of Idaho
Residing at Malta, Idaho
Commission expires Life term

NOTARIAL
JUN 24 1977

2709
AGREEMENT FOR PURCHASE OF POWER

THIS AGREEMENT, Made this 19th day of February, 1960, between
the Raft River Rural Electric Cooperative, Inc., hereinafter called the Seller, and
O. W. 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:

SW $\frac{1}{4}$ of Section 7 Township 15 South Range 25 East

Section 7, Township 15 South, Range 25,
East, of the Boise Meridian. And has a well on the NW $\frac{1}{4}$ of SW $\frac{1}{4}$
of Section 7 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 50 ~~40~~ 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 nine years from the date of
this contract.

1. Service Characteristics

The electrical energy to be furnished under this contract shall be alternating
current, three phase, sixty cycle, 480 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 I 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 I shall not equal
\$ 400.00 to be paid during any irrigation season, then the Consumer agrees
to pay to the Seller a minimum charge of \$ 400.00 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 days notice in writing of its intention so to do.

3. The Consumer agrees that if at any time the rate under which the Seller purchases electrical energy at wholesale is modified, the Seller may make a corresponding modification in the rates for electrical energy furnished hereunder. If the rate to the Consumer be increased by such modification, the Consumer shall have the right to cancel this contract unless the Seller shall elect to furnish the electrical energy at the rates specified in Schedule I hereinbefore referred to.

4. Continuity of Service

The Seller shall use reasonable diligence to provide a constant and uninterrupted supply of electrical energy. But if such supply shall fail, or be interrupted, or become defective, through the act of God, public enemy, by accident, strikes, labor troubles or the burning out of any transformer, generator, or other electrical equipment or for any other cause beyond the reasonable control of the Seller, the Seller shall not be liable to the Consumer for any damage that he may sustain by reason of such interruption in service.

5. Membership

The Consumer shall become a member of the Seller, shall pay the membership fee and be bound by the provisions of the Articles of Incorporation and provisions of the By-laws of the Seller and by such rules and regulations, as may from time to time be adopted by the Seller.

6. Term

This agreement shall become effective on the date of its execution and shall remain in effect for a period of nine years and thereafter until terminated by either party giving to the other four month's notice in writing of its or his desire to terminate the same.

7. This contract shall be and constitute a covenant running with the above described real estate and shall be binding upon and enure to the benefit of the successors, assigns or legal representatives of the respective parties hereto. Any assignee, grantee or successor in interest of the Consumer shall be required to comply with the terms and conditions of this contract and make the payments as specified and provided herein, not theretofore made by the Consumer.

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.

O. W. Ward
(Consumer)

(Seal)

By _____

RAFT RIVER RURAL ELECTRIC COOPERATIVE, INC.

By Edwin C. Schlender
(Manager)

STATE OF IDAHO)
County of Cassia) ss

On this 19th day of February, 1960, before me, the undersigned, a Notary Public in and for said State, personally appeared Edwin C. Schlender, 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.

Gene Baxter
Notary Public for the State of Idaho,
residing at Malta, Idaho.

STATE OF IDAHO)
County of Cassia) ss

On this 24th day of Feb, 1960, before me, the undersigned, A Notary Public in and for said State, personally appeared O. W. Ward, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

Gene Baxter
Notary Public for the State of Idaho,
residing at Malta, Idaho.

SCHEDULE I
IRRIGATION SERVICE

Availability

Available to the consumers of the cooperative located adjacent to three-phase lines of the cooperative for irrigation service.

Character of Service

Alternating current, three-phase, 60 cycles, 220 volts for installations of less than 50 horsepower, and 440 volts for installations of 50 horsepower or greater.

At the discretion of the Cooperative, Single phase service may be furnished provided the motor capacity is not in excess of ten horsepower.

Rate

A fixed charge of eight dollars (\$8.00) per season per horsepower or fraction thereof.

Energy Charge

First 250 KWH per Horsepower per month @ 1.0¢ per kwh

Excess KWH per month @ 0.6¢ per kwh

Payment of the fixed charge shall not include payment for any energy used.

Determination of Horsepower

The horsepower for billing purposes shall be the motor manufacturer's name plate rating of horsepower output except that if the Cooperative so elects it shall be based on the following: The maximum demand, expressed in horsepower input, established by the consumer for any period of fifteen consecutive minutes during the season as indicated or recorded by a demand meter, less 10% allowance for motor losses.

Provision for pumping service during non-irrigation season

The irrigation season shall be from April 1 to October 30 of each year. Pumping service during the non-irrigation season shall be available at the same charge for energy as in the above rate, but there shall be a minimum charge of \$1.00 per month per horsepower or fraction thereof.

Minimum Annual Charge

The minimum annual charge for service shall be the fixed charge, but in no event shall it be less than \$40.00.

Conditions of Service

1. Motors having a rated capacity in excess of ten horsepower (10 HP) must be three-phase.
2. All wiring, pole lines, wires, and other electrical equipment beyond the service point will be considered the distribution system of the consumer and shall be furnished and maintained by the consumer, with adequate protective devices installed to interrupt service to motor equipment in the event of power failures or faulty conditions on the Cooperative's system.

Term of Payment

The above rates are net, the gross rates being five percent (5%) higher. In the event the current monthly bill is not paid within fifteen (15) days from the date of the bill, the gross rates shall apply.

Power Factor Clause

Each applicant securing service hereunder shall be required to insure maintenance of power factor not less than 95% by installing adequate capacitors at the installation.



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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

A43-04110
CLARK W. WARD
HC 61, BOX 1560

A43-04110
SARA JANE WARD VAUDIS J. WARD
HC 61 BOX 1560 HC 61, BOX 1560

ELBA

ID 83326

ELBA

ELBA

RE: Evidence of Priority

RESPONSE DEADLINE
FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit.** The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 04 1993



DEPARTMENT
Southern Reg

Kelly:
04-20-95
Status of the
Legal analysis (cc)?

URCES
301 (208) 736

CECIL D. ANDRUS
Governor

L. KEITH HIGGINS
Director

06-Feb-1992

CLARK W WARD
HC 61 BOX 1560
ELBA ID 83326

71
per KKC:
X

RE: PROOF OF PRIORITY FIL:

2215.

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: 43-4110

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

SOURCE: GROUND WATER

QUANTITY: 1.2 CFS
320 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

USE OF THIS RIGHT WITH RIGHT NO. 43-13029 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.2 CFS.

PRIORITY DATE: 08/06/1959

POINT OF DIVERSION: T15S R25E S7 NWNESW 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	1.20 CFS
		320.00 AFY
STOCKWATER	01-01 12-31	0.05 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	39	T15S R25E S18		SENW	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	40	T15S R25E S7		SESW	40

STOCKWATER Within CASSIA County

T15S R25E S18	NENW		T15S R25E S18	LOT 1	NWNW
T15S R25E S18	LOT 2		T15S R25E S18		SENW
T15S R25E S18	NESW		T15S R25E S18	LOT 3	NWSW
T15S R25E S7	NESW		T15S R25E S7	LOT 3	NWSW
T15S R25E S7	LOT 4		T15S R25E S7		SESW

393 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 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.

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

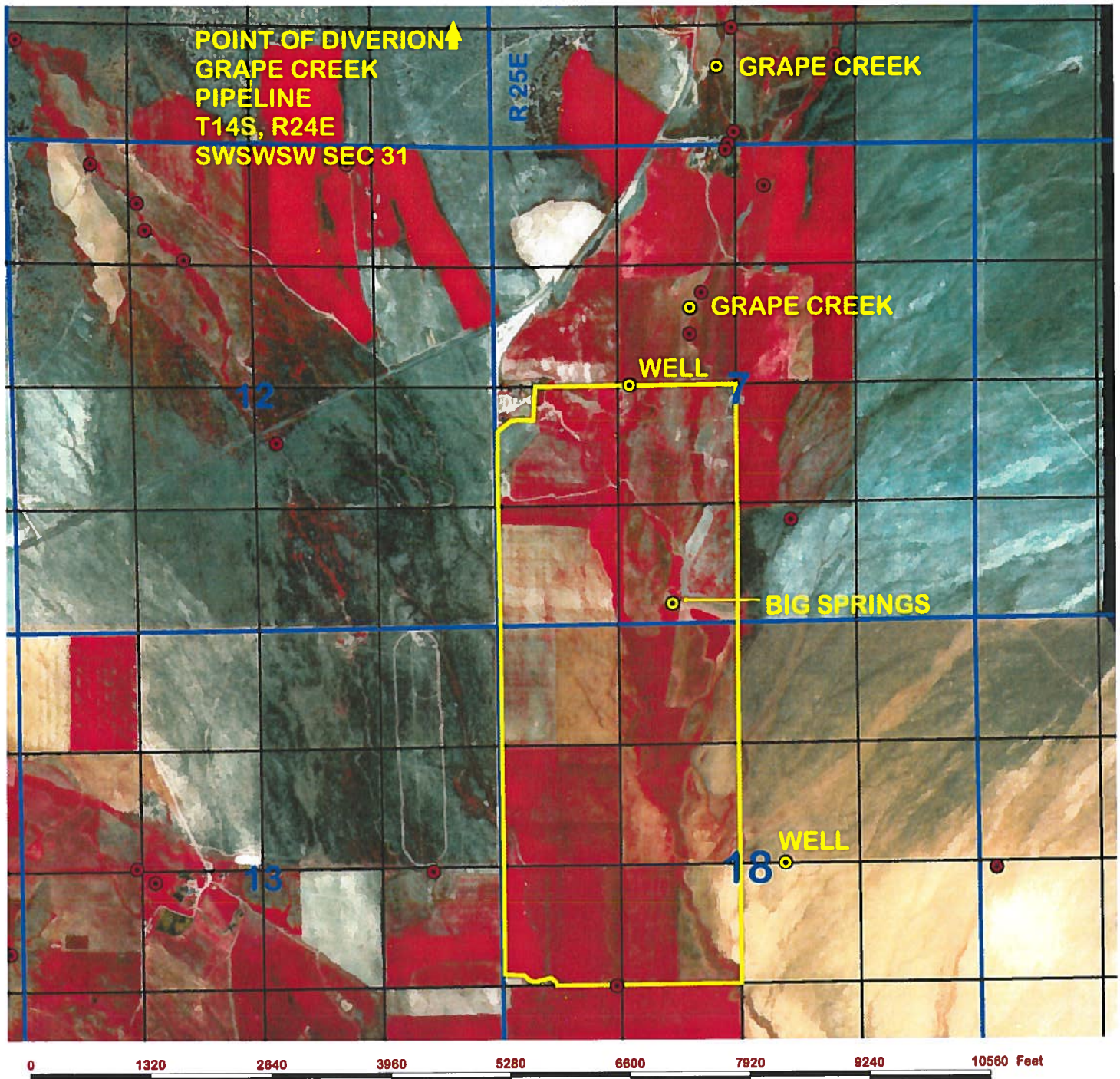
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STOCKWATER 200 HEAD RANGE CATTLE
RIGHT NO. 43-13029 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT
TO SECTION 42-1426, 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: 43-4110

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

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

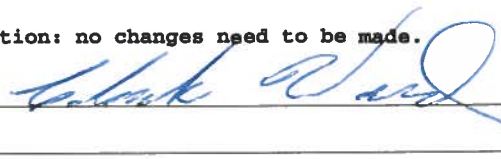
SARA JANE WARD
HC 61 BOX 1560
ELBA ID 83326
Telephone Number: (208)824-5560

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

01/25/2001

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

RIGHT NUMBER: 43-4110

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

SOURCE: GROUND WATER

QUANTITY: 1.2 CFS
320 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

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: 08/06/1959

POINT OF DIVERSION: T15S R25E S7 NWNESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-31	1.20 CFS
		320.00 AFY
STOCKWATER	01-01 12-31	0.05 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

Section	Lot	Direction	Acres	Section	Lot	Direction	Acres
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

STOCKWATER Within CASSIA County

Section	Lot	Direction	Section	Lot	Direction
T15S R25E S18		NENW	T15S R25E S18	LOT 1	NWNW
T15S R25E S18	LOT 2	SWNW	T15S R25E S18		SENW
T15S R25E S18		NESW	T15S R25E S18	LOT 3	NWSW
T15S R25E S7		NESW	T15S R25E S7	LOT 3	NWSW
T15S R25E S7	LOT 4	SWSW	T15S R25E S7		SESW

392 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 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 343 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-407, 43-2215, 43-4110, 43-
7112, 43-10290.

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

BASIS OF CLAIM - BENEFICIAL USE

STOCKWATER 200 RANGE CATTLE

*Enlargement
claim filed
6-4-01*

*KOI
EOI*

125/95
88



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.

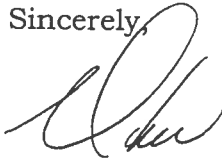
Our engineers in Boise did some investigating, and information found in our files supports your claim for a diversion of 1.2 cfs from the well located in at the north end of your place, in Section 7 (43-4110). There is a discrepancy in the number of acres irrigated from the well, however. In 1981, the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

Idaho Department of Water Resources
Estimated Pumping Rate Documentation Form
Flow Analysis Performed by: **Scott King**

ed 1/6/2000

Date: **6/27/2000**

Page 1 of 1

Record ID	267	Measured Flow:	
Water Right No.	A43-04110	Designed Flow:	
Name	Ward, Clark, Sara Jane, et al	HP/Eff Flow:	1.24 cfs <--Max
pod	15S25E7NESW	Sprinkler Flow:	
year:	unknown	Pivot/System Flow:	
Flow Measurement:		gpm	=
Curve/Pump Design:		gpm	=
Horsepower / Efficiency Method			
Horsepower	60 hp	listed hp in original statutory claim file	
PWL	200 ft	estimated pwl	
Disch Psi	60 psi	estimated pressure	
PUMP Eff Estimate	0.79 %		
TDH	339 ft		
OHP	47.4 hp		
Flow	554 gpm	=	1.24 cfs
System Method:			
No Lines		Nozzle Equation: $Q = C \cdot A \cdot \sqrt{2 \cdot g \cdot h} / \sqrt{1 - r^4}$	
Birds per line		C=	1.00 Nozzle coefficient; typical 0.97 to 1.00
Ttl no nozzles	0	r=	0.0000 ft Nozzle radius
Nozzle size		A=	0.00000 ft^2 Nozzle area
Nozzle pressure		h=	0 ft Head
Flow per nozzle	0.00 gpm	g=	32.2 ft/sec^2 Gravitational constant
Sprinkler Flow	0 gpm	Q=	0.000 cfs Flow per nozzle
Percent Leaks		=	0.000 gpm Flow per nozzle
Total Flow	0 gpm	=	
Pivot / System rating		gpm	=

Comments / Data Supplied:

Per review of original claim file in vault, claim listed motor as 60-hp. 1994 Well log for a deepening this well or another in the same area listed static water level of 74 feet. Using a pumping water level of 200 feet (which should be reasonable), and an assumed discharge pressure of 60 psi, theoretical capacity calculations indicate a potential flow of over 1.2 cfs (the claimed amount).
snk 6/27/2000

AJ5808NP
(OD-26)

Transfer 3903
1992

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

06/27/00 10:01:09

Page 1

Water Right Number - A43-04110

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** A - ATTORNEY ***

RIGBY

RAY W

1 - PO BOX 250

2 -

3 -

City- REXBURG

State- ID Zip- 834400250

Phone - 208-356-0768

*** C - CURRENT OWNER ***

WARD

CLARK W

1 - HC 61 BOX 1560

2 -

3 -

City- ELBA

State- ID Zip- 83326

Phone - 208-824-5560

WARD

SARA JANE

1 - HC 61 BOX 1560

2 -

3 -

City- ELBA

State- ID Zip- 83326

Phone - 208-000-0000

WARD

VAUDIS J

1 - HC 61 BOX 1560

2 -

3 -

City- ELBA

State- ID Zip- 83326

Phone - 208-824-5560

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
08/06/1959 17 SOUTHERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name

15S 25E 7 NE SW (31) CASSIA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 1.200
04 - STOCKWATER 01/01 12/31 0.070

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.270 451.9

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
15S 25E 7 NW SW 3 40.0 01 IRRIGATION (31) CASSIA
15S 25E 7 SW SW 4 40.0 01 IRRIGATION (31) CASSIA
15S 25E 18 NW NW 40.0 01 IRRIGATION (31) CASSIA
15S 25E 7 NW 04 STOCKWATER (31) CASSIA
15S 25E 7 SW 04 STOCKWATER (31) CASSIA
15S 25E 7 SE 04 STOCKWATER (31) CASSIA
15S 25E 17 SW 04 STOCKWATER (31) CASSIA

Water right number - A43-04110

Prefix Translation: ADJUDICATION CLAIM

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15S	25E	18	NW			04	STOCKWATER	(31) CASSIA
15S	25E	18	SW			04	STOCKWATER	(31) CASSIA
15S	25E	18	SE			04	STOCKWATER	(31) CASSIA

Total Acres: 120.0

+ - - Diversion Means - WELL 350' DEEP, 16" CASING, 60 HP PUMP, MAINLINE, HANDLINES.

+ - - Non-Irrigation Use - STOCKWATER/ 200 HEAD CATTLE

+ - - Other Rights for Same Use - 43-07112, 43-00407, 43-10291, 43-02044

+ - - - - - Remarks - - - - -

GEN SURFACE RIGHT ARE CONSTANTLY SUBJECT TO SHORTAGE. THEREFORE,
WHATEVER WATER IS AVAILABLE FROM THE SURFACE WATER RIGHTS, IF
SHORT, IS SUPPLEMENTED BY THE WELLS, AND USED INTERCHANGEABLY ON
THE LANDS CLAIMED BY THIS NOTICE.

AMENDED PURSUANT TO TRANSFER 3903 8/25/92 ADM
CORRECTED TYPO ERROR; 6" WELL CASING IS ACTUALLY 16" CASING ✓
3/8/93 RVW.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

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

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - -
00/00/0000

+ - - Audit Fields - 06/01/89 BAUMHOFF 06/05/91 SOUTH1 08/25/92 MERRITT 03/08/93 WORSTELL 03/30/95 POST-STD
07/17/95 FHITCHCO 09/25/97 AJONES

+ - - - - - Comments - - - - -
No Comments Found

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

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	- 05/30/1989	Last Amended Date	- 08/25/1992	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- M003762	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- OR	Notice of Error Flag	-

Hancock, Vikie

Subject: A43-04110
Entry Type: Phone call

Start: Mon 3/13/00 2:04 PM
End: Mon 3/13/00 2:04 PM
Duration: 0 hours

Claimant called regarding the letter requesting measurment info on the above GW stat claim. I told him what was needed and why. He said that the well he used now was a replacement well to one his grandfather drilled. They replaced it when it began to pump sand. I told him that we needed drilling info or power hook-up records on the old well for priority proof and any discharge info. Also discharge info on the new well. I also reminded him that I needed some substantiation of the historical use of Almo Creek instead of Raft River to fulfill his Jobe Adams decree. He said that his uncle was back from Arizona and would write something up for him.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

1013-04110 VH?

February 10, 2000

Second Notice

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WARD; CLARK W, SARA JANE, OR VAUDIS J
HC 61 BOX 1560
ELBA ID 83326

RE: Information about historical water diversion flow rate

Dear Wateruser:

This past December IDWR sent a letter to you requesting your assistance in providing information about flow rates from certain diversions (copy attached). These letters are being sent to claimants with identified rights that have not previously been confirmed (measured) either through the licensing process or by decree. IDWR desires to make the most accurate recommendation to the SRBA Court and this requires your participation and cooperation, pursuant Idaho Code §42-1410.

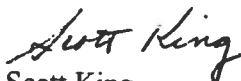
One advantage of providing good, verifiable information to us is that the flow rate that we recommend will be the full measure of your water right as developed. Another benefit is that disputes over the recommendation are minimized. Lastly, documentation for flow rate will likely be dated and may support evidence of priority determination.

In the absence of good information about historical diversion flow rates IDWR may conclude any of three less desirable alternatives:

- 1) Recommend disallowal of right.
- 2) Recommend a flow rate limited to a licensed rate, if a licensed diversion is part of the system, but with additional diversion volume if the use and diversion capacity is documented to have occurred before 1963.
- 3) Recommend the right as an expansion in a critical ground water area, §42-1416B I.C., which limits the flow rate AND volume to the licensed quantity. This provision also sets the priority at 6/30/1985, regardless of development date between 1963 and 1985.

Thank you for your attention to this matter and we look forward to your quick response and documentation relating to this request. Water Resource Agents from the department may be contacting you in the near future should field work be required to finalize recommendations. Inquiries related to this diversion rate information request should be made to Scott King or Cindy Bird at (208) 327-7900. Inquiries about other aspects of your claim should be made to the Southern Region Office (208) 736-3033.

Sincerely,


Scott King

Enclosures

c: Ray Rigby



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

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

Use Typewriter
or
Ball Point Pen

DRILLING PERMIT NO. 43-94-S-0014-001 ¹⁰⁰

her IDWR No. _____

OWNER: Clark Ward
Name _____
Address _____
City Almo State Id Zip 83324

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N		Twp. <u>15</u>		North ☐	or	South ☒
W		Rge. <u>25</u>		East ☒	N <u>5</u>	West ☐
E		Sec. <u>7</u>		<u>05</u> 1/4	<u>05</u> 1/4	SW 1/4
S		Gov't Lot _____		County <u>Cassia</u>	10 acres 40 acres 160 acres	

Address of Well Site 1/4 mi. East of Ward Ranch house
City Almo Ida
(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK

☐ New Well ☒ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☐ Air Rotary ☒ Cable ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT		METHOD
Material	From	To	Sacks or Pounds		
<u>7-11</u>					

Was drive shoe used? Y ☒ N ☐

Was drive shoe seal tested? Y ☐ N ☐ How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>12-3/4</u>	<u>0</u>	<u>475-8</u>	<u>250</u>	<u>Steel</u>	☐	☒	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☒ Perforations Method Cutting Touch
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
<u>253</u>	<u>470</u>	<u>1/4" x 8"</u>	<u>600</u>		<u>Steel</u>	☐	☒
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

74 ft. below ground Artesian pressure _____ lb.

Depth flow encountered _____ ft. Describe access port or control devices: Access = 2 1/2" Steel Pipe in Concrete Pad 45" x 45"

11. WELL TESTS:

☐ Pump ☒ Bailor ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
<u>60 gpm</u>	<u>0</u>		<u>30 min</u>

Water Temp. 55° Bottom hole temp. 55°

Water Quality test or comments: good

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
<u>12 3/4</u>	<u>0</u>	<u>475</u>			
	<u>300</u>	<u>327</u>	<u>Dark + some sand</u>		
	<u>327</u>	<u>335</u>	<u>Hard sandstone</u>		
	<u>342</u>	<u>357</u>	<u>sand</u>		
	<u>357</u>	<u>359</u>	<u>Grey Clay</u>		
	<u>359</u>	<u>418</u>	<u>Black silty clay on shell</u>		
	<u>418</u>	<u>434</u>	<u>light grey clay some sand</u>		
	<u>434</u>	<u>448</u>	<u>Dark + clay + some sand</u>		
	<u>448</u>	<u>449</u>	<u>Dark sandstone</u>		
	<u>449</u>	<u>466</u>	<u>some NP sand</u>		
	<u>466</u>	<u>475</u>	<u>gravel + some sand</u>		
			<u>clay, etc.</u>		

RECEIVED

JUN 30 1997

Department of Water Resources
Southern Region

Completed Depth 475'-8" (Measurable)

Date: Started May 24 94 Completed June 21 94

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Arlo P Lloyd Drilling Co Firm No. 102

Firm Official Arlo P Lloyd Date June 25 97

and
Supervisor or Operator _____ Date _____

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

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.

1. WELL OWNER Name <u>Clark Ward Jr.</u> Address <u>Almo, Id 83312</u> Owner's Permit No. <u>43-89-5014 or</u>	7. WATER LEVEL Static water level <u>6</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>58</u> OF. Quality <u>Good</u> Describe artesian or temperature zones below.																																																																						
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 style="text-align: center;"><u>801</u></td> <td style="text-align: center;"><u>250</u></td> <td style="text-align: center;"><u>5</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>801</u>	<u>250</u>	<u>5</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>16</td> <td>0</td> <td>7</td> <td>Black Soil And Clay</td> <td></td> <td>✓</td> </tr> <tr> <td>7</td> <td>7</td> <td>12</td> <td>Brown Clay with quartzite</td> <td></td> <td>✓</td> </tr> <tr> <td>12</td> <td>12</td> <td>34</td> <td>Cobble, Rock</td> <td></td> <td>✓</td> </tr> <tr> <td>34</td> <td>34</td> <td>54</td> <td>Quartzite Gravel + Clay</td> <td></td> <td>✓</td> </tr> <tr> <td>54</td> <td>54</td> <td>135</td> <td>Thin layers of quartzite gravel in Brown clay</td> <td></td> <td>✓</td> </tr> <tr> <td>135</td> <td>135</td> <td>165</td> <td>Quartzite Cobble Rock with Brown Clay Mix</td> <td></td> <td>✓</td> </tr> <tr> <td>165</td> <td>165</td> <td>175</td> <td>Consolidated Clay layer</td> <td></td> <td>✓</td> </tr> <tr> <td>175</td> <td>175</td> <td>215</td> <td>Soft Sandy Brown Clay</td> <td></td> <td>✓</td> </tr> <tr> <td>215</td> <td>215</td> <td>245</td> <td>Brown Sandy Clay with some Gravel</td> <td></td> <td>✓</td> </tr> <tr> <td>245</td> <td>245</td> <td>300</td> <td>Grey Lava Ash with thin quartz sandy clay layers</td> <td></td> <td>?</td> </tr> </tbody> </table>	Bore Diam.	Depth		Material	Water		From	To	Yes	No	16	0	7	Black Soil And Clay		✓	7	7	12	Brown Clay with quartzite		✓	12	12	34	Cobble, Rock		✓	34	34	54	Quartzite Gravel + Clay		✓	54	54	135	Thin layers of quartzite gravel in Brown clay		✓	135	135	165	Quartzite Cobble Rock with Brown Clay Mix		✓	165	165	175	Consolidated Clay layer		✓	175	175	215	Soft Sandy Brown Clay		✓	215	215	245	Brown Sandy Clay with some Gravel		✓	245	245	300	Grey Lava Ash with thin quartz sandy clay layers		?
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4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other _____	10. RECEIVED JUL - 3 1990 Department of Water Resources Southern Region Office																																																																						
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>0.312</u> inches</td> <td><u>16</u> inches</td> <td><u>1</u> feet</td> <td><u>250</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>1/4</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>30</u> feet</td> <td><u>245</u> feet</td> </tr> <tr><td> </td><td> </td><td> </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 _____ 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 ☐ Cemented between strata Describe access port <u>Thru Pump Base</u>	Thickness	Diameter	From	To	<u>0.312</u> inches	<u>16</u> inches	<u>1</u> feet	<u>250</u> feet													Number	From	To	<u>250</u> perforations	<u>30</u> feet	<u>245</u> feet										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. 83326</u> Date <u>6/30/90</u> Signed by (Firm Official) <u>Stan Lloyd</u> and (Operator) <u>Steve Freiburger</u>																																			
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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%; text-align: center;">W</td> <td style="width: 25%; text-align: center;"> </td> <td style="width: 25%; text-align: center;">E</td> </tr> <tr> <td colspan="3" style="text-align: center;">S</td> </tr> </table> Subdivision Name _____ Lot No. _____ Block No. _____ County _____ <u>NW 1/4 SE 1/4 Sec. 7, T. 15 N, R. 25 E</u>	W		E	S			12. ADDITIONAL COMMENTS																																																																
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S																																																																							

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Vaudis Ward (Name of Claimant)
Elba, Idaho 83326 Telephone No. 824-5559
 (Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

follows:

(1) Date of priority: (When was the water first applied to a beneficial use) August 6, 1959

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) _____ tributary to _____

(2) Describe the source of water: (Name of _____ tributary to _____
groundwater _____)

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: _____ (Both dates inclusive)

claimed:		(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)		
Quantity <u>1.20</u>	Use <u>irrig</u>	Period of Use From <u>4-1-</u>	To <u>11-1</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
TOTAL QUANTITY USED.			

(4) 1.20 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
Lot 3 (NW ¼ SW ¼, Sec. 7 Twp. 15S Rge. 25E B.M., County of Cassia
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. well & 60 HP Electric pump

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

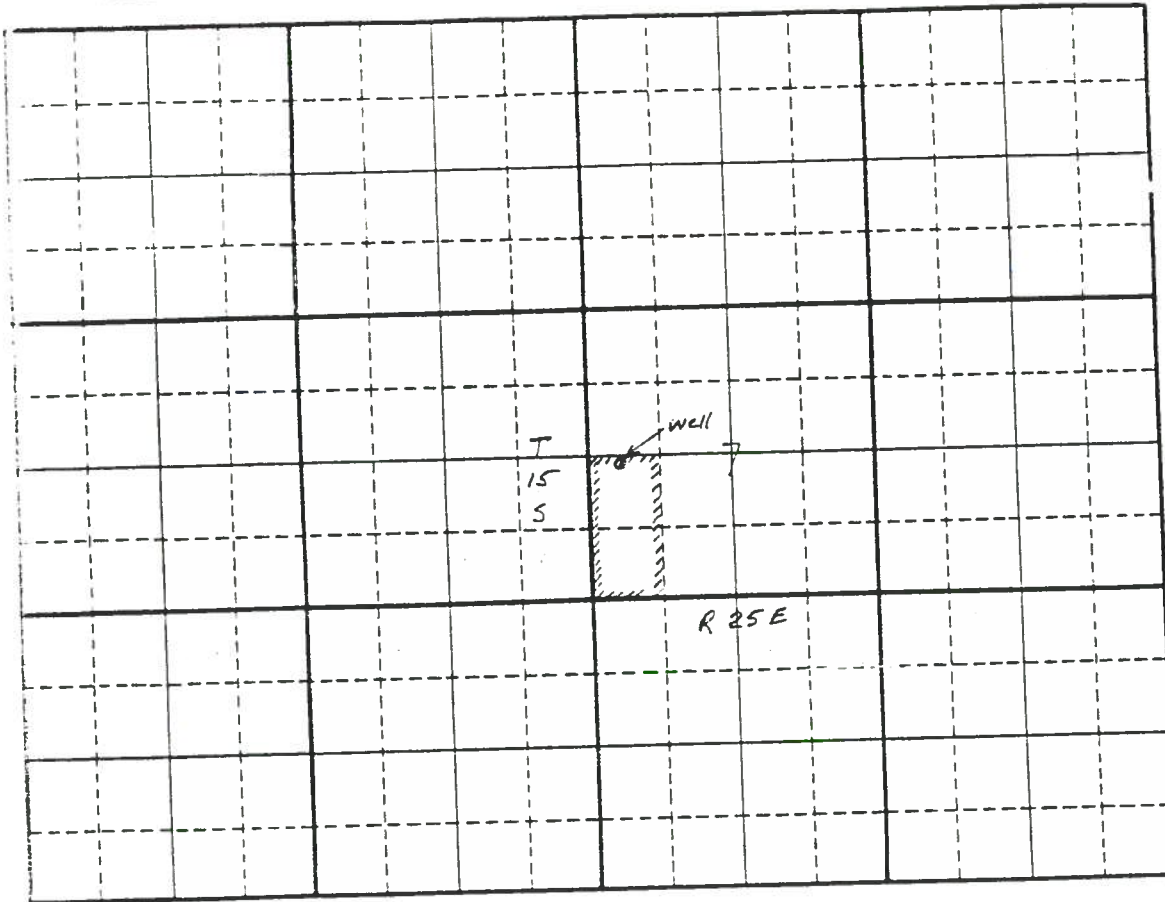
No. of acres 80

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization: _____

MAR 04 1993



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Wanda's Head
(Claimant)

Sworn to before me this 28 day of August, 1981.

Mary A. Hill
Notary Public
Residing at Twin Falls, ID 83301

My commission expires life

FOR DEPARTMENT USE ONLY

Received by me Date 8/28/81 Exception filed by: _____ Date _____
Prelim. check by me Date 8-28-81
\$20.00 fee received by me Date 8/28/81 #18740
Published in South Idaho News
Dates 7/10 & 7/11/81

MICROFILMED

MAR 04 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

SEPTEMBER 14, 1981

VAUDIS WARD
ELBA

ID 83326

RE: Claim No. 43-4110

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Loren O. Holmes
LOREN O. HOLMES
Southern Region Supervisor

Enclosure

MICROFILMED

MAR 6 4 1993

81-228
NOTICE OF CLAIMS TO
WATER RIGHTS
Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:
43-4110
WARD, VAUDIS, ELBA, ID 83326. Source: GROUNDWATER. Priority Date: 08/06/1959. Amount: 1.20 CFS. Diversion Point: LOT 03 (NWSN) Sec. 07 T 15S R 25E, CASSIA Co. Use: IRRIGATION (1.20 CFS) from 04/01 to 11/01. Place of Use: LOT 03 (NWSN) LOT 04 (SWSN) Sec. 07 T 15S R 25E FOR 80 ACRES. Diversion Means: WELL & PUMP.
Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.
A. KENNETH DUNN
Director
Published in the South Idaho Press September 3 and 10, 1981.

For File:

A43-4110

A43-10291

A43-10290

A43-7112

A43-2044

KAC-91
2-6

SEE A43-00407

for init review data

(info not complete)

Rights need a system review &
legal review to clarify their
status.

eg. A43-10290 - Samu reddy Drape Cr.

A43-10290 - Scores = REG. in limited

43-2215 not claimed, necessary?

MICROFILMED

MAR 04 1993

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

MAR 04 1993

Estimated Pumping Rate Documentation Form

Flow Analysis Performed by: Scott King

Date: 6/27/2000

Page 1 of 1

Record ID	267	Measured Flow:	
Water Right No.	A43-04110	Designed Flow:	
Name	Ward, Clark, Sara Jane, et al	HP/Eff Flow:	1.24 cfs <--Max
pod	15S25E7NESW	Sprinkler Flow:	
year:	unknown	Pivot/System Flow:	
Flow Measurement:		gpm	=
Curve/Pump Design:		gpm	=
Horsepower / Efficiency Method			
Horsepower	60 hp	listed hp in original statutory claim file	
PWL	200 ft	estimated pwl	
Disch Psi	60 psi	estimated pressure	
PUMP Eff Estimate	0.79 %		
TDH	339 ft		
OHP	47.4 hp		
Flow	554 gpm	=	1.24 cfs
System Method:			
No Lines		Nozzle Equation: $Q=C*A*\sqrt{2*g*h} / \sqrt{1-r^4}$	
Birds per line		C=	1.00 Nozzle coefficient; typical 0.97 to 1.00
Ttl no nozzles	0	r=	0.0000 ft Nozzle radius
Nozzle size		A=	0.00000 ft^2 Nozzle area
Nozzle pressure		h=	0 ft Head
Flow per nozzle	0.00 gpm	g=	32.2 ft/sec^2 Gravitational constant
Sprinkler Flow	0 gpm	Q=	0.000 cfs Flow per nozzle
Percent Leaks	%	=	0.000 gpm Flow per nozzle
Total Flow	0 gpm	=	
Pivot / System rating		gpm	=

Comments / Data Supplied:

Per review of original claim file in vault, claim listed motor as 60-hp. 1994 Well log for a deepening this well or another in the same area listed static water level of 74 feet. Using a pumping water level of 200 feet (which should be reasonable), and an assumed discharge pressure of 60 psi, theoretical capacity calculations indicate a potential flow of over 1.2 cfs (the claimed amount).
snk 6/27/2000

Transfer 3903
1992Old well replaced or maybe deepened, or maybe replacement well was deepened
by Arlo Lloyd
1994 well log in file

Water Right Number - A43-04110

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** A - ATTORNEY ***

RIGBY	RAY W	1 - PO BOX 250 2 - 3 - City- REXBURG Phone - 208-356-0768	State- ID Zip- 834400250
-------	-------	---	--------------------------

*** C - CURRENT OWNER ***

WARD	CLARK W	1 - HC 61 BOX 1560 2 - 3 - City- ELBA Phone - 208-824-5560	State- ID Zip- 83326
WARD	SARA JANE	1 - HC 61 BOX 1560 2 - 3 - City- ELBA Phone - 208-000-0000	State- ID Zip- 83326
WARD	VAUDIS J	1 - HC 61 BOX 1560 2 - 3 - City- ELBA Phone - 208-824-5560	State- ID Zip- 83326

Priority Date - - +	Region - - - +	Stage - - - +	Status - - - +
08/06/1959	17 SOUTHERN	J - BENEFICIAL USE	

Source - - - - - +	Tributary - - - - - +
GROUNDWATER	Ord's Claim = 60 hp deepened 1994 SWL = 74'

Point of Diversion - - - - - +	Diversion Name
Twn Rng Sec Tract Lot RFlg County	

15S	25E	7	NE SW	(31) CASSIA
-----	-----	---	-------	-------------

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01	1.200	
04 - STOCKWATER		01/01	12/31	0.070	

Total Div. Rate - +	Total Div. Volume - +	Total Div. Capacity - +	Total Consumptive Use - +	KW Usage - +
1.270			451.9	

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15S	25E	7	NW SW	3	40.0	01	IRRIGATION	(31) CASSIA
15S	25E	7	SW SW	4	40.0	01	IRRIGATION	(31) CASSIA
15S	25E	18	NW NW		40.0	01	IRRIGATION	(31) CASSIA
15S	25E	7	NW			04	STOCKWATER	(31) CASSIA
15S	25E	7	SW			04	STOCKWATER	(31) CASSIA
15S	25E	7	SE			04	STOCKWATER	(31) CASSIA
15S	25E	17	SW			04	STOCKWATER	(31) CASSIA

Water right number - A43-04110

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Place of Use - - - - - +									
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
15S	25E	18	NW			04	STOCKWATER	(31)	CASSIA
15S	25E	18	SW			04	STOCKWATER	(31)	CASSIA
15S	25E	18	SE			04	STOCKWATER	(31)	CASSIA

Total Acres: 120.0

+ - - Diversion Means - WELL 350' DEEP, 16" CASING, 60 HP PUMP, MAINLINE, HANDLINES.

+ - - Non-Irrigation Use - STOCKWATER/ 200 HEAD CATTLE

+ - - Other Rights for Same Use - 43-07112, 43-00407, 43-10291, 43-02044

+ - - - - Remarks - - - - - +

GEN SURFACE RIGHT ARE CONSTANTLY SUBJECT TO SHORTAGE. THEREFORE,
WHATEVER WATER IS AVAILABLE FROM THE SURFACE WATER RIGHTS, IF
SHORT, IS SUPPLEMENTED BY THE WELLS, AND USED INTERCHANGEABLY ON
THE LANDS CLAIMED BY THIS NOTICE.

AMENDED PURSUANT TO TRANSFER 3903 8/25/92 ADM
CORRECTED TYPO ERROR; 6" WELL CASING IS ACTUALLY 16" CASING ✓
3/8/93 RVW.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

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

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 06/01/89 BAUMHOFF 06/05/91 SOUTH1 08/25/92 MERRITT 03/08/93 WORSTELL 03/30/95 POST-STD
07/17/95 FHITCHCO 09/25/97 AJONES

+ - - - - Comments - - - - - +
No Comments Found

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

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	- 05/30/1989	Last Amended Date	- 08/25/1992	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- M003762	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- OR	Notice of Error Flag	-

Hancock, Vikie

Subject: A43-04110
Entry Type: Phone call

Start: Mon 3/13/00 2:04 PM
End: Mon 3/13/00 2:04 PM
Duration: 0 hours

Claimant called regarding the letter requesting measurment info on the above GW stat claim. I told him what was needed and why. He said that the well he used now was a replacement well to one his grandfather drilled. They replaced it when it began to pump sand. I told him that we needed drilling info or power hook-up records on the old well for priority proof and any discharge info. Also discharge info on the new well. I also reminded him that I needed some substantiation of the historical use of Almo Creek instead of Raft River to fulfill his Jobe Adams decree. He said that his uncle was back from Arizona and would write something up for him.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

February 10, 2000

Second Notice

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WARD; CLARK W, SARA JANE, OR VAUDIS J
HC 61 BOX 1560
ELBA ID 83326

RE: Information about historical water diversion flow rate

Dear Wateruser:

This past December IDWR sent a letter to you requesting your assistance in providing information about flow rates from certain diversions (copy attached). These letters are being sent to claimants with identified rights that have not previously been confirmed (measured) either through the licensing process or by decree. IDWR desires to make the most accurate recommendation to the SRBA Court and this requires your participation and cooperation, pursuant Idaho Code §42-1410.

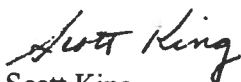
One advantage of providing good, verifiable information to us is that the flow rate that we recommend will be the full measure of your water right as developed. Another benefit is that disputes over the recommendation are minimized. Lastly, documentation for flow rate will likely be dated and may support evidence of priority determination.

In the absence of good information about historical diversion flow rates IDWR may conclude any of three less desirable alternatives:

- 1) Recommend disallowal of right.
- 2) Recommend a flow rate limited to a licensed rate, if a licensed diversion is part of the system, but with additional diversion volume if the use and diversion capacity is documented to have occurred before 1963.
- 3) Recommend the right as an expansion in a critical ground water area, §42-1416B I.C., which limits the flow rate AND volume to the licensed quantity. This provision also sets the priority at 6/30/1985, regardless of development date between 1963 and 1985.

Thank you for your attention to this matter and we look forward to your quick response and documentation relating to this request. Water Resource Agents from the department may be contacting you in the near future should field work be required to finalize recommendations. Inquiries related to this diversion rate information request should be made to Scott King or Cindy Bird at (208) 327-7900. Inquiries about other aspects of your claim should be made to the Southern Region Office (208) 736-3033.

Sincerely,


Scott King

Enclosures

c: Ray Rigby



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.

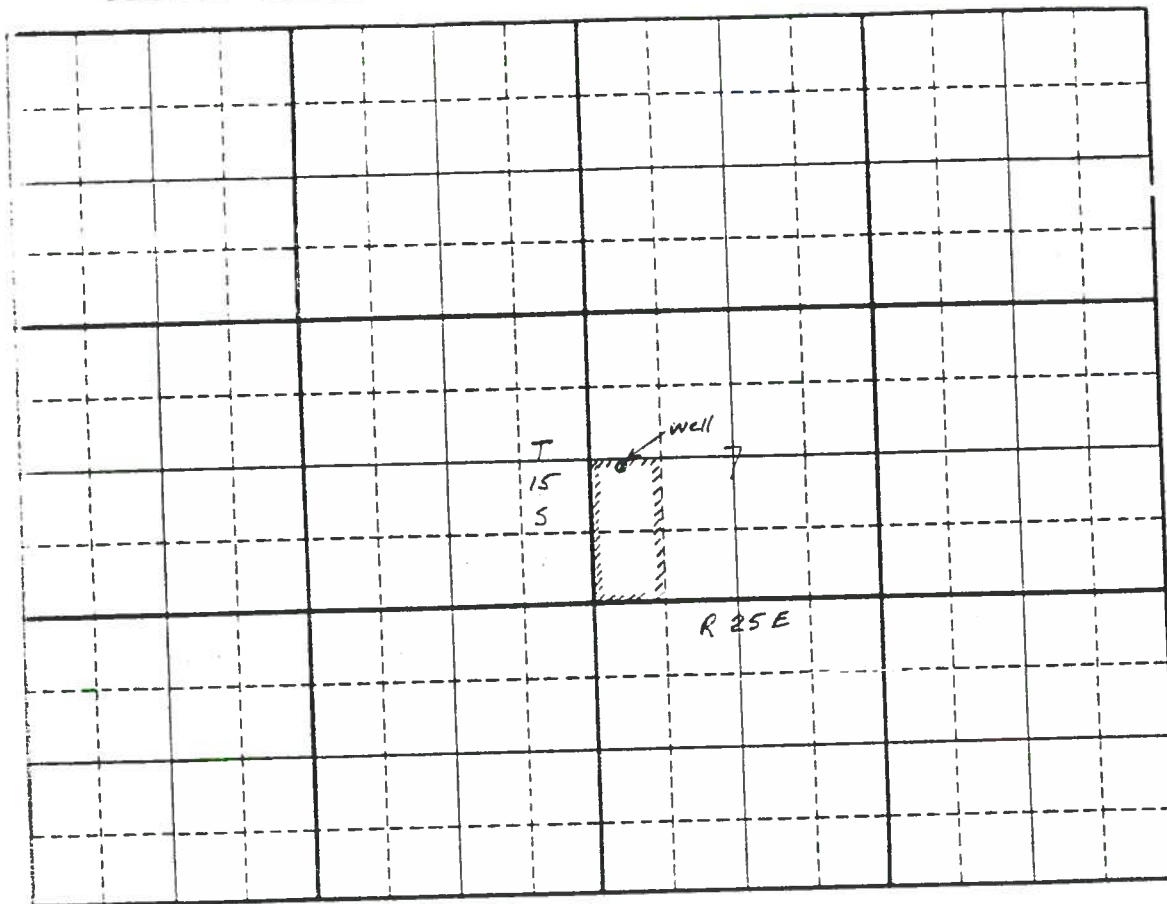
Sincerely,

Vikie Hancock
Water Resource Agent

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.

1. WELL OWNER Name <u>Clark Ward Jr.</u> Address <u>Almo, Id 83312</u> Owner's Permit No. <u>43-89-5014⁰⁴</u>	7. WATER LEVEL Static water level <u>6</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>58</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 _____																																																																												
3. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	<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 style="text-align: center;"><u>801</u></td> <td style="text-align: center;"><u>250</u></td> <td style="text-align: center;"><u>5</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>801</u>	<u>250</u>	<u>5</u>																																																																						
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4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other _____	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>16</td> <td>0</td> <td>7</td> <td>Black Soil And Clay</td> <td></td> <td>☒</td> </tr> <tr> <td></td> <td>7</td> <td>12</td> <td>Brown Clay with quartzite</td> <td></td> <td></td> </tr> <tr> <td></td> <td>12</td> <td>3</td> <td>Cobble, Rock</td> <td></td> <td>☒</td> </tr> <tr> <td></td> <td>12</td> <td>34</td> <td>Quartzite Gravel + Clay</td> <td></td> <td>☒</td> </tr> <tr> <td></td> <td>34</td> <td>54</td> <td>Quartzite Cobble + Clay</td> <td></td> <td>☒</td> </tr> <tr> <td></td> <td>54</td> <td>135</td> <td>Thin layers of quartzite gravel in Brown Clay</td> <td></td> <td>☒</td> </tr> <tr> <td></td> <td>135</td> <td>165</td> <td>Quartzite Cobble Rock with Brown Clay Mix</td> <td></td> <td>☒</td> </tr> <tr> <td></td> <td>165</td> <td>175</td> <td>Consolidated Clay Layer</td> <td></td> <td>☒</td> </tr> <tr> <td></td> <td>175</td> <td>215</td> <td>Soft Sandy Brown Clay</td> <td></td> <td>☒</td> </tr> <tr> <td></td> <td>215</td> <td>245</td> <td>Brown Sandy Clay with some Gravel</td> <td></td> <td>☒</td> </tr> <tr> <td></td> <td>245</td> <td>300</td> <td>Grey Lava Ash with Thin quartz Sandy Clay layers</td> <td></td> <td>☒</td> </tr> </tbody> </table>	Bore Diam.	Depth		Material	Water		From	To	Yes	No	16	0	7	Black Soil And Clay		☒		7	12	Brown Clay with quartzite				12	3	Cobble, Rock		☒		12	34	Quartzite Gravel + Clay		☒		34	54	Quartzite Cobble + Clay		☒		54	135	Thin layers of quartzite gravel in Brown Clay		☒		135	165	Quartzite Cobble Rock with Brown Clay Mix		☒		165	175	Consolidated Clay Layer		☒		175	215	Soft Sandy Brown Clay		☒		215	245	Brown Sandy Clay with some Gravel		☒		245	300	Grey Lava Ash with Thin quartz Sandy Clay layers		☒
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5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table style="width: 100%;"> <tr> <td>Thickness</td> <td>Diameter</td> <td>From</td> <td>To</td> </tr> <tr> <td><u>0.312</u> inches</td> <td><u>16</u> inches</td> <td><u>1</u> feet</td> <td><u>250</u> feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </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>1/4</u> inches by <u>6</u> inches <table style="width: 100%;"> <tr> <td>Number</td> <td>From</td> <td>To</td> </tr> <tr> <td><u>250</u> perforations</td> <td><u>30</u> feet</td> <td><u>245</u> feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </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 _____ 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 ☐ Cemented between strata Describe access port <u>Thru Pump Base</u>	Thickness	Diameter	From	To	<u>0.312</u> inches	<u>16</u> inches	<u>1</u> feet	<u>250</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	<u>250</u> perforations	<u>30</u> feet	<u>245</u> feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	RECEIVED JUL - 3 1990 Department of Water Resources Southern Region Office																																												
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6. LOCATION OF WELL Sketch map location <u>must</u> agree with written location. Subdivision Name _____ Lot No. _____ Block No. _____ County _____ <u>NW 1/4 SE 1/4 Sec. 7, T. 15 N, R. 25 E</u>	10. Work started <u>6/20/89</u> finished <u>4/10/90</u> 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. 83326</u> Date <u>6/30/90</u> Signed by (Firm Official) <u>Stan Lloyd</u> and (Operator) <u>Steve Freiburger</u>																																																																												

USE ADDITIONAL SHEETS IF NECESSARY – FORWARD THE WHITE COPY TO THE DEPARTMENT



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Wanda's Head
(Claimant)

Sworn to before me this 28 day of August, 1981.

Mary A. Hill
Notary Public
Residing at Twin Falls, ID 83301

My commission expires life

FOR DEPARTMENT USE ONLY

Received by Mary A. Hill Date 8/28/81 Exception filed by: _____ Date _____
Prelim. check by 101 Date 8-28-81 Forwarded to claimant by: _____ Date _____
Published in South Idaho Press Date 8/28/81 #18740
Dates 7/10 + 7/11/81

MICROFILMED

MAR 04 1993

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

SEPTEMBER 14, 1981

VAUDIS WARD
ELBA

ID 83326

RE: Claim No. 43-4110

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Loren O. Holmes
LOREN O. HOLMES
Southern Region Supervisor

Enclosure

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MAR 14 1981

91-228
NOTICE OF CLAIMS TO
WATER RIGHTS
Notice is hereby given that the following
claim(s) to water right(s) have been established by
diversion and application to beneficial use:
43-4110
WARD, VAUDIS, ELBA, ID 83326, Source:
GROUNDWATER, Priority Date: 08/06/1959,
Amount: 1.20 CFS, Diversion Point: LOT 03
(NWSW) Sec. 07 T 15S R 25E, CASSIA Co. Use:
IRRIGATION (1.20 CFS) from 04/01 to 11/01.
Place of Use: LOT 03 (NWSW) LOT 04 (SWSW) Sec.
07 T 15S R 25E FOR 80 ACRES. Diversion Means:
WELL & PUMP.
Any exception to any claim of water right may
be filed with the Director of the Idaho Department
of Water Resources, 1041 Blue Lakes Blvd. North,
Twin Falls, Idaho 83301.
A. KENNETH DUNN
Director
Published in the South Idaho Press September 3
and 10, 1981.

For File:

A43-4110

A43 - 10291

A43 - 10290

A43 - 7112

A43 - 2044

KK-91
2-6

SEE A43-00407

for init review data
(info not complete)

Rights need a system review &
legal review to clarify their
status.

eg. A43-10290 - Samu reddy Drape Cr.

A43-10290 - Scores = Res. in limited

43-2215 not claimed, necessary?

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MAR 04 1993

R PROOF

CVR

MAPS

PHOTOS

MISC

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MAR 04 1993