

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 43-13026
Date Received: 6/1/01
Receipt No: 5024002
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

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

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

2. Date of Priority: 07/06/1937

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
14S	24E	36	SW NE NE	CASSIA	

5. Description of diverting works:

DAM AND DITCHES TO POU

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	06/15	1.7	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14S	25E	31	SW	SW	IRRIGATION	23
			SE	SW	IRRIGATION	32
			NW	SW	IRRIGATION	25
			SW	NW	IRRIGATION	5
					Section Acres	85
					Total Acres	85

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

THESE ACRES WERE ORIGINALLY CLAIMED UNDER 43-406 BUT WERE NOT RECOMMENDED AS PART OF THE DECREED RIGHT. THIS BENEFICIAL USE RIGHT REPRESENTS USE BEGUN IN 1937, AND IS A RIGHT FOR WATER USE IN EXCESS OF THE OLD DECREES RIGHTS TO BE USED ONLY WHEN DECREED RIGHTS 43-402, 43-403, 43-404, 43-405, 43-406, 43-407 HAVE BEEN SATISFIED. THIS RIGHT IS LIMITED TO THE SEASON CLAIMED.

15. Basis of Claim: Beneficial Use

16. Signature(s)

For Individuals:

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

Signature of Claimant(s): Ronald C. Ward Date: 6/1/01

Date:

State of Idaho)
County of San Luis) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of June 2001

[Signature]

Notary Public

Residing at Bull, Id

My commission Expires 5-7-2003



Idaho Department of Water Resources Receipt

Receipt ID S024002

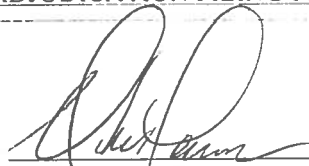
Payment Amount	\$50.00	Date Received	6/1/01 4:45:08 PM	Region	Southern	Status	
Payment Type	Check	Check Number	5288				

Payer WARD, RONALD C

Comment SRBA CLAIM 43-13026

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	ADJUDICATION FILING FEE 0337	44503	1155		



Signature Line (Dept. Representative)

06/05/2001

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: 43-13026

RONALD C WARD

PO BOX 109

ALMO ID 83312

Telephone Number: (208)824-5594

VENNA C WARD

PO BOX 109

ALMO ID 83312

Telephone Number: (208)824-5594

RECEIVED
JUN 14 2001
Department of Water Resource
Southern Region

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:

6/12/01

SIGNATURE:

Ronald C. Ward

Please print your name:

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

06/05/2001

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

RIGHT NUMBER: 43-13026

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

SOURCE: GRAPE CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 1.7 CFS

PRIORITY DATE: 07/06/1937

PURSUANT TO A CALL IN TIMES OF SCARCITY, THIS RIGHT IS
JUNIOR TO WATER RIGHT NOS. 43-402, 43-403, 43-404, 43-405, 43-
406, AND 43-407.

POINT OF DIVERSION: T14S R24E S36 SWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-15 06-15	1.70 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>							
T14S R25E S31	LOT 2	SWNW	2.8	T14S R25E S31	LOT 3	NWSW	29
T14S R25E S31	LOT 4	SWSW	29	T14S R25E S31		SESW	24

84.8 ACRES TOTAL

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

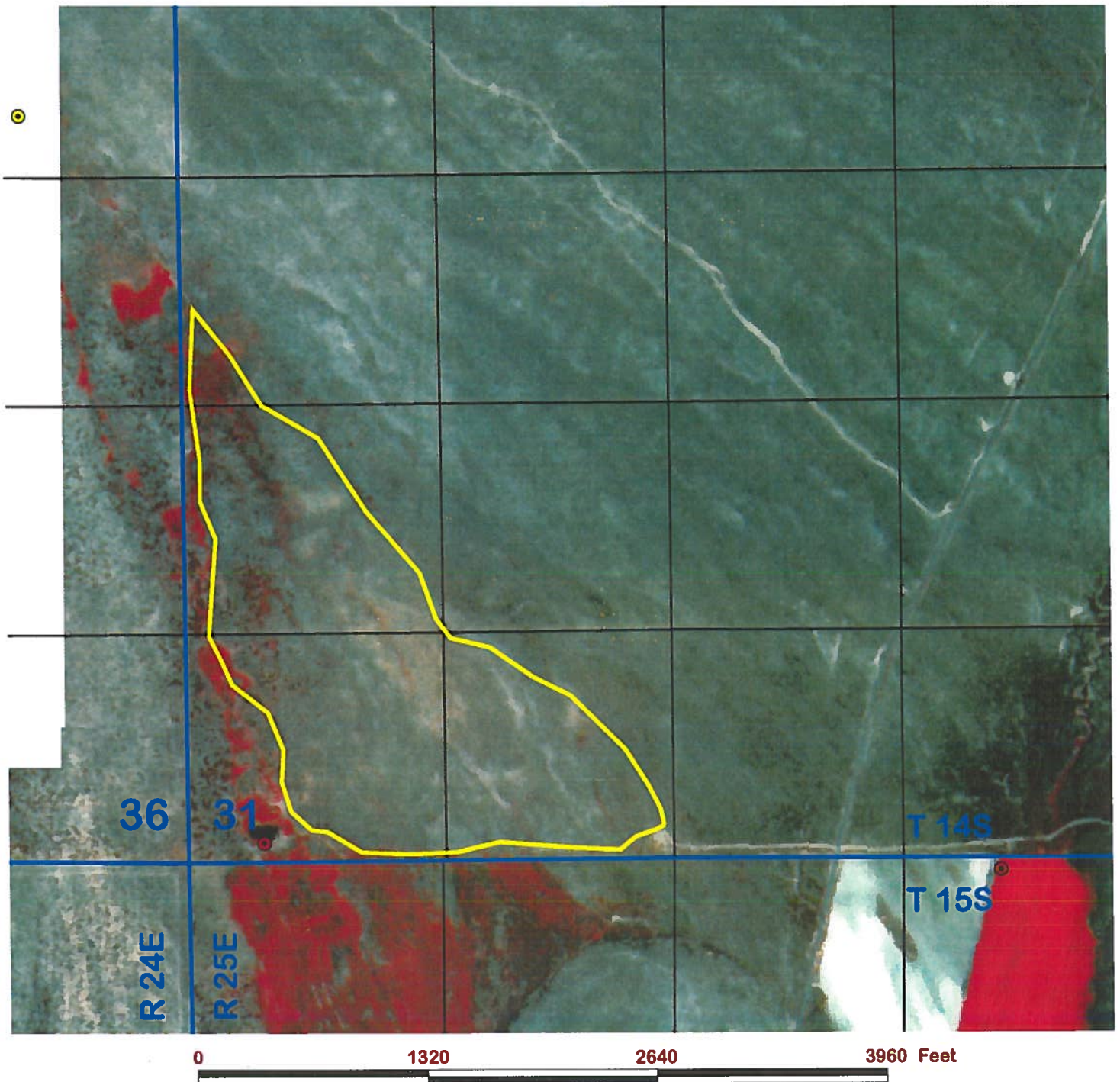
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

RIGHTS: 43-13026

RECOMMENDED PLACE OF USE
TWP 15S, RNG 25E, SEC 31
Data entry on June 4, 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



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

June 5, 2001

Ron Ward
PO Box 109
Almo, Idaho 83312

RE: Snake River Basin Adjudication (SRBA)
New Claims 43-13026 and 43-13027

Dear Ron,

Here is the way my recommendations will look for the new claims you filed Friday. As you can see, the conditions on 43-13027 have the volume limitation of 13,000 gallons per day that we removed from licensed right 43-2507. In addition, because this was originally part of that right, it is conditioned so that the diversion rate of this claim is not in addition to, but included in, the licensed diversion rate of 2.26. I hadn't thought of this until I looked at it again, but you didn't lose anything, and did accomplish your goal of separating the volume limitations of the two rights.

The irrigation right, 43-13026, has language under *priority date* that was suggested by our legal staff. I guess this is the way they state what we said in your claim. I know it doesn't seem as understandable, but be assured that the way your claim was filed will always be on record to document your intent if there is any question. If and when water ever becomes more regulated than it is now, I believe that filing this claim is the only way you can validate your beneficial use of the water up on the hill when it's available.

Don't hesitate to contact me if you have any concerns about these or any other water rights.

Sincerely,

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

Hancock, Vikie

From: McHugh, Candice
Sent: Tuesday, June 05, 2001 9:04 AM
To: Hancock, Vikie
Subject: RE: NEW CLAIM ON GRAPE CREEK

Vikie --

I think the following remark would work; it is found under the priority date remarks in the new system:

Purasant to a call in times of scarcity, this right is junior to water right nos. 43-???, etc.

If you have any other questions let me know.

Candice

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message. Thank You

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

From: Hancock, Vikie
Sent: Monday, June 04, 2001 1:16 PM
To: McHugh, Candice
Subject: NEW CLAIM ON GRAPE CREEK

Candice,

A claimant has just filed a BU claim on Grape Creek that describes a use of excess water up on the hill above the original decreed 1880 rights to Grape Creek. (He is the owner of one of the old decreed Grape Creek rights, #43-406). His father developed this use in 1937 and it has been used with the knowlege and assent of the other Grape Creek decree holders continually since that time. It represents a temporary supply during spring run off that may not exist every year. He was reluctant to officially claim this right, but has decided to do so since Doug and I told him he may lose his ability to use it if he doesn't file a claim now.

He has imposed his own voluntary conditions to the right so that his neighbors will realize that he is not trying to usurp their rights to Grape Creek. I know that to you and I a priority date of 1937 seems to say it all, but it was important to him to have some language in the SRBA decree that limited this right. He requested a shortened season of 4/15 to 6/15. He also requested specific language in the water right that would subordinate it to the senior decrees. I composed the following language for my recommendation: *This water right may be used only after rights 43-402, 43-403, 43-404, 43-405, 43-406 and 43-407 have been satisfied.* Do you see the SRBA court having any problem with either one of these voluntary conditions?

Thanks,

Vikie

PS: This guy was so refreshing after Bill Jones!!

Hancock, Vikie

From: McHugh, Candice
Sent: Monday, June 04, 2001 1:41 PM
To: Hancock, Vikie
Subject: RE: NEW CLAIM ON GRAPE CREEK

The SOU is fine. Regarding the subordination language. We have language we've used to accomplish this interest and I will find it and send it your way. The court should not have any problem with either concern.

Candice

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message. Thank You

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