

02/20/2004

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

RIGHT NUMBER: 23-11272
NAME AND ADDRESS: ROGER H BALL
2235 E 25TH ST
IDAHO FALLS ID 83404
SOURCE: PALISADES CREEK TRIBUTARY: SOUTH FORK SNAKE RIVER
QUANTITY: 0.012 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 5.8 CFS. COMBINED RIGHT NOS.: 23-00074,
23-10169.

PRIORITY DATE: 04/01/1987

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF DIVERSION:

T01N R44E S26 SWSWSE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.012 CFS

PLACE OF USE:

IRRIGATION Within BONNEVILLE County

T01N R44E S15	SWSW	24.0	T01N R44E S16	NENE	27.0
T01N R44E S16	NWNE	9.9	T01N R44E S16	SENE	19.0
T01N R44E S16	NESE	40.0	T01N R44E S16	SWSE	40.0
T01N R44E S16	SESE	38.0	T01N R44E S21	NENE	37.0
T01N R44E S21	NWNE	39.0	T01N R44E S22	NWNW	22.0

295.9 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 295.9 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-00074, 23-10169.

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 23-00074
AND 23-10169 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

USE OF THIS RIGHT IS COMBINED WITH WATER FROM PALISADES
IRRIGATION CO.

THIS RIGHT IS FOR AN ENLARGEMENT OF 5.9 ACRES WITHIN THE PLACE
OF USE DESCRIBED FOR THIS RIGHT.

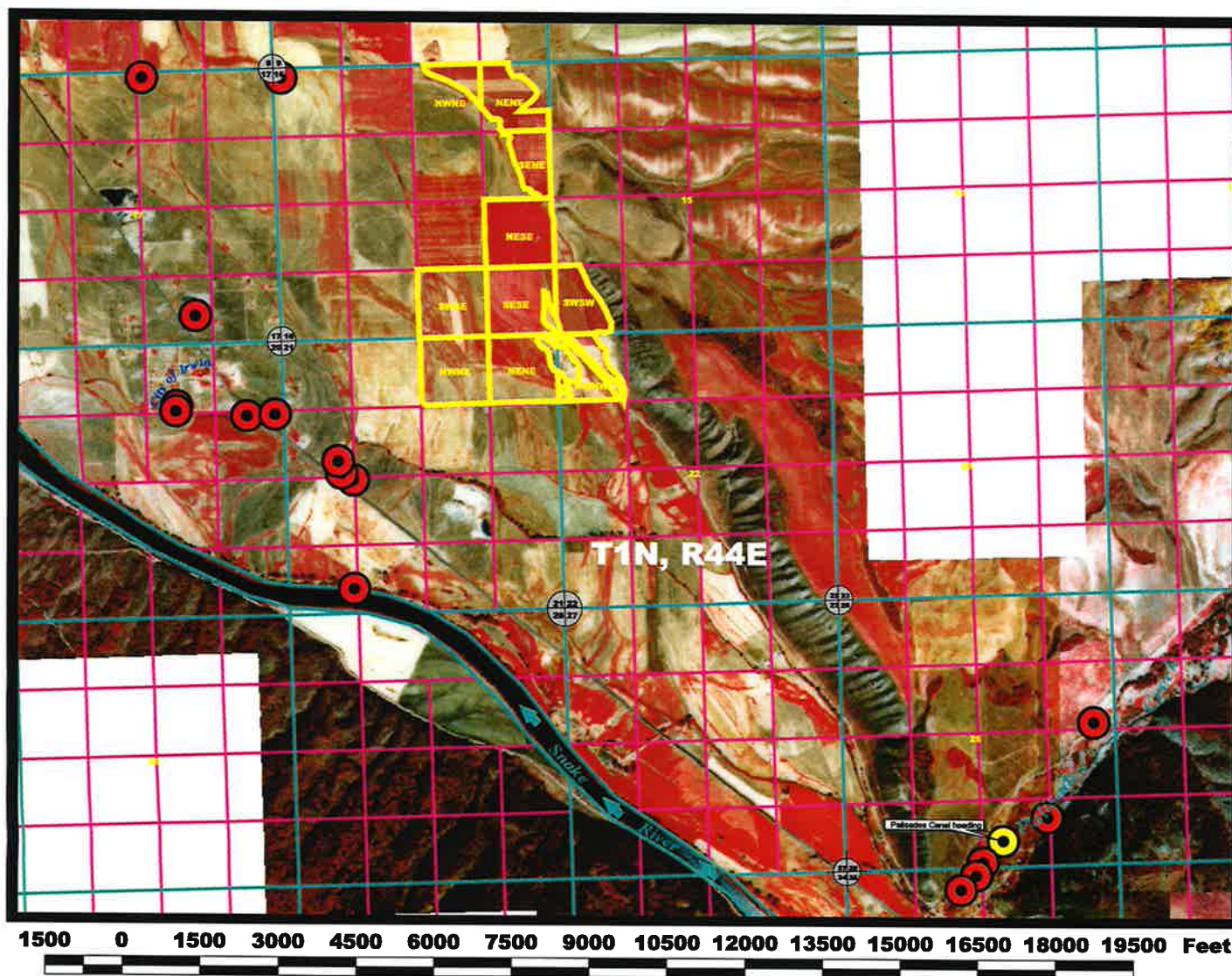


SCANNED
JUL 26 2004

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

23-00074,
23-10169,
23-11272

Place of Use: (parts of)
T1N, R44E
Secs. 16, 21

Point(s) of Diversion:
T1N, R44E
Sec. 26 SWSWSE

LEGEND

-  Point of Diversion
-  SESE Place of Use
-  Section
-  Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: February 2004

Water Right Number 23-11272

Recommended as Claimed

Beneficial... Claim

☒ Claimed as Beneficial Use, ☐ Claimed as Licensed, ☐ Claimed as Decreed

NOTES:

See 23-10169 for RE notes - PPL or PAs

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

RECEIVED

FEB 12 2004

Department of Water Resources
Eastern Region

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
← A2300011A					
23000674 ✓					
2310169 ✓					
23-11271 ✓					
23-11272 ✓					

In name
of
Gary
Fleming
did not
change

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) Roger Ball Annuity Trust #1
2235 E. 25th St Idaho Falls, Id 83404
4. New Owner/Claimant(s) Roger H Ball
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 2235 E. 25th St. ID
- City, State and ZIP Code Idaho Falls, Id. 83404
- New Telephone Number 208 504 5454
5. Date you acquired the property Jan 1, 2004

Changed
per S.C.'s
request
2-12-04
JC

SCANNED

JUL 26 2004

RECEIVED

FEB 12 2004

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 23-11272
Date Received: 2/5/2004
Receipt No: E039529
Received By: jc

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

1. Name of Claimant(s)

THE ROGER H BALL ANNUITY TRUST #1 Phone: (208)524-5454

DBA SWAN VALLEY RANCH LLC
PO BOX 1491
IDAHO FALLS ID USA 83403-1491

2. Date of Priority: 04/01/1987

3. Source: PALISADES CREEK Trib. to: SNAKE RIVER SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	44E	26	SW SW SE	BONNEVILLE	

5. Description of diverting works:

Concrete heading

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	3.07	

7. Total Quantity Appropriated is:
3.07 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
01N	44E	15	SW	SW	IRRIGATION	40
					Section Acres	40
01N	44E	16	NE	NE	IRRIGATION	30
			NW	NE	IRRIGATION	30
			SE	NE	IRRIGATION	40
			NE	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	220
01N	44E	21	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
					Section Acres	80
01N	44E	22	NW	NW	IRRIGATION	40
					Section Acres	40
					Total Acres	380

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used: 23-00074 and 23-10169

14. Remarks:

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.8 CFS. COMBINED RIGHT NOS.: 23-00074 and 23-10169

15. Basis of Claim:

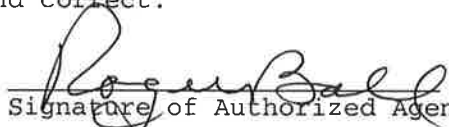
16. Signature(s)

(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 Organizations:

I do solemnly swear or affirm that I am TRUSTEE of
Title
THE ROGER H BALL ANNUITY TRUST #1, that I have signed the foregoing
Organization
document in the space below as TRUSTEE of
Title
THE ROGER H BALL ANNUITY TRUST #1 and that the statements contained in the
Organization
foregoing document are true and correct.

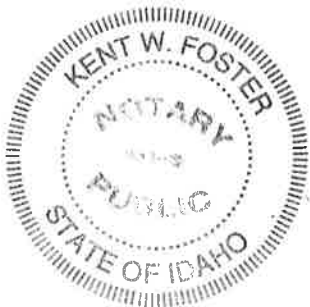

Signature of Authorized Agent

TRUSTEE, THE ROGER H BALL ANNUITY TRUST #1
Title and Organization

3/10/04
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 10 of February 2004




Notary Public
Residing at Idaho Falls, ID
My commission Expires 11/20/04