

08/28/2002

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

RIGHT NUMBER: 29-2180

NAME AND ADDRESS: WARD FARMS
5336 ARBON HWY
PO BOX 51
ARBON ID 83212

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.50 CFS

PRIORITY DATE: 05/22/1914

POINT OF DIVERSION:

T11S R33E S28 SWNENW Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

1/01 12/31

0.050 CFS

PLACE OF USE: DOMESTIC Within POWER County

T11S R33E S27 SENW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

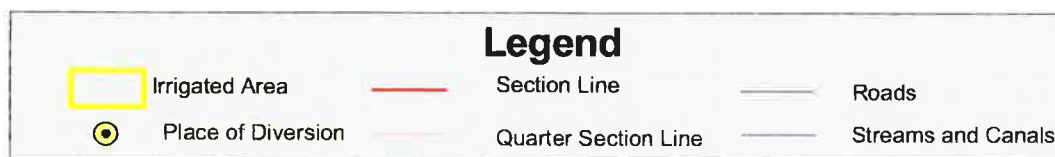
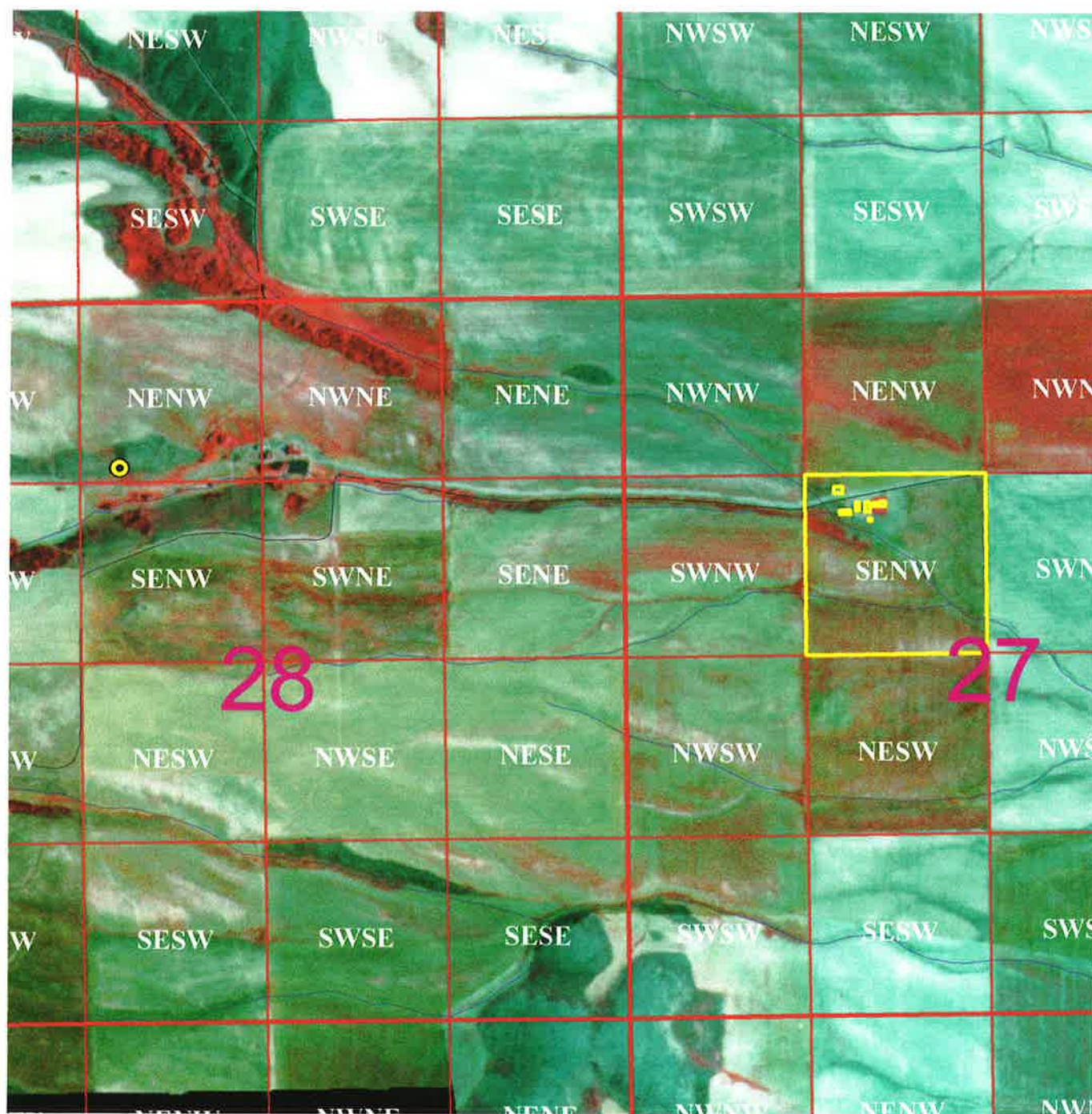
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

Water Right Claim Number A29-02180

07/13/2000

Township , 11S33E

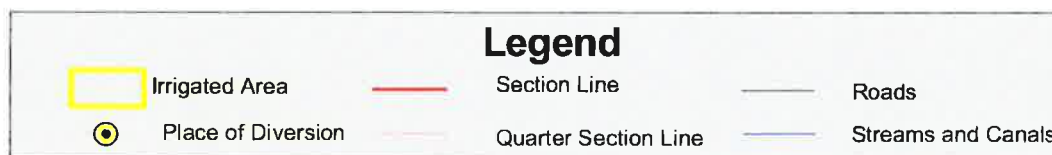
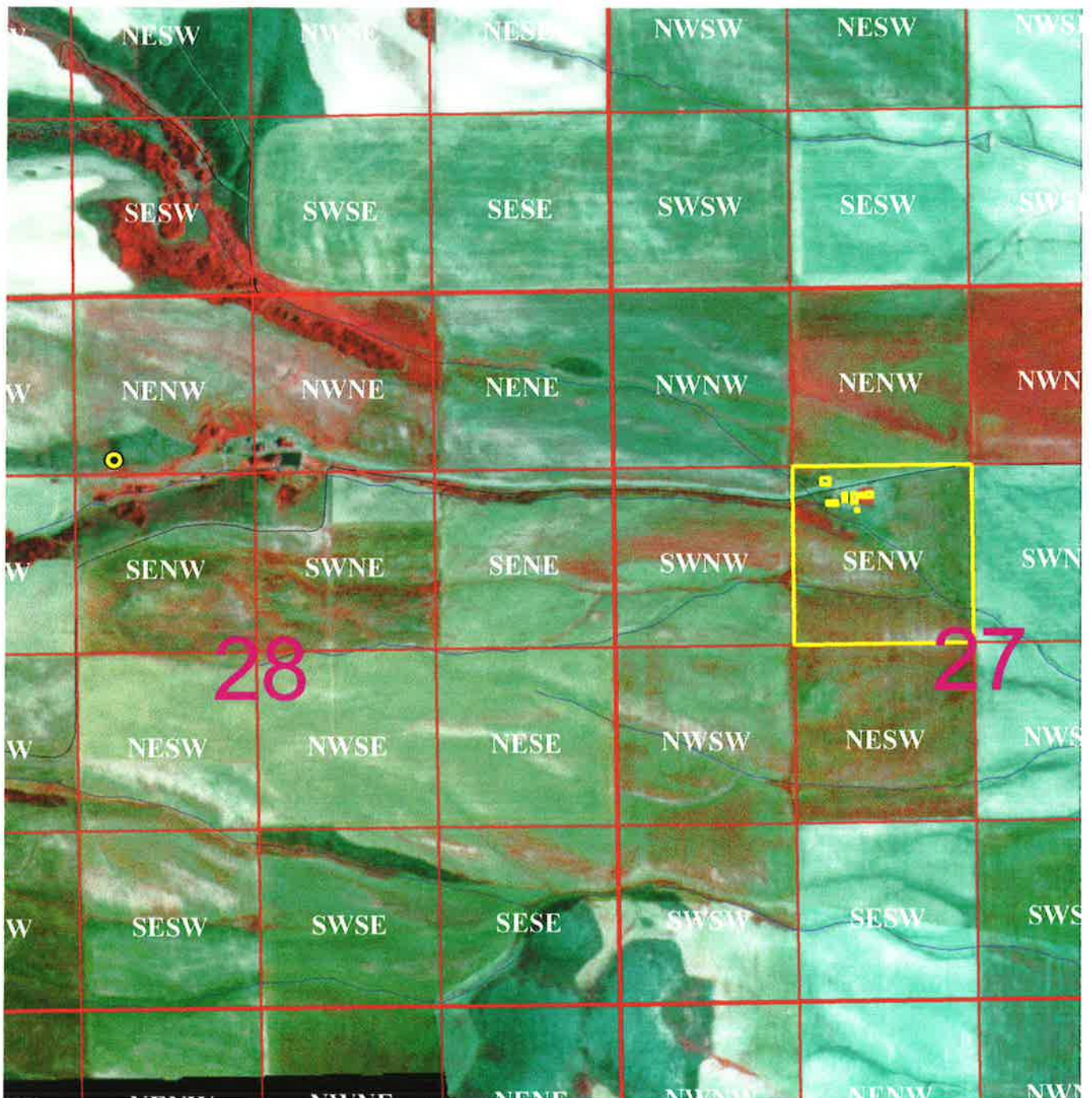


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900 0 900 1800 Feet



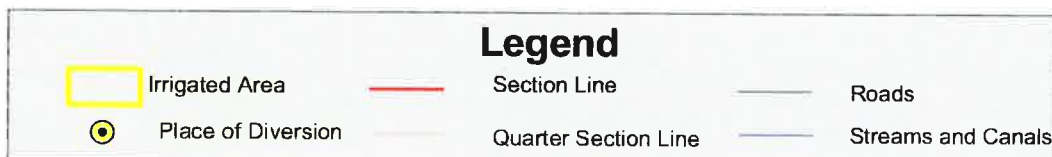
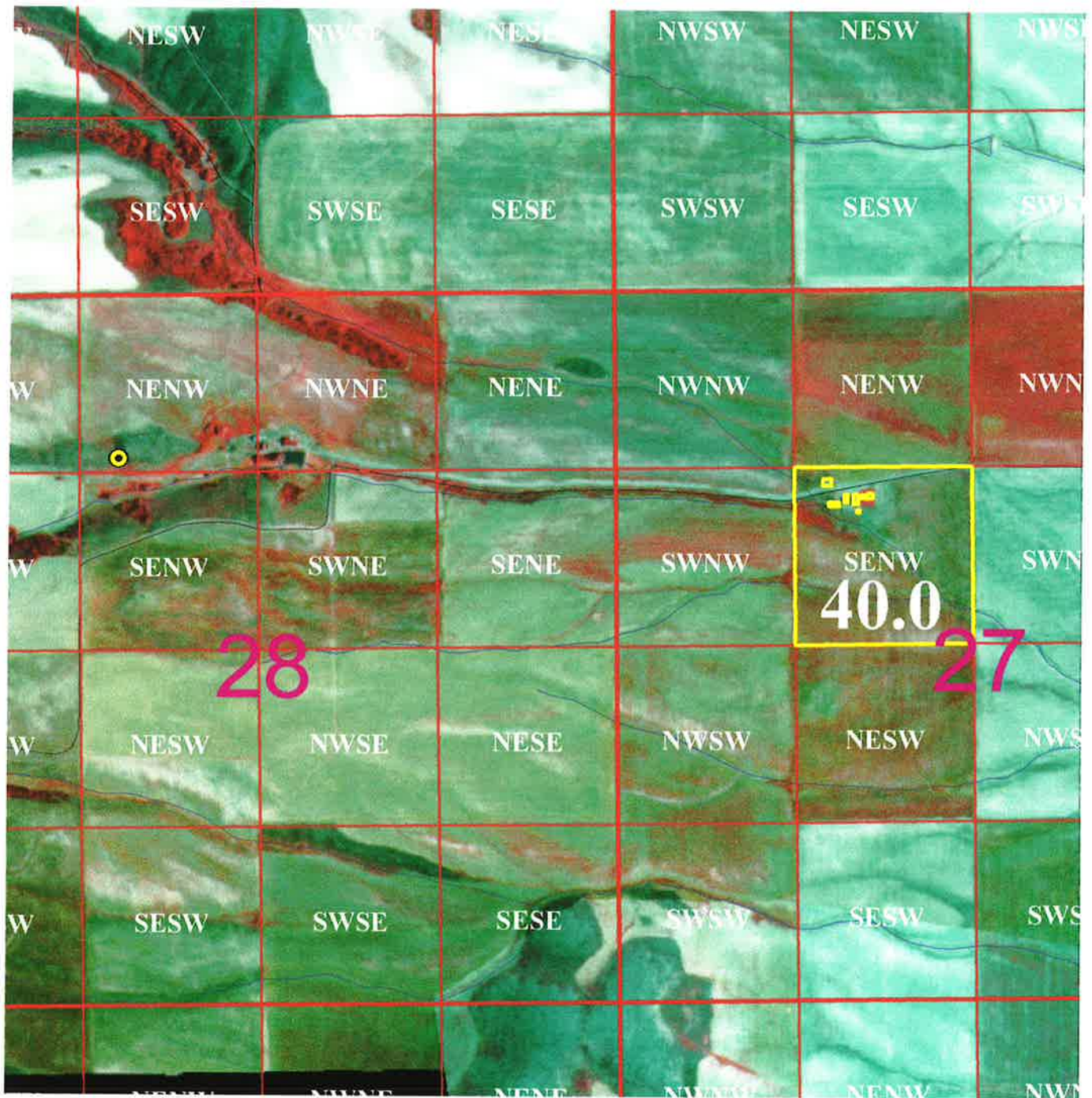
Township , 11S33E



900 0 900 1800 Feet



Township , 11S33E



02/18/2003

Paul

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: April 21, 2003

Water right number: 29-2180

WARD FARMS
5336 ARBON HWY

ARBON ID 83212
Telephone Number: (208)335-2263

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: 2/21/03 SIGNATURE: Vance E. Ward
Please print your name: VANCE E. WARD

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

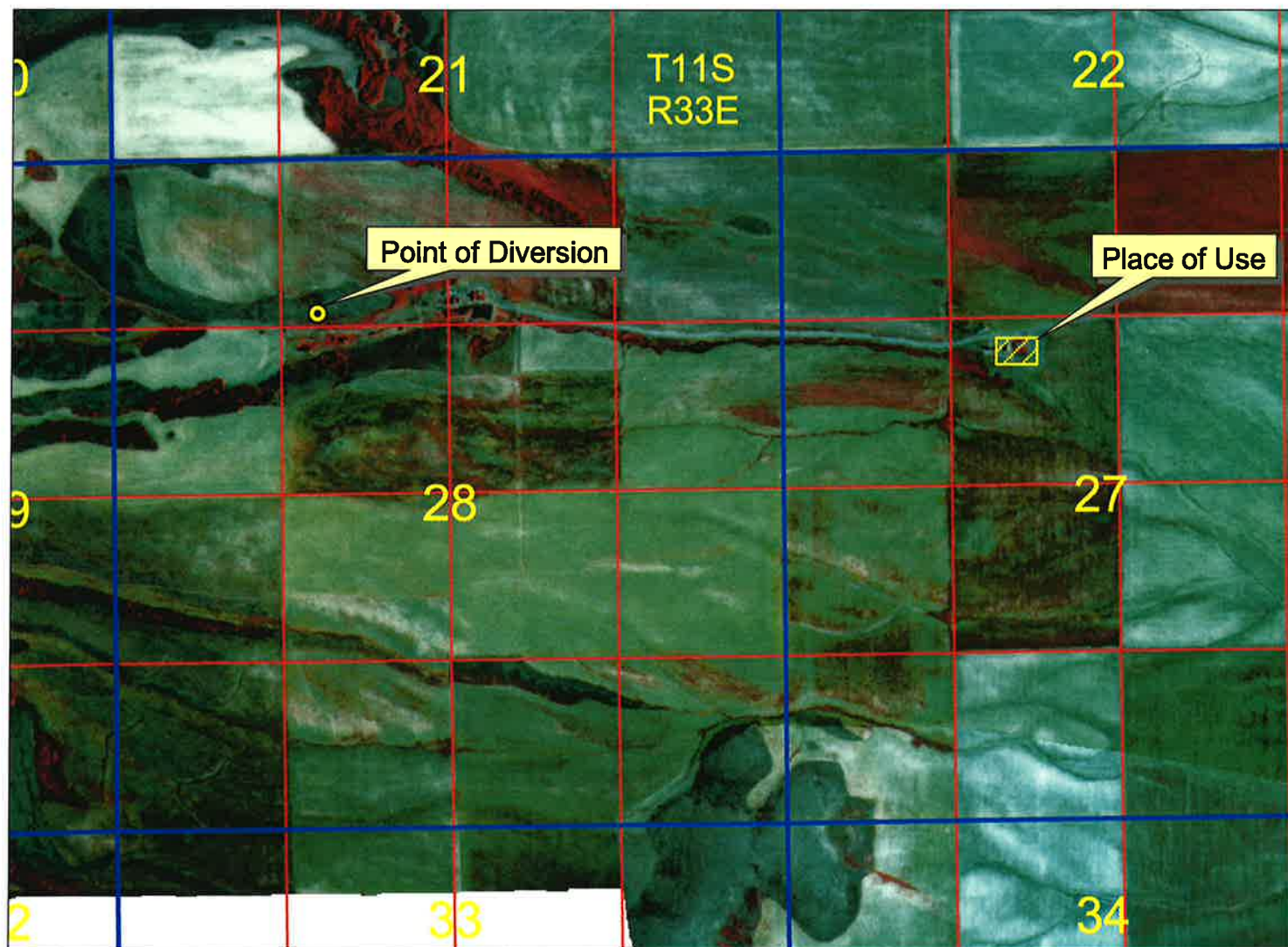
PROFILED

RECEIVED
FEB 21 2003
IDWR REGIONAL OFFICE
IDAHO FALLS, ID

SCANNED
DEC 30 2005

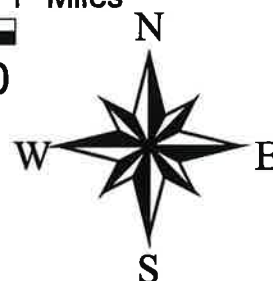


State of Idaho
Department of Water Resources
Eastern Region
Water Right 29-02180



0.5 0 0.5 1 Miles

1:16000



-  Point(s) of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

PROFILED

SCANNED

DEC 30 2005

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: August 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

September 18, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Ward Farms
5336 ARBON HIGHWAY
ARBON ID 83212

Re: Adjudication Claim 29-2180

Dear Water Users:

This adjudication claim is for 0.05 cfs for domestic uses, and 0.45 cfs for irrigation of 15 acres. It is based upon license 29-2180, issued in 1916. I've enclosed a copy of the claim and a copy of the original license. The original license was for 0.01 cfs for domestic use. We cannot recommend more water than originally licensed, on a license-based claim.

It looks like the irrigation right was developed sometime after the license. If it was developed before May 20, 1971, it can be recommended as a "beneficial use" right. However, this will require another adjudication claim, as well as "evidence of beneficial use" and "evidence of priority."

The enclosed pamphlet describes some sources of evidence that you may wish to consider. Keep in mind that affidavits must clearly show "first person" knowledge (I saw..., I irrigated...) and clearly state the earliest date that the person saw the beneficial use of water.

If you wish to file another claim, you can use the enclosed form. The fee will be \$50 for a claim fee, and \$50 for late fee. The acreage fee was paid with claim 29-2180. You may also contact Senior Agent Paul Meyer, who will be investigating your claims and making recommendations to the court. He can prepare a computer-generated claim for your signature, or can meet with you in the office to help you fill out the claim. His number is 525-7161.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

PROFILED

SCANNED

DEC 30 2005

SCANNED

MAY 10 2001

Log for claim A29-02180

Spatial Dynamics AMH

7/13/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s33e	27	SENW	15	40	Permissible place of use?
Totals:			15	40	

AJ5809NP
No. A29-02180

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WARD FARMS 5336 ARBON HWY ARBON ID 83212 (208) 335-2263	05/22/1914	IRRIGATION DOMESTIC	03-15 11-15 01-01 12-31	0.450 CFS 0.050 CFS	
TOTAL DIVERSION:					0.500 CFS	

Water Source: SPRING

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion:

T11S R33E S28

SWNENW

POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
11S	33E	27	:					:					:					:					:	
TOTAL ACRES																							15.0	

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
11S	33E	27	:					:					:					:					:	
D																								

POU County: POWER

Non-Irrigation Uses: D / 1 HOME

Other Rights: NONE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 03/09/90 HAUMANN 06/02/94 COX 03/29/95 POST-STD 04/12/00 CVANDERM

WHEREAS, On the 22d day of April, A. D. 1914,
Thomas Stott,

of Arbon, County of Power, State of Idaho, duly made application
(No. 15070) to me for a permit to use 6/50 of 1 cubic foot per second of the waters of
an unnamed spring, in Water District No. 71,
County of Power, State of Idaho, for Domestic purposes, and,

WHEREAS, On the 22d day of May, A. D. 1914, Permit No. 10165 was issued
to said applicant for the diversion of said water and providing for the completion of the works of diversion
therein described on or before the 22d day of May, A. D. 1916, and for the application to ben-
eficial use of said water on or before the 22d day of May, A. D. 1916, and,

WHEREAS, On the 17th day of May, A. D. 1916,
Thomas Stott,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of
6/50 of one cubic foot per second of said waters, as evidenced by my Certificate No. 10165
dated May 24, 1916, confirming the completion of works of sufficient capacity for diverting and
conveying to the place of intended use 6/50 of 1 cubic foot per second of said water,
with date of priority of April 22, 1914, and

WHEREAS, On the 22d day of June, A. D. 1916,
Thomas Stott,

the holder of said permit, duly made proof of the application to beneficial use of $\frac{1}{2}$ of 1 miner's inch
per second of said water.

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I
hereby grant and confirm to Thomas Stott,

of Arbon, County of Power, State of Idaho, the holder and owner
of said Permit No. 10165, a perpetual right, dating from May 22, 1914,
to the use of $\frac{1}{2}$ of 1 miner's inch per second of the waters of an unnamed spring,

0.01 cfs

in the County of Power and State of Idaho, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at the SE Cor. of NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, T. 11 S.,
R. 33 E., B. M.,

and conducted to ~~and upon~~ the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 27, T. 11 S., R. 33 E., B. M.,

for the purpose of domestic use, subject, however, to the laws of the
State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local
or community customs, rules and regulations which have been or may be adopted from time to time by
a majority of the users from a common source or supply, canal or lateral from which such water may
be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 23d day of September
A. D. nineteen hundred and sixteen.

(Seal)

J. H. SMITH,
State Engineer.

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho

1. Name of applicant: Thomas Stott

Postoffice address: Arbon

County: Lower

State: Idaho

I. If applicant is a corporation, give

- (a) Date and place of incorporation.
- (b) The amount of capital stock.
- (c) The amount paid in.
- (d) Names and addresses of directors.

II. The financial resources of the applicant are: (a) Cash on hand.

- (b) Treasury stock.
- (c) Bonds to be issued.
- (d) Other resources.

2. The quantity of water claimed is $c/50$ cubic feet per second.

3. Source of water supply: Unnamed Spring

4. Location of point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Township 11 South Range 23 E. S. 11.

County of Power

5. To be used for: Domestic

I. Irrigation and domestic use: (a) Amount of land to be irrigated:

acres.

(b) In the following legal subdivisions:

II. Mining, milling, power, manufacturing, transportation or other purposes.

[a] At what point:

[b] Amount of power to be generated:

H. P. under ft. head

[c] Is water to be returned to any stream?
return:

[d] If so, name stream and locate point of

6. Estimated cost of works: \$400.00

7. Description of works for diversion:

I. Kind of works: Reservoir and pipe

II. Dimensions of works:

[a] Height of dam feet, length of dam at top feet,

length of dam at bottom feet. Material used in construction:

[b] Capacity of reservoir 8 feet sq acre feet. (c) Size of headgate, width feet,

Height feet. (d) Conduit width at bottom feet,

width at water line feet, depth of water feet, diameter of pipe

$3/4$ inches, average grade per mile is 50 feet. Length of conduit is $7/8$ miles,
and it crosses the following quarter sections: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 28, and the SW $\frac{1}{4}$ NW $\frac{1}{4}$, and the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, Township 11 South
Range 23 E. S. 11.

8. The time required for the completion of the construction of such work is 2 years.

9. Time required for the complete application of the water to the proposed use is
additional years. 1000

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

Thomas A. Stott

Applicant.

By

Agent.

Date of first receipt at office of State Engineer
Returned to applicant for correction April 24, 1914.

Corrected application received April 28, 1914.

APPROVAL OF STATE ENGINEER

The number of this permit is 10165

Recorded in Book 54 Page 10165 Approved May 22, 1914.

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 July 21, 1914 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before May 22, 1915.

The whole of said work to be completed on or before May 22, 1916.

Beneficial use of water appropriated in accordance herewith, to be made on or before May 22, 1916.

Witness my hand this 22nd day of May, 1914.

P. P. KING,

State Engineer.

Remarks: 1. This spring arises on private land, but I have permission to file upon the same.

2. The water applied for in this application is to be for domestic purposes on the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 11 South, Range 33 East, Boise Meridian.

Proof of completion of works made: May 17 1916.

Certificate of Completion issued: May 24, 1916.

Permit No. 10165.

CERTIFICATE OF COMPLETION OF WORKS;

To All Whom It May Concern:-

This is to certify that Thomas Stott, of Arbon, County of Power, and State of Idaho, the holder of Permit No. 10165, issued upon Application No. 15070, bearing date of priority of April 22, 1914, authorizing the diversion of 6/50 of 1 second foot of the waters of an unnamed spring, County of Power, State of Idaho, for domestic purposes, has fully complied with the provisions of laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said permit; that said works are adequate for diverting and conveying to the place of intended use 6/50 of 1 second foot of the waters of an unnamed spring; that the point of diversion said waters is in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 28, T. 11 S., R. 33 E.B.M, and that the place of use of said water is on the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 27, Twp. 11 S., R. 33 E.B.M..

Witness my hand this 24th day of May A.D. 1916.

J. H. SMITH, State Engineer of the State of I

License issued for business ~~second~~

Page 2055

Recorded by 159

Checked by 159

(This report must be sworn to when not made by an attache of the State Engineer's office)

STATE OF IDAHO

County of Bonner

} ss.

R. W. Lee

being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 15th day of August 1916

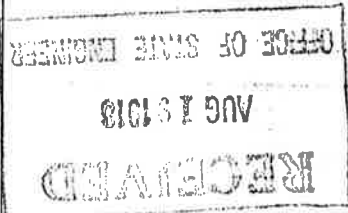
John Payne

Notary Public.

My Commission Expires Nov 5th 1918

Residence Auburn Idaho

10165



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7	December 11	South Range	33.	6. P. M.
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7. a. Stock -
SEC
27

SEC. 28

556

SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

MAY 10 2001

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

RECEIVED

MAR 15 1990

Ident. Number: A29-02180
Date Received: 3/09/1990
Receipt No: E012380
Received By: AB

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WARD FARMS
Address: 5336 ARBON HIGHWAY
ARBON, ID 83212
208-335-2263

2. Date of Priority: MAY 22, 1914

3. Source: SPRING Trib. to: SINK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	33E	28	SW	NE	NW		POWER

5. Description of diverting works:
SPRING, CONCRETE COLLECTOR, TO PIPE GRAVITY TO HOME & FIELD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.050		
IRRIGATION	03/15	11/15	0.450		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D / 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	33E	27	SE	NW		IRR DOMEST	15.0

Section Acres 15.0

A29-02180

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Date: 03/09/90

A2902180



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NOV 13 1992

10. Place of Use: Continued

Total Acres 15.0

11. Place of use in counties: POWER

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: LICENSE
Water Right Number: 10165

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: -0-

For Organizations:

I do solemnly swear or affirm that I am Partner of
Title
Ward Farms, that I have signed the foregoing
Organization
document in the space below as Partner of
Title
Ward Farms and that the statements contained in the
Organization
foregoing document are true and correct.

Daniel R Ward
Signature of Authorized Agent
Partner Ward Farms
Title and Organization
3-9-90
Date

State of Idaho)
County of Power) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of March 19 90

Anna Baumhoff
Notary Public

Seal

Anna Baumhoff, Notary Public
Residing at Residing at Boise, Idaho
My Commission Expires December 7, 1994
My Commission Expires _____