

07/29/2005

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

RIGHT NUMBER:	22-7350		
NAME AND ADDRESS:	LARRY ARD 335 E 1ST N REXBURG ID 83440		
SOURCE:	GROUND WATER	TRIBUTARY:	
QUANTITY:	0.070 CFS 2.900 AFY		
PRIORITY DATE:	03/13/1981		
POINT OF DIVERSION:	T06N R44E S6 SWSE Within TETON County		
PURPOSE AND PERIOD OF USE:			
	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	COMMERCIAL	10/01 05/01	0.010 CFS 0.50 AFY
	DOMESTIC	01/01 12/31	0.060 CFS 2.40 AFY
PLACE OF USE:	<u>COMMERCIAL Within TETON County</u> T06N R44E S06 SWSE <u>DOMESTIC Within TETON County</u> T06N R44E S06 SWSE		

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

01/09/2006

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:

Water right number: 22-7350

LARRY ARD - Estate % Bruce Ard
335 E 1ST N

REXBURG ID 83440

Telephone Number: (208) 356-4721

Personal Rep

83406

208-528-8221

Please send all future to

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: 10-5-06

SIGNATURE:

Bruce Ard Personal Rep.

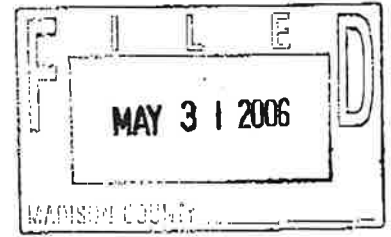
Please print your name:

Bruce Ard

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

Changed owner to
Larry and estate.
RM 8 11/06

Scott R. Hall
Idaho State Bar No. 3547
ANDERSON NELSON HALL SMITH, P.A.
490 Memorial Drive
Post Office Box 51630
Idaho Falls, Idaho 83405-1630
Telephone (208) 522-3001
Fax (208) 523-7254



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

IN THE MATTER OF THE ESTATES OF:

LARRY G. ARD and EVELYN ARD,

Deceased.

Case No. CNO 6-405

LETTERS TESTAMENTARY

Bruce Ard was duly appointed and qualified as general Personal Representative of the estates of the above-named decedents on the 31 day of May, 2006 by the Court with all authority pertaining thereto.

Administration of the estate is unsupervised.

These letters are issued to evidence the appointment, qualification and authority of the said Personal Representative.

WITNESS, my signature and the Seal of this Court, this 31 day of May, 2006.

A handwritten signature in cursive script, likely of the Magistrate.

Magistrate

L:\srh\6486\Letters.Test.wpd

LETTERS TESTAMENTARY - 1

Received Time Oct. 23. 8:10AM



VALLEY WIDE COOP
520 E MOODY HWY
REXBURG, ID 83440
208/356-3601

Fax

TO: Kate Jackson From: VALLEY WIDE COOP
Fax: _____ Pages: 2
Phone: _____ Date: 10-23-06
Re: Personal Rep CC: _____
for Larry Ard Estate
☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments:

Kate this should be what you need
if not you can call me at

390-6238 cell

356-3601 - office

Received Time Oct. 23. 8:10AM

Claim no. _____

Claimant Contact Log

Date _____

Remarks

Agent initials

DD 7/8/05 Visited with Lorna Hoopes and gave her a C/o form. This well is no longer owned by Larry and. It is now jointly owned by Jack Hoopes and Mark Ricks.

Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: Li And Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.LICENSOD 24 August 1990.CLAIMED AS LICENSODRECOMMEND AS LICENSOD:CONDUCT POLL SWISLE → STOCK TO DomesticNo 'N'
CONDITIONS

Reviewer: _____ Date: _____



Well claimed by Jack Hooper & Mark
Ricks. Look for potato willow and heme,

80
7/8/05

Water Right No(s). _____

GPS DATA:

Tag # A0009550 Location: southeast corner of potato cellar

Diversion Data:

Source: well Trib to: _____

MOTOR

Make: Myers Model: submersible Hp: 5 h.p.
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Well is used by Jack Hopper and Mark Ricks
to humidify potato cellar and for domestic
use

Field Exam Date: 7/8/05 Agent: DD

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:7/8/05
DO

Field exam showed well located at southeast corner of metal potato cellar.

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

1/8/05
DB Field exam showed POU is potato cellar and house. One of the homes that the well was originally used for is no longer connected to this system.

Reviewer: _____ Date: _____

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
Commercial	10/01	5/01	0.01	
Domestic	1/1	12/31	0.06	

Overall Diversion Rate 0.07 Overall Diversion Volume _____Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Comm	10/1	5/1	0.01	0.5
Domestic	1/1	12/31	0.06	2.4

Overall Diversion Rate 0.07 Overall Diversion Volume 2.9Document how the Period of Use and/or Diversion Rate were verified:

Domestic - 2 Homes
Commercial - Potato Crops

Reviewer: _____

Date: _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07350

Priority: March 13, 1981

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.07 CFS
2.9 AF

This is to certify, that REX ARD
LARRY ARD

335 E. 1ST N.
REXBURG, ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 13, 1981; and has submitted Proof of Beneficial Use on June 25, 1985. An examination indicates that the works have a diversion capacity of .110 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	10/01 to 05/01	0.01 CFS	0.5 AF
DOMESTIC	01/01 to 12/31	0.06 CFS	2.4 AF
	Totals	0.07 CFS	2.9 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 6, Township 06N, Range 44E
TETON County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

06N 44E 6 SWSE

PLACE OF USE: DOMESTIC, same as COMMERCIAL use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Commercial use is for potato cellar.
6. Domestic use is for 2 homes.

MICROFILMED

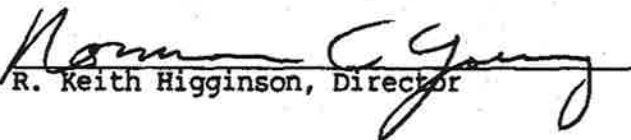
SEP 04 1990

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07350

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 24th
day of AUGUST, 1990.

Acting for


R. Keith Higginson, Director

MICROFILMED

SEP 04 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

Permit No. 22-7350

Phone No. 356-6845

1. Owner: REX & /or LARRY ARD Phone No. 356-6845
Current Address: 335 EAST 1ST NORTH REXBURG, IDAHO 83440
2. Accompanied by: Larry ARD EXAM. DATE: 25 JUNE 198
Address: SAME Phone No. _____
Relationship to Permit Holder: _____
3. Source: GROUNDWATER tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	MYERS	5 hp		Myers	

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
WELL AND PUMP WITH LINES TO POTATO CELLAR AND HOUSES(?)

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

7. Measurements THEORETICAL ☐ Additional data/computation sheets attached

5 hp. 30 psi
STATIC WATER LEVEL = 250 ft.

- B. Point(s) of Diversion:** Indicate Method of Determination *ASCS & USGS MAPS*

[illegible]

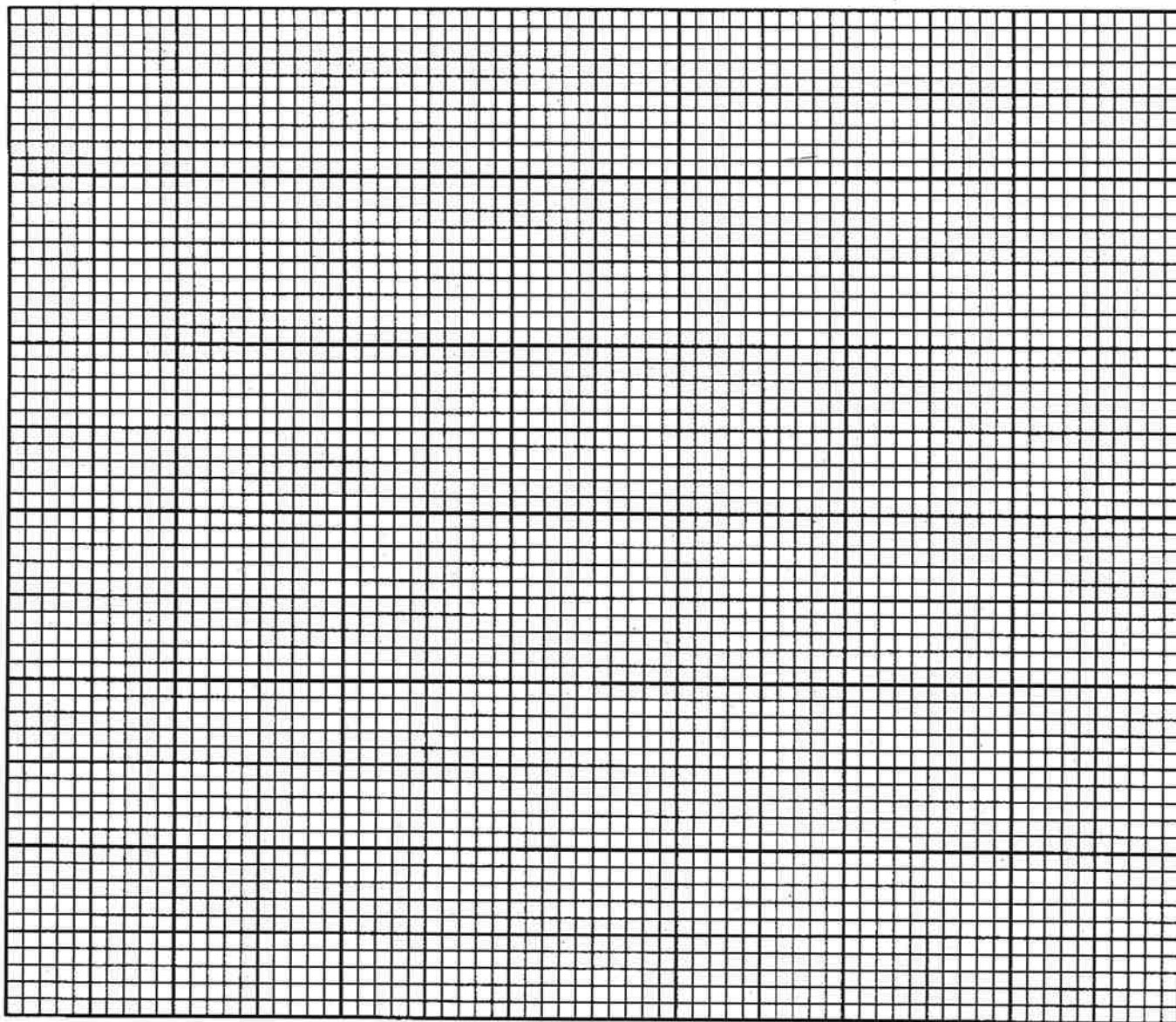
9. Irrigation - give acres served by system at time of exam.

Place(s) of Use:

Indicate Method of Determination ASCS & USGS Maps

[illegible]

10. Other water rights on these lands N/A
11. Other water right diverted from same p.d. N/A
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached
or Map of Irrigated Acreage Attached

14. Remarks _____

MicroFILMED

SEP 14 1990

15. Recommended Amendments

☒ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☒ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature Keith C. Wilson

Date 25 June 1985

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

APR 29 1986

2-7350
Permit No.

Department of Water Resources

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

THEORETICAL

$$Q = \frac{hp (8.814) E}{H + (2.308 \times P)}$$

where

hp = horsepower = 5 hp
E = efficiency of motor + pump = 80%
H = head in feet from pumping water level to elevation of pump = 250 ft.
P = pressure developed by pump = 30 psi

$$Q = \frac{5 (8.814) 0.80}{250 + (2.308 \times 30)} = 0.11 \text{ cfs}$$

COMMERCIAL - standard humidifier nozzles are 0.020" i.d. rated at approximately 1.0 gal./hr.

Assume 16 humidifiers per spud cellar. Two cellars = 32 nozzles

$$32 \text{ gal/hr} \times \frac{\text{hr}}{60 \text{ min}} \times \frac{\text{cfs}}{448.8 \text{ gpm}} = 0.0012 \text{ cfs}$$

Recommend licensing for 0.01 cfs

DOMESTIC - Two homes. Recommend licensing for 0.06 cfs

TOTAL 0.07 cfs

b) Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

c) Volume Calculations for Other Uses:

DOMESTIC 2 homes $\times 1.2 \text{ afa/home} = 2.4 \text{ afa}$

COMMERCIAL

Assume humidifier operates full time

$$32 \text{ units} \times 1 \text{ gal/hr} \times 24 \text{ hr/day} \times 213 \text{ days} \times \frac{\text{ac-ft}}{325850 \text{ gal/af}} = 0.50 \text{ afa}$$

2. Overlap Review

a) Other water rights with same place of use: N/A

b) Other water rights with same point of diversion: N/A

c) Analysis:

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SEP 04 1990

RECOMMENDED AMOUNTS

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	22-7350					

4. Permit Holder: _____

Address: _____

5. Source: GROUNDWATER tributary to _____

6. Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
<u>DOMESTIC</u>	<u>1/1</u> <u>12/31</u>	<u>0.06 cfs</u>	<u>2.4 afa</u>
<u>COMMERCIAL</u>	<u>10/1</u> <u>5/1</u>	<u>0.01 cfs</u>	<u>0.5 afa</u>

Allowable Maximums: 0.07 cfs 2.9 afa

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County

8. Place(s) of Use

Twp.	Rge.	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	
Total Acres _____																			

9. Recommended Conditions/Remarks: _____

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SEP 04 1990

10. Recommended Amendments

☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

11. Examiner's Signature Keith C. Wilson

Date 2 April 1986

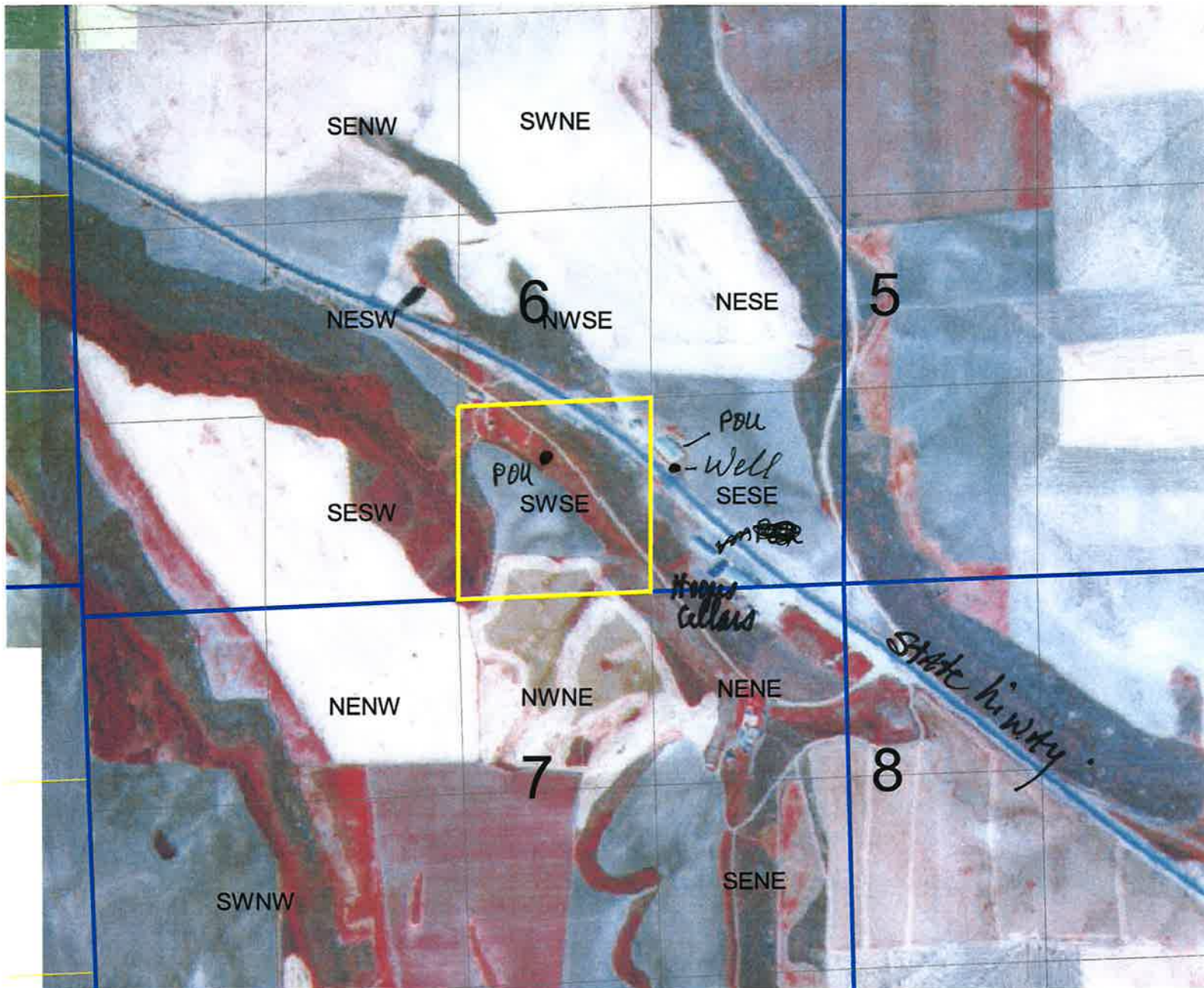
Checked in Regional Office by Gary Spaulman

Date 4-22-86

Approved in State Office by _____

Date _____

22-7350



QD 7/8/05

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: A22-07350
Date Received: 7/27/1988
Receipt No: E002906
Received By: Je

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY ARD 208-356-4721
Address: 335 E. 1ST N.
REXBURG, ID 83440

2. Date of Priority: MAR 13, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	44E	6	SW	SE			TETON

5. Description of diverting works:
WELL, PUMP & PIPELINE TO POTATO CELLAR AND TWO HOMES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S (or)	A.F.A.
COMMERCIAL	10/01	05/01	0.010	
DOMESTIC	01/01	12/31	0.060	

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/COOLING & HUMIDFYING POTATO CELLAR. D/2 FAMILIES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	44E	6	SW	SE		COMMER	
			SW	SE		STOCK	

MICROFILMED
OCT 29 1992

A2207350



11. Place of use in counties: TETON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: PERMIT
Water Right Number: 227350

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): Larry And Date: 10/5/88
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of Oct 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6-94

A22-07350

R44E

