

08/08/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-11225

NAME AND ADDRESS: JOYCE WARD
PO BOX 108
ALMO ID 8312

ROSCOE B WARD
PO BOX 108
ALMO ID 83312

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.090 CFS

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

PRIORITY DATE: 01/01/1962

POINT OF
DIVERSION: T16S R25E S12 SENWNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.050 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T16S R25E S12 NWNW
STOCKWATER Within CASSIA County
T16S R25E S12 NWNW

08/08/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

THE PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LAND.

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 IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-11225 V2

WATER RIGHT NUMBER: 43-11225 V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOYCE WARD PO BOX 108 ALMO, ID 8312 (208)824-5519
Current Owner	ROSCOE B WARD PO BOX 108 ALMO, ID 83312 (208)824-5591

Priority Date: 01/01/1962

Basis: Beneficial Use

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
STOCKWATER	01/01 to 12/31	0.050 CFS	
<u>Total Diversion:</u>		0.090 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4NW1/4	Sec. 12, Twp 16S, Rge 25E, B.M.
CASSIA County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	25E	12																	
									X										

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	25E	12																	
									X										

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-11225 V2

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Point of Diversion THE POINT OF DIVERSION LIES WITHIN THE SE QUARTER OF THE SENWNW, S12, T16S, R25E.
2. Place of Use THE PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LAND.

Comments:

1. rbrown 4/24/2002 SF5

Comment: This version includes remarks added to the POD and POU to resolve objection.

SubCase:

SubCase Number: 43-11225

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent: Vikie Hancock

Basis of Claim: Beneficial Use

Date Filed: 2/8/2002 Objection Status: Active

RECEIVED

FEB 19 2002

Department of Water Resources
Southern Region

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

In Re SRBA

A. Subcase 43-11225

(Insert water right number)

Case No. 39576

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Roscoe B. Ward

Address: P.O. Box 108; Almo, ID. 83312

Name: Joyce Ward

Address: P.O. Box 108; Almo, ID. 83312

Name:

Address: ;

Name:

Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point(s) of Diversion**
Should be: See attached _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached _____

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The legal description for element five and nine (POD & POU) above may include Federal land. The description should be specific enough to exclude Federal land.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Gary A. Madenford
(Signature of person filing objection)

Larry C. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

February 7, 2007

Linda C. Buck



Linda C. Buck

Notary Public for Idaho

Residing at: Mountain Home

My Commission Expires: 12-21-2005

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

I certify that on Feb. 8, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

Name: Roscoe B. Ward

Address: P.O. Box 108; Almo, ID. 83312

Name: Joyce Ward

Address: P.O. Box 108; Almo, ID. 83312

Name:

Address: ;

Name:

Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

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



Signature of Objector or attorney mailing on Objector's behalf

09/19/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-11225

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

ROSCOE B WARD
PO BOX 108
ALMO ID 83312

-MIXED POD

-THE POINT OF DIVERSION IDENTIFIED BELOW
CONTAINS BOTH PRIVATE AND PUBLIC LANDS.
-CLARIFY THE POD SUCH THAT IT IS CLEAR
THAT ONLY PRIVATE LAND IS INTENDED.

-MIXED POUS

SOURCE: GROUND WATER

-THE PLACES OF USE IDENTIFIED BELOW
CONTAIN BOTH PRIVATE AND PUBLIC LANDS.
-CLARIFY THE POUS SUCH THAT IT IS CLEAR
THAT ONLY PRIVATE LAND IS INTENDED.

QUANTITY: 0.090 CFS

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

PRIORITY DATE: 01/01/1962

UNAUTHORIZED USE

POINT OF
DIVERSION:

T16S R25E S12 SENWNW Within CASSIA County

-CLAIMANT IS NOT AUTHORIZED
TO FARM PUBLIC LANDS
-CLAIMANT IS NOT AUTHORIZED
TO GRAZE PUBLIC LANDS

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

STOCKWATER

01/01 12/31

0.050 CFS

PLACE OF USE:

DOMESTIC Within CASSIA County

T16S R25E S12 NWNW

STOCKWATER Within CASSIA County

T16S R25E S12 NWNW

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 IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

BOTTOM

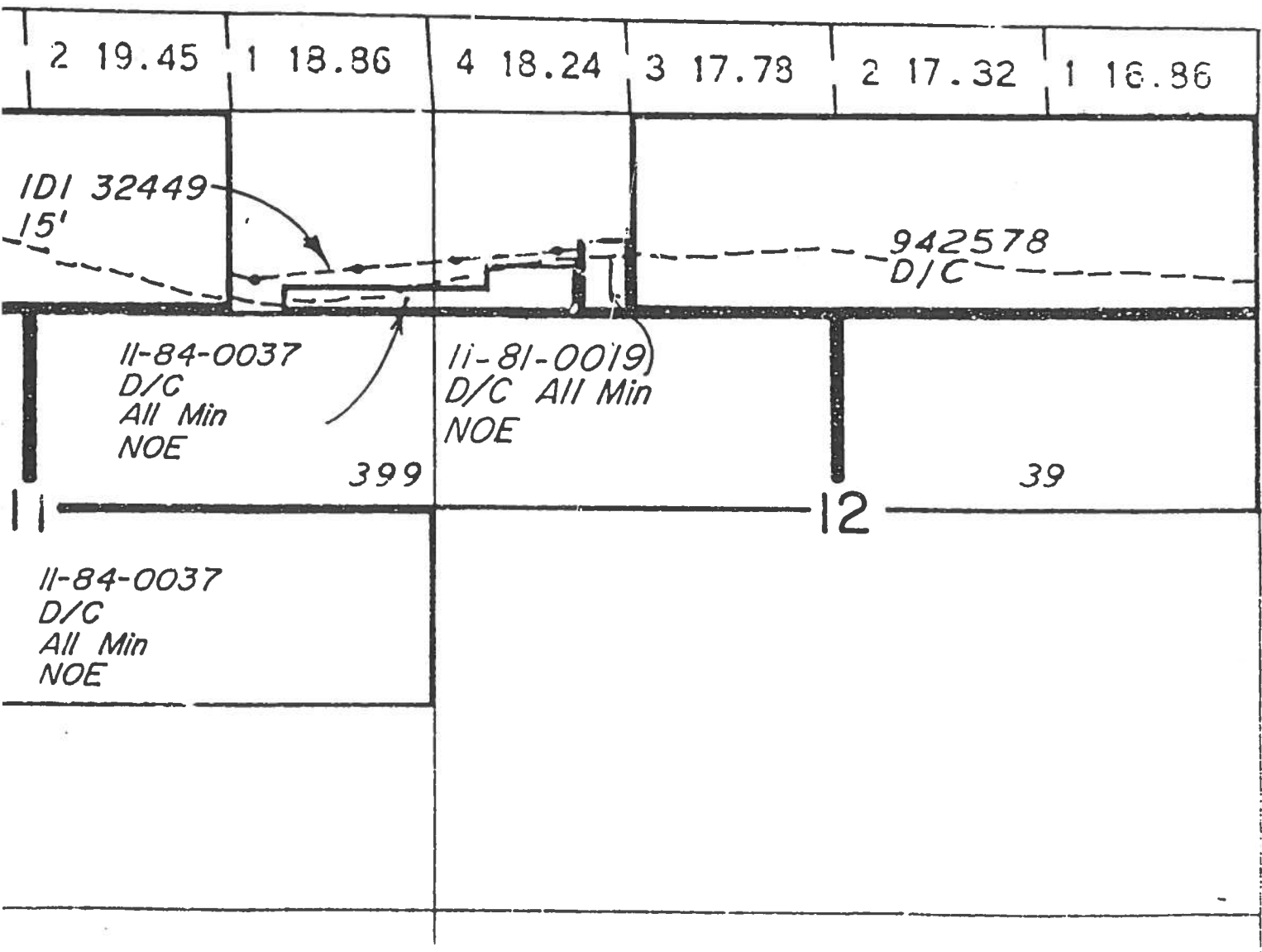
THE POD REPRESENTS MIXED OWNERSHIP. THE FOLLOWING LIMITING LANGUAGE INSERTED UNDER
POINT OF DIVERSION WOULD RESOLVE BLM'S OBJECTION TO POD;

"THE POINT OF DIVERSION WITHIN NWNW, S12, T16S, R25S, LIES WITHIN THE SESE OF THAT
LAND DESCRIPTION."

TWO OF THE THREE POUS ARE MIXED OWNERSHIP. THE FOLLOWING LIMITING LANGUAGE INSERTED
UNDER PLACE OF USE WOULD RESOLVE BLM'S OBJECTION TO POU;

"THE USE OF WATER UNDER THIS RIGHT DOES NO INCLUDE A USE ON FEDERAL PUBLIC
LAND."

T. 16S., R. 25E., sec 12
43-11225



OK JH

08/28/2000

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

RIGHT NUMBER: 43-11225

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

SOURCE: GROUND WATER

QUANTITY: 0.09 CFS

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

PRIORITY DATE: 01/01/1962

POINT OF DIVERSION: T16S R25E S12 SENWNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC 1 HOMES	01-01 12-31	0.04 CFS
STOCKWATER	01-01 12-31	0.05 CFS

PLACE OF USE:

DOMESTIC Within CASSIA County
T16S R25E S12 NWNW
STOCKWATER Within CASSIA County
T16S R25E S12 NWNW

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 IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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: A43-11225
Date Received: 5/22/2000
Receipt No: 582318
Received By: DA

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

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

2. Date of Priority: JAN 1, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16S	25E	12	SE	NW	NW		CASSIA

5. Description of diverting works:
WELL, PIPELINE, DITCHES TO GARDEN

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
1 HOME, 400 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	25E	12	NW	NW		DOMEST	
			NW	NW		STOCK	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
43-10349

14. Remarks:
WATER USED AT CLAIMANTS RESIDENCE FOR DOMESTIC, GARDEN AND STOCK.

15. Basis of Claim: BENEFICIAL USE

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: S023118

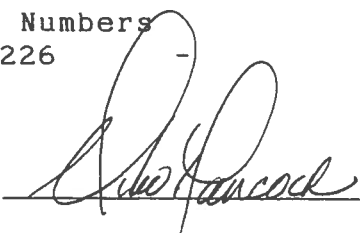
Date: 5/22/2000
Time: 09:16:55

Received
From: WARD, ROSCOE

Type of Payment	Program A cct	Amount
HREE D&S ADJUDICATION CLAIMS	41503 337 1155	75.00
CHECK 3402		
	Total	\$ 75.00

Water Right Numbers
A43-11224 A43-11225 A43-11226 - -

Region: SOUTHERN

Signature: 

IN THE DISTRICT COURT OF THE FIFTH JU
STATE OF IDAHO, IN AND FOR THE CCIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A43-11225Date Received 5-19-2000Receipt Number 5823118

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW For Domestic and/or Stockwater Purposes Where Daily Use is less than 13,000 gallons per day.

RECEIVED
MAY 19 2000
Department of Water Resources
Southern Region

RECEIVED
MAY 19 2000
Department of Water Resources
Southern Region

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) ROSCOE and OLYMPIA LEARD Phone (208) 824-5591
Mailing Address P.O. Box 108 Alma, ID 83312 Zip 83312

2. Date of Priority (Only one per claim) 1-1-1962 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 16 S Range 25 E
Section 12, SE 1/4 of NW 1/4 of NW 1/4, Govt. Lot None, BM.,
County of Cassia

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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, pipeline, Garden Ditch

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For <u>Dom</u>	purposes from	<u>1-1</u> Month/Day	to	<u>12-31</u> Month/Day	amount	<u>.04</u> (cfs)
For <u>Stock</u>	purposes from	<u>1-1</u> (Both dates are inclusive)	to	<u>12-31</u>	amount	<u>.05</u>

7. Total quantity claimed .09 (cfs)8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1-home, 400 cattle

10. Place of use is: Township: 16S Range 26E

Section 12, ~~SW~~ NW 1/4 of NW 1/4, Govt. Lot _____, B.M.,

County of Cassia for (Circle One) **Domestic** **Stock** **Domestic and Stock**

Additional places of use, if any _____

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.

14. Remarks: Home, Garden, Livestock

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 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 5-19-00

Joyce Ward Date 5-19-00

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

of _____, that I have signed the foregoing

document in the space below as _____ of _____

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

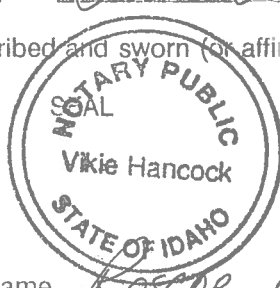
Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Adair) SS.

Subscribed and sworn (or affirmed) before me this 19th day of May 2000



Notary Public Vikie Hancock

Residing at Buhl, Idaho

My Commission Expires 5-7-2003

Last Name Roscoe Ward Ident No. _____

Copies: White-State, Yellow-Claimant



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

May 22, 2000

Roscoe and Joyce Ward
PO Box 108
Almo, Idaho 83312

RE: Snake River Basin Adjudication (SRBA)
New claims: A43-11224, A43-11225, A43-11226
Amended claim: A43-10495

Dear Roscoe and Joyce,

Here are the copies of your new claims to keep for your records. Be sure to look them over, and if you find anything wrong with them, let me know.

Also, I've sent you a copy of the *amended* claim A43-10495. I totally forgot to add domestic use to this claim, which is the well at the little white house, print out an amended copy and have you sign it while you were here. You'll notice that this now is a claim for domestic and stockwater. Please sign one of the claims marked in yellow, and return it to me in the enclosed envelope.

The date of the meeting about Raft River water is still undecided. I'll call and let you know the date as soon as I know. Also, here is a printout of the aerial photo of your ranch circa 1987, as Roscoe requested. I wish I could get it on one large sheet of paper, but can't here at this office.

Thanks again for coming to Twin Falls, I really enjoyed talking to both of you.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent