

09/26/2005

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

RIGHT NUMBER: 22-2202

NAME AND ADDRESS: GARY BALL INC
368 E 3RD S
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 11.460 CFS
2,577.000 AFY

PRIORITY DATE: 02/21/1961

POINT OF DIVERSION:

T05N R40E S3 NWNWSE Within MADISON County

T05N R40E S15 NENWNE Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

06/01 09/01

11.460 CFS
2,577.00 AFY

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before June 1 and after September 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

IRRIGATION Within MADISON County

T05N R40E S03 Lot 1 NENE	11.0	T05N R40E S03 Lot 2 NWNE	41.0
T05N R40E S03 Lot 3 NENW	13.0	T05N R40E S03 NESW	12.0
T05N R40E S03 SESW	11.0	T05N R40E S03 NESE	14.0
T05N R40E S03 NWSE	40.0	T05N R40E S03 SWSE	40.0
T05N R40E S03 SESE	15.0	T05N R40E S10 NENE	16.0
T05N R40E S10 NWNE	40.0	T05N R40E S10 SWNE	40.0
T05N R40E S10 SENE	16.0	T05N R40E S10 NENW	11.0
T05N R40E S10 SENW	10.0	T05N R40E S10 NESW	10.0
T05N R40E S10 SESW	9.4	T05N R40E S10 NESE	16.0
T05N R40E S10 NWSE	40.0	T05N R40E S10 SWSE	39.0
T05N R40E S10 SESE	15.0	T05N R40E S15 NENE	16.0
T05N R40E S15 NWNE	40.0	T05N R40E S15 SWNE	40.0
T05N R40E S15 SENE	16.0	T05N R40E S15 NENW	9.2
T05N R40E S15 SENW	9.2	T05N R40E S15 NESW	9.1
T05N R40E S15 SESW	8.6	T05N R40E S15 NESE	16.0
T05N R40E S15 NWSE	40.0	T05N R40E S15 SWSE	40.0
T05N R40E S15 SESE	11.0		

714.5 ACRES TOTAL

09/26/2005

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

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 -

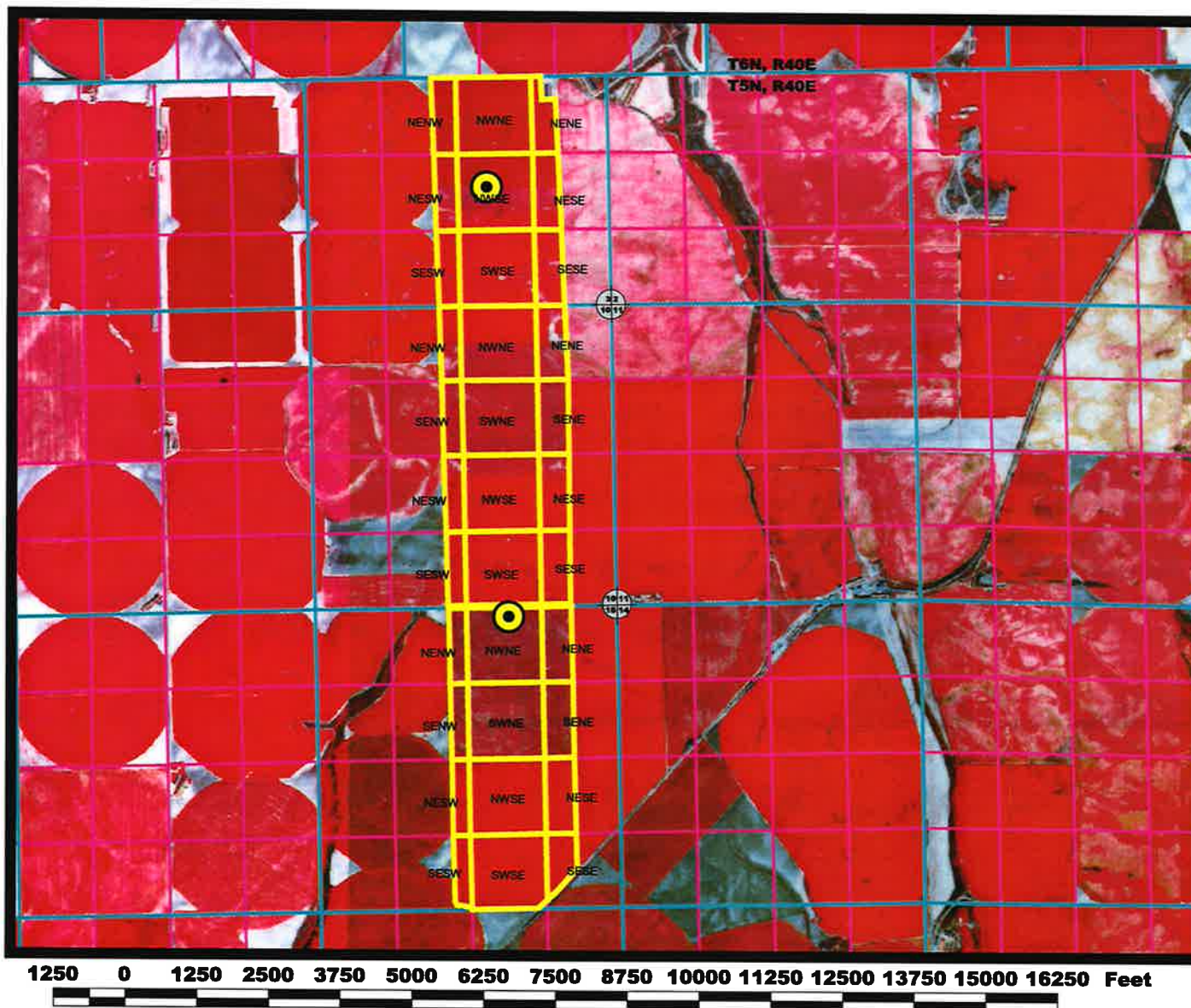
Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-2202

Point(s) of Diversion:
T5N, R40E Sec. 3
NWNWSE, NENWNE

Place of Use: (parts of)
T5N, R40E
Sec. 3 E2, E2W2,
Sec. 10 E2, E2W2,
Sec. 15 E2, E2W2

LEGEND



Point of Diversion



Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: September 2005

Water Right No(s). A22-02202 - North well

See photo attached

GPS DATA:

Tag # A0000283 Location: on roof support post
GPS data - 2682386 1401459 GPS file - 2222N2

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: U.S. Motors Model: _____ Hp: 400
SN: ID# D-7003827

PUMP

Make: Aurora Model: _____ Disch: _____
SN: could not read

NOTES:

Also Marathon Electric 100 hp Booster, SN-06616-1723.
System consists of 2 wells + pumps to pivots

Field Exam Date: 5-23-2005 Agent: D.W. Jones CPS

LIC @ 736[±] ac (Claims 738[±]) GPS shows 714[±] ac. No reduction or Q.
SQU Claimed as 4/1 to 11/1; Licon 500 as 6/1 to 9/1 - Ext 500 demand

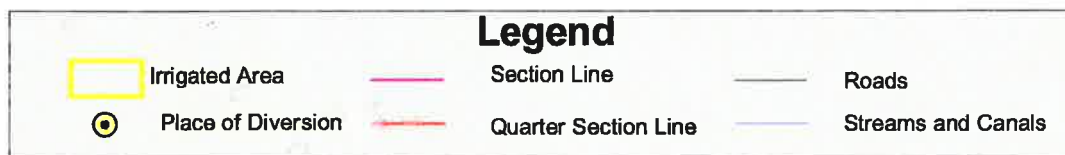
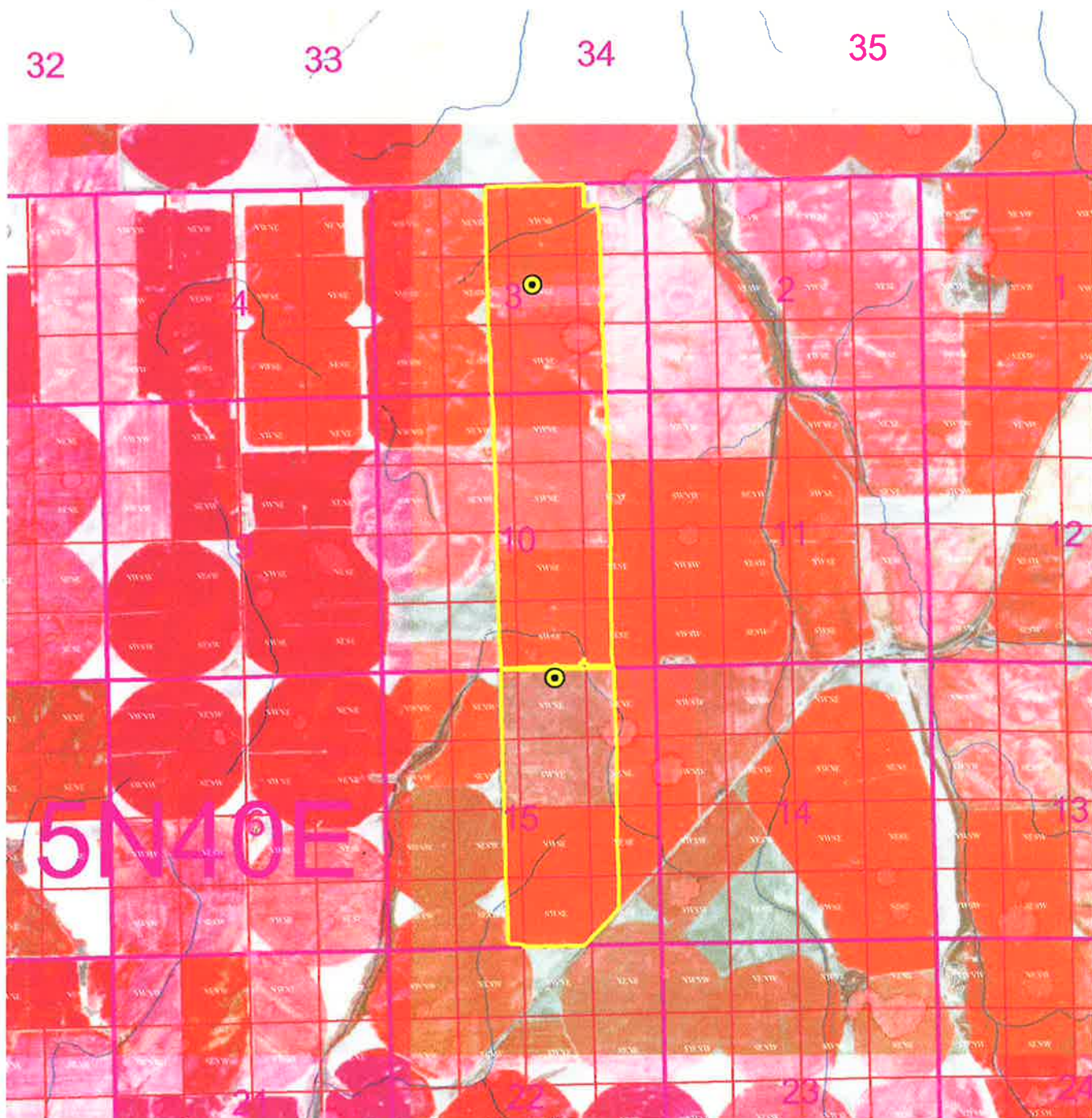
Well + pump to 12" mainline + Booster

Aaa-aaa, Northwell, Looking North



Water Right Claim Number 22-02202
Township , 5N40E

06/27/2001



SPATIAL
DYNAMICS



10

2222N2

222202

N

Water Right No(s). A22-02202 - South well

See photos Attached

GPS DATA:

Tag # A0000288 Location: on power pole
GPS data - 2682514
1399165 GPS file - 222202

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: Westinghouse Model: _____ Hp: 350
SN: 1-14V8677

PUMP

Make: Peerless Model: _____ Disch: _____
SN: 252395

NOTES:

Met with Mark Ball, on-site, several weeks earlier & confirmed
name, address, phone # & P.A.C. shape file

System also has US Electric 75hp Booster - SN# 60BC02
Claim has 2 wells to pivots.

Field Exam Date: 5-23-2005 Agent: D. W. Jones

GPS
TAG



A22-2202 Southwell, Looking East

State of Idaho
Department of Water Administration
AMENDED
LICENSE OF WATER RIGHT

License of Water Right No. 29520/22-2202 Priority Feb. 21, 1961 Amount 11.46 cfs

THIS IS TO CERTIFY, that VEDA W. RAINEY
of North Hollywood, California, has complied with the terms and conditions of Permit
No. 29520/22-2202 issued pursuant to Application for Permit dated February 21, 1961,
and has submitted proof to the Department of Water Administration on March 2, 1966,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 11.46 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 11.46 cfs for Irrigation from June 1 to Sept. 1 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 11.46 cfs of water be diverted at
any one time, said waters to be diverted within the NW 1/4 SE 1/4 of Sec. 3 and
NW 1/4 NE 1/4 of Sec. 15, Twp. 5 N, Rge. 40 E, B.M.
in the county of Madison; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 2,577 acre feet per year or
3.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NW 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	
5 N	40 E	3			40	16.1				11.8	11.8			11.8	16.1	40	40	16.1	203.7
		10	16.1	40	40	16.1	11.8			11.8	11.8			11.8	16.1	40	40	16.1	271.0
		15	16.1	40	40	16.1	11.8			11.8	11.8			11.8	16.1	40	38	8.1	261.5

Total number of acres irrigated 736.2

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of
August, 19 72.


Director

0.0156 cfs/ac

WATER LICENSE

Water License No. G-29520 Priority February 21, 1961 Amount 8.65 c.f.s.

THIS IS TO CERTIFY, that Veda W. Rainey
of North Hollywood, California, made application for a permit to appropriate the public waters of
the State of Idaho, dated February 21, 1961; that Permit G-29520 was issued pursuant
to said application; that the proposed works were completed on or about 1964,
with a storage or carrying capacity of 8.65 c.f.s., said works consisting of
well, motor, pump, and main lines; and that on March 2, 1966,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 2908.5
acre feet per season, with a maximum rate of diversion of 8.65 cubic feet per second of the waters
of a well, tributary of subterranean flow,
for the purpose of irrigation from June 1 to October 31,
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NW 1/4 SE 1/4, Sec. 3, T. 5 N, R. 40 E, B.M., and
other additional points _____, in the County of
Madison; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 2908.5 acre feet per year.

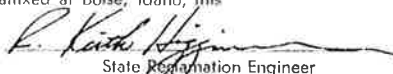
Description and location of place of use:

TWP.	RANGE	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>5 N</u>	<u>40 E</u>	<u>3</u>			<u>39</u>	<u>35</u>				<u>39</u>	<u>40</u>			<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>353</u>
		<u>10</u>	<u>40</u>	<u>39</u>	<u>40</u>	<u>40</u>				<u>40</u>	<u>40</u>			<u>39</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>478</u>

Total number of acres irrigated 831

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

17th day of October, 19 68

State Reclamation Engineer

293-3300
29520

APPLICATION FOR PERMIT
To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37520
Permit No. G- 29520
District No.

1. Name of Applicant: Veda W. Rainey
Postoffice address: 10639 Blix North Hollywood County: Los Angeles State: California

2. Quantity of water claimed: Sufficient water to irrigate 708 acres of land

(a) Rate of withdrawal in cubic feet per second 14.16 or Idaho
Miners' inches 708 or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Two wells (2)
NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10 and the

4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 15
Twp. 5 N , Rge. 40 E , B.M., County of Madison

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.

7. Kind of works: Two (2) drilled wells with electrical pumps

8. Estimated cost of works: \$ 50,000.00

9. (a) Is reservoir to be used? No

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$ (c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash onhand: \$

(b) Treasury stock: (c) Bonds to be issued:

(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none

(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) 14.16 (cubic feet per second, inches or gallons per minute) is for new lands.



Remarks:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ Veda W. Rainey Applicant.

By s/ Ralph A. Parker Agent.

Date of first receipt at Department of Reclamation: 8:30 A.M. February 21, 1961

Returned to applicant for correction: February 21, 1961

Corrected application received: February 24, 1961

Approval of State Reclamation Engineer

The number of this permit is G— 29520

Recorded in Book 104 Page 29520 Approved March 2, 1961

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before September 2, 1963

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before March 2, 1966

Witness my hand this 2nd day of March, 1961

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 2nd day of March, 1961.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLLIE
Governor

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5 N	40 E	3			41	16.5			11		10.5		10.5		16	40	40	16	201.5
		10	16	40	40	16	10.5		10.5		10.5		10.5		16	40	40	16	266
		15	16	40	40	16	10.5		10.5		10.5		10.5		16	40	28	2.5	240.5
		TOTAL																708.	
POWER OF ATTORNEY																			
See LIMITED POWER OF ATTORNEY to RALPH A. PARKER in permit file																			
Recorded: November 15, 1961																			
Amended LICENSE ISSUED FOR 11-46 SEC. FT. LICENSE PAG. NO. _____																			

Amended
LICENSE ISSUED FOR 11.46 SEC. FT.
LICENSE PAGE NO.

APPLICATION FOR AMENDMENT ✓

Comes now Veda W. Rainey and represents to the State Reclamation Engineer of the State of Idaho, That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-29520, and requests that the permit be changed as follows:

1. Place of use or land to be irrigated:
2. Point of diversion: NW 1/4, Section 3, T 5 N., R 40 E., D.M.

Other points of diversion:

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at 10639 Blix Street, North Hollywood, California, this 15th day of February, 1968.

/s/ VEDA W. RAINEY

Date of Receipt at Department of Reclamation: February 19, 1968

ACTION OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment for Permit No. G-29520.

Witness my hand this 19th day of February, 1968.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 8,66 SEC. FT.
LICENSE PAGE NO. 29520

AUGUST 12, 1993

GARY BALL INC
368 E 3RD S
REXBURG ID 83440

RE: CHANGE IN OWNERSHIP FOR A22-02202

Dear Mr. Ball:

The request for Change in Ownership concerning your Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a typed Notice with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:jt

Enclosure: Notice(s) of Claim

File: P

MICROFILMED

APR 11 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 8/10/93

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

(SEE ATTACHED SHEET)

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A22-02202 and 22-02202
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): The Cave Family Trust and Veda W. Rainey (deceased)
- ☐ New Owner/Claimant (Purchaser): Gary Ball, Inc., an Idaho corporation
- ☐ New Mailing Address: 368 East 3rd South, Rexburg, ID 83440
- ☐ New Telephone Number: (208) 356 - 6849
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: See attached.

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): Gary Ball Inc. Date 8-10-93
by Gary Ball Pres. Date 8-10-93
- ☐ Signature of Former Owner/Claimant(s): Thomas F. Lane Jr. Trustee Date 08/10/93
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

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: _____
Claim Numbers of Split, if any:

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APR 11 1994

MICROFILMED

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

Special

Exam
must be made as soon
as possible

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-29520/22-2202

REPORT ON PROOF OF Beneficial use and

Completion of Works

TO DETERMINE IF LICENSE SHOULD BE RECALLED

Both wells & dows/crs
running
26 lines $\frac{11}{64}$

County of Madison)
I hereby certify that the within instrument was
Filed AUG 23 1999
19 1999 A.M. and **248153**
recorded on Film 620

by BETH A. REESE, Recorder
B. Reese Deputy

At the request of
J. H. Haddock

WARRANTY DEED

FOR VALUE RECEIVED, THOMAS F. CAVE, JR. and EMMA DEAN CAVE, Trustees of The Cave Family Trust under Revocable Trust Agreement dated November 22, 1983, of #20 Via Larga Vista, Bonsall, CA 92003, the grantor, does hereby grant, bargain, sell and convey unto GARY BALL, INC., an Idaho corporation with its principal place of business at 368 East 3rd South, Rexburg, Idaho 83440, the grantee, the following described property situated in Madison County, State of Idaho, to-wit:

An undivided one-third (1/3) interest in and to a one hundred percent (100%) interest in the following described property:

Commencing at the Northwest corner of Section 14, Township 5 North, Range 40 E.B.M. Thence South 30°38' East, 2724.4 feet, more or less, to the West side property line of the O.S.L. Railroad; thence South 43°57' West, along said West side property line of said Railroad, 3169 feet to the beginning point of the following described land; thence South 43°57' West, along said Railroad West property line, 963 feet, more or less, to its intersection with the South side of Section 15, above township and range; thence North 89°56' West, along the section line, 1541.7 feet; thence North, 14,640 feet, more or less, to the North side of Section 3, or to the township line, above township and range; thence South 89°49' East, along the said township line, 2210 feet; thence South 13,942 feet, more or less, to the point of beginning. Containing 737.30 acres, more or less.

Together with all water rights appurtenant thereto and a 14% interest in the waters of Moody Creek and the canals therefrom to all the reservoirs along the line of said canal to what is known as the reservoir at the headquarters of The Webster-Soule Farm, as heretofore used for culinary and irrigation purposes.

Subject to the County Road along the North end of above tract.

Also subject to a private East and West road approximately on the section line between Sections 10 and 15, for use of all stockholders and their successors and grantees.

WARRANTY DEED

248153

Provided, however, notwithstanding all that is hereinbefore stated regarding private roads in the lands of said Webster-Soule Farm, the road known as the Diagonal Air Line road entering said lands on the North boundary thereof and extending therefrom to and near the section corner common to Sections 10, 11, 14 and 15, Township 5 North, Range 40 E.B.M. is hereby closed and abandoned and in lieu thereof a like road one rod wide is to be forthwith opened to the east of the said entrance of said Air Line Road on the said north boundary of said lands of said Webster-Soule Farm and extending south therefrom for a distance of 1-3/4 miles to and along the line between the lands owned by O. P. Soule and Hanna H. Soule and the lands owned by Vida Webster Rainey.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said grantee, its heirs and assigns forever. And the said grantor does hereby covenant to and with the said grantee, that it is the owner in fee simple of said premises; that they are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

Dated this 10th day of August, 1993.

Emma Dean Cave, Trustee
Emma Dean Cave, Trustee of
The Cave Family Trust

STATE OF CALIFORNIA)
County of San Diego : ss.

See California Acknowledgment

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 6193

State of CALIFORNIA
County of SAN DIEGO
On 8-19-93 before me, NANCY ELAINE CARROLL
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"
personally appeared -EMMA DEAN CAVE-
NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on this document.

☐ INDIVIDUAL
☐ CORPORATE OFFICER(S)

TITLE(S)
☐ PARTNER(S) ☐ LIMITED
☐ GENERAL
☐ ATTORNEY-IN-FACT
☒ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER:

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

The Cave Family Trust

WITNESS my hand and official seal.



Nancy Elaine Carroll
SIGNATURE OF NOTARY

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

Permit NoG-29520/22-2202

This proof is for... Completion of Works and Beneficial use In Water District No.

1. Name of applicant... Veda W. Rainey
2. Source of water supply: ... groundwater
3. Location of point of diversion: Is in the... NW 1/4 SE 1/4 of Section... 3
T. 5 N R. 40 E County of NW NE Sec 15 Madison
4. Describe works as they exist, giving dimensions and capacities of same:

well
there are 26 1/2 mile laterals running with 33 heads each (1/4") the average pressure is 50 psi $(26 \times 33 \times 6.0) / 450 = 11.46$ CFS

5. Water is used for: ... irrigation
6. State whether or not water has been turned into works of diversion: yes - well data on second sheet (Back)
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):

Sec. 3- S 1/2 NE 1/4, SE 1/4 NW 1/4, E 1/2 SW 1/4, SE 1/4, Sec. 10- E 1/2, E 1/2 NW 1/4, E 1/2 SW 1/4 all in T. 5 N., R. 40 E., R. M., Sec. 15- E 1/2, E 1/2 NW 1/4, E 1/2 SW 1/4 totalling 708 acres.

PROOF STATES:
S 1/2 NE 1/4, SE 1/4 NW 1/4, E 1/2 SW 1/4 and SE 1/4, Sec. 3 (201.5 acres)
NE 1/4, E 1/2 NW 1/4, E 1/2 SW 1/4, SE 1/4, Sec. 10 (276 acres)

This is how it is

Gary Ball contacted

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

8. What large stream would the water here appropriated finally reach?
- Remarks: I have found the irrigated acreage to be 736 acres as shown on the enclosed map. However there are two points of diversion (See Pump data) they are NW 1/4 SE 1/4 Sec 3 and NW 1/4 SE 1/4 Sec 15. The two systems were both operating with boosters and are connected together by a common mainline 2 3/4 miles long. The land was planted in grain and potatoes

This examination was made on the... 16... day of Aug, 1970

(Signed) James Brooks Examiner.

1894

Permit No. 29520/22-2202

Comes now Veda W. Rainey of (address) 10639 Blix, North Hollywood, California, and represents to the State Reclamation Engineer of the State of Idaho:

No. 29520/22-2202, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW ¼ SE ¼, Sec. 3, T. 5 N,
R. 40 E, B.M. Other points of diversion NW¼NE¼, Sec. 15, Twp. 5 N, Rge. 40 E, B.M.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day mo. - day

For Irrigation purposes from June 1 to Oct. 31 (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

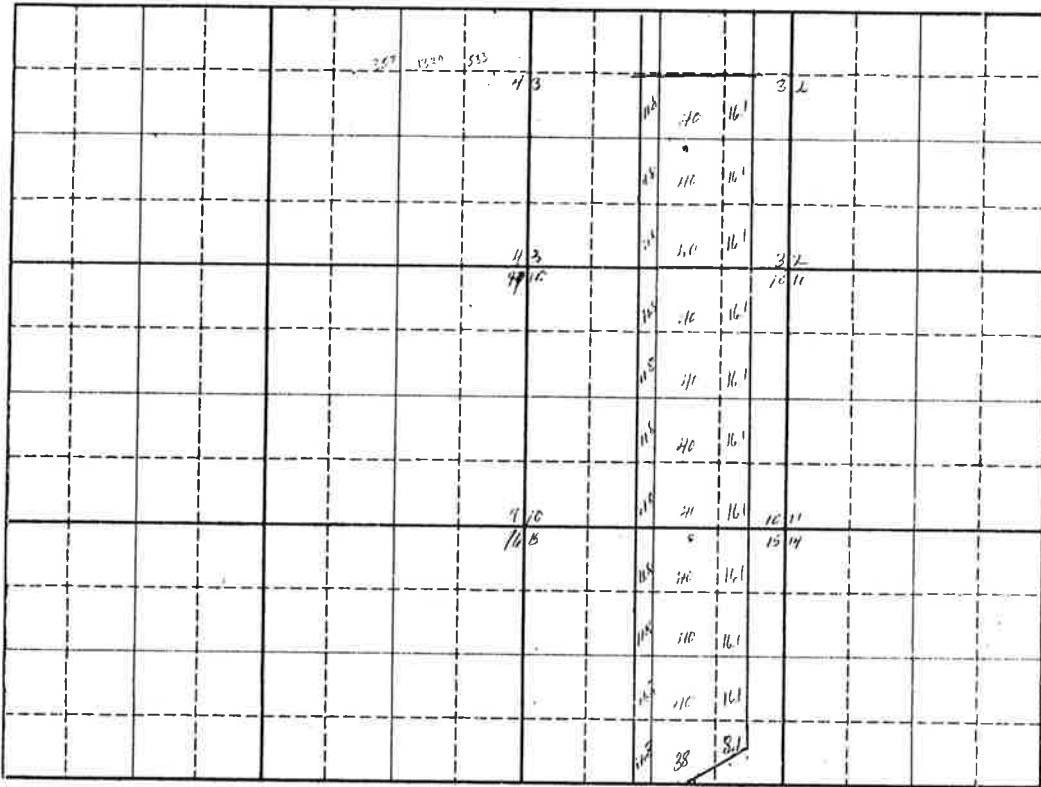
3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated

~~831~~

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches. +5 N. R. 40 E.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at 10637 North Hollywood this 6 day of March, 1972
Calif.
Vida W. Rainey
 (signature)

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, Director, Dept. of Water Admin.,
~~State Reclamation Engineer~~ of the State of Idaho,
 hereby approve the above application for amendment for Permit No. 29520/22-2202.

Witness my hand this 29 day of August, 19 72

R. Keith Higginson
 State Reclamation Engineer

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: **A22-02202**

Date Received: 7/ 7/1988

Receipt No: E000643

Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: GARY BALL INC
Address: 368 E 3RD S
REXBURG ID

208-356-6849

83440

2. Date of Priority: FEB 21, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	40E	3		NW	SE		MADISON
		15		NW	NE		MADISON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	11.460		

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

A.F.A.

8. Total consumptive use is 1845.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	40E	3	SW	NE		IRR	40.0
			SE	NE		IRR	16.0
			SE	NW		IRR	12.0
			NE	SW		IRR	12.0

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	40E	3	SE		SW		IRR	12.0
			NE		SE		IRR	16.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	16.0

Section Acres 204.0

10	NE	NE	IRR	16.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	16.0
	NE	NW	IRR	12.0
	SE	NW	IRR	12.0
	NE	SW	IRR	12.0
	SE	SW	IRR	12.0
	NE	SE	IRR	16.0
	NW	SE	IRR	40.0
	SW	SE	IRR	40.0
	SE	SE	IRR	16.0

Section Acres 272.0

15	NE	NE	IRR	16.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	16.0
	NE	NW	IRR	12.0
	SE	NW	IRR	12.0
	NE	SW	IRR	12.0
	SE	SW	IRR	12.0
	NE	SE	IRR	16.0
	NW	SE	IRR	40.0
	SW	SE	IRR	38.0
	SE	SE	IRR	8.0

Section Acres 262.0

Total Acres 738.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

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14. Remarks:

AC. IRR.=736.2.

15. Basis of Claim: LICENSE

Water Right Number: 29520

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APR 11 1994

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: A22-02202
Date Received: 6/08/1988
Receipt No: E000643
Received By: HWJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: *The Cave Family Trust*
Address: *VEDA W. RAINEY*
5553 CAMINO CERRAJO
NORTH HOLLYWOOD, CA 91603
SANTA BARBARA CA. 93111

2. Date of Priority: FEB 21, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	40E	3	NW	SE			MADISON
		15	NW	NE			MADISON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	11.460		

7. Total Quantity Appropriated is:
11.460 C.F.S. (and/or) 2577.00 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
05N	40E	3	SW	NE		IRR	40.0
			SE	NE		IRR	16.0
			SE	NW		IRR	12.0

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Date: 06/08/88



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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	40E	3	NE		SW		IRR	12.0
			SE		SW		IRR	12.0
			NE		SE		IRR	16.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	16.0
							Section Acres	204.0
		10	NE		NE		IRR	16.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	16.0
			NE		NW		IRR	12.0
			SE		NW		IRR	12.0
			NE		SW		IRR	12.0
			SE		SW		IRR	12.0
			NE		SE		IRR	16.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	16.0
							Section Acres	272.0
		15	NE		NE		IRR	16.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	16.0
			NE		NW		IRR	12.0
			SE		NW		IRR	12.0
			NE		SW		IRR	12.0
			SE		SW		IRR	12.0
			NE		SE		IRR	16.0
			NW		SE		IRR	40.0
			SW		SE		IRR	38.0
			SE		SE		IRR	8.0
							Section Acres	262.0
							Total Acres	738.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

A22-02202

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2

Date: 06/08/88

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14. Remarks:

AC. IRR.=736.2.

15. Basis of Claim: LICENSE

Water Right Number: 29520

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): Thomas F. Perez Trustee Date: 06-30-88

Emma Pearl Lane Date: 06-30-88
Trustee

State of ~~Idaho~~ California

County of Santa Barbara

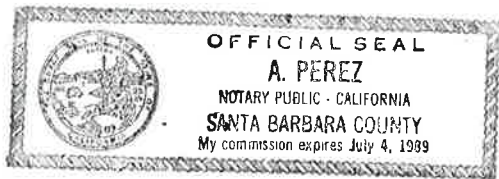
)
) SS.
)

Subscribed and sworn (or affirmed) before me this 20th day

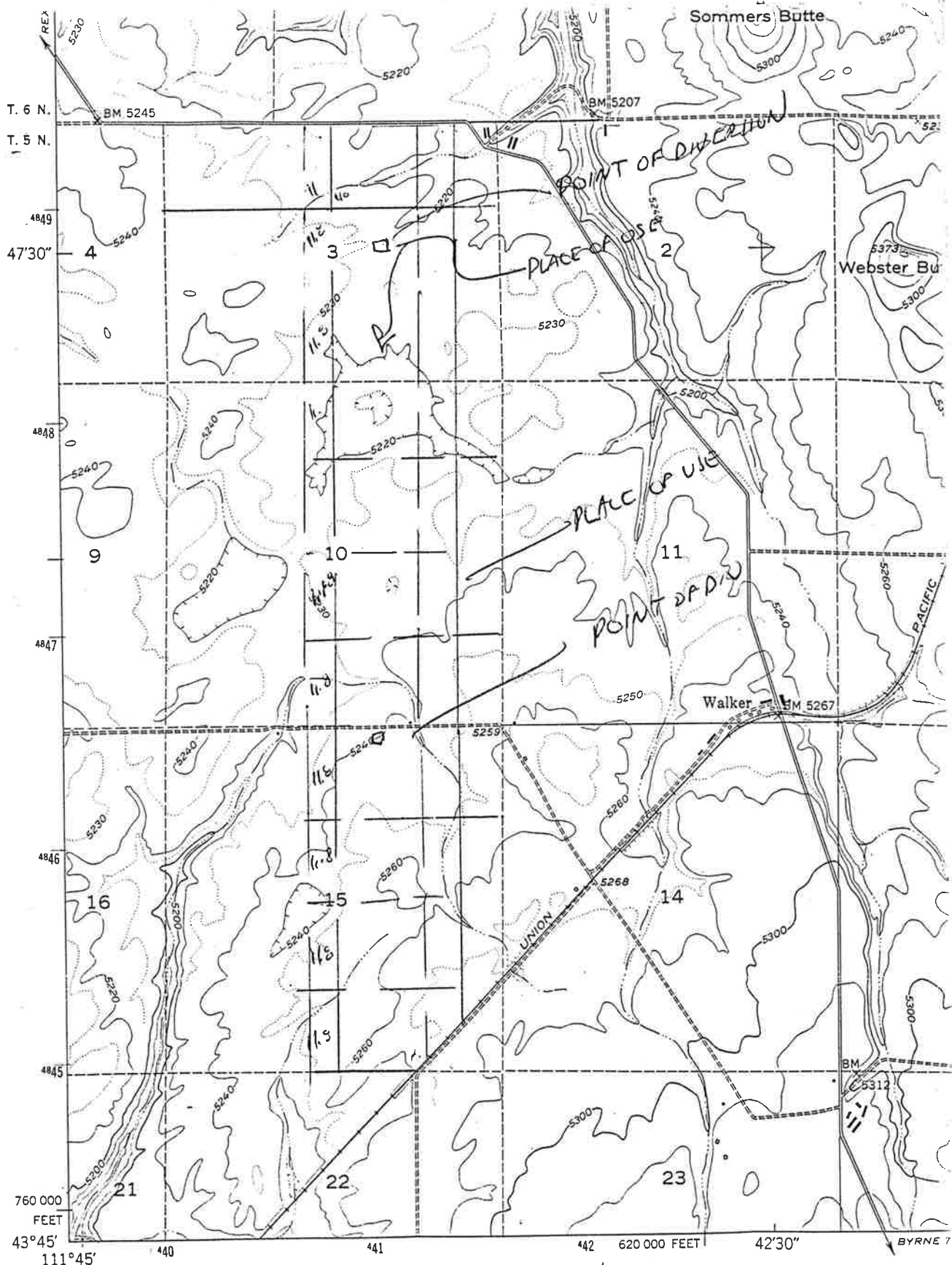
of June 19 88

A. Perez
Notary Public

Seal



Residing at 465 Via El Cuadro Santa Barbara, Ca
My Commission Expires July 4, 1989 93111



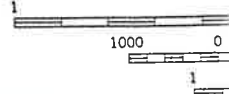
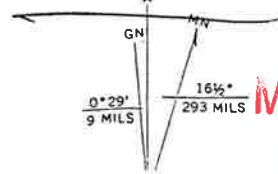
(R/R/E)
3671 III NE

Mapped, edited, and published by the Geological Survey
Control by USGS and NOS/NOAA

Topography from aerial photographs by multiplex methods
and by plane-table surveys 1951. Aerial photographs taken 1946

Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system, east zone
1000-meter Universal Transverse Mercator grid ticks,

CLAIM # A22-2202



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