

RECEIVED

MAY 27 2004

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO  
IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources

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 82-4041B  
Date Received: 8/1/1988  
Receipt No: C002075  
Received By:

COPY

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HARPSTER WATER DIST  
C/O GLENN ADAMS  
HCR 67 BOX 52  
GRANGEVILLE ID 83530

Phone: (208)983-1937

2. Date of Priority: 06/01/1944

3. Source: SPRING Trib. to: CLEARWATER RIVER SOUTH FORK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 31N      | 04E   | 33      | NE NE NE              | IDAHO  |      |

5. Description of diverting works:

DEVELOPED SPRING, 10,000 GAL. TANK, PIPELINE TO APPROX. 25 UNITS.

6. Water is used for the following purposes:

| Purpose  | From To    | C.F.S. | (or) A.F.A |
|----------|------------|--------|------------|
| DOMESTIC | 1/01 12/31 | 0.25   |            |

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 Lot | Use      | Acres |
|----------|-------|---------|----------------|----------|-------|
| 31N      | 04E   | 33      | NW NE          | DOMESTIC |       |
|          |       |         | SW NE          | DOMESTIC |       |
|          |       |         | NE NW          | DOMESTIC |       |
|          |       |         | SE NW          | DOMESTIC |       |

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

THE SYSTEM SERVES THE HOMES AND BUILDINGS IN THE HARPSTER WATER DISTRICT.

15. Basis of Claim: Statutory Claim

**COPY**

5-25-04

Carter Britschie  
Water Rights Super

RECEIVED

MAY 27 2004

Department of Water Resources

Please find enclosed the information we talked about on the phone.

Mr. Scott wrote the letter for us, but was unable to produce a water right for 1944 original.

The other thing we talked about our water right to the river, it wasn't on record and we don't have one I can find. Can we still apply for one? If so please send me necessary papers, we used it since 1970. at one time I'm sure we applied but what happened I don't know.

The one water right I have is to our well.

Thanks.

Rebecca Adams  
Harpster Water Right (Per)  
HC R67 Box 52  
Grandville, Id 83530

RECEIVED

MAY 27 2004

5/24/04

Department of Water Resources

To Whom it May Concern

The Harpster water System was installed in the mid 40's by my father Floyd F. Ferguson, on ground he owned, with Carl Weholt and Bruce Scott helping with the labour.

Since that time, the water system has been used and updated until sold to the Harpster water district.

Sincerely  
Ruby E. Scott

**MAY 27 2004**

Claim No

82-4042

Claim No. 82-404  
NEGATIVE

Department of Water Resources  
Northern District Office

7/78 E C F

Form No. 243  
7/78  
RECEIVED  
1979

SEP 10 1979

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Department of Water Resources  
Northern District Office

# CLAIM TO A WATER RIGHT

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

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

Notice is hereby given that BRUCE A OR RUBY SCOTT  
(Name of Claimant)

RT2 B07319 KOOSEKIA, ID 83539  
(Mailing Address)

Telephone No. \_\_\_\_\_

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows: water for beneficial use water for 1950

follows:

(1) Date of priority: (When was the water first applied to a beneficial use) Apr 20, 1930

Date of priority: (When was the water first applied to a beneficial use) 1966

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

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) \_\_\_\_\_ tributary to \_\_\_\_\_

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: \_\_\_\_\_ (Both dates inclusive)

| claimed:                |                                     | (Both dates inclusive)          |                  |
|-------------------------|-------------------------------------|---------------------------------|------------------|
| (cfs, gpd, AFA)         | (Domestic, Irrigation, Stock, Etc.) | (Mo., Day)                      | (Mo., Day)       |
| Quantity <u>100 gpd</u> | Use <u>DOMESTIC</u>                 | Period of Use From <u>JAN 1</u> | To <u>DEC 31</u> |
| Quantity _____          | Use _____                           | Period of Use From _____        | To _____         |
| Quantity _____          | Use _____                           | Period of Use From _____        | To _____         |
| Quantity _____          | Use _____                           | Period of Use From _____        | To _____         |
| Quantity _____          | Use _____                           | Period of Use From _____        | To _____         |
| Quantity _____          | Use _____                           | Period of Use From _____        | To _____         |

Quantity \_\_\_\_\_ Use \_\_\_\_\_  
(4) \_\_\_\_\_ TOTAL QUANTITY USED.  
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

A) Point of diversion: (Location of point where water is diverted from its source)  
NE 1/4 NE 1/4, Sec. 33 Twp. 31N Rge. 4E B.M., County of IDAHO  
 Additional points of diversion: \_\_\_\_\_

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. pipeline from spring to town

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

[illegible]

No. of acres

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

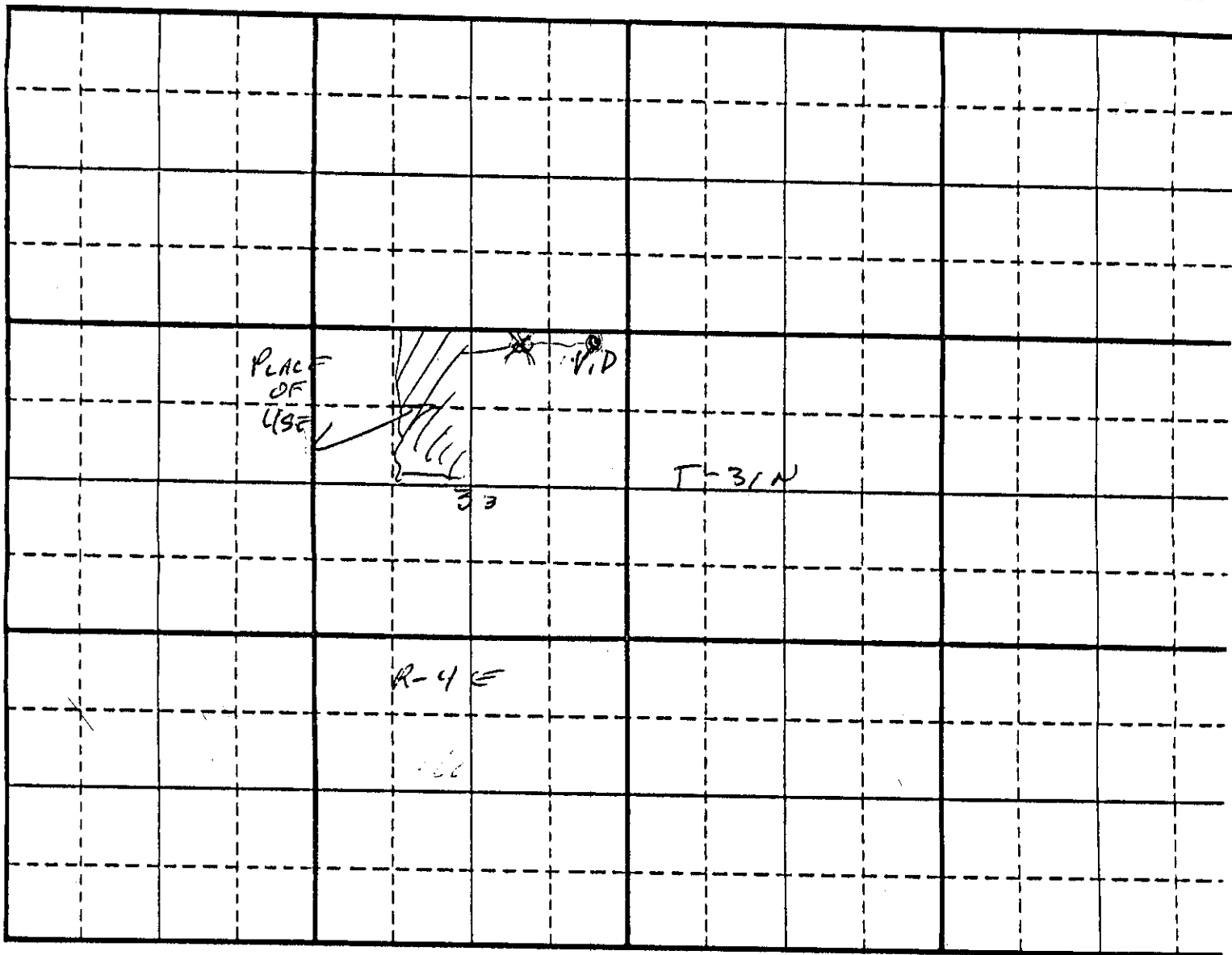
USE IN HARPSTER - 30 HOUSEHOLDS

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

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

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

(8) Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Scale: 2 inches equal 1 mile.

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

State of Idaho )  
County of Idaho ) ss.

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

Sworn to before me this 7<sup>th</sup> day of September, 19 79.  
R. Allen Smith (Claimant)

Notary Public [Signature]  
Residing at Grangeville, ID

My commission expires 9-20-79

|                                             |                     |                     |              |
|---------------------------------------------|---------------------|---------------------|--------------|
| IDaho DEPARTMENT USE ONLY                   |                     |                     |              |
| Received by <u>JB</u>                       | Date <u>9-10-79</u> | Exception filed by: | Forwarded to |
| Prelim. check by <u>KK</u>                  | Date <u>9/18/79</u> |                     | claimant by: |
| \$20.00 fee received by <u>JB</u>           | Date <u>9-19-79</u> | <u>#15031</u>       |              |
| Published in <u>Idaho County Free Press</u> |                     |                     |              |
| Dates <u>9/27-10/3/79</u>                   |                     |                     |              |