

02/02/2006

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

RIGHT NUMBER: 22-7009

NAME AND ADDRESS: JOYCE RANDKLEV
201 E CHAPEL DOWNS DR
SOUTHLAKE TX 76092

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.000 CFS
406.000 AFY

PRIORITY DATE: 05/15/1968

POINT OF DIVERSION:

T05N R39E S21 SENENW Within MADISON County

T05N R39E S21 SENWNW Injection Within MADISON County

The water diverted from the well described above will be exchanged for water from Bannock Jim Slough through multiple points of redirection along the slough and ditch with a portable pumping system.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

2.000 CFS
406.00 AFY

PLACE OF USE:

IRRIGATION Within MADISON County

T05N R39E S20	NENE	31.00	T05N R39E S20	SENE	37.00
T05N R39E S21	NENW	21.00	T05N R39E S21	NWNW	27.00

116 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 - License

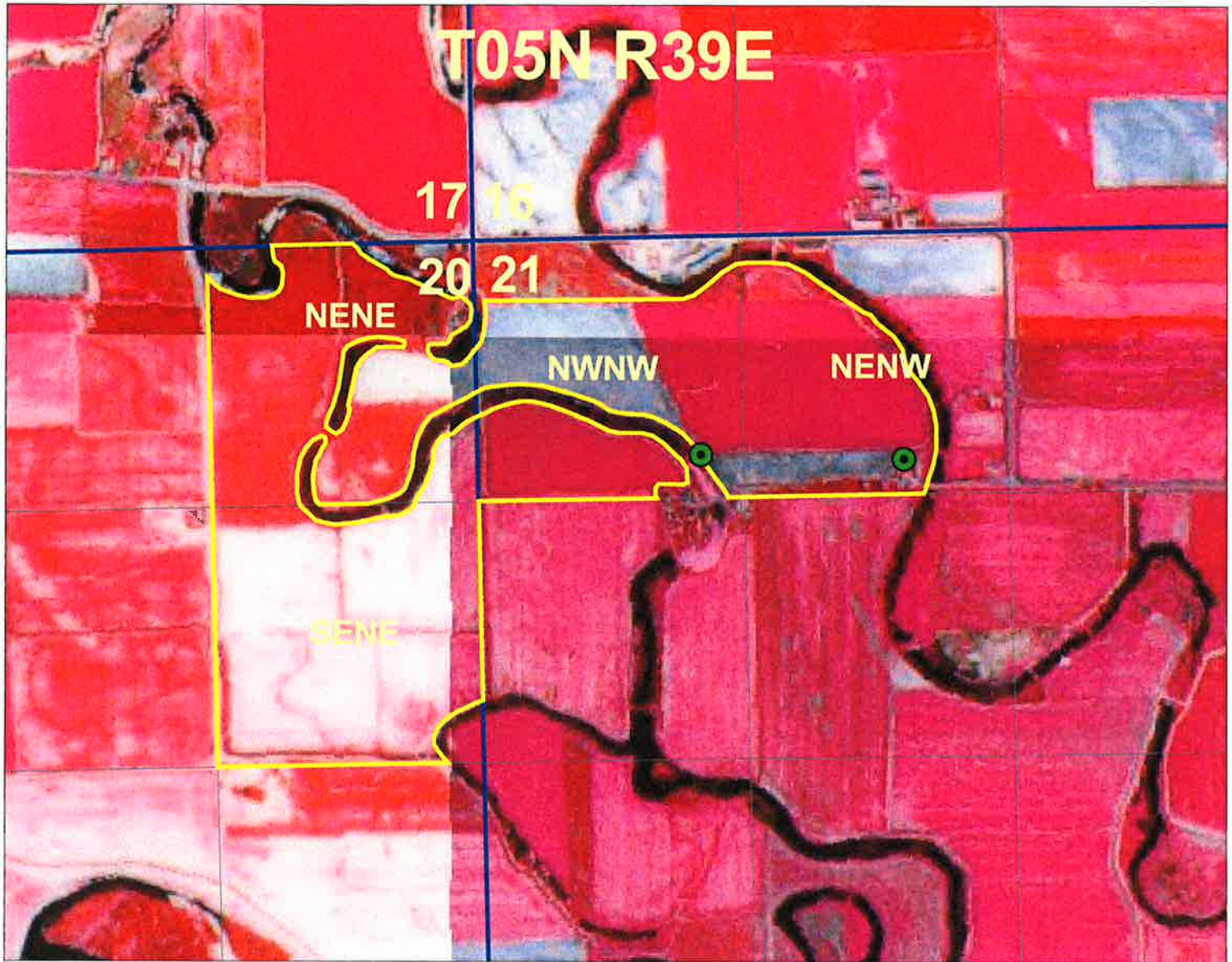
The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

Department of Water Resources

Eastern Region

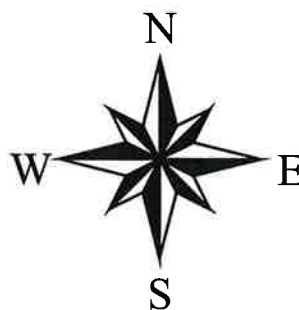


Claim No.: 22-7009



0 500 1000 1500 2000 Feet

- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ



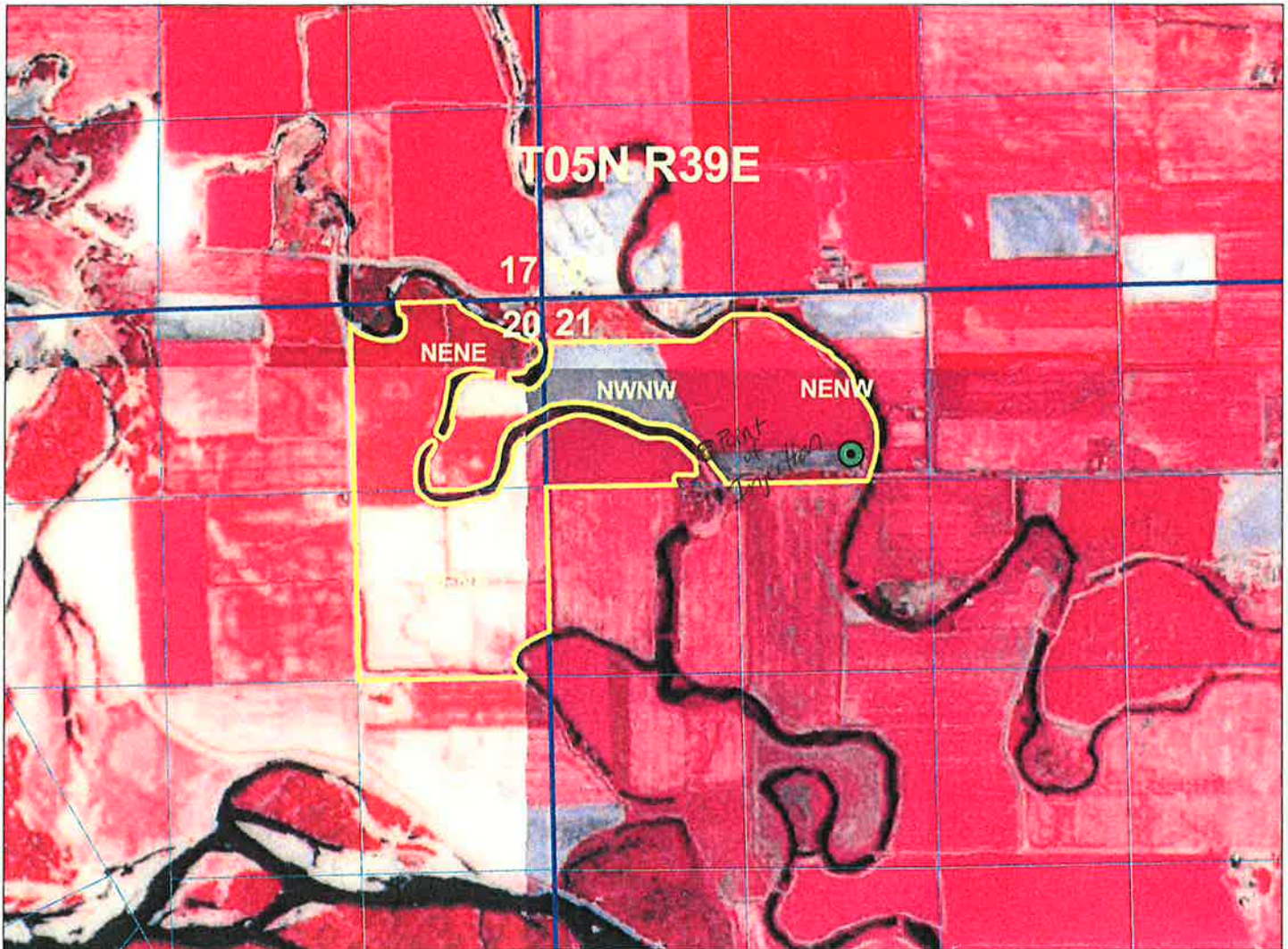
GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: February 2006

Department of Water Resources

Eastern Region



Claim No.: 22-7009



0 1320 2640 3960 5280 Feet

- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: November 2005

JAN 06 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 4, 2006

JOYCE RANDKLEV
201 E CHAPEL DOWNS DR
SOUTHLAKE TX 76092

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 22-7009

Dear Ms. Randklev:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

SCANNED

JAN 06 2006

PROFILED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	422-7009	N			

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Margerie M. Ward

5517 W. 5000 S. Rexburg, ID

- 4.** New Owner/Claimant(s)

Joyce Randklev

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

201 E. Chapel Downs Dr.

City, State and ZIP Code

Southlake, TX. 76092

New Telephone Number

(817)-488-9922

- 5.** Date you acquired the property

10-13-2003

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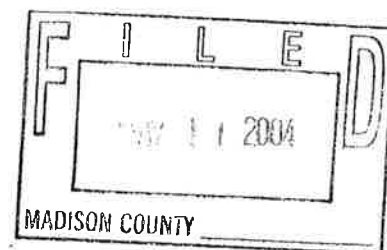
JAN 06 2005

RECEIVED

DEC 14 2005

Department of Water Resources
 Eastern Region

Gordon S. Thatcher
of RIGBY, THATCHER, ANDRUS,
RIGBY & MOELLER, *Chartered*
Attorneys at Law
25 North Second East
Rexburg, Idaho 83340
Telephone: (208) 356-3633
Facsimile: (208) 356-0768
Idaho State Bar #880



Attorneys for Personal Representative

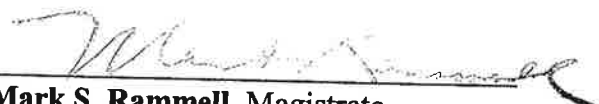
IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR MADISON COUNTY

IN THE MATTER OF THE ESTATE OF)
MARJORIE MAY WARD,)
Deceased.)

Case No. 04- 243
LETTERS TESTAMENTARY

The Court having admitted the Will of MARJORIE MAY WARD to probate in informal proceedings, Joyce Randklev, who is duly qualified, is hereby appointed Personal Representative of the estate of MARJORIE MAY WARD, deceased, to serve without supervision, restriction or bond.

WITNESS: Mark S. Rammell, Magistrate of the above entitled Court with the seal thereof affixed this 11 day of May, 2004.


Mark S. Rammell, Magistrate

CERTIFICATE
I HEREBY CERTIFY THE
FOREGOING INSTRUMENT
TO BE A TRUE AND COR-
RECT COPY OF THE ORIG-
INAL ON FILE IN MY
OFFICE.
DATED 10-19-04
Marilyn R. Rasmussen
Madison County Clerk,
Auditor and Recorder.
Clerk of the District Court
By A Wood Deputy



SCANNED
JAN 06 2006

CERTIFICATE OF VITAL RECORD

STATE OF IDAHO
IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF HEALTH POLICY AND VITAL STATISTICS
CERTIFICATE OF DEATH

Date Filed OCTOBER 27, 2003

State File No. [REDACTED]

DECEDENT - LEGAL NAME MARJORIE MAY WARD			
SEX FEMALE	SOCIAL SECURITY NUMBER [REDACTED]	AGE 83 YEARS	DATE OF BIRTH AUGUST 01, 1920
BIRTHPLACE REXBURG, IDAHO		PLACE OF RESIDENCE REXBURG, IDAHO	
MARITAL STATUS AT TIME OF DEATH WIDOWED		NAME OF SURVIVING SPOUSE (If wife, maiden name)	WAS DECEDENT EVER IN U.S. ARMED FORCES? NO
FATHER - NAME CHARLES JENKINS			BIRTHPLACE KANSAS
MOTHER - MAIDEN NAME EMMA ANDERSON			BIRTHPLACE IDAHO
METHOD OF DISPOSITION BURIAL		FUNERAL SERVICE LICENSEE GARTH E. FLAMM	
NAME AND ADDRESS OF FUNERAL FACILITY FLAMM FUNERAL HOME, INC., REXBURG, IDAHO			
DATE OF DEATH OCT. 13, 2003	TIME OF DEATH 8:38 A.M.	CITY, TOWN OR LOCATION OF DEATH REXBURG, IDAHO	COUNTY OF DEATH MADISON
CAUSE OF DEATH (underlying cause last) a. RENAL FAILURE			Approximate Interval Between Onset and Death 4 HOURS
b. RHABDOMYOLYSIS			48 - 72 HOURS
c. [REDACTED]			48 - 72 HOURS
d. [REDACTED]			
OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above FALL AT HOME			WAS AN AUTOPSY PERFORMED? NO
MANNER OF DEATH NATURAL		NAME OF CERTIFIER ALAN JEFFERY, D.O.	TITLE PHYSICIAN
CORONER SUBSEQUENT CERTIFICATION IF NECESSARY			
REVIEWED AND IF NECESSARY AMENDED THE MEDICAL SECTION: RICK DAVIS			
EXTERNAL CAUSES ONLY			
DATE OF INJURY	TIME OF INJURY	PLACE OF INJURY	INJURY AT WORK?
LOCATION WHERE INJURY OCCURRED			
DESCRIPTION OF HOW INJURY OCCURRED			

SUPPLEMENTAL INFORMATION ADDED 11/06/2003

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF HEALTH POLICY AND VITAL STATISTICS.

DATE ISSUED: NOVEMBER 06, 2003

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

Jane S. Smith
JANE S. SMITH
STATE REGISTRAR

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



SCANNED
JAN 06 2006

Water Right No(s). A22-2009

GPS data - 2670909
1396988

GPS Rte # 227009

GPS DATA:

Tag # A0015977 Location: on well base

Diversion Data:

Source: Groundwater Trib to: _____
"Tractor powered"

MOTOR

Make: Amarillo Model: Right angle Drive Hp: 40
SN: OL-10 72338

PUMP

Make: Johnston Model: _____ Disch: _____
SN: CC-14015

NOTES:

All anyone would be interested. Her daughter Joyce Randklew owns property near S/O given. Home address until April 2006 is 201 E. Chapel Downs Dr, Southlake Texas 76092. Home phone 817-488-9922. Cell phone is 682-438-9565. Boyd Smith Farms property. System is well to ditch into Burnack Jim Slough - Redwater with siphon tubes + portable pump along slough + ditch. (multiple areas)

Field Exam Date: 11-18-05 Agent: J. Wyens

Met with Joyce + Robt. Randklew on-site. Plan modified by Randklews.

PROFILED

JAN 06 2006

Claim No. 22-7009

Document Checklist

☒ Copy License/Decree

☐ Copy Transfer

☒ Copy Licensing Field Exam

☒ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

7/13/04 Courthouse parcel # 05n 39e 20 0009
05n 39e 21 2580

Decree

Margerie May Ward et al
Joyce Randklev

Joyce

Randklev

817-488-9922

201 Chapel Downs Rd Dr
Southlake TX 76092

Now owns

Bac

SCA 1

JAN 06 2006

Season of Use and Quantity Data Entry Form

Claim Number: _____

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
FRIG	4/1	11/1	5 ¹²	

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
FRIG	4/1	11/1	2 ⁰	430 ⁵

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

LICENSOD AS AN EXCHANGE WELL - WHAT DOES IT DO NOW?
 WHERE IS POINT OF FLS. WHOSE IS ROD ??
 WHAT IS THE BANNOCK^{IN} SLOUGH Rts?

SERVICES BY LIBERTY PARK CANAL?

Reviewer: _____

Date: _____

SCANNED

JAN 06 2006

11/14/05

PMO100 - PARCEL MASTER INQUIRY

09:16:12

PARCEL: RP 05N39E200009 A

F9=MS
F17=DD

F23=AG

RANDKLEV JOYCE

LEGAL DESCRIPTION
E2 NE4 LESS PARCEL #0001
20-05-39

201 E CHAPEL DOWNS DR

CODE AREA 6-0000 OWNER CD
PARC TYPE LOC CODE
EFFDATE EXPDATE
PREV PARCEL

SOUTHLAKE TX 76092

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
1	2002	65300	AC	21163				
5	2002	1200	AC	72				
19	2002	11500	AC					

TOTALS 78000 21235

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

Robert Randklev

817-488-9922

Boyd Smith

Farming

SCANNED

JAN 06 2006

Friday
10am
1pm -

Met

4892 W. 5200 S.

Left to Brown World

2 way stop - left

1 mile, (curve) no straight

one mile home - home opposite

682-438-9865



GPS Tag

A22-7009, Looking North

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JAN 06 2006

PROTECTED

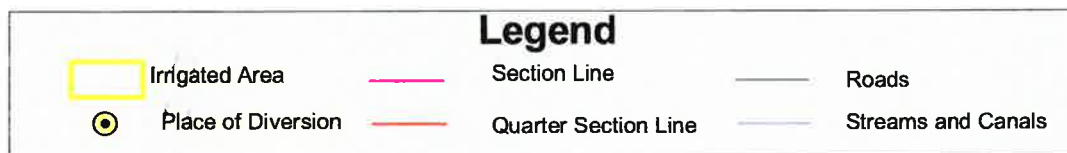
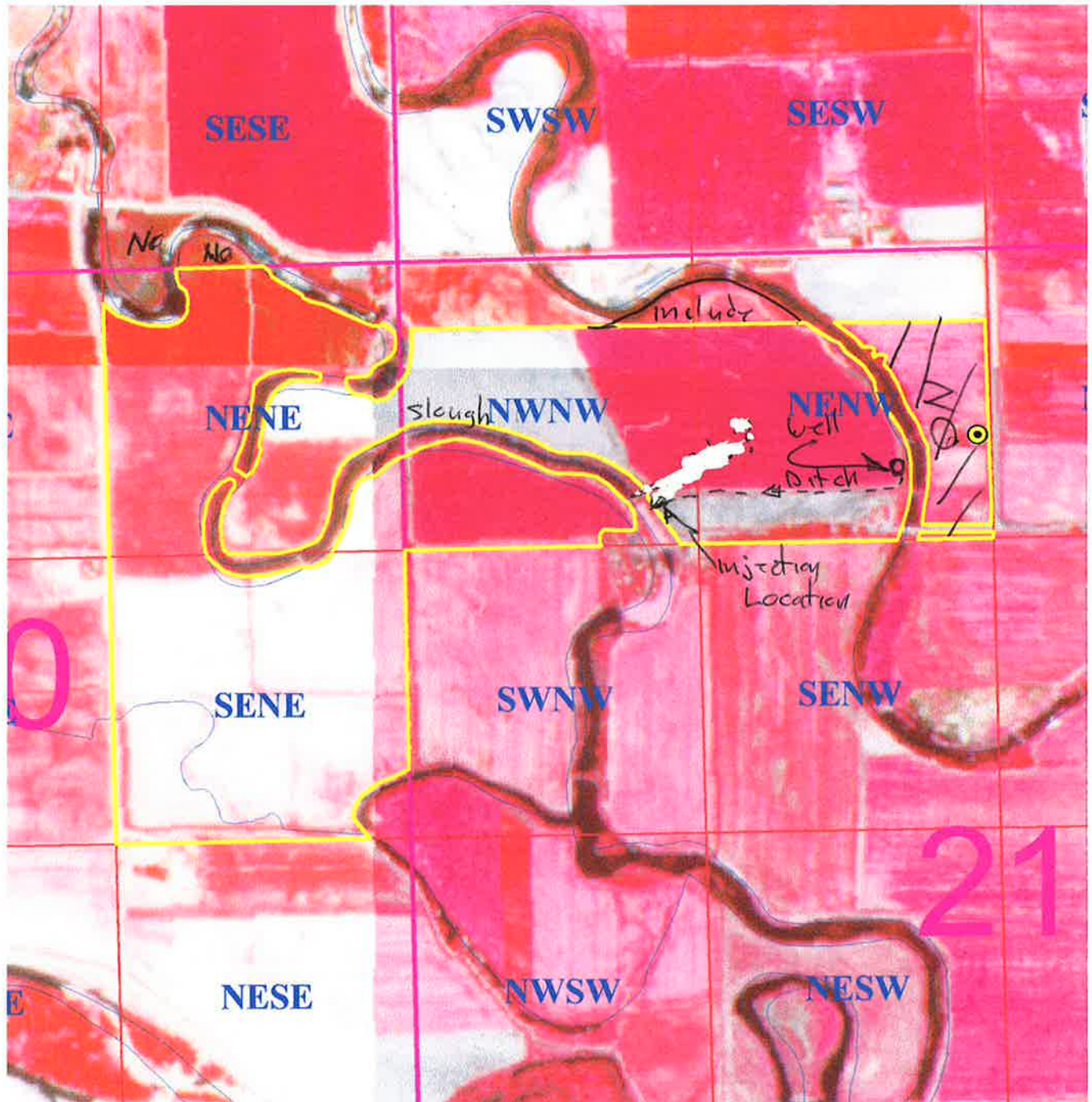
05N39E21

227009



Water Right Claim Number 22-07009
Township , 5N39E

07/03/2001



SCANNED
JAN 06 2000
SPATIAL DYNAMICS



SCANNED
JAN 06 2006

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 22-7009 Priority May 15, 1968 Amount 2.0 cfs

THIS IS TO CERTIFY, that GEORGE HAROLD WARD

of Thornton, Idaho, has complied with the terms and conditions of Permit No. 22-7009 issued pursuant to Application for Permit dated May 15, 1968, and has submitted proof to the Department of Water Administration on May 25, 1973, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 5.12 cfs of water from a ground water source, tributary to _____, and that the permit holder has applied to a beneficial use & established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u>	at <u>2.0</u> cfs and	<u>430.5 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.5 af per acre</u>
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 2.0 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 430.5 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 21,
Twp. 5 N, Rge. 39 E, B.M. in the County of Madison

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 N	39 E	20	36			38													74
		21					20	29											49

Total number of acres irrigated 123

The water diverted from the well described above will be exchanged for water from Bannock Jim Slough from a point within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, Twp. 5 N, Rge. 39 E, B. M.

A measuring device of a type approved by this Department shall be permanently maintained as part of the diverting works on the well.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 4 day of April, 19 74.

Director

22-7009

FIELD REPORT

6/2/73
31 E E D
87

MA 29 1973

- Department of Water Administration
Phone Eastern District Office

Phone 356-6404

- (name spring, stream, etc.)

- Other uses: _____

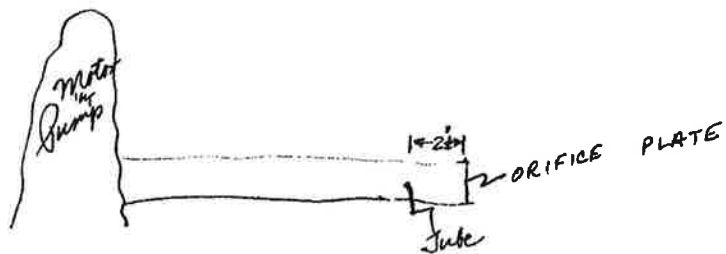
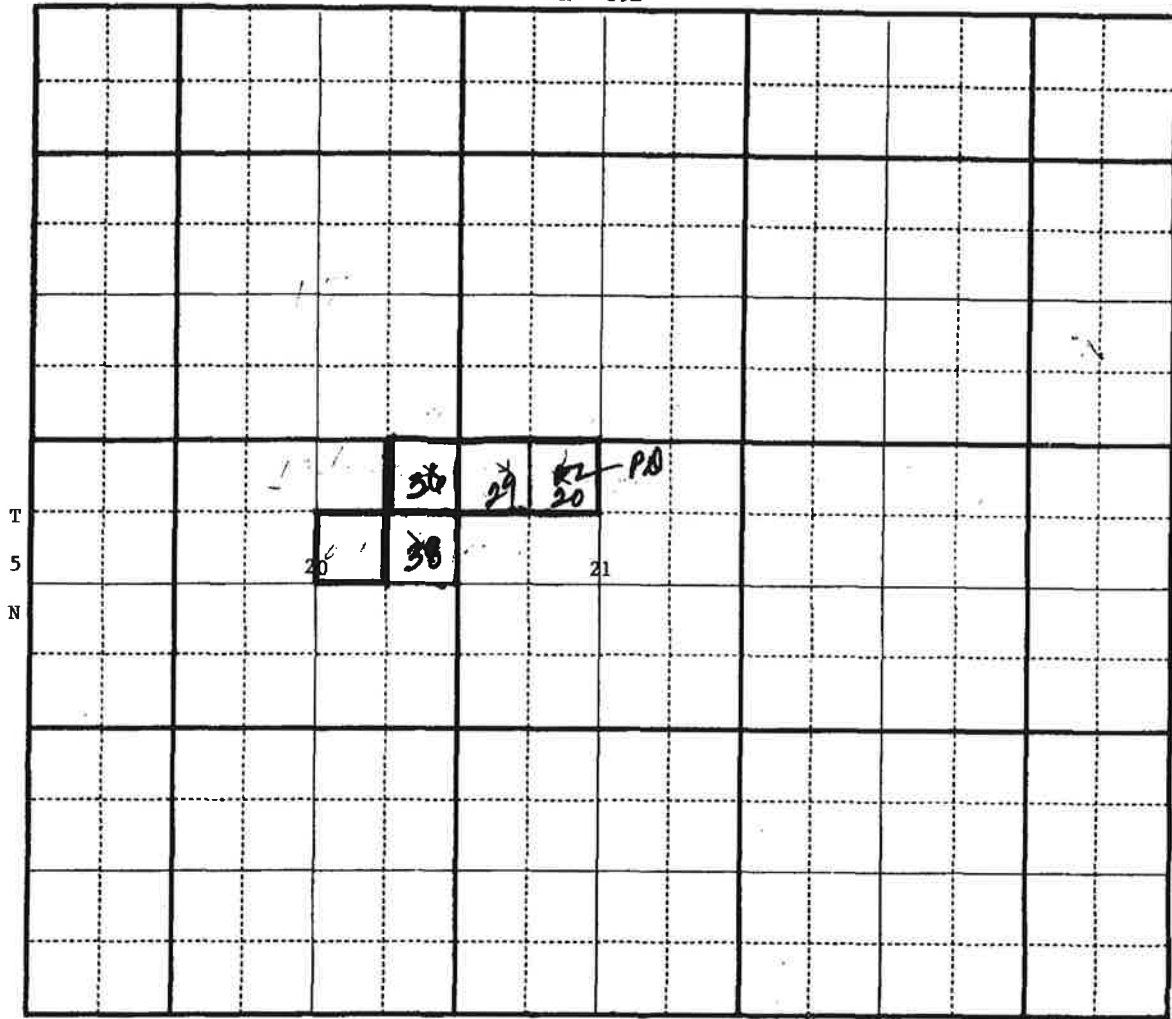
- Other Points of Diversions:**

Measuring device required: yes ☒ no ☐

- [illegible]

22-7009 TOTAL ACREAGE

129



DATE OF EXAM June 15, 1973

ACREAGE
Found 12.3
Recommended 12.3

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 2 c.f.s. V = 430.5 AF/Ann. from April 1 to Nov. 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no _____

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes ☒ no _____

Name source exchanged with: Bannock Jim Slough
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. 5 N/S, Rge 39 E/W, B.M., Sec. 21, Sub. NW 1/4 NW 1/4 Madison
County _____

Point of exchange: _____
twp. 5 N/S, Rge 39 E/W, B.M., Sec. 20, Sub. SE 1/4 NE 1/4 Madison
County _____

Total Q measured 5.12 CFS Method of measurement Orifice plate

Total Q recommended 2 CFS Meter No. N/A Type _____ Condition _____

Total V recommended 430.5 AF

Recommended Amendments:

P.D. _____
Place of Use Amendment filed 8/22/73
Other _____
None _____

MEASUREMENT CALCULATION:

10" ID dia. ID orifice 2" 4.6" Cpl. = H = 2300 gal/min
÷ 448.8 = 5.12 CFS
$$V = (12.3)(3.5) = 430.5 < \frac{(2)(1.983)(215)}{(2)} = 853$$

SYSTEM DESCRIPTION:

4.5 HP Ford tractor - P.T. to Cornville gear head
Serial # 2140 gear ratio: driver 1 - pump 3 w/ 1/2 in. etc
72338
pump # 14015 10" discharge north 12' to open ditch

REMARKS:

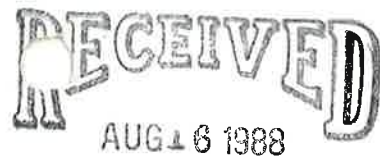
System shown by owner - Des. Hard
All lands are irrigated by surface waters of Bannock
Jim Slough - Groundwater has been injected into the
slough to replace surface water diverted

Examiner's Signature John Gerbancus Date June 15, 1973

Checked by W.R. Rhoads Date Dec 17, 1973

Approved by _____ Date _____

22-7009



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

Department of Water Resources

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: A22-07009
Date Received: 8/05/1988
Receipt No: E001387
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE H. WARD 208-356-6404
Address: 5517 WEST 5000 SOUTH
REXBURG, ID 83440
OR
Name: MARJORIE M. WARD 208-356-0879
Address: 5517 WEST 5000 SOUTH
REXBURG, ID 83440

A2207009



2. Date of Priority: MAY 15, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	39E	21	NE	NW			MADISON

5. Description of diverting works:
WELL PUMP MAINLINE OPEN DISCHARGE & SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	5.120		

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

8. Total consumptive use is 307.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-07009

Page

1

Date: 08/05/88

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JAN 06 2006

MICROFILMED
OCT 29 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	20	NE	NE		IRR	36.0
			SE	NE		IRR	38.0
					Section Acres		74.0
		21	NE	NW		IRR	20.0
			NW	NW		IRR	29.0
					Section Acres		49.0
					Total Acres		123.0

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:
BANNOCK JIM SLOUGH, LIBERTY PARK CANAL

14. Remarks:
EXCHANGE WATER IF NEEDED FOR BANNOCK JIM SLOUGH

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

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): George W. Ward Date: 8-15-88

Margaret Ward Date: 8-15-88

State of Idaho)
County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 15th day

of August 19 88

Peggy A. Bean
Notary Public

Seal

Residing at Rexburg, Idaho

My Commission Expires 11-13-93