

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: **A43-04181**
Date Received: 6/ 5/1989
Receipt No: S007498
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ROSCOE B WARD 208-824-5591
Address: PO BOX 108
ALMO ID 83312
AND
Name: JOYCE WARD 208-824-5591
Address: PO BOX 108
ALMO ID 83312

2. Date of Priority: MAR 15, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16S	25E	11	SE	NW			CASSIA

5. Description of diverting works:
WELL, PUMP, GRAVITY IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.320		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	25E	11	SW	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
16S	25E	11	SE		NE		IRR	10.0
			SE		NW		IRR	40.0
							Section Acres	90.0
		12	NE		NE		IRR	20.0
			NW		NE		IRR	20.0
			SW		NE		IRR	20.0
			NE		NW		IRR	20.0
			SE		NW		IRR	30.0
							Section Acres	110.0
	26E	6	NE		NE		IRR	20.0
			NW		NE		IRR	30.0
			SW		NE		IRR	20.0
			NE		NW		IRR	30.0
			NW		NW		IRR	30.0
			SW		NW		IRR	10.0
			SE		NW		IRR	20.0
							Section Acres	160.0
							Total Acres	360.0

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:
A43-02411, 00278, 00280

14. Remarks:

PREVIOUSLY CLAIMED 1.32 CFS, INCREASED TO 2.32. PUMPING CAPACITY HAS ALWAYS BEE ~400 INCHES. A43-02411 LICENSED FOR 284 INCHES, THIS CLAIM FOR THE ADDITIONAL 116 INCHES.

1-6-98: CHANGE OF ADDRESS PER NOTICE REC'D 1-5-98 - VH 1-23-98
ADDED WIFE JOYCE WARD TO CLAIMS PER NOTICE REC'D 9-22-97 - VH

15. Basis of Claim: STATUTORY CLAIM



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

January 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Rosco B. and Joyce Ward
PO Box 108
Almo, Idaho 83312

RE: Snake River Basin Adjudication Claims

Dear Mr. and Mrs. Ward:

I received your request to have Joyce added to your claims, and have changed our records. Please be aware that two of the claims that you mentioned in your request **A43-00278** and **A43-00279** have been combined and renumbered as claim **A43-10820**. Enclosed please find copies of your claims for your records. If you have any questions, please feel free to contact me at this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Vikie', is written over the typed name.

Vikie Hancock
SRBA Records Clerk



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

SEP 22 1997

Department of Water Resources
Southern Region

CHANGE IN ADDRESS

A43-10820

☐ Water Right Number(s):

^{AR} A43-10350, ^{REILLIN} A43-00278, ^{COINBOUND} A43-00279,
^A A43-00280, ^A A43-02411, ^A A43-04181, ^A A43-10338,
^{A42} A43-10345, ^{A42} 10346, ^{A42} 10347, ^{A42} 10348, ^{A42} 10349, ^{A42} 10495

☐ Old Mailing Address:

Almo ID 83312

DEAR SIRs: ALL OF THESE WATER NUMBERS SHOULD BE IN BOTH THE
HUSBAND AND WIFE NAMES. WE HAVE OWNED THIS PROPERTY AND WATER FOR 45 YEARS.
THANK YOU! MRS. WARD

☒ New Mailing Address:

&

ROSCOE B./JOYCE WARD

EY RANCH

P.O. BOX 108

ALMO, IDAHO 83312

☒ New Telephone Number: (208) 824-5591 (SAME AS ALWAYS)

☐ Signature of Claimant(s):

Roscoe Ward

Joyce Ward

Date: 9-17-97

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

OK to add
wife per
D. Jones.
Wick 100-

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: **A43-04181**
Date Received: 6/ 5/1989
Receipt No: S007498
Received By: _____

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YOUR FILES**

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ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

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ALMO ID 83312
208-824-5591

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9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	25E	11	SW	NE		IRR	40.0
			SE	NE		IRR	10.0
			SE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
						Section Acres	90.0
		12	NE	NE		IRR	20.0
			NW	NE		IRR	20.0
			SW	NE		IRR	20.0
			NE	NW		IRR	20.0
			SE	NW		IRR	30.0
						Section Acres	110.0
	26E	6	NE	NE		IRR	20.0
			NW	NE		IRR	30.0
			SW	NE		IRR	20.0
			NE	NW		IRR	30.0
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CAPACITY HAS ALWAYS BEE -400 INCHES. A43-02411 LICENSED
FOR 284 INCHES, THIS CLAIM FOR THE ADDITIONAL 116 INCHES.

1-6-98: CHANGE OF ADDRESS PER NOTICE REC'D 1-5-98 - VH

15. Basis of Claim: STATUTORY CLAIM



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

January 6, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Roscoe B. Ward
P.O. Box 108
Almo, Idaho 83312

RE: Snake River Basin Adjudication (SRBA)
Claim No(s). A43-10495, A43-10350, A43-10349, A43-10348,
A43-10347, A43-10346, A43-02411, A43-00280, A43-10345
A43-10820, A43-10328, A43-04184
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change of address on the water right claim(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

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

Vikie Hancock
Records Clerk



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

RECEIVED

JAN 05 1998

Department of Water Resources
Southern Region

CHANGE IN ADDRESS

☐ Water Right Number(s): A43-10495, A43-10350, A43-10349

A43-10348, A43-10347, A43-10346

A43-02411, A43-00280, A43-10345

☐ Old Mailing Address: A43-10820, A43-10328, A43-04181

☐ New Mailing Address: P.O. Box 108

Almo, Idaho 83312

☐ New Telephone Number: (208) 834-5591

☐ Signature of Claimant(s): Roscoe B. Ward

Date: 1-5-98

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:



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

August 28, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Roscoe B. Ward
Almo ID 83312

RE: ADJUDICATION CLAIM NOS. SEE ENCLOSED

Dear Mr. Ward:

It has come to our attention that your address in our records may be incomplete. Please be advised that there is a potential for nondelivery of important communications from IDWR or the court regarding your water rights.

In order for us to update your address on all your claims and water rights, please complete the enclosed address change form, sign and return it to us in the enclosed self-addressed envelope.

Thank you for your prompt attention to this matter and should you have any questions, please call this office.

Sincerely,

Doug Jones
Southern Region Adjudication Supervisor

DJ/tlb
Enclosures

A43-04181

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

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OF RIGHTS TO THE USE OF WATER FROM
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8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	25E	11	SW	NE		IRR	40.0
			SE	NE		IRR	10.0
			SE	NW		IRR	40.0
						Section Acres	90.0

A43-04181

Page 1

Date: 06/05/89

MICROFILMED
MAR 04 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
16S	25E	12	NE		NE		IRR	20.0
			NW		NE		IRR	20.0
			SW		NE		IRR	20.0
			NE		NW		IRR	20.0
			SE		NW		IRR	30.0
							Section Acres	110.0
	26E	6	NE		NE		IRR	20.0
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CAPACITY HAS ALWAYS BEE ~400 INCHES. A43-02411 LICENSED
FOR 284 INCHES, THIS CLAIM FOR THE ADDITIONAL 116 INCHES.

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): Roscoe B Ward Date: 6/5/89

Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 5 th day

of June 19 89

Lori White
Notary Public

Seal

Residing at TF

My Commission Expires 5/94



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

A43-04181
ROSCOE B. WARD

ALMO

ID 83312

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

1-28-92

CLAIM A43-4181

license A 43-2411

Claim A43-4181 was to increase the diversion rate for the system that delivers water for 43-2411.

The current motor and pump is the same as identified in the licensing field exam for 43-2411 on 8-15-56. The motor has been rewound a couple of times but otherwise is the same.

It is possible that the system is only capable of delivering the licensed div rate. if so ~~this system~~ claim A43-4181 could be ~~Ed.~~ as "no benefited use found."

I informed Mr Ward that if the system had not increased that he could withdraw that claim & if before field work, possibly receive a refund.

Info from Roscoe Ward.

XKC

MICROFILMED

MAR 04 1993

AFFIDAVIT

I, Wallace Tracy, of Malta, Idaho 83547 do hereby
Post office Address
affirm that I have personal knowledge of the well located in
the S8 1/4, NW 1/4, section 11, township 16, range 25
commonly known as the Roscoe Wood well.

Information I can formally attest to is as follows:

1. Date drilled July 28, 1954
2. Well driller Dean Rogers
3. Date of first use of water August 12, 1954
4. Nature of use Irrigation of Crops by Flooding
5. Quantity of water diverted 6.0 second ft. water
6. Lands irrigated by this well
See attached copy of Land description.
7. Duration of use each year 4-1 to 10-30
8. Other information I remember these dates

as I went to work for Wesler making
ditches with an Caterpillar tractor for this
well at the time it was drilled

Wallace Tracy

Wallace Tracy
SIGNATURE

STATE OF Idaho
COUNTY OF Cassia

Subscribed and sworn to me this 28 day of January 1992

NOTARY SEAL

Deanna K. Harris
NOTARY PUBLIC

MICROFILMED
MAR 04 1993

MICROFILMED

MAR 04 1993

Irrigation of 691 acres - Sec. 11 SE $\frac{1}{4}$ of NW $\frac{1}{4}$ 40 Acres, Sec. 11 SW $\frac{1}{4}$ of NE $\frac{1}{4}$ 40 A., Sec. 11 SE $\frac{1}{4}$ of NE $\frac{1}{4}$ 30 Acres, Sec. 12 SW $\frac{1}{4}$ of NW $\frac{1}{4}$ 30 Acres, Sec. 12 SE $\frac{1}{4}$ of NW $\frac{1}{4}$ 20 Acres, Sec. 12 S $\frac{1}{2}$ of NE $\frac{1}{4}$ 40 Acres, Sec. 12 N $\frac{1}{2}$ of NE $\frac{1}{4}$ 80 Acres, Sec. 12 NE $\frac{1}{4}$ of NW $\frac{1}{4}$ 40 Acres, All above is in Section 11 & 12 Twp. 16S0 Range 25 EBM - Also Sec. 6 Lot 5 40 Acres, Lot 4-60 Acres, Lot 3-45 Acres, Lot 2-40 Acres, Lot 1- 20 Acres. All in Sec 6 Twp. 16 South Range 26 EBM. This is all the land that is irrigated from this well as near as I am able to estimate the actual acres. All the above described land is cultivated to hay and grain except 90 acres of natural meadow.

MICROFILMED

MAR 04 1993

10/02/2000

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

RIGHT NUMBER: 43-4181

NAME AND ADDRESS: JOYCE WARD
ROSCOE B WARD
PO BOX 108
ALMO, ID 83312

SOURCE: GROUND WATER

QUANTITY: 2.07 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.80 CFS. COMBINED RIGHT
NOS.: 43-2411, 43-47B, 43-280, 43-10820.

PRIORITY DATE: 03/15/1956

POINT OF DIVERSION: T16S R25E S11 SWSNW 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	2.07 CFS 120.0 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T16S R25E S11	SENE	33	T16S R25E S11 SWNE 39
T16S R25E S11	SENE	40	T16S R25E S12 NENE 7.9
T16S R25E S12	SENE	0.3	T16S R25E S12 SWNE 20
T16S R25E S12	SENE	21	T16S R25E S12 SWNW 20
T16S R25E S12	NENE	3.8	T16S R25E S12 NWNE 12
T16S R26E S6	SWNE	13	T16S R26E S6 SENW 11
T16S R26E S6 LOT 1	NENE	33	T16S R26E S6 LOT 2 NWNE 37
T16S R26E S6 LOT 3	NENE	46	T16S R26E S6 LOT 4 NWNW 45
T16S R26E S6 LOT 5	SWNW	8.4	
390.4 ACRES TOTAL			

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 360 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 390 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2411, 43-47B, 43-
280, 43-10820.

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.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 43B.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CLAIM NUMBER: A43-06181

03-15	11-15	2.32	CFS
4-1	10-31	-----	-----
TOTAL DIVERSION:		2.32	CFS

2.07

Stage: ~~STATUTORY CLAIM~~

CASSIA County

TOTAL ACRES

Presumption flag:

Hydro-limited to 360 ac within PRK

Not All Rights ~~2444~~ ~~4444~~ limits to Cons total of ³⁹⁰ ~~309~~ ac ac

18th June 1855

RECOMMENDATION NOTES

From: Vikie Hancock

8/31/00

Regarding: Claims 43-02411 and 43-04181

These claims represent a total groundwater diversion of 8.0 cfs from a well drilled in 1954 in the SENW Section 11, T16S, R25E.

In 1956, a field inspection was done and license 43-02411 issued for 5.68 cfs, which was the capacity of the well measured at the time. 360 acres were found to be irrigated from this source. Priority date for the license is 1954.

In 1983, claimant's father filed statutory claim 43-04181 for additional water from this well, claiming a priority date of 1956. According to the claimant, Roscoe Ward, the history of the claim for the additional diversion amount is as follows:

At the time the well was first brought into production, it pumped approximately 400 inches (8.0 cfs) of water. Shortly after the well was drilled, land around the well caved in and did damage to the diversion works, which diminished the capacity of the diversion works. It was at this time that the field exam was conducted. Soon after, repairs were made and the capacity of the well was increased to its previous output of 400 inches, and 400 inches of water were used on the farm from that time onward. In 1983, Roscoe Ward's father filed a statutory claim for 1.32 cfs in addition to his licensed diversion amount. No proof was required of the additional beneficial use at that time. The 1.32 cfs added to the original 5.68 cfs would have provided 1 inch per acre for 350 acres. It is not known why the two figures did not add up to 360 inches to match the original number of licensed acres.

When Roscoe Ward filed the adjudication claim based upon statutory claim 43-04181, he increased the diversion rate to 2.32 cfs - the entire difference between the licensed amount and 8.0 cfs - because he was sure the well produced that much. In June of 2000, measurements were taken of the well that verified the output of the well at 7.75 cfs. Research by Department engineers resulted in the conclusion that this figure closely represents the original amount developed and used by the Ward's circa 1956 (see memo in file). I agree with that conclusion, and it will be my recommendation that the combined total diversion rate of the above two claims be 7.75 cfs.

The licensed number of irrigated acres may also have been underestimated by just under 10%. From GIS analysis there are 389 acres irrigated from the groundwater source. Although it is apparent that there has been some shifting of irrigated land - possibly due to the changes in Raft River as it flows through the property - it is also probable that the number of acres irrigated in Section 6,

lots 1, 2, 3, 4, and 5, were actually more than reported, due to the oversized nature of the lots. Therefor, my recommendation for claim 43-04181 will also include an increase in the number of acres irrigated, so that Mr. Ward will have a right to irrigate his entire 389 acres with his groundwater source.

See claim file 43-02411 for photos, memos and exhibits describing irrigation on the ranch, and for GIS place of use layout included with partial decree.

Hancock, Vikie

From: Hancock, Vikie
Sent: Tuesday, May 23, 2000 8:49 AM
To: Bird, Cindy
Subject: RE: A43-04018

Cindy,

Thank you, thank you. Actually, Kent Durfee did come in and give me some info on the well, but it wasn't much. And I had decided with all the history that, if we had time, a real measurement of the wells would be good, even though there had been a licensing exam. (So, hey, that puts you down to 131). Since my meeting with irrigators in Almo was cancelled today, I have some unanticipated time and will go thru the claims and give you a summary of sorts to go with them.

On a related note: are you guys making a list of wells that you may be helping us measure this season? If so, Roscoe Ward's well claimed as A43-04181 is one that needs to be back on the list. They have hesitated having the well measured, even though they think it pumps more than the licensed amt, because they thought if we determined it pumped less than the licensed amt we would cut them back. I assured them that we would not reduce their licensed amount. They put a bunch of maintenance money into the pump this year so they could have it tested.

We have an out-of-town guest coming in on Friday night, so will be playing tour guide this weekend. Sounds like the weather may cooperate for a change. Hope you have something fun planned.

Vikie

-----Original Message-----

From: Bird, Cindy
Sent: Tuesday, May 23, 2000 8:03 AM
To: Hancock, Vikie
Subject: RE: A43-04018

Suuure! Send it up and I'll take a look at it. I guess it couldn't be much worse than Hal Anderson's claim. I think we are going to try and measure the well we didn't get information on. This claim is one of the ones we got no response on. It is one of 132 claims we got no response on. When you send it up if you could give me an idea of what your looking for, that would be helpful.

Do you have any plans for the long weekend?

Cindy

-----Original Message-----

From: Hancock, Vikie
Sent: Wednesday, May 17, 2000 2:37 PM
To: Bird, Cindy
Subject: A43-04018

Cindy,

Yes, thank-you. The POD legal got changed by booboo during an amendment a couple of years ago. (This is technical Water Agent jargon, I hope I'm not talking over your head).

But since you brought this claim up, I have actually been meaning to ask you if you would have the time to do some investigating on this and the overlapping claims for Kent and Bruce Durfee. There are several wells that were tied together and the claimants contend that the acres and diversion rates originally licensed were in error. There is correspondence in the WR files from D. Tuthill and others more or less admitting that there may have been some errors and that the Adjudication would straiten it all out. Since a lot of the readable evidence is at the SO, and since there probably needs to be some re-mesurements, would you consider taking this project on? If so, I'll write up a brief summary for you and send the claims up.

Vikie

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

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 Wesley B. Ward Roscoe B. Ward
(Name of Claimant)

E Y Ranch, Almo, ID 83312 Telephone No. 824-5591
(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:

(1) Date of priority: (When was the water first applied to a beneficial use) 1956

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)
Groundwater tributary to _____

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

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>1.32 cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>Mar 15</u>	To <u>Nov 15</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 _____

(4) 1.32 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 NW 11 Sec. 11 Twp. 16S 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. 16" well, 50 hp motor, pump, gravity irrigation system

(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.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
16S	25E	11			40	10				40									90
		12	20	20	20		20			30									110
	26E	6	20	30	20		30	30	10	20									160

No. of acres 360

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: _____

Hancock, Vikie

From: Hancock, Vikie
Sent: Tuesday, March 07, 2000 9:09 AM
To: Bird, Cindy
Subject: RE: Basin 43

Cindy,

The last time I talked to Joyce and Roscoe I didn't think that they had decided yet whether they were going to pursue the stat claim for additional water or not. They had no measurements, just the late Dad's word that he knew it pumped more than the license, but I wonder about that. I probably should have deleted them from the 2nd notice list. I'll get with Joyce and see what they decided to do. Thanks.

-----Original Message-----

From: Bird, Cindy
Sent: Monday, March 06, 2000 12:21 PM
To: Hancock, Vikie
Subject: Basin 43

I received a phone call just now from Joyce Ward (A43-04181). February 14th we sent out second notices to claimants that had not responded to our request form. The request for historical pumping information. In here conversation today she said that she was working with you in December/January and had already given this information to you.

Cindy



A43-04181 V.H.

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, ROSCOE B & JOYCE
PO BOX 108
ALMO ID 83312

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.

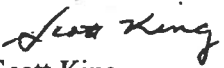
One advantage of providing good, verifiable information to us is that the flow rate that we recommend will be the full measure of your water right as developed. Another benefit is that disputes over the recommendation are minimized. Lastly, documentation for flow rate will likely be dated and may support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

A43-04181

in 1956 Field Exam verified 5.68 capacity of well

Affidavit from Wallace Tracy indicates 6 cfs in August 1954

- a) Where does priority date of 3-15-86 come from for the additional 2.32?
- b) When did it begin to pump more than the additional 1.32 cfs claimed in June 1983 on stat claim?

What's with this 691 acres listed in the file

4/19/99 DJ: Conversation w/ Wards

Mr Ward said his well pumped 400 inches at one time (8 cfs) w/ 50 hp pump. I explained a theoretical calculation $\frac{8.8 \times 50 \times .7}{50 \text{ ft}}$ (open discharge) indicated that the well/pump probably diverted in the neighborhood of 6 cfs - what we licensed & what Tracy completed affidavit for. We will be measuring to verify claimed rates & we may not recommend more than lic. if not pumped. He said his well collapsed & the sand/gravel chewed up bowls. He refiled impellers but it pumps less. My suggestion was to replace bowls - not inc. hp or

Continued

4/14/29

If he has records indicating higher rate we would entertain considering them. He feels he can't afford to rework pump & wants an extension for 2-3 yrs. I told him we are developing Dir Rt this year. He would like to be examined at end of summer - I said Vikie would be setting her schedule. I don't think Ward ever measured flow up to 400 inches.

Claim No. 413-4181

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



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(Name of Claimant)

E Y Ranch, Almo, ID 83312
(Mailing Address)

Telephone No. 824-5591

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

(cfs, af)		[Domestic, Irrigation, Stock, Etc.]		[Both dates inclusive] (Mo., Day)	
Quantity	<u>1.32 cfs</u>	Use	<u>Irrigation</u>	Period of Use From	<u>Mar 15</u> To <u>Nov 15</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 _____

(4) 1.32 TOTAL QUANTITY USED.
(cfs. at)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ NW ¼, Sec. 11 Twp. 16S 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. 16" well, 50 hp motor, pump, gravity irrigation system

(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]

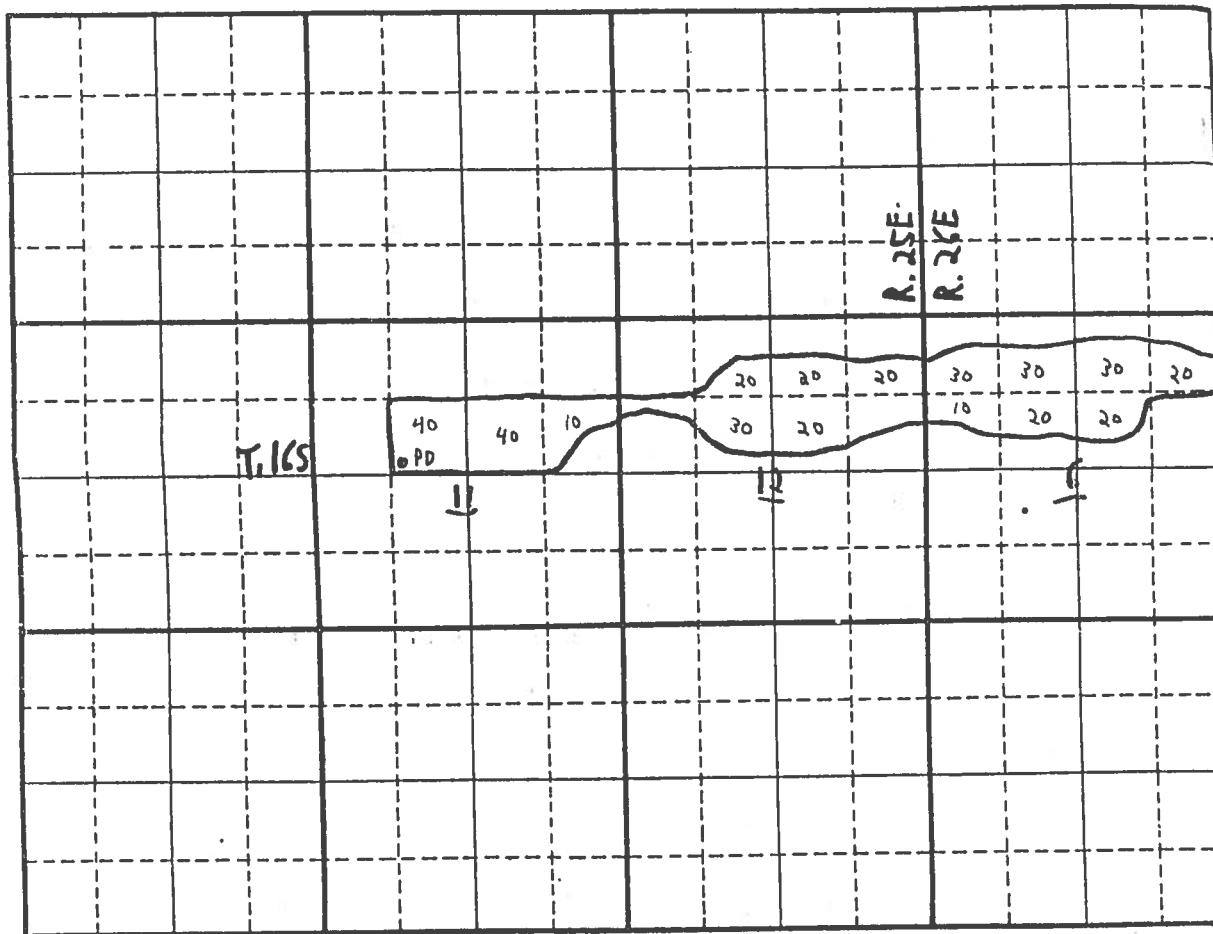
No. of acres 360

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: _____

- (8) Remarks This claim covers additional water produced by this well that is not licensed under 43-2411. Lands are the same as on the license.



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)

) ss.

County of Twin Falls)

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.

Roscoe Ward
(Claimant)

Sworn to before me this 21st day of June, 1983.

Loren O. Kalmus
Notary Public
Residing at Twin Falls, ID

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by <u>J. G. Blum</u>	Date <u>6-21-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>J. G. Blum</u>	Date <u>6-28-83</u>		claimant by:	
\$30.00 fee received by <u>JD</u>	Date <u>6-21-83 430269</u>			
Published in <u>Journal of Press</u>				
Dates <u>7/8 & 7/15/83</u>				

State of Idaho License and Certificate of Water Right

Water License No. G-25112

Amount 5.68 second feet

Water District No. _____

Priority August 11, 1954

THIS IS TO CERTIFY that WESLEY B. WARD of ELBA, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 11, 1954, that Permit No. G-25112 was issued under said application; that Certificate of Completion of work, with a carrying capacity of 5.68 second feet, was issued thereunder on September 20, 1956, showing that said works were completed on the 3rd day of March, 1956; and that on the 3rd day of March, 1956,

WESLEY B. WARD of ELBA, Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, ~~spring~~ (subterranean flow), for the purpose of irrigation, under Use Permit No. G-25112 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

9 of Licenses at page 5807, on the 20th day of September, 1956;

The right hereby confirmed dates from August 11, 1954;

The Point of Diversion is located
In the SE 1/4 NW 1/4, Sec. 11, Tp. 16 S., R. 25 E., B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 5.68 cubic feet per second.

Description and location of use:

Twsp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 S.	25 E.	11	SW NE	40	40
			SE NE	40	10
			SE NW	40	40
			NE NE	40	20
			NW NE	40	20
		12	SW NE	40	20
			SE NE	40	--
			NE NW	40	20
			SW NW	40	--
			SE NW	40	30
16 S.	26 E.	6	NE NE	35	20
			NW NE	40	30
			SW NE	8	20
			SE NE	5	--
			NE NW	40	30
			NW NW	40	30
			SE NW	40	30
			SW NW	40	30

Total Number of Acres Actually Irrigated 360
The right to the use of the water aforesaid hereby confirmed is restricted to the land or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 20th day of September, 1956.

(SEAL) MARK R. KULP
State Reclamation Engineer.

43 2411

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 0-25112

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

1. Name of applicant Wesley B. Ward2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the _____ SE1/4 of Section 11T. 16 S. R. 25 E., B.M. _____ County of Cassia4. Describe works as they exist, giving dimensions and capacities of same. Well is 115' deep by 16" diameter cased 100', 30 hp U. S. Motor, serial No. 952686. Worthington Turbine Pump, serial No. 1118132. Delivery to the East through an 8" by 8' pipe to an open ditch to the fields by gravity.50 hp U. S. Motor, serial No. 1002529. Layne Bowler Turbine Pump, serial No. 21043. 12" by 8' delivery to the West into a concrete distribution basin to the fields by gravity.5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

120 acres in the S1/4, SE1/4, of Sec. 11280 acres in the NE1/4, S1/4, NE1/4, of Sec. 12, both in Twp. 16 S., Rge. 25 E., B.M.213 acres is in the NE1/4, NW1/4, of Sec. 6, Twp. 16 S., Rge. 26 E., B.M.See the Map

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

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

Remarks:

This examination was made on the

15

day of

Aug.1956

(Signed)

E. H. Humphreys
Examiner

25112

September 6, 1956

Permit No. 0-25112

Mr. Wesley B. Ward,
Elba,
Idaho

Dear Mr. Ward:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on your Permit No. 0-25112 which shows that your well in the SE 1/4 Section 11, Township 16 South, Range 25 East, B.M. will deliver 22 1/2 inches or 5.6 second feet of water which has been used to irrigate 360 acres of land in the SE 1/4, S 1/2 NE 1/4 Section 11, E 1/4, S 1/2 NE 1/4, SW 1/4 NE 1/4 Section 12, Township 16 South, Range 25 East, B.M.; E 1/4, S 1/2 NE 1/4, SW 1/4 NE 1/4 Section 6, Township South, Range 26 East, B.M.

A Certificate of Completion of Works and License can, therefore, be issued for 5.6 second feet of water upon receipt of the statutory fees amounting to \$5.00 for completion of works and \$30.00 license fee, the latter being at the rate of \$2.00 for each 40 acre subdivision irrigated.

Very truly yours,

MARK E. KULP
State Reclamation Engineer
By

Chief Clerk

Rhl1

025112