

12/12/2006

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

RIGHT NUMBER: 67-14103

NAME AND ADDRESS: GILBERT R BALL JR
1117 MANN CREEK RD
WEISER ID 83672

ISABELLA H BALL
1117 MANN CREEK RD
WEISER ID 83672

SOURCE: MANN CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 1.400 CFS

This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.

PRIORITY DATE: 04/01/1880

This right is a Secondary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, is subordinate only to all rights identified as Primary Rights on Mann Creek.

POINT OF DIVERSION:

T12N R04W S31 SENWSW Lot 3 Within WASHINGTON County

T12N R05W S25 NENENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.400 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T11N R04W S06 Lot 5 SWNW	3.50	T11N R04W S06 Lot 6 NWSW	3.50
T11N R04W S06	SESW 0.50	T11N R04W S06	SWSE 28.00
T11N R04W S07	NENW 29.00	T11N R04W S07	SENW 1.00

65.5 ACRES TOTAL

Place of use is within the area served by Mann Creek Irrigation District.

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 - Decreed



Idaho Department of Water Resources

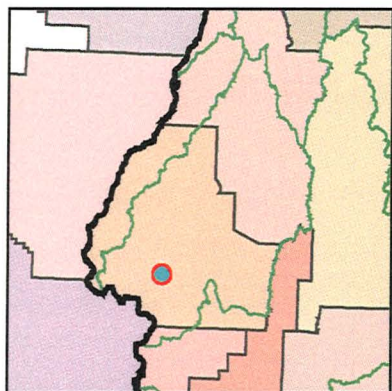
SRBA Recommendation:

67-14103

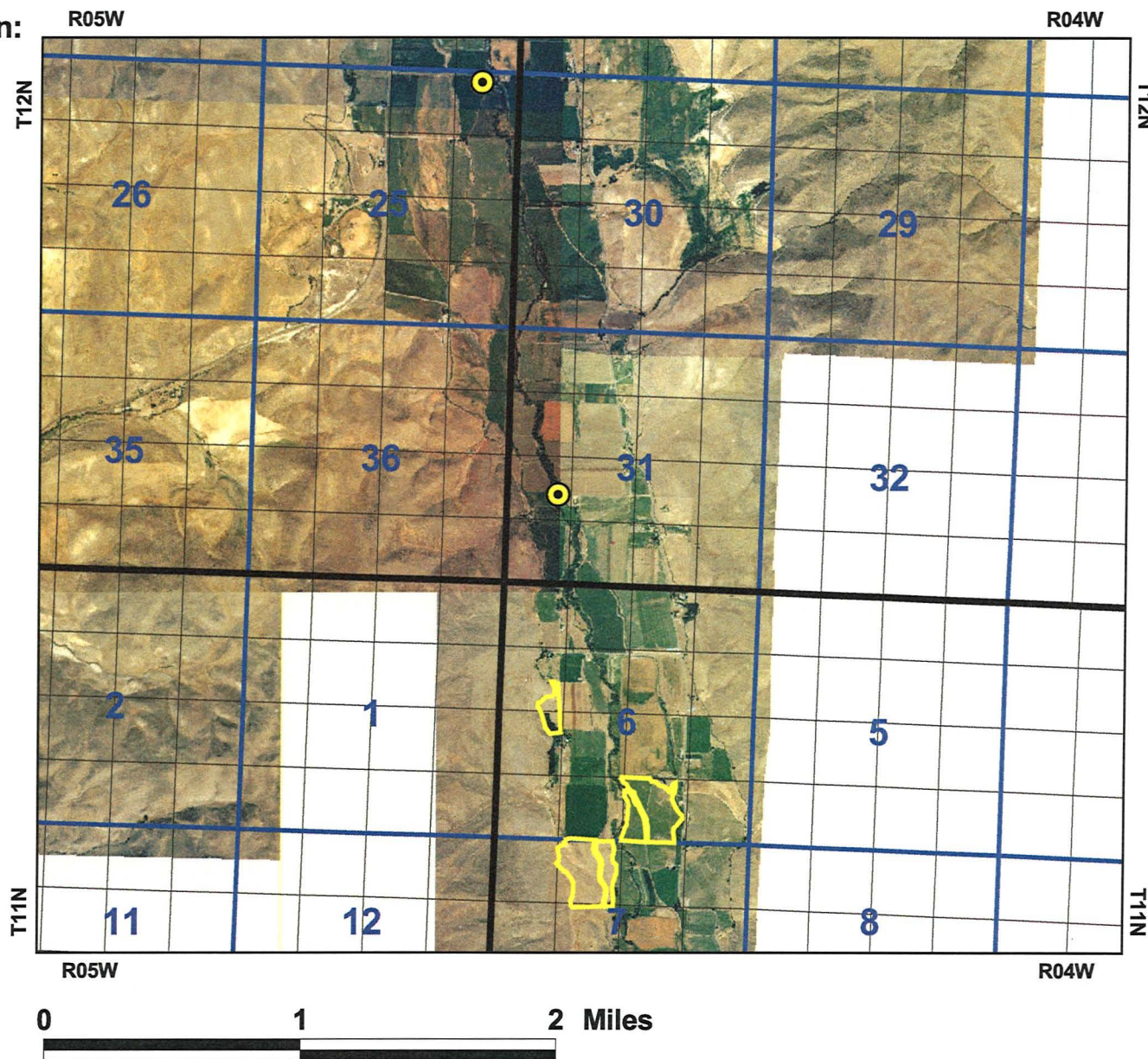
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters

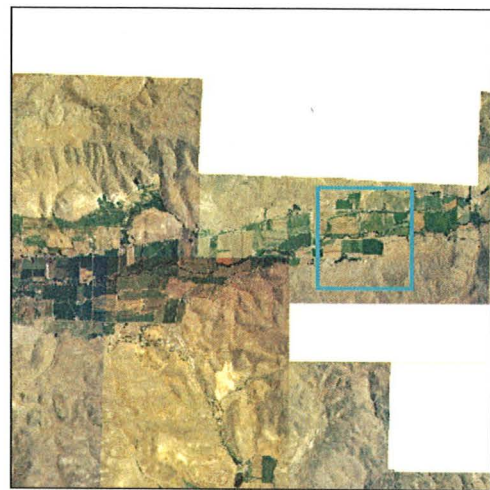
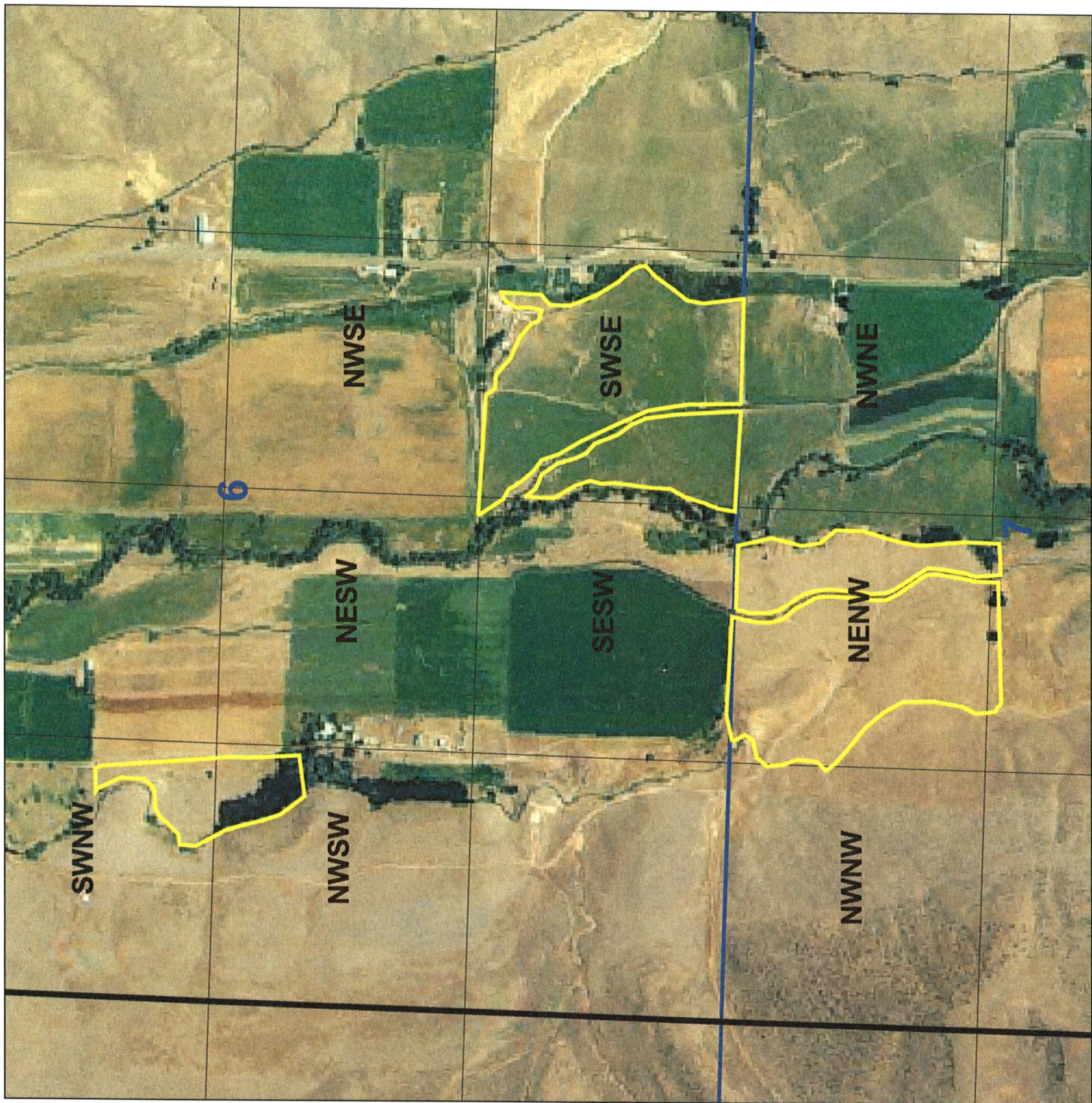


Washington County
IDWR Basin 67



Prepared by IDWR State Office
On Tuesday, December 12, 2006
1987/88 Aerial Photography

67-14103



Adjudication Recommendation Report 67-14103 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GILBERT R BALL JR 1117 MANN CREEK RD WEISER, ID 83672 (208)549-0793
Current Owner	ISABELLA H BALL 1117 MANN CREEK RD WEISER, ID 83672 (208)549-0793
Original Owner	HENRY D EVANS , ID

Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	1.400 CFS	
	Total Diversion:	1.400 CFS	

MANN CREEK WASHINGTON County	L3 (SE1/4NW1/4SW1/4)	Sec. 31, Twp 12N, Rge 04W, B.M.
MANN CREEK WASHINGTON County	NE1/4NE1/4NE1/4	Sec. 25, Twp 12N, Rge 05W, B.M.

IRRIGATION

[illegible]

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14103 V1

1. 168 This right is a Secondary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, is subordinate only to all rights identified as Primary Rights on Mann Creek.
2. C18 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.
3. 167 This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.
4. 129 Place of use is within the area served by Mann Creek Irrigation District.

Remarks:Comments:

1. dnarsavage 12/14/2005 POU

Comment: In a phone conversation today with Gilbert Ball, son of Isabellah, he said that the small chunk of land in SWNW Sec6 has always been associated with this water right.

2. csaxton 11/15/2006 From Claim

Comment: DESC. OF DIVERSION WORKS - THIS CLAIM REFLECTS A COMBINATION OF WATER RIGHT NO. 67-00560 AND 67-00558 SINCE BOTH RIGHTS ARE THE SAME PRIORITY, SAME SOURCE AND EACH CONTAINS THE NENW, SEC. 7 AS A PLACE OF USE. HOWEVER, THERE ARE TWO DITCHES WHICH DIVERT WATER UNDER THIS CLAIM. ONE IS THE HANNAH DITCH(NENE, SEC. 25), AND ONE IS THE WISHART DITCH(NWSW, SEC. 31). THE HANNAH DITCH DELIVERS WATER TO IRRIGATE THE 35 ACRES IN THE NENW, SEC. 7 AND THE WISHART DITCH DELIVERS WATER TO IRRIGATE THE 35 ACRES IN THE SWSE, SEC. 6. THESE RIGHTS WERE COMBINED TO ALLOW THE TOTAL 1" PER ACRE OF FLOOD WATER FOR THE ABOVE ACRES, OF WHICH .7 OF THE 70 INCHES (47.0") IS THE LOW WATER RIGHT PER THE MANN CREEK DECREE. NOTE: THE CLAIM REFLECTS A COMBINATION OF TWO SECONDARY RIGHTS IN THE MANN CREEK DECREE.

3. mvanbussum 12/12/2006 NOE POU

Comment: Per NOE process, enlarged POU per claimant map. Despite claimant communication and changing POU per map, the POU is 65 acres. Recommended full cfs, but could not find additional acreage.

4. mvanbussum 12/12/2006 NOE Quantity

Comment: This is a combination of 67-558 and 67-560, which were decreed for 35 inches and 40 inches, respectively, which gives 1.5 cfs. Total diversion now recommended is 1.4 cfs.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14103 V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 67
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	11/29/2005 3:28:35 PM	dnarsavage			Active
POD	11/29/2005 3:30:08 PM	dnarsavage			Active
POD	11/29/2005 3:31:29 PM	dnarsavage			Active
Source	11/29/2005 3:41:18 PM	dnarsavage			Active
POD	11/29/2005 3:42:24 PM	dnarsavage			Active
Use	11/29/2005 3:42:40 PM	dnarsavage			Active
POU	11/29/2005 3:43:11 PM	dnarsavage			Active
Season	11/29/2005 3:46:01 PM	dnarsavage			Active
Quantity	11/29/2005 3:46:22 PM	dnarsavage			Active
Summary			11/29/2005	dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	11/29/2005 3:40:47 PM	dnarsavage	Updated shape
Source	11/29/2005 3:41:19 PM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14103 V1

Use	11/29/2005 3:42:40 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
General	11/29/2005 3:28:35 PM	dnarsavage	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (Yes) 16. Is a Priority Date remark and/or condition required?
POD	11/29/2005 3:30:08 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POU	11/29/2005 3:43:59 PM	dnarsavage	Updated PLS for Active POU
POU	11/29/2005 3:43:49 PM	dnarsavage	Edited Season Of Use
POD	11/29/2005 3:31:30 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required? Description for Question 6 - Addition of Lund (Buchanan) ditch as a POD
POD	11/29/2005 3:39:27 PM	dnarsavage	Updated shape
POD	11/29/2005 3:42:24 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required? Description for Question 6 - Addition of Lund (Buchanan) ditch as a POD

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14103 V1

POU	11/29/2005 3:43:11 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Season	11/29/2005 3:46:02 PM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Summary	11/29/2005 3:47:37 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Quantity	11/29/2005 3:46:23 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required?
POU	12/12/2006 5:51:40 PM	mvanbussum	Updated shape for Active POU
POU	12/12/2006 5:51:50 PM	mvanbussum	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14103 V1

POU	12/12/2006 5:50:19 PM	mvanbussum	Updated shape for Active POU
POU	12/12/2006 5:50:28 PM	mvanbussum	Updated PLS for Active POU
POU	10/6/2005 7:29:21 AM	dnarsavage	Updated shape for Active POU
POU	12/14/2005 10:07:52 AM	dnarsavage	Updated shape for Active POU

Water Supply Bank:

11/14/2006

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: December 8, 2006

Water right number: 67-14103

GILBERT R BALL JR
1117 MANN CREEK RD
WEISER ID 83672
Telephone Number: (208)549-0793

ISABELLA H BALL
1117 MANN CREEK RD
WEISER ID 83672
Telephone Number: (208)549-0793

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

DISAGREE WITH REDUCTION OF ACRES FROM 70 TO 62.

2. Describe the changes you wish to make in the proposed recommendation:

REINSTATE 35 ACRES IN SWSE SEC 6 AND A TOTAL OF
35 ACRES IN THE FOLLOWING 1/4 1/4'S - SWNW, NWSW, SE66;
NENEW, SENW SEC 7.

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.

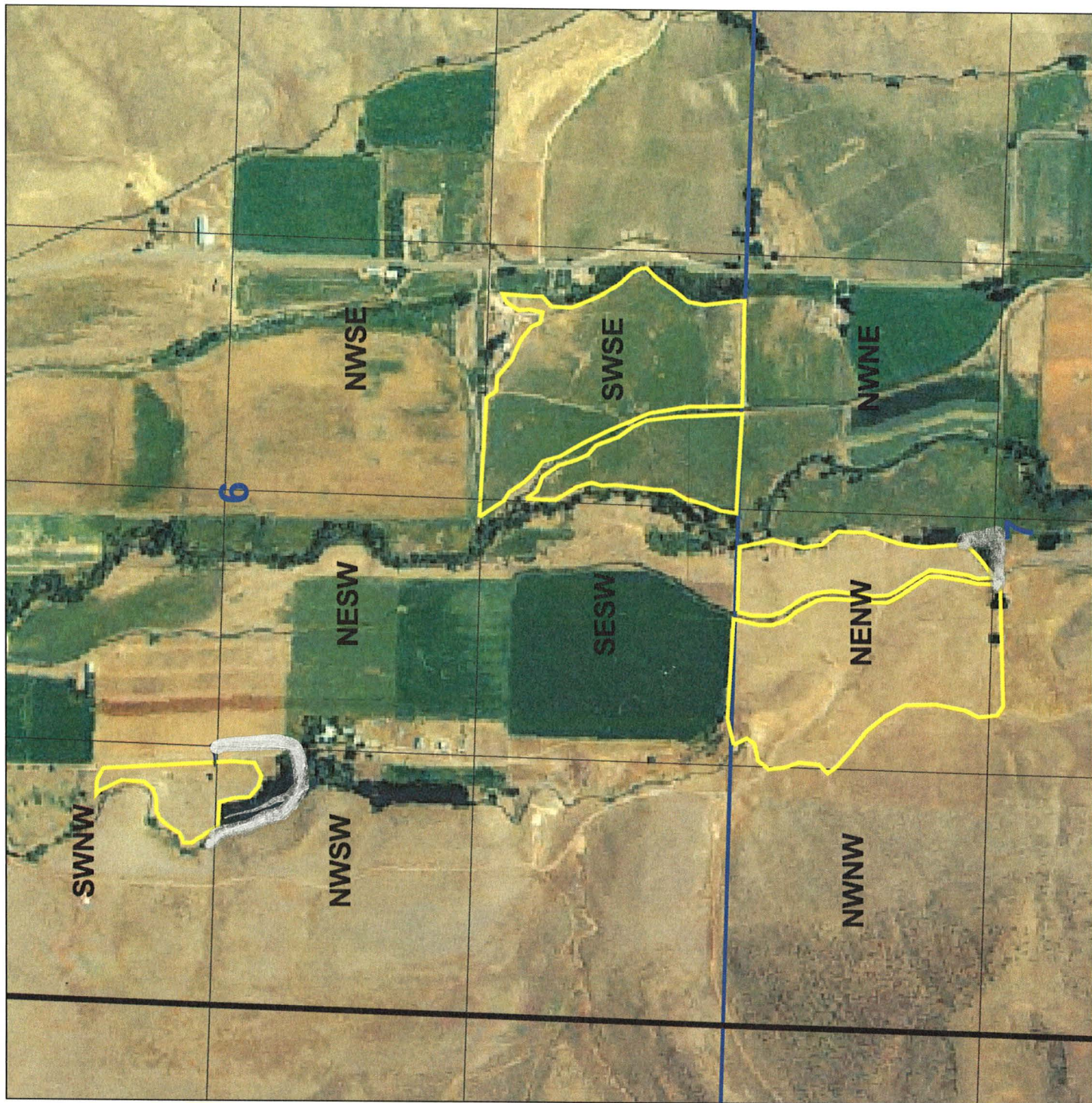
DATE: 11/29/06 SIGNATURE: Gilbert R. Ball Jr.

Please print your name: GILBERT R. BALL, JR.

IDWR Regional Office, 322 E Front St
720, Boise, ID 83720-0098, 2082874800

Also need to
add Explan.
Remark that
Mann Creeke Irr.
Dist. water
supplements this H.

SCANNED
DEC 08 2006



↑ (in NWSW)
 ADD the
 POI outlined in
 silver —
 ↓ (below in NENW)

SCANNED
 DEC 08 2006



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 67-14103

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☐ No Change ADDRESS _____
☐ NEW ADDRESS: _____

2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: AS DECREED
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____.

4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☒ Changes found, the new total is, Amount 1.24 CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☐ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

62 ACRES FOUND FOR 70-ACRE CLAIM.

SEE MAPS

RE: CHUNK IN SW NW SEC 6 - GILBERT BALL ADDED THIS/VIA

PHONE CONVERSATION - 12/15/05

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☒ CHECK IF IN OFFICE EXAM
DATE EXAM CONDUCTED: 1/24/06

FIELD EXAMINER: _____

CRAIG L. SAXTON DLN

Print Name

[Signature]

Signature

RECEIVED

NOV 28 1995

WATER RESOURCES
WESTERN REGION

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: **A67-14103**
Date Received: 10/ 2/1989
Receipt No: M004754
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ISABELLA H BALL
Address: 1117 MANN CREEK RD
WEISER ID

208-549-0793

83672

Name: GILBERT R BALL SR
Address: 1117 MANN CREEK RD
WEISER ID

208-549-0793

83672

2. Date of Priority: APR 1, 1880

3. Source: MANNS CREEK

Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12N	04W	31	SE	NW	SW	3	WASHINGTON
	05W	25	NE	NE	NE		WASHINGTON

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.400		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

SCANNED
APR 12 2004

MICROFILMED
OCT 22 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	04W	6	SW	SE		IRR	35.0
						Section Acres	35.0
		7	NE	NW		IRR	35.0
						Section Acres	35.0
						Total Acres	70.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
MANN CREEK IRRIG. DIST. RTS.

14. Remarks:

DESC. OF DIVERSION WORKS - THIS CLAIM REFLECTS A COMBINATION OF WATER RIGHT NO. 67-00560 AND 67-00558 SINCE BOTH RIGHTS ARE THE SAME PRIORITY, SAME SOURCE AND EACH CONTAINS THE NENW, SEC. 7 AS A PLACE OF USE. HOWEVER, THERE ARE TWO DITCHES WHICH DIVERT WATER UNDER THIS CLAIM. ONE IS THE HANNAH DITCH(NENE, SEC. 25), AND ONE IS THE WISHART DITCH(NWSW, SEC. 31). THE HANNAH DITCH DELIVERS WATER TO IRRIGATE THE 35 ACRES IN THE NENW, SEC. 7 AND THE WISHART DITCH DELIVERS WATER TO IRRIGATE THE 35 ACRES IN THE SWSE, SEC. 6. THESE RIGHTS WERE COMBINED TO ALLOW THE TOTAL 1" PER ACRE OF FLOOD WATER FOR THE ABOVE ACRES, OF WHICH .7 OF THE 70 INCHES (47.0") IS THE LOW WATER RIGHT PER THE MANN CREEK DECREE. NOTE: THE CLAIM REFLECTS A COMBINATION OF TWO SECONDARY RIGHTS IN THE MANN CREEK DECREE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

E. V. JEFFERSON ET. AL.
Decree Plaintiff

THOMAS HIGGENBOTHAM ET. AL.
vs Decree Defendant

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

Renumbered to A67-14103

Ident. Number: A67-00560

Date Received: 10/02/1989

Receipt No: M004754

Received By: *[Signature]*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GILBERT R. BALL, SR. 208-549-0793
Address: 1117 MANN CREEK RD.
WEISER, ID 83672

Name: ISABELLA H. BALL 208-549-0793
Address: 1117 MANN CREEK RD.
WEISER, ID 83672

2. Date of Priority: APR 01, 1880

3. Source: MANNS CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12N	04W	31	SE	NW	SW	3	WASHINGTON
	05W	25	NE	NE	NE		WASHINGTON

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	04W	6	SW	SE		IRR	35.0
					Section Acres		35.0
		7	NE	NW		IRR	35.0
					Section Acres		35.0
					Total Acres		70.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
MANN CREEK IRRIG. DIST. RTS.

14. Remarks:
DESC. OF DIVERSION WORKS - THIS CLAIM REFLECTS A COMBINATION OF WATER RIGHT NO. 67-00560 AND 67-00558 SINCE BOTH RIGHTS ARE THE SAME PRIORITY, SAME SOURCE AND EACH CONTAINS THE NENW, SEC. 7 AS A PLACE OF USE. HOWEVER, THERE ARE TWO DITCHES WHICH DIVERT WATER UNDER THIS CLAIM. ONE IS THE HANNAH DITCH(NENE, SEC. 25), AND ONE IS THE WISHART DITCH(NWSW, SEC. 31). THE HANNAH DITCH DELIVERS WATER TO IRRIGATE THE 35 ACRES IN THE NENW, SEC. 7 AND THE WISHART DITCH DELIVERS WATER TO IRRIGATE THE 35 ACRES IN THE SWSE, SEC. 6. THESE RIGHTS WERE COMBINED TO ALLOW THE TOTAL 1" PER ACRE OF FLOOD WATER FOR THE ABOVE ACRES, OF WHICH .7 OF THE 70 INCHES (47.0") IS THE LOW WATER RIGHT PER THE MANN CREEK DECREE. NOTE: THE CLAIM REFLECTS A COMBINATION OF TWO SECONDARY RIGHTS IN THE MANN CREEK DECREE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

E. V. JEFFERSON ET. AL.
Decree Plaintiff

vs

THOMAS HIGGENBOTHAM ET. AL.
Decree Defendant

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 _____

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: A67-00560
Date Received: 10/01/1989 10/2/89
Receipt No: 1004754
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GILBERT R. BALL, SR. 208-549-0793
Address: 1117 MANN CREEK RD.
WEISER, ID 83672

Name: ISABELLA H. BALL 208-549-0793
Address: 1117 MANN CREEK RD.
WEISER, ID 83672

2. Date of Priority: APR 01, 1880

3. Source: MANNS CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12N	04W	31	SE	NW	SW	3	WASHINGTON
	05W	25	NE	NE	NE		WASHINGTON

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	04W	6	SW	SE		IRR	~~33.0~~ 35.0
						Section Acres	~~33.0~~ 35.0
		7	NE	NW		IRR	~~22.0~~ 35.0
						Section Acres	~~22.0~~ 35.0
						Total Acres	~~55.0~~ 70.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
MANN CREEK IRRIG. DIST. RTS.

14. Remarks:

DESC. OF DIVERSION WORKS - THIS CLAIM REFLECTS A COMBINATION OF WATER RIGHT NO. 67-00560 AND 67-00558 SINCE BOTH RIGHTS ARE THE SAME PRIORITY, SAME SOURCE AND EACH CONTAINS THE NENW, SEC. 7 AS A PLACE OF USE. HOWEVER, THERE ARE TWO DITCHES WHICH DIVERT WATER UNDER THIS CLAIM. ONE IS THE HANNAH DITCH(NENE, SEC. 25), AND ONE IS THE WISHART DITCH(NWSW, SEC. 31). THE HANNAH DITCH DELIVERS WATER TO IRRIGATE THE 35 ACRES IN THE NENW, SEC. 7 AND THE WISHART DITCH DELIVERS WATER TO IRRIGATE THE 35 ACRES IN THE SWSE, SEC. 6. THESE RIGHTS WERE COMBINED TO ALLOW THE TOTAL 1" PER ACRE OF FLOOD WATER FOR THE ABOVE ACRES, OF WHICH .7 OF THE 76 INCHES (49.6") IS THE LOW WATER RIGHT PER THE MANN CREEK DECREE. NOTE: THE CLAIM REFLECTS A COMBINATION OF TWO SECONDARY RIGHTS IN THE MANN CREEK DECREE.

15. Basis of Claim: DECREED

Case Number:
Court :
Decree date:

E. V. JEFFERSON ET. AL.
Decree Plaintiff

vs

THOMAS HIGGENBOTHAM ET. AL.
Decree Defendant

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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: 2 MAP FILED IN A67-00530A

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): Gilbert R. Ball Date: 10-2-89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of October 19 89 Jan Thurtell
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

NOV 28 1995

WATER RESOURCES
WESTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 27, 1995

Isabella H. Ball
Gilbert R. Ball, Sr.
1117 Mann Creek Rd.
Weiser, ID 83672

Re: Identification Number Change for a Notice of Claim in the
Snake River Basin Adjudication (SRBA)
Washington County - Claim No. A67-14103

Dear Claimants,

The identification number of your Notice of Claim to a Water Right has been changed from A67-00560 to A67-14103. The claim you filed actually combines two existing rights: 67-00558 and 67-00560. The Idaho Department of Water Resources assigns identification numbers to claims that will allow processing without duplication or confusion; this change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new identification number. Refer to this record number in any future inquiries or correspondence. Please do not hesitate to contact this office, if you have any questions.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:rm:west
Enclosures:
copy of Notice of Claim

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OCT 22 1996