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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: A22-12580
Date Received: 3/01/1989
Receipt No: 1002794
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CYRUS FAY HARRIS 208-356-6368
Address: 3342 N. SALEM RD.
REXBURG, ID 83440

OR
Name: DONNA R. HARRIS 208-356-6368
Address: 3342 N. SALEM RD.
REXBURG, ID 83440

2. Date of Priority: JAN 01, 1924

3. Source: SURFACE Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	39E	35	NW	NE			MADISON

5. Description of diverting works:
18" PIPE, 24" PIPE, 2-18" PIPE, 36" PIPE, 24" PIPE, 24" PIPE & HDGT, CKBOX

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.000		

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

8. Total consumptive use is 250.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-12580

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Date: 03/01/89

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	39E	35	NW	NE		IRR	40.0
			SW	NE		IRR	20.0
			NE	NW		IRR	30.0
			SE	NW		IRR	10.0
						Section Acres	100.0
						Total Acres	100.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

5SHARES OF CAPITAL STOCK CONSOL.CANAL, 1 SHARE ROXANNA CANAL

14. Remarks:

BECAUSE THE WATER FROM THE CONSOLIDATED AND ROXANNA IS GENERALLY
INSUFF. ALL AMOUNTS CLAIMED ARE REQUIRED.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

RECORDED
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1500IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number

A22-12580

Date Received

3/1/89

Receipt Number

M002794

Ea,

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Cyrus Fay Harris & Donna R. Harris Phone 208) 356-6368
Mailing Address 3342 N. Salem Rd., Rexburg, Idaho Zip 83440
2. Date of Priority (Only one (1) per claim) January 1, 1924
3. Source of water supply (a) Ponds & sloughs from springs
which is tributary to (b) Teton River
4. a. Location of existing point of diversion is: Township 7 N. Range 39 E. Section 35,
1/4 of NW 1/4 of NE 1/4, Govt. Lot, B.M., County of Madison
Additional points of diversion if any: NE 1/4 NW 1/4
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. _____
7 different works (see map attached)
1. 18 inch gal. steel pipe, 14 feet long
2. 24 inch steel pipe, 18 feet long
3. 2 18 inch steel pipe, 10 feet long each
4. 36 inch pipe, 21 feet long, open on top 1/2 of length
5. 24 inch pipe, 24 feet long
6. 24 inch pipe, 22 feet long with 24 inch steel headgate
7. Check wood box

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 4 or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 4 (cfs) and/or (b) (acre feet)

8. Total consumptive use claimed is 250 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
7N	39E	35		40	20		30			10									100

Total number of acres irrigated 100

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

12. Do you own the property listed above as place of use? Yes ☒ 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.
5 shares of capital stock of Consolidated Canal Company and 1 share of or None ()

14. Remarks:
Capital Stock of Roxanna Canal Company.

Because the water from the Consolidated and Roxanna is generally insufficient to water the acreage described above, all amounts claimed from the ponds and sloughs are required.

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Last Name HARRIS Ident No.

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ 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 ☐ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 2 Affidavits

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

Signature of Claimant (s) Jay Harris Date March 1, 1989

Donna Harris Date March 1, 1989

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

of Organization , that I have signed the foregoing

document in the space below as Title of 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 Madison) SS.

Subscribed and sworn (or affirmed) before me this 1st day of March 19 89

SEAL

Notary Public Jerry R. Rigby

Residing at Rexburg, Idaho

My Commission Expires 11-9-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, JERRY R. RIGBY will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Jerry R. Rigby

Address P.O. Box 250, Rexburg, Idaho 83440

Date 3-1-89

Last Name HARRIS Ident. Number

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Copies White-State, Yellow-Claimant

Log for claim 22-12580

Spatial Dynamics BTD

7/20/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07n39e	35	NWNE	40	36	POD placement?
07n39e	35	SWNE	20	30	Indiscernible
07n39e	35	NENW	30	35	Indiscernible
07n39e	35	SEnw	10	38	Indiscernible
Totals:			100	139	

Date Received _____

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

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

Cyprus Fay Harris and Donna R. Harris
Name of Claimant

3342 North Salem Road
Post Office Address

Rexburg, Idaho 83440
City, State, Zip Code

Madison
County(s) where Place of Use is located

August 25, 1988
Date Claim Originally Due

Beneficial use of unnamed ponds, Roxanna, Consolidated & Saurey/Summer Ditch.
Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

Several rights in several different systems, some of which are in the County
of Fremont. Need to have the filings done on the systems before I can
complete my own beneficial use application.

Claimant requests an extension to 3-9, 1989.

Fay Harris
Signature

Title

=====

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby
X granted _____ denied,
and the filing deadline extended to March 3, 1989.

Signed this 7 day of September, 1988.

DAVID B. SHAW
Director or his designated agent

NOV 07 1988

IN THE MATTER OF:

THE DEPARTMENT OF
WATER RESOURCES.

FAY HARRIS.

AFFIDAVIT

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

I, PHILLIS WELLARD BANTA, of 400 E. 3500 N., Rexburg, Idaho, daughter of John Wellard, who bought property from Kate Baker in 1937, sold this property to Fay Harris in 1958.

Several large ponds or sloughs on the Northeast side of the property allowed us to sub-irrigate the pasture land located on the North side of the property. The ponds or sloughs were fed by the springs outof the adjacent hills and were basically full year round.

Phyllis Wellard Banta
Phyllis Wellard Banta

SUBSCRIBED AND SWORN To before me this 17th day of January, 1989.

Debra A. Keller
Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission Expires: 11-15-93

...XEROFILME

NOV 6 7 1989

For Sale

AFFIDAVIT

STATE OF IDAHO,)
County of Madison. ss)

Several large ponds or sloughs on the Northeast side of the property allowed us to sub-irrigate the pasture land located on the North side of the property. The ponds or sloughs were fed by the springs out of the adjacent hills and were basically full year round.

F. Sidney Hinckley
F. Sidney Hinckley

SUBSCRIBED AND SWORN To before me this 20th day of
September, 1988.

Debra A. Keeler
Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission Expires: 11-15-93

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