

03/17/2005

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

RIGHT NUMBER: 37-4434
NAME AND ADDRESS: JOHN S BALLARD
1764 S 2100 E
GOODING ID 83330
STACIE L BALLARD
1764 S 2100 E
GOODING ID 83330

SOURCE: WASTE WATER TRIBUTARY: SINKS
QUANTITY: 0.150 CFS
22.500 AFY
PRIORITY DATE: 06/01/1969
POINT OF DIVERSION:
T05S R15E S34 NWSW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.150 CFS
IRRIGATION STORAGE	03/15 11/15	22.50 AFY
IRRIGATION FROM STORAGE	03/15 11/15	22.50 AFY

PLACE OF USE: IRRIGATION Within GOODING County
T05S R15E S34 NWSW 5.5

IRRIGATION FROM STORAGE same as IRRIGATION
5.5 ACRES TOTAL

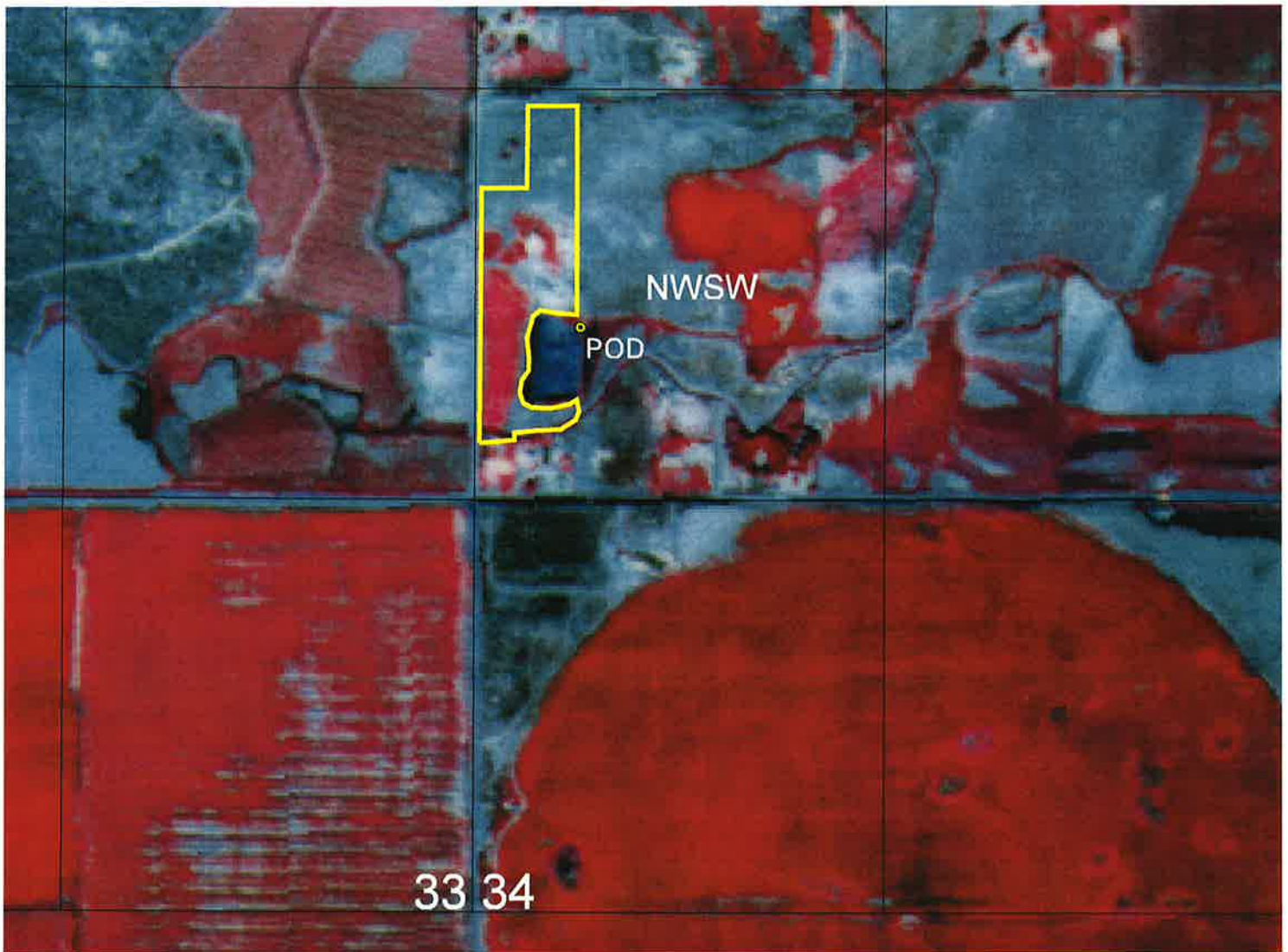
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: Beneficial Use

The source of this right is waste water originally diverted by the Big Wood Canal Co.

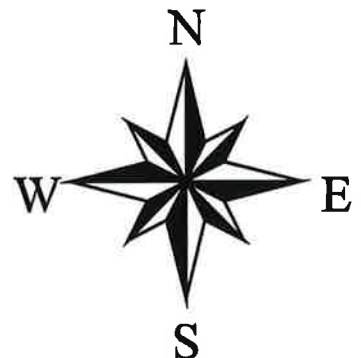
37-4434



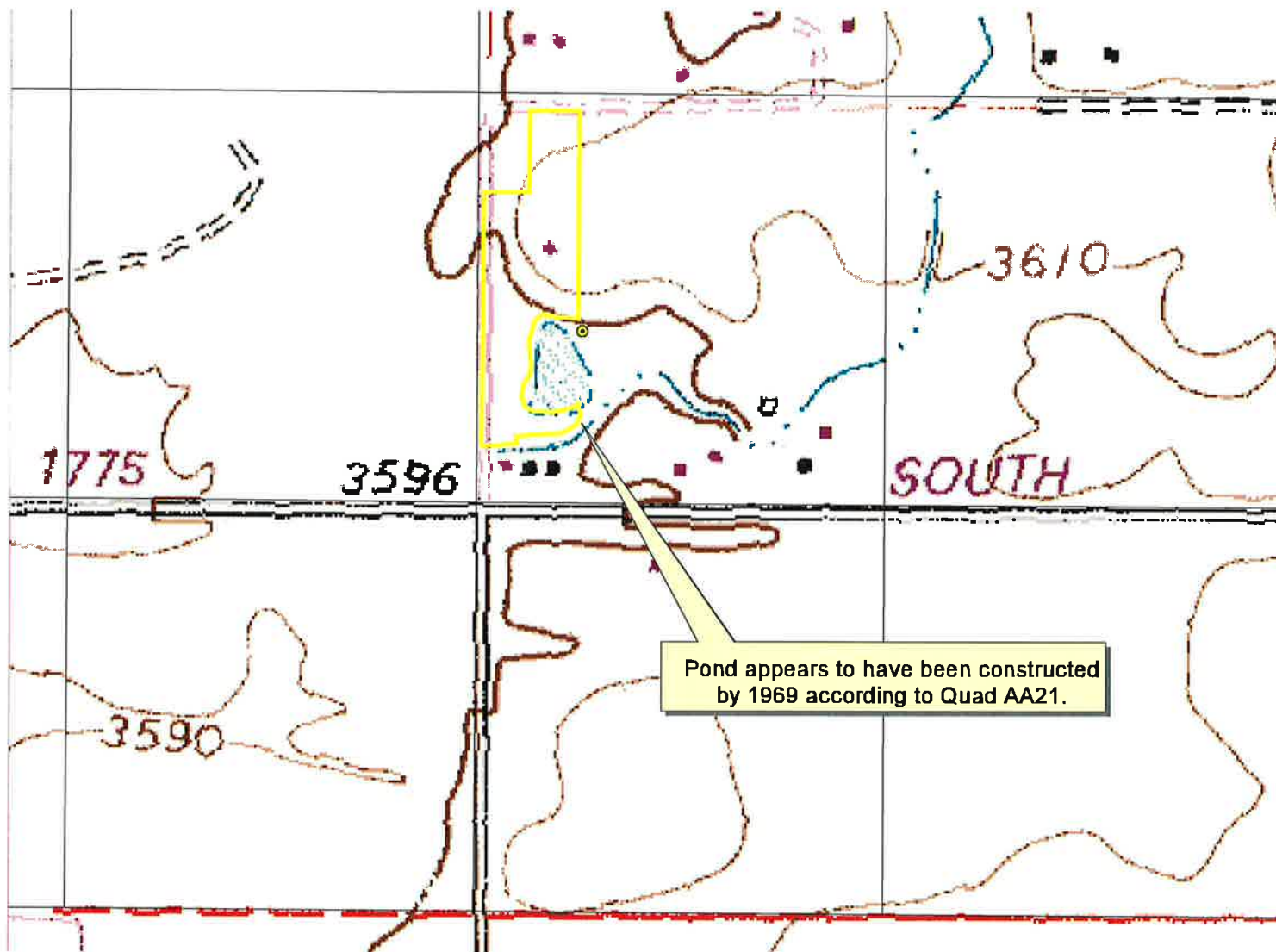
800 0 800 1600 Feet

T05S R15E S34

Map prepared by: Carter Fritschle
Date prepared: 12/20/04
1987-1988 NAPP photography
Idaho Department of Water Resources



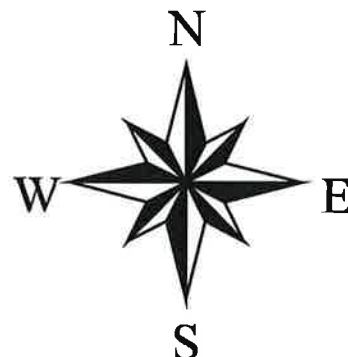
37-4434

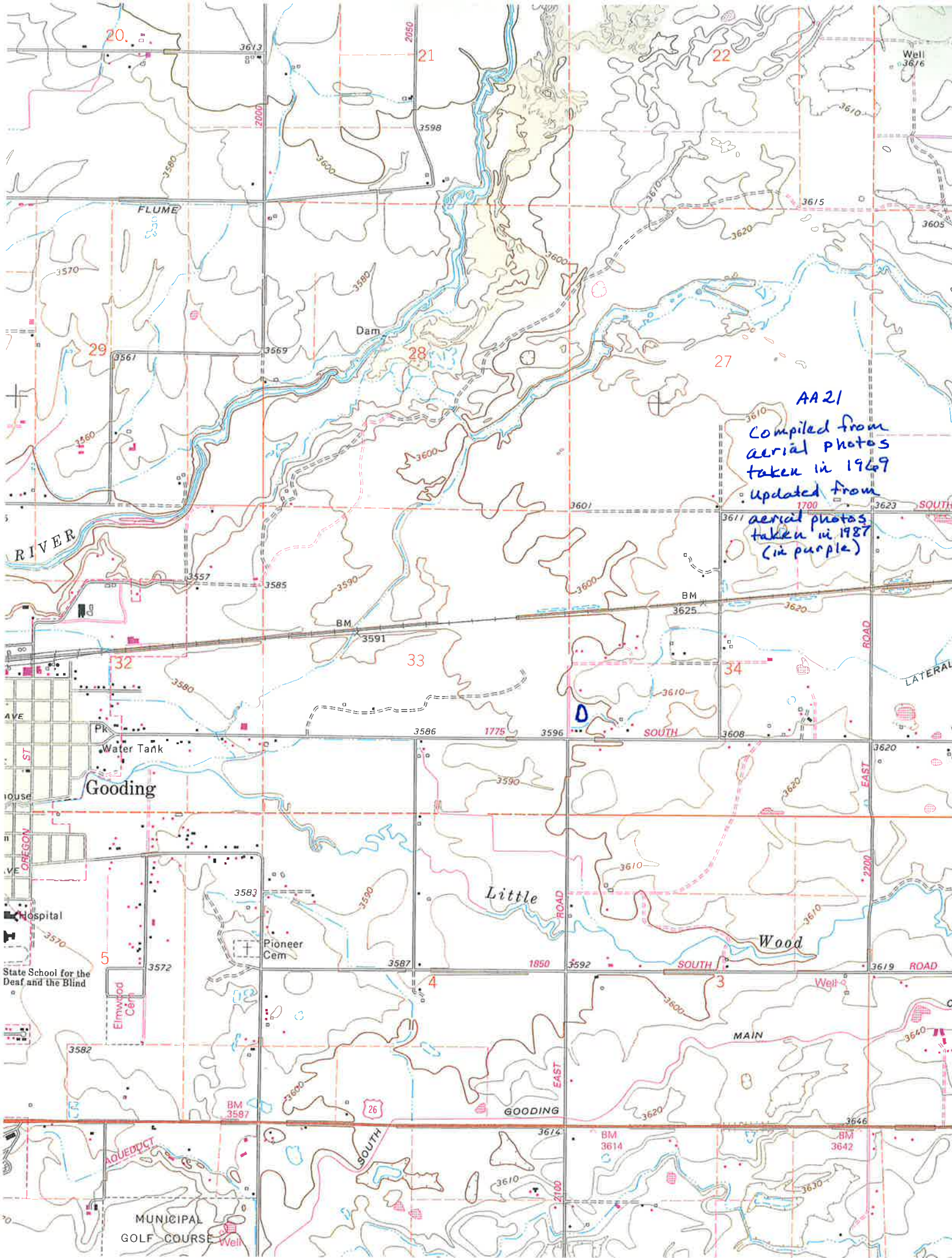


800 0 800 1600 Feet

T05S R15E S34

Map prepared by: Carter Fritschle
Date prepared: 12/20/04
1987-1988 NAPP photography
Idaho Department of Water Resources





AA21
Compiled from
aerial photos
taken in 1969
Updated from
aerial photos
taken in 1987
(in purple)

IDWR Field Exam Form

Contacts Data Entry Form

Claim Number 37-4434

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	STACIE L BALLARD	~~1045~~ S 2100 E	GOODING	ID	83330	934 4972
Current Owner	JOHN S BALLARD	~~1045~~ S 2100 E	GOODING	ID	83330	

1764

Date of Field Exam: 10-7-04 Time: 1:30 PM

Accompanied By: Stacie Phone Number: 934-4972

Relationship to Claimant: Wife

Directions to Property (if different from above) and/or update owner information:

South edge of Gooding at intersections Highways 26 & 46
Go East toward Shoshone 2 mi turn North 1/4 mi
to above address



Lee R. Peterson
234 S View Rd.
Jerome, ID 83338

Date: 10-7-04

Point of Diversion and Source Data Entry Form

Claim Number 37-4434

Claimed Point of Diversion and Source

T05S R15E S34 NWSW Within GOODING County Source: WASTE WATER SINKS

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T05S R15E S34 NWSW Within GOODING County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

waste water

NONE - SINKS on claim no longer
exist - water is retained on Ballard
property

Tw	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
55	15E	34			Gooding	Waste from neighbors

Other rights from this POD? NONE

Document how the POD and Source were verified:

Stacie took me out to Property & POD
GPS

			Plate	Photo
John	1	2445172	1305021	1030337

Reviewer:

Date:

10-7-04

Place Of Use Data Entry Form

Claim Number 37-4434

Claimed Place Of Use

T05S R15E S34 NWSW 8.0

Total Acres 8

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T05S R15E S34 NWSW 8.0

Total Acres 8

OK by Stacie

Recommended Place of Use

☐ See corrections to claimed POU above

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

SAME AS ABOVE GARDING

IRRIG STORAGE

Total Acres _____

Document how the POU was verified:

Stacie showed me property boundaries
Place of use & POD - see color photo

Reviewer: _____



Date: _____

10-7-04

Period of Use and Quantity Data Entry Form

Claim Number 37-4434

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/15 <i>seldom</i>	9/01 <i>not</i>	0.27	<i>not determined</i>
IRRIGATION STORAGE	4/01	9/01 <i>likely</i>		22.5
IRRIGATION FROM STORAGE	4/15 <i>varies</i>	9/01		22.5
Overall Diversion Rate	0.27	Overall Diversion Volume	22.5	

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/15	9/01	0.27	
IRRIGATION STORAGE	4/01	9/01		22.5
IRRIGATION FROM STORAGE	4/15	9/01		22.5
Overall Diversion Rate	0.27	Overall Diversion Volume	22.5	

no med. system

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

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

*with sprinkler irrig now they seldom get
any large amount unless it is spring
run-off these past few years low to
none*

Reviewer: _____



Date: _____

10-7-04

9105
10081
yo



A horizontal scale bar with four segments. The first segment is labeled '1000', the second '0', the third '1000', and the fourth '2000'. The unit 'Feet' is written at the far right end of the bar.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 30, 2004

37-4434

JOHN S BALLARD
STACIE L BALLARD
1645 S 2100 E
GOODING ID 83330

Re: Evidence of Priority Date

Dear Claimants:

RESPONSE DEADLINE
AUGUST 27, 2004

The Notice of Claim to a Water Right (claim) identified with the number shown above your names has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. Since the priority date and historic use of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed and the historic use of the water.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if no evidence of the priority date and of the historic use is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

Sincerely,


Carter Fritschle
Water Rights Supervisor

Enclosures

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: **A37-04434**

Date Received: 8/12/1988

Receipt No: S001417

Received By: _____

Owner Change

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ¹⁷⁶⁴ JOHN S. BALLARD
Address: ~~1645~~ S 2100 E
GOODING ID 83330

AND

Name: STACIE L. BALLARD
Address: 1645 S 2100 E
GOODING ID 83330

2. Date of Priority: JUN 1, 1963

3. Source: WASTE WATER Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	15E	34	NW	SW			GOODING

5. Description of diverting works:

CHECK DAM & POND (175' X 250' X 4'), 5 HP PUMP TO 32 RAINBIRDS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/01	0.270		
IRRIGATION STORAGE	04/01	09/01			22.50
IRRIGATION FROM STORAGE	04/15	09/01			22.50

7. Total Quantity Appropriated is:

0.270 C.F.S. (and/or) 22.50 A.F.A.

8. Total consumptive use is 22.5 Acre Feet Per Annum.

9. Non-irrigation uses:

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OCT 24 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	34	NW	SW		IRR	8.0
Section Acres							8.0
Total Acres							8.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
AMERICAN FALLS #2

14. Remarks:

AC. IRRIGATED = 7.5.

THIS CLAIM WAS ORIGINALLY NUMBERED A36-04434 IN ERROR.
IT IS IN BASIN 37 AND IS NOW NUMBERED A37-04434. RVW 4/22/91

CHANGE OF OWNER: THOMPSON SOLD TO BALLARD ON 8/16/1993. COPY
OF WARRANTY DEED ON FILE.

EVIDENCE OF PRIORITY YET TO BE SUBMITTED RVW 8/31/1993

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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OCT 24 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

31-Aug-1993

MR & MRS JOHN S. BALLARD
c/o PENNY WATSON
LAND TITLE & ESCROW, INC.
P O BOX 473
GOODING ID 83330

Re: Adjudication Claims A37-04434 & A37-10975

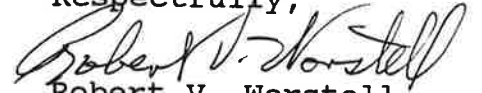
Dear Mr & Mrs Ballard:

I have changed the ownership records of the above referenced Adjudication Claims since you have recently bought the property which they apply to. Copies of the claims are enclosed for your careful examination.

We have made two requests to Mr & Mrs Barry Thompson for evidence to support the Priority Date on Claim A37-04434 but they have not responded (see the enclosed copy of the letter of 4/8/1991). It is necessary that the claimants respond to this request or this Adjudication Claim will be recommended to the court for disallowal. I have included a pamphlet that further explains the required Evidence of Priority to assist you in complying and protect this claim.

Return the evidence to our office (to my attention) and it will be filed with this claim. Contact our office if you need further assistance.

Respectfully,

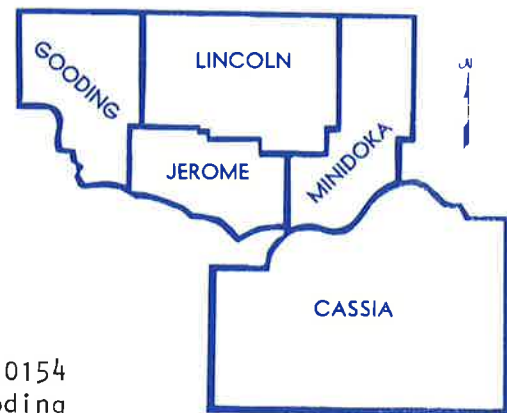

Robert V. Worstell
Sr. Adjudication Agent

3 Enclosures

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OCT 24 1994

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: G-20154

OFFICE: Gooding

August 17, 1993

Department of Water Resources
ATTN: BOB WORSTELL
222 Shoshone Street East
Twin Falls, Idaho 83301

RECEIVED

AUG 18 1993

RE: G-20154
BALLARD/THOMPSON

Department of Water Resources
Southern Region Office

Dear Mr. Worstell:

Please find enclosed New Property Owner Notice of Change of Water Right Ownership and Copy of Recorded Warranty Deed. Please change ownership on Water Right Numbers A37-4434 and A37-10975 to John S. Ballard and Stacie L. Ballard. When ownership has been completed, please return to this office at P. O. Box 473, Gooding, Idaho 83330.

Should you have questions regarding the above, please do not hesitate to contact our office at 934-8477.

Sincerely,

LAND TITLE AND ESCROW, INC.

Penny Watson

Penny Watson
Escrow Department

Enclosures

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 1199

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OCT 24 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

AUG 18 1993

Department of Water Resources
Southern Region Office

DATE OF CLOSING: 8-16-1993

LEGAL DESCRIPTION OF PROPERTY: Township 5S Range 15
Section 34, W1/2W1/2NW 1/4 of NW 1/4 of 1/4 Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate 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: A37-4434 and A37-10975
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): BARRY C. THOMPSON AND ALICE K. THOMPSON
% Idaho Power Company P.O. Box 8
Twin Falls, Idaho
- ☐ New Owner/Claimant (Purchaser): JOHN S. BALLARD AND STACIE L. BALLARD
- ☐ New Mailing Address: ***** 1645 S 2100 E
Gooding, Idaho 83330
- ☐ New Telephone Number: () - -
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yesXX 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: COPY OF RECORDED WARRANTY DEED
(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) John S. Ballard Date 8-16-93
Stacie L. Ballard Date 8-16-93
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ 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:

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

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OCT 24 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: A37-04434
Date Received: 8/12/1988
Receipt No: S001417
Received By: R.V.-W.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RENUMBERED
CLAIM

1. Name: BARRY C. THOMPSON 208-934-5712
Address: 1764 S. 2100 E.
GOODING, ID 83330

AND/OR

Name: ALICE K. THOMPSON 208-934-5712
Address: 1764 S. 2100 E.
GOODING, ID 83330

2. Date of Priority: JUN 1, 1963

3. Source: WASTE WATER Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	15E	34	NW	SW			GOODING

5. Description of diverting works:

CHECK DAM & POND (175' X 250' X 4'), 5 HP PUMP TO 32 RAINBIRDS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	09/01	0.270		
IRRIGATION STORAGE	04/01	09/01			22.50
IRRIGATION FROM STORAGE	04/15	09/01			22.50

7. Total Quantity Appropriated is:

0.270 C.F.S. (and/or) 22.50 A.F.A.

8. Total consumptive use is 22.5 Acre Feet Per Annum.

9. Non-irrigation uses:

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FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	34	NW	SW		IRR	8.0
Section Acres							8.0
Total Acres							8.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
AMERICAN FALLS #2

14. Remarks:

AC. IRRIGATED = 7.5.

THIS CLAIM WAS ORIGINALLY NUMBERED A36-04434 IN ERROR.

IT IS IN BASIN 37 AND IS NOW NUMBERED A37-04434. RVW 4/22/91

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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FEB 24 1993

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

A37-04434

Ident. Number: ~~A36-04434~~

Date Received: 8/12/1988

Receipt No: 500/4/7

Received By: js

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BARRY C. THOMPSON 208-934-5712
Address: 1764 S. 2100 E.
GOODING, ID 83330

AND/OR

Name: ALICE K. THOMPSON 208-934-5712
Address: 1764 S. 2100 E.
GOODING, ID 83330

2. Date of Priority: JUN 01, 1963

3. Source: WASTE WATER Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	15E	34	NW	SW			GOODING

5. Description of diverting works:
CHECK DAM & POND (175' X 250' X 4'), 5 HP PUMP TO 32 RAINBIRDS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
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IRRIGATION STORAGE	04/01	09/01			22.50
IRRIGATION FROM STORAGE	04/15	09/01			22.50

7. Total Quantity Appropriated is:
0.270 C.F.S. (and/or) 22.50 A.F.A.

8. Total consumptive use is 22.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	34	NW	SW		IRR	8.0
Section Acres							8.0
Total Acres							8.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
11 SHARES OF AMERICAN FALLS #2

14. Remarks:
AC. IRRIGATED = 7.5.

15. Basis of Claim: BENEFICIAL USE

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FEB 24 1993

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): Berry C. Thompson Date: 8/12/88

Date: _____

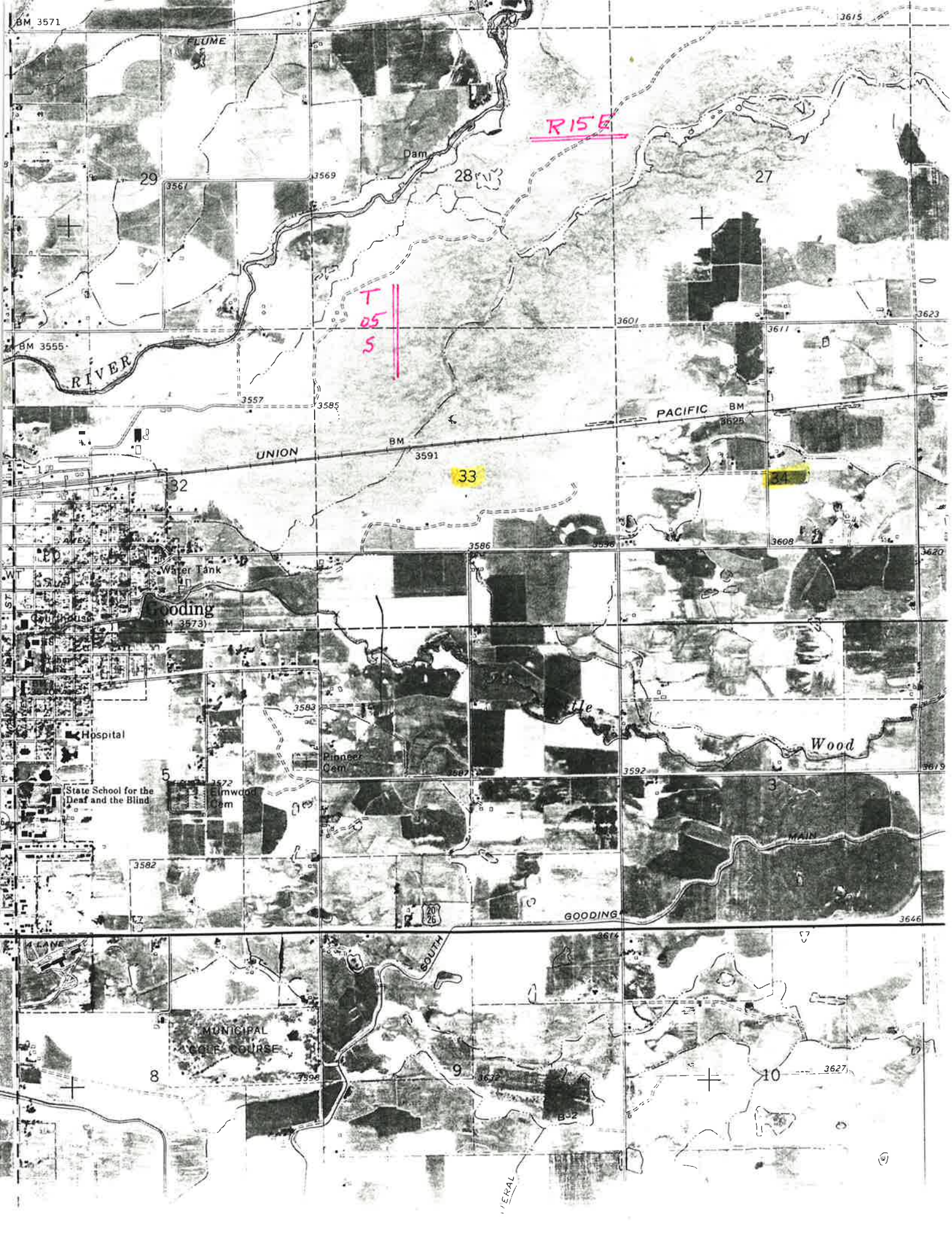
State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 3, 1990

A36-04434
BARRY C. THOMPSON
1764 S. 2100 E.

GOODING

ID 89330

Dear Claimant(s):

In the past you submitted the claim(s) identified with the number(s) shown above your name and address at the top of this letter. You indicated on the claim(s) that the basis for establishing the water right(s) was Beneficial Use, meaning the water right was not previously confirmed by a decree, water right license or permit before you filed the claim(s).

The purpose of this letter is to request evidence supporting the priority date(s) you have claimed. The enclosed pamphlet describes what this means. While I encourage you to read all of the pamphlet, I direct your attention to the right-hand half of the pamphlet after you open it. There you will find two sections: What Kind of Evidence is Required, and Some Examples of Documents which May Be Evidence of the Priority Date. These sections tell you what must be submitted. The other sections tell you why the evidence is necessary and what the consequences of not submitting the evidence could be.

Please submit the requested evidence by November 1, 1990. When returning to the Department please reference all documents with the claim(s) identification number(s) listed above.

If you have questions not addressed by the pamphlet or need other technical assistance, please feel free to contact this office. For advice on your water right(s), please contact your attorney.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosure

MICROFILMED
FEB 24 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

April 8, 1991

MR & MRS BARRY C THOMPSON
1764 S 2100 E
GOODING ID 83330

RE: Evidence of Priority - Snake River Basin Adjudication
Claim #A36-04434

A37-04434 AA.

Dear Claimant(s):

Our records indicate that your claim(s) listed above, is based upon either a "Statutory Claim" or "Beneficial Use" of the water. For water rights of this type, the claimed "Priority Date" must be substantiated with supporting evidence. We previously requested this supporting evidence be submitted by November 1, 1990, and to date we have not received the requested documentation.

Before the Department can make a recommendation to the Court to decree the claim(s), some evidence of the priority date must be submitted. Again we are enclosing a brochure outlining the types of evidence you may submit, and a printout of your claim(s) for reference. We request that you submit your evidence of priority as soon as possible. **If we do not receive the requested documentation, your claim(s) will be recommended for disallowal due to lack of evidence supporting any priority date.**

Please submit the required evidence supporting the priority date(s) by April 23, 1991. Please reference the claim number on your correspondence. If you have questions or need other assistance please contact this office.

Sincerely,

Anna Baumhoer

for

Allen Merritt, P.E.
Adjudication Section Supv.

Enclosure

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Barry C. &/or Alice K. Thompson
(Name of Claimant)

1764 So. 2100 E., Gooding, ID 83330 Telephone No. 934-5712
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 1963 June 1

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Wastewater tributary to Sinks

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	Storage	(Both dates inclusive)	
					(Mo., Day)	(Mo., Day)
Quantity <u>0.27 cfs</u>		Use <u>Irrigation from</u>		Period of Use From <u>Apr 15</u>	To <u>Sep 1</u>	
Quantity <u>22.5 AFA</u>		Use <u>Storage for Irrig.</u>		Period of Use From <u>Apr 1</u>	To <u>Sep 1</u>	
Quantity <u>22.5 AFA</u>		Use <u>Irrig. from Storage</u>		Period of Use From <u>Apr 15</u>	To <u>Sep 1</u>	
Quantity _____		Use _____		Period of Use From _____	To _____	
Quantity _____		Use _____		Period of Use From _____	To _____	

- (4) 0.27 cfs & 22.5 AFA TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34 Twp. 5S Rge. 15E B.M., County of Gooding
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Earth dam, pond 175' x 250' x 4' deep, 5 hp pump in pond to 32 Rainbird sprinklers with 9/64" nozzles operating at 45 psi.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			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 $\frac{1}{4}$	
5S	15E	34									7.5								7.5

No. of acres 7.5

B) If water is used for other than irrigation, fully describe that use, being as specific as possible.

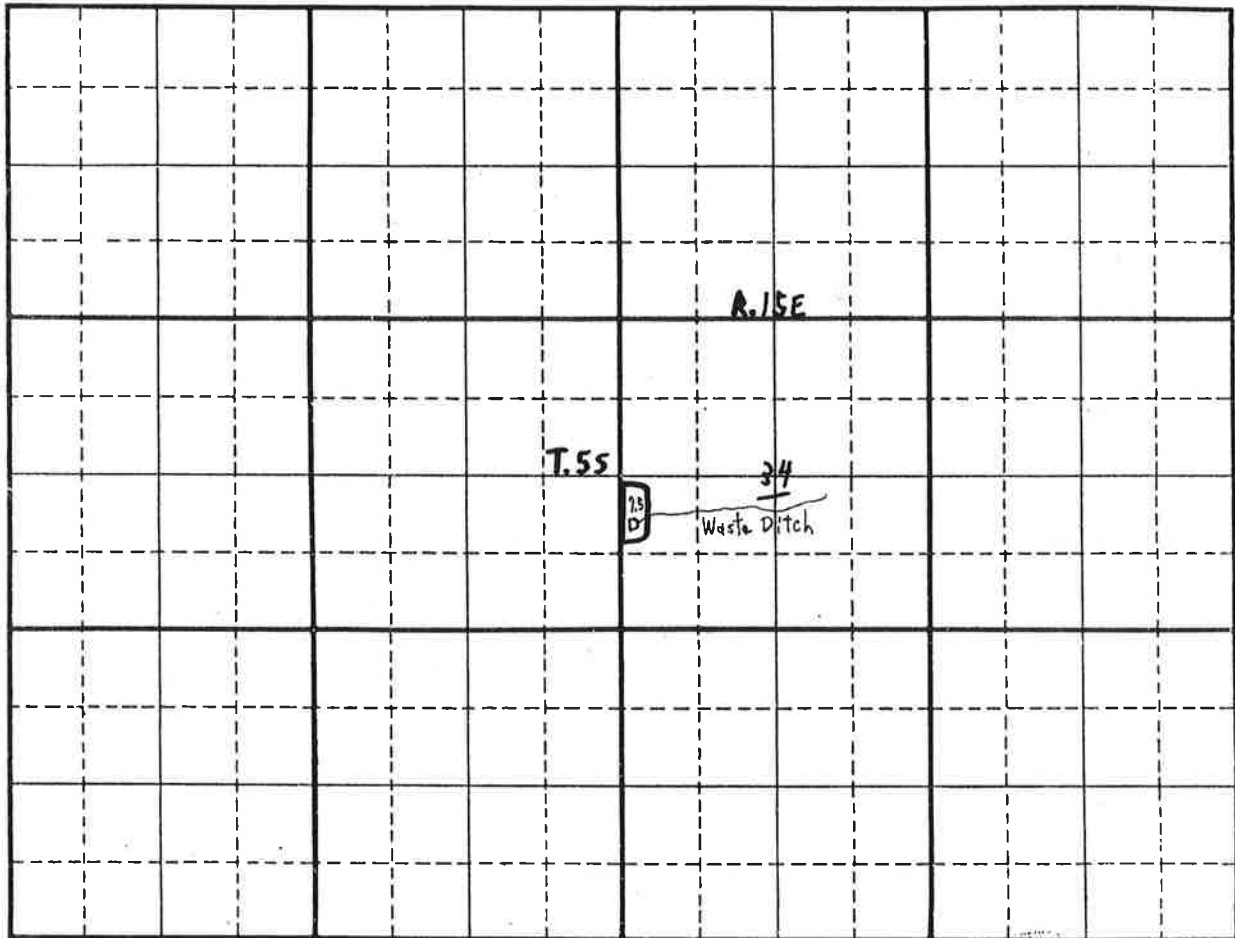
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NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 29 day of April, 1987.

Barry C. Thompson
(Claimant)

Larry O. Hudson
Notary Public
Residing at Twin Falls

My commission expires 3/21/1993

AUG 18 1987

FOR DEPARTMENT USE ONLY

Received by J. S. Stanton Date 4-29-87 Exception filed by: _____
Prelim. check by J. S. Date _____
Published in Gooding Co. Leader Date 4-29-87 #40961
Dates 6/17 & 6/24/87 Forwarded to claimant by: _____
\$200. 130.00 fee received by J. S. Date _____