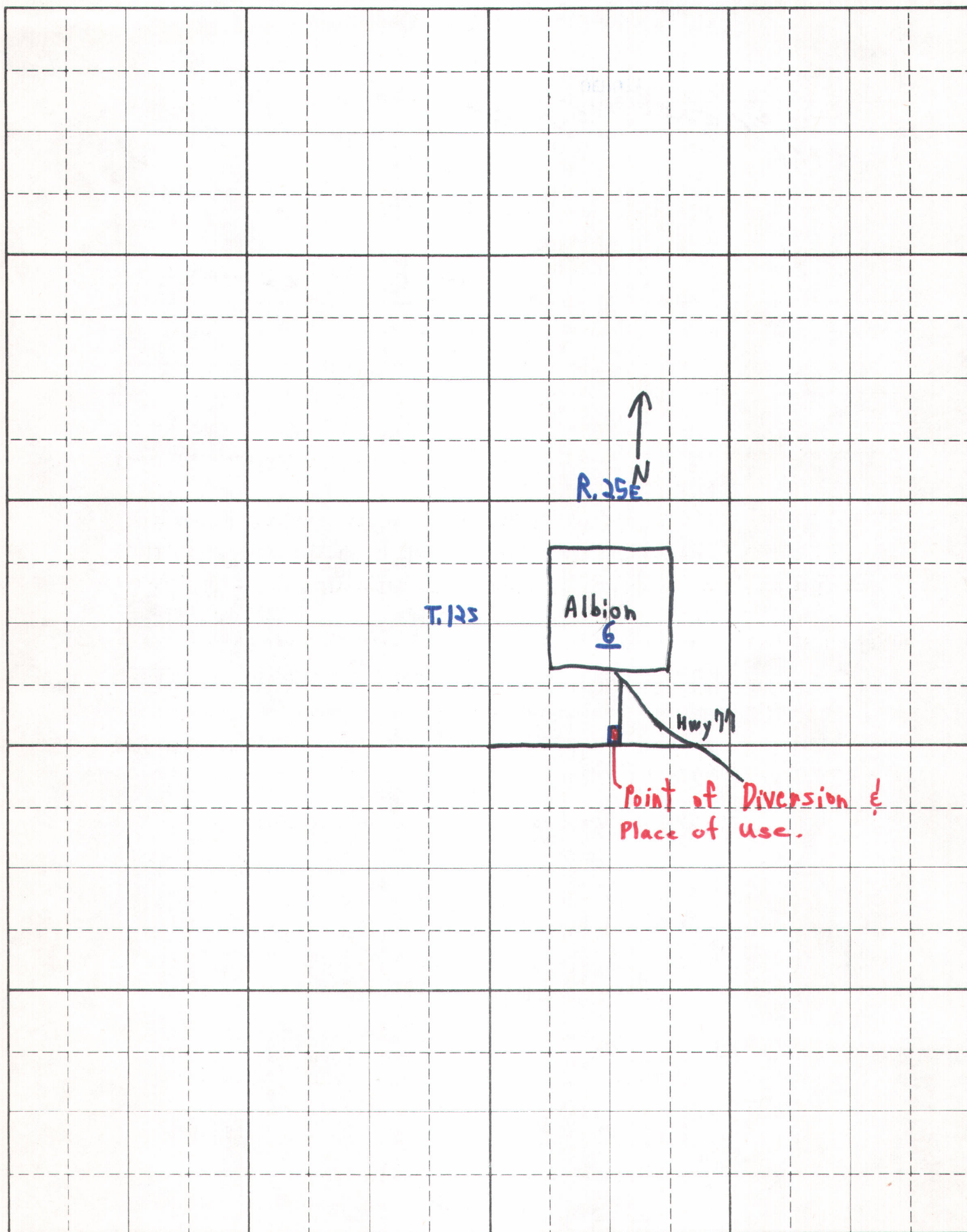


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

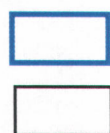
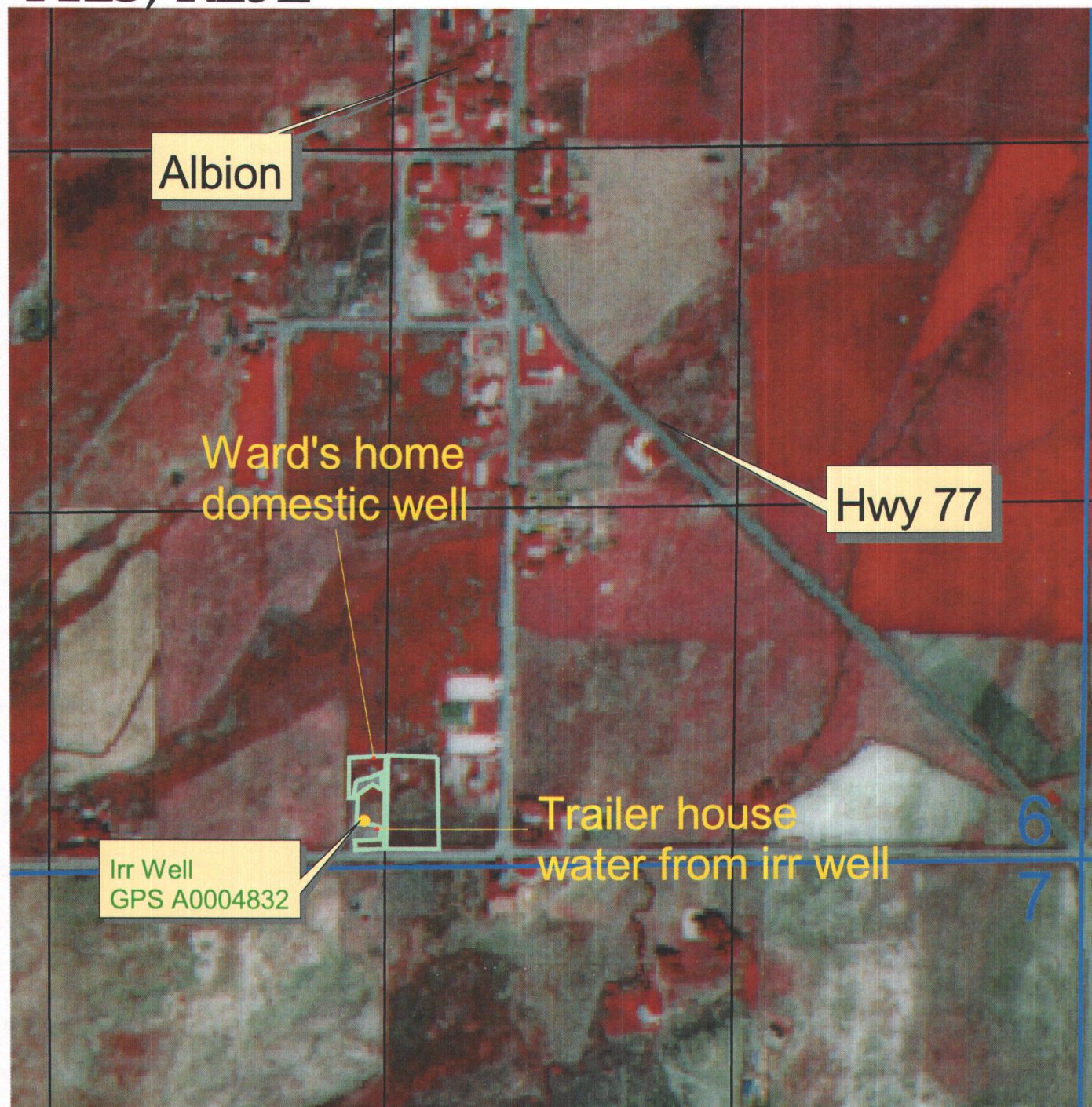
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Vesta Yeaman
(Applicant)

IDAHO DEPARTMENT OF WATER RESOURCES

45-07323 WARD, REUBEN & DELLA

T12S, R25E



Section Lines

Quarter-Quarter Lines



P/U and P/D Presentation
1987-1988 NAPP Photography
Data Entry: GLS October 1999



Albion 7.5' Quad 1968 CC30

T11S

T12S

MICROFILMED
SEP 07 2001

R25E

R24E

LAND

Creek

Marsh

Creek

Graves

ALBION MOUNTAINS



domestic well inside pump house

photo looking westerly

9 2'99



← pressure gage working

looking at domestic well

SEP 07 2001

Ward, Reuben A & Della M.

45-07328



irr pump house here

Ward home

photo looking
north

MICROFILMED
SEP 07 2001



Ward home

photo looking NW'ly

45-07328

Ward, Keuben A & Della M.



GPS 40004832
 CROFILMED
 SEP 07 2001

3/3

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 45-07328

Priority: October 03, 1977

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that REUBEN A WARD And DELLA M WARD
PO BOX 172
ALBION ID 83311 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated October 03, 1977; and have
submitted Proof of Beneficial Use on December 23, 1982. An examination indicates that the works have
a diversion capacity of 0.02 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

DOMESTIC

PERIOD OF USE

01/01 to 12/31

DIVERSION RATE

0.02 CFS

**ANNUAL
DIVERSION VOLUME**
1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 6, Twp 12S, Rge 25E, B.M., CASSIA County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	25E	6													X				

CONDITIONS OF APPROVAL

- Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 5th day of July, 2001.

Karl J. Dreher
for **KARL J. DREHER**
Director

MICROFILMED

SEP 07 2001

195226

WARRANTY DEED

For Value Received

E. VESTAL YEAMAN and LILA YEAMAN, husband and wife

the grantors do hereby grant, bargain, sell and convey unto

REUBEN A. WARD and DELLA M. WARD, husband and wife

P.O. Box 172, Albion, Idaho 83311

the grantees, the following described premises, to-wit:

TOWNSHIP 12 SOUTH, RANGE 25 EAST, BOISE MERIDIAN

Section 6: Part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
described as follows:Beginning at a point 8 rods West of the Southeast corner of
the SE $\frac{1}{4}$ SW $\frac{1}{4}$;Thence Easterly along the South line of said Section 6 for
36 rods to a point in the center of the intersection of
two county roads;Thence Northerly along the centerline of the North-South
county road for 366 feet;Thence Westerly parallel to the South line of said Section
6 for 36 rods;Thence Southerly parallel to the East line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$
for 366 feet to the Point of Beginning.

LESS part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows: Beginning at a point
462 feet East of the Southeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section
6; thence Northerly 366 feet; thence Westerly 240 feet; thence
Southerly 366 feet; thence Easterly 240 feet to the Point of
Beginning. LESS a county road right-of-way along the South and
East sides of said property.

ALSO LESS all minerals in or under said land including but not
limited to metals, oil, gas, coal, stone and mineral rights, mining
rights and easement rights or other matters relating thereto whether
expressed or implied.

ALSO LESS a county road right-of-way along the South side.

ALL IN CASSIA COUNTY, STATE OF IDAHO.

SUBJECT TO General taxes for the year 1988, and subsequent years.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to
and with the said Grantees that they are the owners in fee simple of said premises; that
said premises are free from all incumbrances except as above described, and that they will
warrant and defend the same from all lawful claims whatsoever.

Dated: May 9, 1988

Vestal Yeaman
E. VESTAL YEAMAN

Lila Yeaman
LILA YEAMAN

MICROFILMED

STATE OF IDAHO, COUNTY OF CASSIA:

On this 9th day of May, 1988, before me, a
notary public in and for said State, personally appeared

E. VESTAL YEAMAN and LILA YEAMAN,
husband and wife.

known to me to be the person(s) whose name(s) are subscribed to the
within instrument, and acknowledged to me that they executed the same.

Richard S. Harpew

Residing at *Burley*, Idaho. Comm. Expires 2/20/92

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
MAY 9 2 22 PM '88
CASSIA COUNTY, IDAHO
FRANK B. KEARNS
RECORDER
RECEIVED
LAND TITLE & ESCROW

195226

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 45-7328.

Name(s) of Permit Holder: Vestal Yeaman

Post Office Address: Box 103

Allison Idaho 83311 Tel. No. 673-5354

Source of Water: Well

Extent of Use:

☐ Domestic	(number of households)
☐ Stockwater	(number and type of stock)
☒ Irrigation <u>3</u>	(acres)
☐ Other	

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

12/21/82
Date

Vestal Yeaman
Signature of Permit Holder

E. V. Yeaman
Box 103
Albion Idaho 83311



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



RECEIVED
DEC 23 1982
DEPARTMENT OF WATER RESOURCES

Identification No. _____

Application No. 45-7328

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Vestal Yeaman Phone: 673-5354
post office address Box 103, Albion, Idaho 83311
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 6 Township 12S
Range 25E B.M. Cassia County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.02cfs for livestock purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.05cfs for irrigation purpose from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.07 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump, sprinklers, stock tanks

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 8 inches; proposed depth of well is 100 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 1,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 6 Township 12S
Range 25E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 12 calves, 2 horses

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

[illegible]

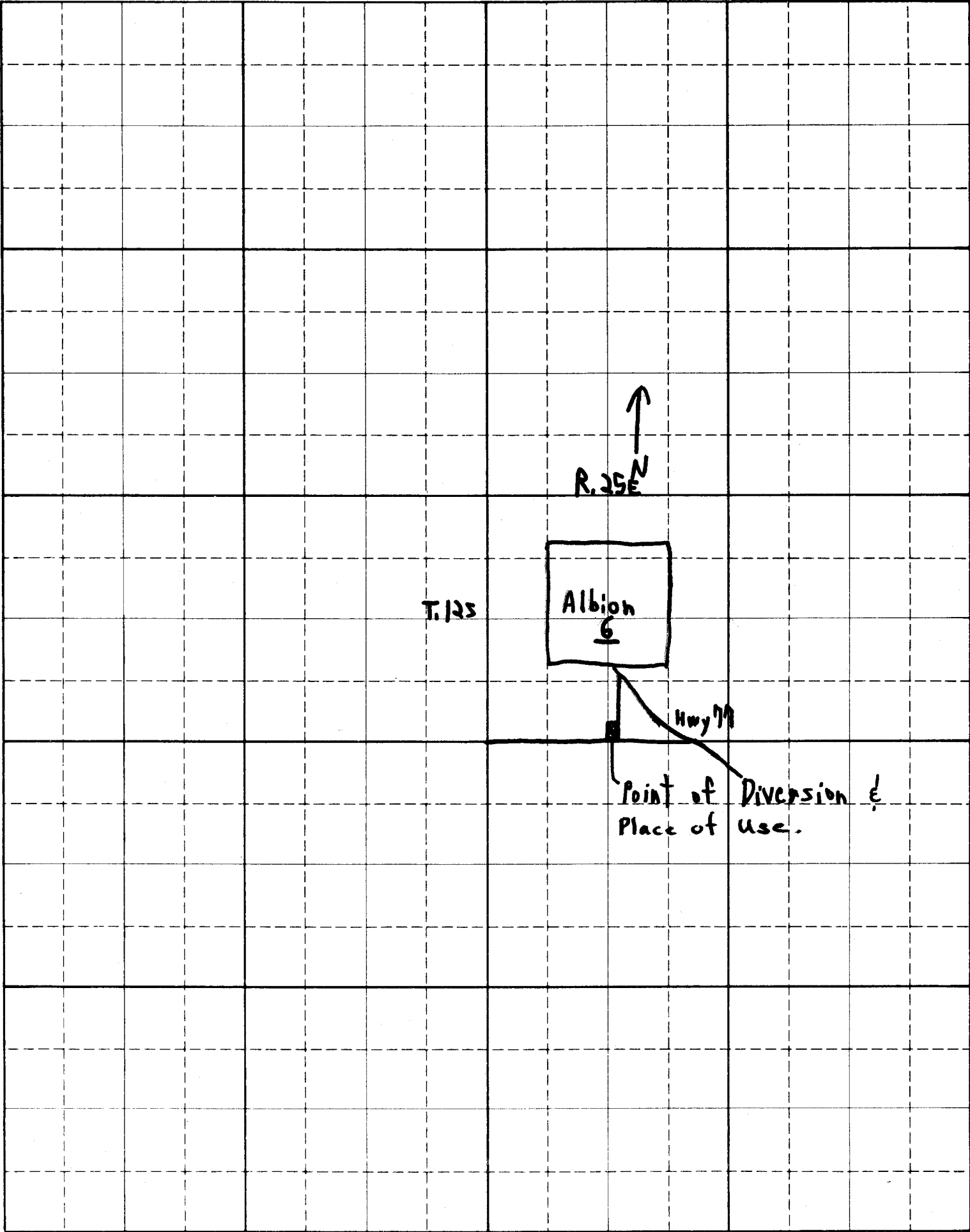
a. Who owns the property at the point of diversion _____ applicant _____

b. Who owns the land to be irrigated or place of use _____

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

1. The first step is to identify the problem. In this case, the problem is that the company is not meeting its sales targets.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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

Vesta Yeaman
(Applicant)

10/03/77

Proposed Priority

Received by JD Date 10-3-77 Time 4 PM
Preliminary check by JD Fee \$ 10.00
Received by JD Date 10-3-77 48788
Publication prepared by JD Date 10/7/77
Published in South Idaho Press
Publication dates 10/18 + 10/25/77
Publication approved JD Date 11/1/77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by ms when

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 45-7328, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 83.
- c. Other: The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

2. Denial of said application is for the following reasons: _____

Witness my hand this 29 day of January 19 78.

DEPUTY Director

A. J. [Signature]

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

L. Donna Sandrock, being first

duly sworn, deposes and says that *he* is the
Bookkeeper of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for *two times*
consecutive weeks, commencing with the issue

dated *October 18, 1977*, and ending

with the issue dated *October 25, 1977*

L. Donna Sandrock

Subscribed and sworn to before me

this *28th* day of *October*

1977.

Norma M. Peterson Notary Public

Cost of Publication

Notary Fee

Total Cost ... *9.80*

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

RECORDED

OCT 18 1977

Department of Water Resources
Southern District Office

77-456

**NOTICE OF APPLICATION
FOR WATER PERMIT**

NOTICE IS HEREBY given that Vestal
Yeaman, Albion, Idaho 83311 has on
10/3/77 submitted Application No. 45-
7328 for a permit to appropriate 0.07
cubic feet per second of water from
ground water by means of well, pump,
sprinklers, stock tanks within the
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, Twp. 12S, Rge.
25E., B.M. Cassia County to be used
from Jan. 1 to Dec. 31 for livestock
purposes and from Mar. 15 to Nov. 15
for irrigation purposes of 2.5 acres
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, Twp.
12S., Rge. 25E., B.M.

If issued, this permit will be subject
to all prior water rights. Protests against
the granting of the permit must be
filed with the Idaho Department of
Water Resources, 1041 Blue Lakes
Blvd., North, Twin Falls, Idaho, 83301
on or before November 7, 1977.

C. Stephen Allred
Director

Published in the South Idaho Press on
October 18 & 25, 1977.

OK
11/1/77



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 10, 2001

REUBEN A WARD
DELLA M WARD
PO BOX 172
ALBION ID 83311

RE: License No. 45-7328 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

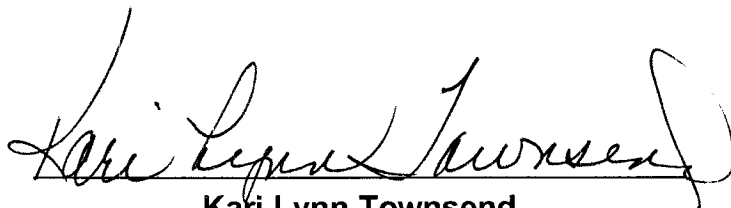
SEP 07 2001

CERTIFICATE OF MAILING

I hereby certify that on July 10, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 45-7328

**REUBEN A WARD
PO BOX 172
ALBION ID 83311**



**Kari Lynn Townsend
Secretary**

MICROFILMED

SEP 07 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Memorandum

To: File 45-07328

From: Kay Walker

RE: Use of Water

Date: June 29, 2001

.....

I talked with Mr. Reuben Ward this afternoon about the request for a licensing amendment. Mr. Ward stated that they only use the one well for their domestic use and lawn watering. They have never watered more than their lawn with their well and would like the license issued for domestic use only.

I told Mr. Ward we would license the permit for domestic use only from 1 of the wells and he was in agreement with that.

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SEP 07 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2001

REUBEN A WARD
DELLA M WARD
PO BOX 172
ALBION ID 83311

RE: Permit 45-07328

Dear Water Users:

The Department of Water Resources is reviewing the above referenced permit prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point of diversion and place of use developed are in a location other than what was described on the permit. Our examiner also stated that the water use has changed from the permitted use. She found the water was used for irrigation and domestic purposes rather than irrigation and stockwater. Therefore, before a license can be issued, this permit must be amended to depict the water right as it was actually developed.

The enclosed Application for Amendment form depicts the water use and other information, as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented please sign the form and return it with the \$50.00 filing fee within 14 days. Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

In a review of our records, we have also found that a claim has not been filed on this permit in the Snake River Basin Adjudication (SRBA). A claim is required for all water rights that proof of beneficial use was submitted prior to November 17, 1987. The proof of beneficial use for this permit was submitted on December 23, 1982. If a license is issued on this permit and no claim has been submitted in the SRBA the water right may be lost even if licensed. Please contact our Southern Regional Office in Twin Falls at 736-3033 to get information about filing a claim on this permit.

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SEP 07 2001

If you do not concur with the above information, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7944.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is fluid and cursive, with the first name "Kay" and last name "Walker" clearly distinguishable.

Kay Walker
Sr. Water Resource Agent

KW:klt

Enclosures: Licensing Amendment
Copy of Permit 45-07328

cc: Doug Jones, IDWR, Southern Region SRBA

MICROFILMED

SEP 07 2001

LICENSE REVIEW CHECKLIST

Permit No. 45-7328 Date: 6-15-2001 Reviewer: Kay Walker

Change/OK

Name/Address

change per exam & warranty deed in file

Source

Point of Diversion:

ok add

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use

add

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

45-309C

File reviewed Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.07 cfs

Fee Limit N/A cfs

Measured 0.03 cfs

Theoretical cfs

Recommended Total Diversion Rate 2.03

no exam fee - orig. exam done before fee was enacted in 1984

Water Uses

X Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation 0.03 cfs 8.8 af

Stockwater cfs af

Domestic 0.02 cfs 0.6 af

cfs af

cfs af

Total 0.03 cfs 9.4 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/WB5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.03 cfs x 1.9835 x 24 days = 12.7 af (vs) 2.2 acres x 4.0 (FHR) = 8.8 af

Remarks:

WB7, 065, 104, WB5

Additional Conditions

☒ Watermaster Control
☒ GW Measurement/Measuring Device
☒ Other
☒ Trust R55 - remove 051
☒ Non-trust (048/049)

GW Dist? ☒
Water Msmt. Dist? ☒
Crit. GWMA? ☒
GWMA? ☒
Government Lots? ☒

Advance Priority?

☒ yes
☒ no

If yes, explain why below.

SRBA Claim?

no - but is req'd

Adjust memo

yes - both wells in SESESW, rather than description on exam legal

Amend Letters

P87, S06

Second Amendment Notice

S06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 21 1999
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 45-07328
Phone No. (208) 673-5349
EXAM DATE: 1984/2 Sept 1999

1. Owner: Reuben A. and Della M. Ward
Current Address: PO Box 172, Albion, ID. 83311

2. Accompanied by: ←
Address: ← Phone No. ←

Relationship to Permit Holder: Della Ward

3. Source: Groundwater tributary to ←

B. OVERLAP REVIEW

1. Other water rights with the same place of use: A45-00309 C
2. Other water rights with the same point of diversion: ←

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Serve trailer also
↑

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SE	SW	6	T12S	R25E	Cassia	GPS/Field Exam
									A0004832 Irrigation Well
		SW	SW	SE	6	T12S	R25E	"	Domestic Well (Ward Home) Only

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	25E	06												0.7			1.5		2.2
11	11	11												D					

MICROFILMED

SEP 07 2001

[illegible]

Well or Diversion Identification No. *	GPS A0004832				
Motor Make			3/4		
Hp					
Motor Serial No.					
Pump Make					
Pump Serial No. or Discharge Size					

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Bucket / Stopwatch						

100-2000

E. NARRATIVE/REMARKS/COMMENTS

MEMO TO THE FILE

FROM: Georgia Satterlee
DATE: 01 October 1999
RE: 45-07328

Initially the examination was conducted in August 1984. I retrieved the permit file from Jim Stanton. The permit is one of the four rights in Basin 45 that need completed ASAP.

I met with Della Ward on 02 September 1999. She explained that the original well could not supply enough water for the two homes and the irrigation. Another well was drilled, unknown date, and this is the well that supplies domestic, only to the Ward home. The original well serves the trailer and the irrigation.

I obtained the deed showing conveyance from Yeaman to Ward's in May 1988. Mrs. Ward said Yeaman gave his son the parcel of land adjacent and east of the Ward's property. When plotting out the description, the portion belonging to the Ward's is less than 3 acres. The total irrigation figured by GIS is 2.2 acres. The property is straddling the quarter-quarter line; therefor 0.7 acres are in the SESW $\frac{1}{4}$ and the rest in the SWSE $\frac{1}{4}$, both in Section 6.

Although the irrigation well was not running at the time of the examination, Mrs. Ward said they usually run several sprinklers at one time.

There has not been stock on the property for at least five years and Mrs. Ward says she and Mr. Ward are too old to raise any stock.

I photographed the domestic and irrigation wells. The domestic well sets north of the Ward home. The irrigation well is approximately 100 feet north of the entrance into the property. The GPS Tag A0004832 is on the exterior threshold of the irrigation well pump house.

The recommendation in 1984 was based on a theoretical. The 1999 recommendation is based on both a measurement and a theoretical rate.

Both the domestic and irrigation wells had operating pressure gages. The domestic well pressure gage was 42 psi and the irrigation pressure gage recorded 40 psi. The measurement for irrigation well was conducted by a bucket and stopwatch at the spigot on the east side of the pump house. The measured rate is 12 gpm or 0.03 cfs. I will recommend the measured rate and 2.2 acres of irrigation.

According to Mrs. Ward, the claim A45-00309C (2 acres-irrigation) is used when the water is available. Mrs. Ward says a ditch runs easterly from Marsh Creek and runs parallel with the road for approximately 3,000 feet. The re-diversion point is the point where the ditch runs under their driveway.

45-07328 The recommendation will be for a diversion rate from the irrigation well of 0.03 cfs for 2.2 acres irrigation and 1 domestic use only; identify the second well as strictly domestic for the Ward household. The wells are not tied together.

A45-00309C Identified place of use for the irrigation, memo to file with photographs.

Have conditions of permit approval been met? ☒ yes ☐ no

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F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2.2(4) \times 8.8 = 19.36$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.03(246) \times 1.9835 = 14.6$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{DR} = 14.6$$

2. Volume Calculations for Other Uses:

Exam Fee Limit 0.20 cfs
Permit Rate 0.07
Measured " 0.03
Recommended " 0.03 cfs

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	From	To	Period of Use	Rate of Diversion	Annual Volume
Irrigation	3/15	11/15	11/15	0.03	8.8
Domestic (In-house only)	1/1	12/31	12/31	0.03	0.6
Totals:				0.03	9.4 afa

2. Recommended Amendments

☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

☐ Add P.D. as reflected above
☒ Add P.U. as reflected above
☐ Other
☐ None

No Stockwater
Domestic Use
In-house only

I. AUTHENTICATION

Reviewer

Date

Field Examiner's Name

Date

Henry J. Sullivan
10/10/99

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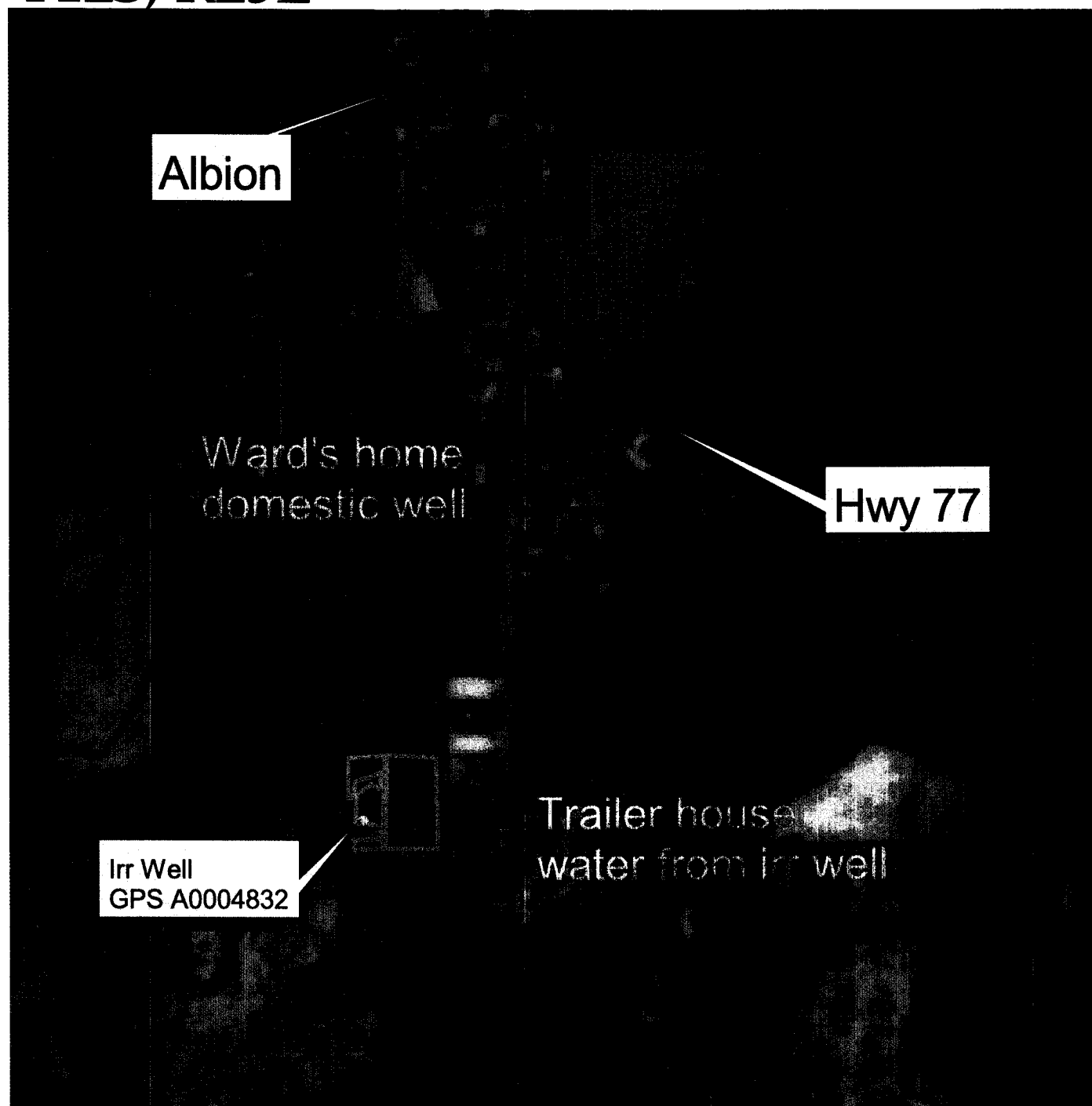
SEAL

SEP 07 2004

IDAHO DEPARTMENT OF WATER RESOURCES

45-07323 WARD, REUBEN & DELLA

T12S, R25E



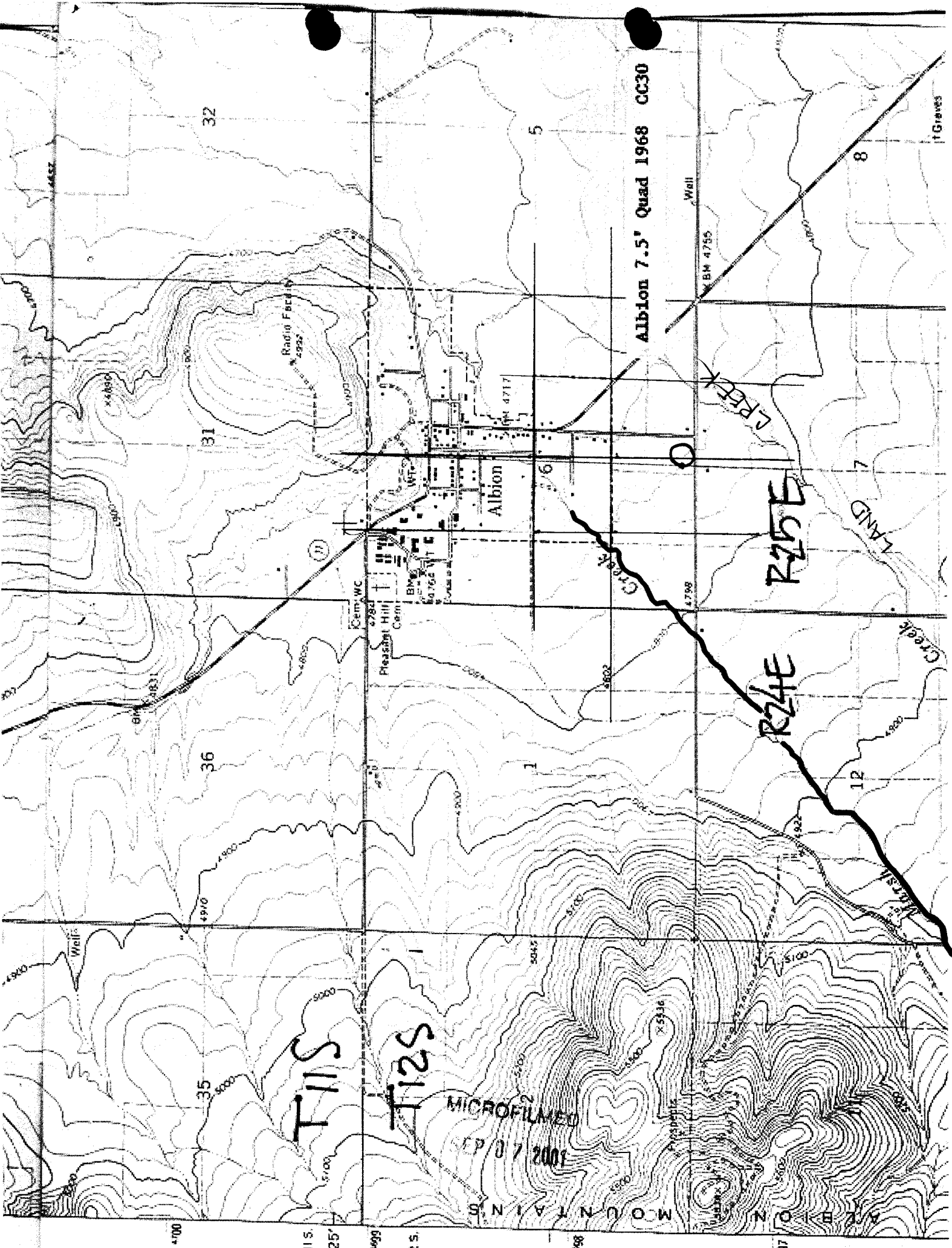
Section Lines



Quarter-Quarter Lines



P/U and P/D Presentation
1987-1988 NAPP Photography
Data Entry: GLS October 1999



Albion 7.5' Quad 1968 CC30

R25E

R24E

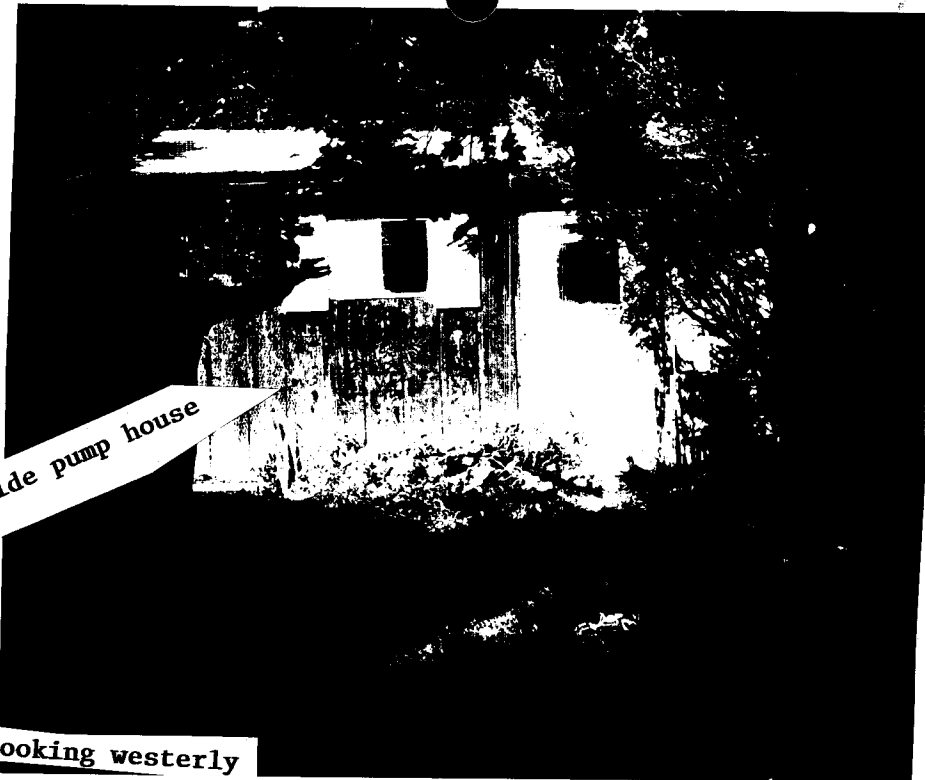
T11S

T12S

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MOUNTAIN

ALBION



domestic well inside pump house

photo looking westerly



← pressure gage working

looking at domestic well

SEP 07 2001

Ward, Reuben A & Della M.

45-07328

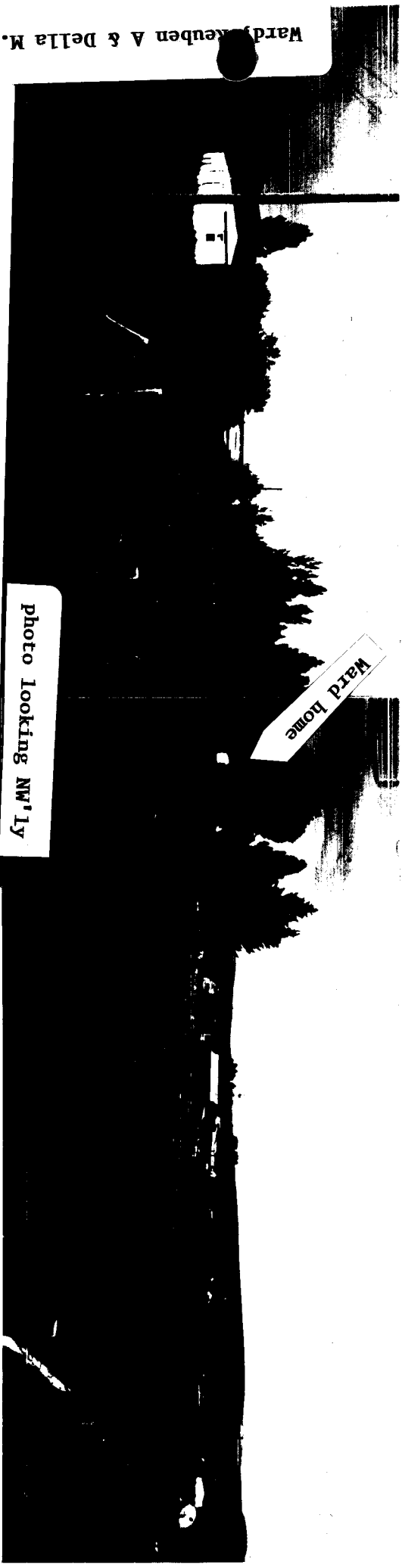


irr pump house here

Ward home

photo looking north

Ward home
 1000 10 1000



Ward home

photo looking NW'ly

Ward, Keuben A & Della M.

45-07328

Photos Looking N 13°

Irrigation pump

pump house for irrigation well

Ward home

GPS 4004832
CROFILM
SEP 07 2001

3/3

(in shed) → domestic well Ward home only

9" o.g. 6" diam. casing
42 PSI $\frac{0.02 \text{ cfs}}{7 \text{ sec/gal}}$

irrigation well (in sm. pumphouse)

8" o.g. 8" diam casing

A0004832

GPS Tag on S. side, outside^{on} pumphouse

$5 \text{ sec/gal} = \underline{\underline{0.03 \text{ cfs}}}$

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SEP 07 2001

Ward
45-07328

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

IRRIGATION WELL

NO: 45-07328
DATE: 05 September 1999
BY: G. Satterlee

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

- Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump
(if open discharge assume zero [0])

$$Q = \frac{(8.8) \left(\dots \frac{3}{4} HP \dots \right) (0.70)}{[(\dots 20 \dots) + (\dots 40 PSI \dots \times 2.31)]} = \frac{4.62}{112} = 0.04 cfs$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner ()	owner ()	
area estimate ()	estimate ()	Pump Make, Serial or ID, rating
well logs (X)	owner gage (X)	NO INFORMATION
Booster (Y) (N)		

REMARKS

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	POTENTIAL = (.....) X (1.98) X (.....)
4/15 - 10/15	184	
3/1 - 12/1	276	(.....)

POTENTIAL =

REQUIRED Acre Feet/Acre/Annum =
(AF/Ann/Ac irrigation requirement from chart for area)
NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

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SEP 07 2001



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE AVE
TWIN FALLS ID 83301
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 18, 1996

Reuben Ward
PO Box 172
Albion, ID
83311

RE: Water Permit 45-07328, Vestal Yeaman

Dear Mr. Ward;

The above-referenced permit covers domestic use in two homes from a well south of Albion. While Mr. Yeaman is still the permit holder of record, I understand that you now own this property. I contacted Mr. Yeaman last year about assigning the permit to you, but received no response. I am now contacting you on this matter.

If your use of groundwater on your property does not exceed the parameters allowed under Sec. 42-111 of the Idaho Code, no water permit is required for this use. A copy of this section is enclosed for your information. If you wish to get a recorded water right for this well, however, additional action will have to be taken to protect this right. While the permit can be licensed in Mr. Yeaman's name even though he no longer owns the property, no license can be issued unless the permit is also claimed in the Snake River Basin Adjudication.

Please contact me regarding your desires in this matter.

Regards,

James E. Stanton
Sr. Water Resource Agent

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SEP 07 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

Vestal Yeaman
923 D St.
Rupert, ID
83350

August 11, 1995

RE: Water Permit 45-07328

Dear Mr. Yeaman;

Our records show that you are the owner of the above-referenced permit, which covers a well and a two homes south of Albion. A license examination was conducted on this permit in 1984, but the license was never issued. I understand that Ruben Ward now owns this property. If you wish to assign this permit to Mr. Ward, please complete the enclosed Assignment of Permit form and return it to this office along with a \$25.00 processing fee. If you do not wish to assign the permit, we can still issue the license in your name. Once the license is issued, it will become the property of Mr. Ward anyway.

If you have any questions, please feel free to contact me.

Sincerely,

James E. Stanton
Sr. Water Resource Agent

MICROFILMED

SEP 07 2001

State of Idaho
 DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Vestal Yeaman, hereby assign to Reuben &/or Della Ward
(Permit Holder)
 of PO Box 172, Albion, ID 83311 208-673-5349
(Full Address and Phone Number)

All my right, title, and interest in and to Permit No. 45-07328
 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
 Permit No. _____ to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
 point of diversion location, and the amount of water in cubic feet per second.

Made this _____ day of _____, 19____.

 Permit Holder(s)

State of Idaho)
 ss
 County of _____)

On this _____ day of _____, 199____, personally appeared before me
 the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

 Notary Public

SEAL

 Signature

My commission expires: _____

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SEP 07 2001



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

C. Stephen Allred
Director

February 2, 1982

Vestal Yeaman
Box 103
Albion, Idaho 83311

Re: Permit 45-7328

Dear Mr. Yeaman:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Sincerely,

Gary L. Funderburg
Sr. Water Resource Agent

LOH:GLF:marya

MICROFILMED

SEP 07 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138846

YEAMAN, VESTAL
P.O. BOX 103
ALBION, ID 83311

OCTOBER 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 45-7328 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JANUARY 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

January 31, 1978

Re: Permit No. 45-7328

Vestal Yeaman
Box 103
Albion, ID 83311

Dear Mr. Yeaman:

Enclosed is a copy of your approved Application for Permit No. 45-7328. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

Enclosure

100-211-100

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 45-7328 - Vestal Yeaman

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) DS 10/17/77

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) JS 10-7-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) mls 11-10-77

Critical groundwater area: yes _____ no ☒

(8) mls 11-10-77

Groundwater levels:

_____ Declining, ☒ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) DJ 10/31/77

Affidavit of Publication received (date) 11/1/77

(12) DJ 10/7/77

Final date for protests 11/7/77
Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) mls 11-10-77

Action recommended:

☒ Approve _____ Deny

10-3-77 Proposed Priority

_____ Reason for Reduction _____

NO Measuring device required

_____ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Southern By Michael L. Stubb Date 11-10-77

cc: Sent to Boise 10/7/77 JS

Supplemental

October 7, 1977

South Idaho Press
Box 190
Burley, Idaho 83318

Re: Application for Permit No. 45-7328 - Vestal Yeaman

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS/dj

RECEIVED

Bill submitted: _____

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Vesta Yeaman

Albion, Idaho 83311

has on 10/3/77 submitted Application No. 45-7328

for a permit to appropriate 0.07 cubic feet per second ~~acre foot per annum~~

of water from ground water

by means of well, pump, sprinklers, stock tanks

within the SW1/4, Sec. 6, Twp. 12S, Rge. 25E, B. M. Cassia County

to be used from Jan. 1 to Dec. 31 for livestock purposes and from Mar. 15 to

~~for~~ Nov. 15 for irrigation purposes of 2.5 acres

within the SW1/4, Sec. 6, Twp. 12S, Rge. 25E, B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before November 7, 1977.

C. Stephen Allred

Director

Published in the South Idaho Press

on 10/18 and 10/25/77

NOTICE

77-456
OF OK 10/10/77
NOTICE OF APPLICATION
FOR WATER PERMIT

NOTICE IS HEREBY given that Vestal Yeaman, Albion, Idaho 83311 has on 10/3/77 submitted Application No. 45-7328 for a permit to appropriate 0.07 cubic feet per second of water from ground water by means of well, pump, sprinklers, stock tanks within the SW 1/4 SE 1/4, Sec. 6, Twp. 12S, Rge. 25E, B.M. Cassia County to be used from Jan. 1 to Dec. 31 for livestock purposes and from Mar. 15 to Nov. 15 for irrigation purposes of 2.5 acres within the SW 1/4 SE 1/4, Sec. 6, Twp. 12S, Rge. 25E, B.M. If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before November 7, 1977.
C. Stephen Allred
Director
Published in the South Idaho Press on October 18 & 25, 1977.