

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 37-21396
Date Received: 3/30/1989
Receipt No: C006122
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DOROTHY BALLARD Phone: (208)726-3043

PO BOX 4652
KETCHUM ID USA 83340

ANTHONY L BALLARD Phone: (208)726-3043

PO BOX 4652
KETCHUM ID USA 83340

2. Date of Priority: 12/31/1962

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	17E	11	SE SE SW	BLAINE	

5. Description of diverting works:

50-FT WELL DRAWING 12 GALLONS PER MINUTE WITH 3/4 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 2

RECEIVED
JAN 05 2005
Department of Water Resources
Southern Region

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	17E	11	SE	SW	DOMESTIC	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

LOT 16 WARM SPRINGS SUBDIVISION 3RD ADDITION.

15. Basis of Claim: Beneficial Use

* Please return a copy. Thank you

Form No. 42-1409 (2) b 1/88

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

37-21396

Date Received

Receipt Number

CO06122

RECEIVED
MAR 30 1989

NOTICE OF CLAIM
TO A
WATER RIGHT

d.e. 12-16-88

RECEIVED

OCT 31 1988

Department of Water Resources

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Ballard Anthony L. & Dorothy Phone (208) 726-3043

Mailing Address P.O. Box 4052, Ketchum, Id. Zip 83340

2. Date of Priority (Only one (1) per claim) 1962
3. Source of water supply (a) Groundwater Lot 16
which is tributary to (b) Warm Springs
Subdivision
3rd Addition

4. Location of point of diversion is: Township 4 North Range 17 East
Section 11, SE 1/4 of SE 1/4 of SW 1/4, Govt. Lot none, B.M.,
County of Blaine County

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

50 ft well drawing 12 Gallons per minute
3/4 H.P. Pump

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)

For Domestic purposes from 1-1 (Both dates are inclusive) to 12-31 amount 0.04 (cfs)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed _____ (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) Domestic, 2

SCANNED

DEC 20 2004

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
4N	17E	11												D				

11. In which county (ies) are lands listed above as place of use located? Blaine County

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: _____

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 not X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Anthony L. Ballard Date 10/23/88

Dorothy Ballard Date 10/23/88

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of BLAINE) SS.

Subscribed and sworn (or affirmed) before me this 29th day of March 19 89

SEAL

Notary Public Beverly A. McLean

Residing at 300 main Street Ketchum

My Commission Expires Sept. 1993

Last Name Ballard Ident No. 37-21396

Copies White-State, Yellow-Claimant

SCANNED
DEC 20 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

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

March 21, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Anthony L. & Dorothy Ballard
P.O. Box 4652
Ketchum, ID 83340

37-21396

Dear Claimant:

Your Notice of Claim to a Water Right filed for your Blaine County property is returned for the reason(s) below:

- ☒ Your check # 159 in the amount of \$ 25.00 is also being returned. Upon completing the items on the Notice of Claim as requested, please return the filing fee, unless you exercise the deferral option described in the enclosure.
- ☒ Inadvertently I am sure, the filing fees for this Notice of Claim were either missing [] or incorrect ☒. The filing fee required for this claim is \$ 75.00. The deadline for filing was 10/26/88; your claim was postmarked 10/27/88. Therefore, a \$50. late fee is assessed in addition to the \$25. filing fee
- ☐ Priority date was excluded from Notice of Claim. This date is when the water was first placed to beneficial use, by yourself or your predecessors, to the best of your knowledge.
- ☐ No signature of claimant. Notice of Claim must be signed on Item #16 by the person/persons listed as Claimant on Item #1.
- ☒ No Notary Public for signature. The Notary signature and seal are required on this document as this is the documentation presented in the judicial system.

Before returning your claim you should read the enclosed information concerning the option of deferring filing domestic and/or stockwater claims. You are encouraged to complete the process of securing your water right to your property. The decision, however, is up to you.

If you wish to file your claim, please return the documents to this office. If you will make the necessary corrections before April 21, 1989, you will not be assessed a late filing fee. Should you choose to defer a determination of your water right, you do not need to do anything further. Please do not hesitate to contact this office if you have any questions or concerns.

Yours truly,

Donald V. Shaff
Manager, Adjudication Section

DVS:ds rat
Enclosures

SCANNED

BEE 2 8 2006

X Please also complete Item 7.



March 29, 1989

Department of Water Resources

State Of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

37-21396

Attn: Mr. Donald V. Shaff
Manager, Adjudication Section

Dear Mr. Shaff,

On March 28, 1989 I recieved your letter returning my water rights claim. I was quite alarmed at having this returned and do not feel that I should be required to meet some of the necessary corrections.

As my husband and I were quite concerned that this document be returned to you by the deadline date, I distinctly remember him going to the Hailey Courthouse on Monday, October 24th, 1988. Unfortunately your business that day was delayed and after spending three hours in line waiting he had to leave for his own personal business. It was the following day, October 25th, 1988 that I personally took our claim to the post office in Ketchum.

I do not feel that this document has been properly recorded. I would like to have some evidence of my envelope being postmarked on the date that you have specified. I also am confused as to how it could possibly take six days for my claim to be recieved by your department.

I have had my document signed by a Notary as per your instructions. I hope that this matter can be settled at your earliest convenience.

Thank you,

Dorothy E. Ballard

Dorothy E. Ballard

P.O. Box 4652

Ketchum, Idaho, 83340

SCANNED

REC 20 2004

Process ~~lost~~ Late Fee issue

Toss any scraps, notes etc you
deem extra & superfluous.
Don game ~~to~~ me @ office move
10-04.
-R



SCANNED
DEC 20 2004

FIRST CLASS

37-21396

Adjudication Bureau
Dept. of Water Resources
1301 N. Orchard
Statehouse Mail
Boise, Idaho 83720

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

RIGHT NUMBER: 37-21396

NAME AND ADDRESS: DOROTHY BALLARD
PO BOX 4652
KETCHUM ID 83340

ANTHONY L BALLARD
PO BOX 4652
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
1.200 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1962

POINT OF DIVERSION:

T04N R17E S11 SESESW Lot 5 Within BLAINE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC in BLAINE County

T04N R17E S11 SESW

LOT 16 WARM SPRINGS SUBDIVISION 3RD ADDITION.

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 - Beneficial Use



Idaho Department of Water Resources

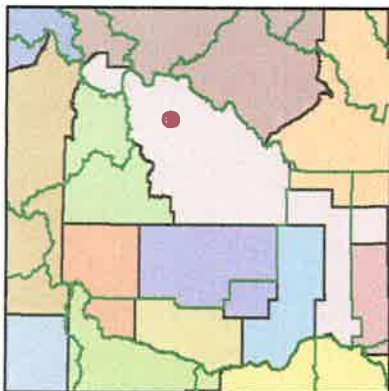
SRBA Recommendation:

37-21396

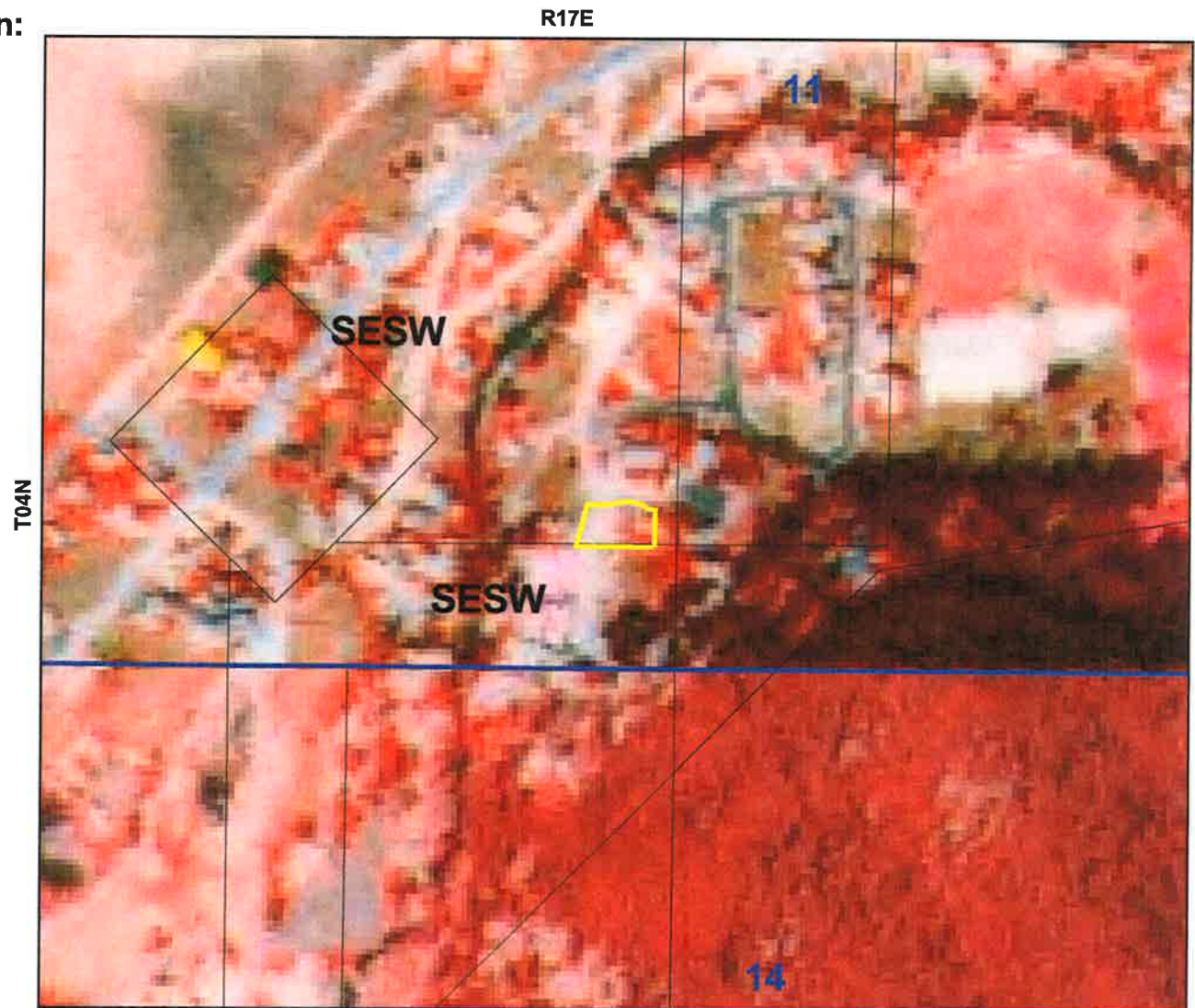
(Domestic)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles



Prepared by D. Smith
On Monday, December 4, 2006
1987/88 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 10, 1989

Ms. Dorothy E. Ballard
P. O. Box 4652
Ketchum, Idaho 83340

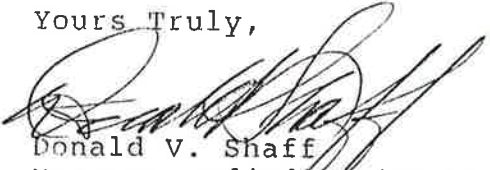
Re: Snake River Basin Adjudication SRBA
Blaine County

Dear Ms. Ballard:

I apologize for letting the photocopy of the wrong envelope leave this office. A photocopy of your envelope is now enclosed.

Thank you.

Yours Truly,


Donald V. Shaff

Manager, Adjudication Section

DVS:mcc:state

Enclosures:

Copy of Envelope

June 29, 1989

Dept. of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720



Department of Water Resources

Re: S.R.M.A. / Blaine County

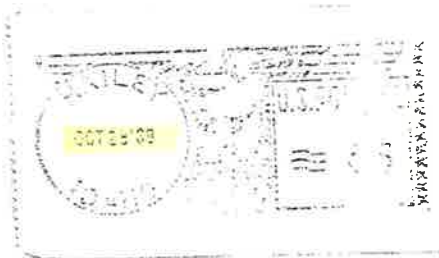
Dear Mr. Shaff,

In response to your letter dated June 27, 1989, the letter envelope you enclosed was not mine but is the letter envelope from the Blaine County Recorder. That envelope was dated Oct. 28, 1988. If my envelope was enclosed it had to go through the mail from Ketchum and be received in Hailey prior to Oct. 28, 1988.

Also, you stated that I would need an affidavit from the postmaster. I did speak with the Ketchum postmaster, but in order for him to give a proper affidavit - he would need to see my envelope.

I would greatly appreciate your clearing up this matter. Sincerely,
R. Ball and

↙
C. Recorder
Box 400
Hailey, Id.
83333



RECEIVED

OCT 31 1988

Department of Water Resources
Southern Region Office

Idaho Dept of Water Resources
2148 4th Ave East
Twin Falls, Id

83301

RECEIVED
JUL 03 1989

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Tony / Debbie Ballard (208) 726-3043
Name of Claimant Phone Number
P.O. BOX 4652 Ketchum, Id. 83340
Mailing Address City State Zip
Blaine County Oct. 26, 1989
County(s) where place of use is located Date claim originally due

Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

complications in paperwork

Claimant requests an extension to
10. Ballard June 29, 1989
Signature Date of request

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby ☒ granted ☐ denied for the following reasons:

Due diligence.

and if granted the filing deadline is extended to Oct 31, 1988
Signed this 30 day of November 19 2006

Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

P.O. BOX 4662
Ketchum, Id.
83340



Dept. of Water Resources
1301 W. Orchard Street
Statehouse Mail
Boise, Idaho 83720

Attn: Donald Shaff



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 27, 1989

Ms. Dorothy E. Ballard
P. O. Box 4652
Ketchum, Idaho 83340

Re: Snake River Basin Adjudication SRBA
Blaine County

Dear Ms. Ballard:

As you requested in your letter of March 29, 1989, I have enclosed a copy of your envelope with a post-metered date of October 27, 1988. The deadline for filing notice of claims to a water right in Blaine County was October 26, 1988. The Blaine County Recorder kindly mailed your claim and envelope to this office October 28, 1988.

As you mentioned in your letter, this document has not, in fact, been recorded. We must have the correct fees paid in order to continue processing the claim. In this case, the late fee is \$50.00, or an approved Request For Extension. The \$25.00 filing fee has been received and recorded by Receipt #C006122, which is enclosed.

If the envelope was actually mailed on October 26, 1988, we would need some form of proof, such as an affidavit from the Post Office. This proof should be attached to the Request For Extension form.

I have enclosed an Extension of time form for your possible use in this matter. You previously received material explaining the deferral option for domestic and stockwater claims.

In "Sickler File"



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 27, 1989

Ms. Dorothy E. Ballard
P. O. Box 4652
Ketchum, Idaho 83340

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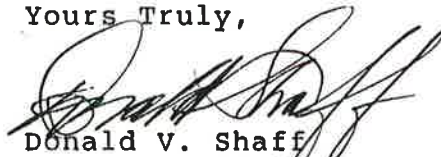
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I have enclosed an Extension of time form for your possible use in this matter. You previously received material explaining the deferral option for domestic and stockwater claims.

Ms. Dorothy E. Ballard
Page 2
June 27, 1989

If we do not hear from you within 30 days, we will consider the claim withdrawn and begin processing a refund of the filing fee. If you have any questions or need assistance, please do not hesitate to contact this office.

Yours Truly,



Donald V. Shaff
Manager, Adjudication Section

DVS:HHT:mcc:~~state~~

Enclosures:

Receipt #C006122
Copy of Envelope
Request For Extension

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: C006122

Date: 03/30/89
Time: 11:56:59

Received

From: BALLARD, TONY/DEBBIE

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEES	0410162 9337 6490	\$25.00
	Total	\$25.00

CHECK 159

Idaho Department of Water Resources

Region: STATE

Signature: _____

K. Young

Ballard
P.O. BOX 4662
Ketchum, Idaho
83340

RECEIVED

OCT 31 1983

Deputy Regional Office

Blaine County Courthouse
Dept. of Water Resources
201 2 Avenue South
Hailey, Idaho
83333

* Application for Water Rights

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Balle D

CLAIM NO. NT. NO.

DATE RECEIVED

10-31-88

CK #

159

AMOUNT \$

25

YES

NO

1. Is the name and address complete with zip code?

☒

☐

2. Is a priority date entered?

☒

☐

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

☒

☐

3. (a) Is a source entered?

☒

☐

(b) Is a tributary to entered? (if required)

N/A

☒

☐

4. Is the legal description of the p.d. sufficient?

☒

☐

5. Is there a description of the diverting works?

☒

☐

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

☒

☐

Is the period of use included?

☒

☐

Is a quantity claimed for each use?

☒

☐

7. Is a total quantity claimed entered?

Assume 04 (circled)

☒

☐

8. If required is a consumptive use entered?

N/A

☒

☐

Is the consumptive use correct?

N/A

☒

☐

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

N/A

☒

☒

10. Is (are) the place(s) of use and purpose(s) indicated?

☒

☐

11. Is (are) the county(ies) entered?

☒

☐

12. Is the ownership of p.u. checked?

☒

☐

13. Are other water rights listed or "none" indicated?

☒

☐

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

☒

☐

15. Is the basis of the claim indicated?

☒

☐

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

☒

☐

Has the claim been signed, sealed, and dated by a notary?

☐

☒

Was this claim filed on time, or was an extension granted?

☒

☐

Is the fee enclosed correct?

Exempt

☒

☐

If this claim is based on an existing water right, has the identification number been entered?

N/A

☒

☐

Should this claim be receipted and data entered?

☐

☒

Claim checked by:

dg

Comments:

FROM

Don

Don

DATE

6-16-89

TO

Dave

SUBJECT

Ballard "Extension"

Please review Ms. Ballard's letter as to sufficiency for an Extension Request. Let me know whether to proceed with late fee letter.

Extension is pretty shakey w/o  a statement from the postal clerk.

SIGNATURE

Ballard
P.O. BOX 4662
Ketchum, Idaho
83340

RECEIVED

OCT 31 1983

Department of Water Resources
Southern Region Office



Blaine County Courthouse
Dept. of Water Resources
201 2 Avenue South
Hailey, Idaho
83333

* Application for Water Rights

RECEIVED

OCT 31 1988

Department of Water Resources
Southern Region Office



Idaho Dept of Water Resources
2148 4th Ave East
Twin Falls, Id

83301



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

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

March 21, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Anthony L. & Dorothy Ballard
P.O. Box 4652
Ketchum, ID 83340

Dear Claimant:

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☒ Your check # 159 in the amount of \$ 25.00 is also being returned. Upon completing the items on the Notice of Claim as requested, please return the filing fee, unless you exercise the deferral option described in the enclosure.

☒ Inadvertently I am sure, the filing fees for this Notice of Claim were either missing ☐ or incorrect ☒. The filing fee required for this claim is \$ 75.00. The deadline for filing was 10/26/88; your claim was postmarked 10/27/88. Therefore, a \$50. late fee is assessed in addition to the \$25. filing fee.
☐ Priority date was excluded from Notice of Claim. This date is when the water was first placed to beneficial use, by yourself or your predecessors, to the best of your knowledge.

☐ No signature of claimant. Notice of Claim must be signed on Item #16 by the person/persons listed as Claimant on Item #1.

☒ No Notary Public for signature. The Notary signature and seal are required on this document as this is the documentation presented in the judicial system.

Before returning your claim you should read the enclosed information concerning the option of deferring filing domestic and/or stockwater claims. You are encouraged to complete the process of securing your water right to your property. The decision, however, is up to you.

If you wish to file your claim, please return the documents to this office. If you will make the necessary corrections before April 21, 1989, you will not be assessed a late filing fee. Should you choose to defer a determination of your water right, you do not need to do anything further. Please do not hesitate to contact this office if you have any questions or concerns.

Yours truly,

Donald V. Shaff
Manager, Adjudication Section

DVS:ds rat
Enclosures

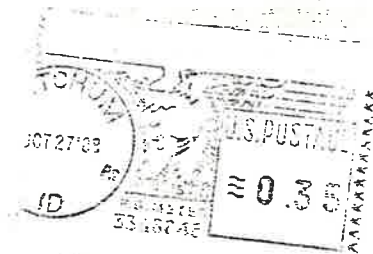
X Please also complete Item 7.

Ballard
P.O. BOX 4652
Ketchum, Idaho
83340

RECEIVED

OCT 31 1983

Department of Fish Resources
Southern Region Office



Letter ⁱⁿ ~~letter~~ ^{WP}
copy of envelope
w/ postage meter
date

If actually mailed
on 26th we would
need some proof,
such as affidavit
from Clerk.

^{Letter}

house
sources
b

* Application for Water Rights