

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: A43-04054
Date Received: 3/15/1989
Receipt No: 5007109
Received By: Sec

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY B. HARPER 208-645-2227
Address: STAR RT. BOX 16
DECLO, ID 83323

2. Date of Priority: APR 01, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	28E	30	SE	NE	SW		CASSIA
			SE	SW	SW	4	CASSIA

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/15	0.600		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	28E	30	NE	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0

Section Acres 120.0

A43-04054

Page 1

Date: 03/15/89

MICROFILMED
MAR 05 1993

10. Place of Use: Continued

Total Acres 120.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
SEE A43-04040

14. Remarks:
AC. IRR.=160.
ALL WR ARE PART OF ONE SYSTEM.

15. Basis of Claim: STATUTORY CLAIM

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): Gary B. Harper Date: 15 Mar 89

Date: _____

State of Idaho)
County of Twin Falls) SS.

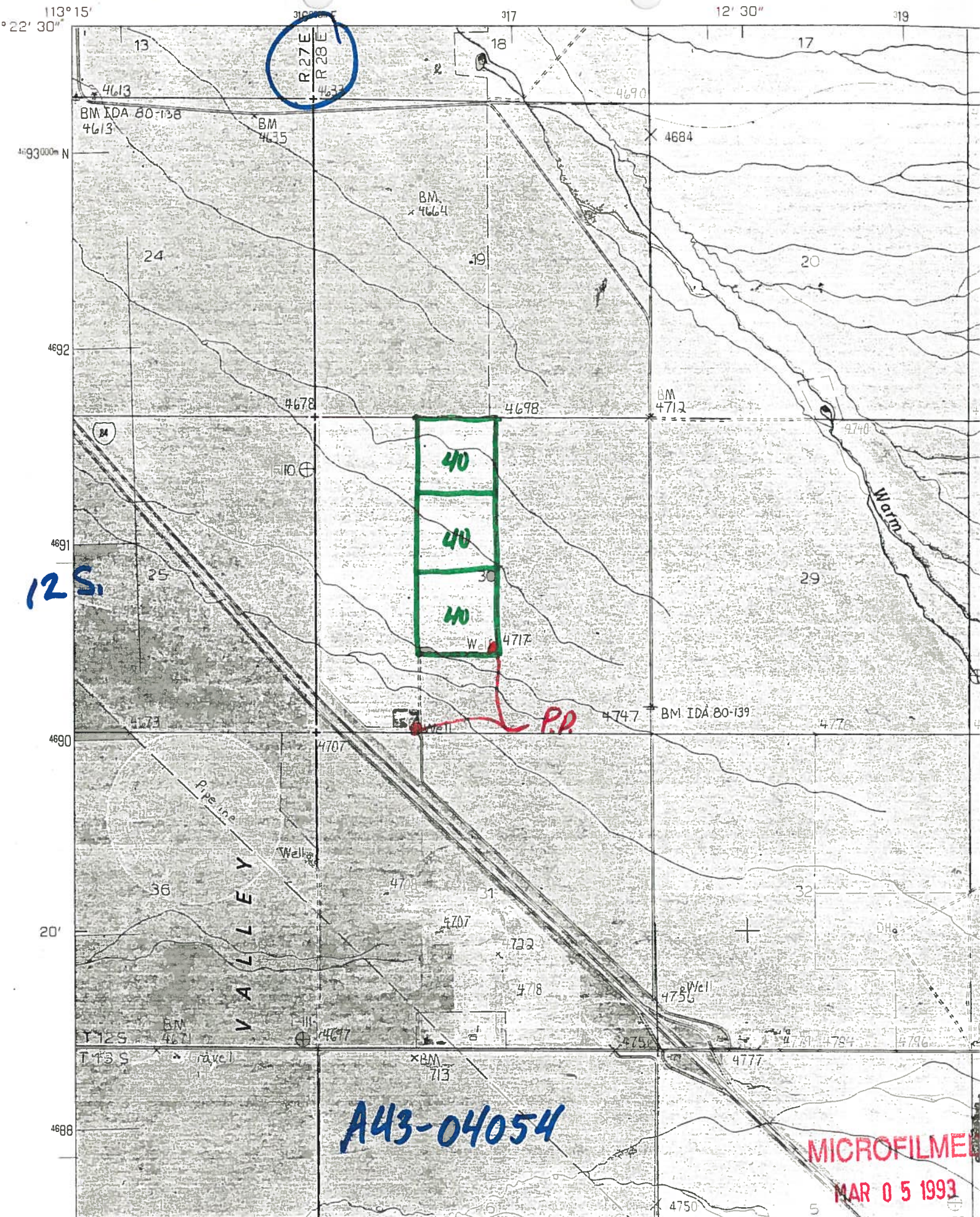
Subscribed and sworn (or affirmed) before me this 15th day
of March 19 89

Steve Allen
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 1994

DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

A43-04054
GARY B. HARPER
STAR RT. BOX 16

DECLO

ID 83323

RE: Evidence of Priority

RESPONSE DEADLINE
FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

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MAR 05 1993

GARY HARPER

REA # 16015

ID # A43-04054
ID # A43-04053

- 1- Power Bill 1956
- 2- Contract to Purchase Power 1956
- 3- Well Log

RECEIVED

JAN 31 1992

Department of Water Resources
Southern Region Office

MICROFILMED

MAR 05 1993

16045

Well # II

WELL LOG AND REPORT TO THE STATE RECLAMATION ENGINEER OF IDAHO

Log No. DEC 11 1954
 Rec. Department of Reclamation
 Well No. 5-12034
 Permit No. 5-12034

(DO NOT FILL IN)

Owner Ivan Harris Address Frank P. Conley
1420 Harrison Blvd
 Driller Bauer, Idaho Address Star Route Lic. No. 76
Idaho
 Location of Well: NE 1/4 SW 1/4 Sec. 30, T. 12 N/S, R. 28 E 1/2 Idaho County,

and 40 foot N/S, and 30 foot E/W from SE Corner of NE 1/4 SW 1/4 Sec. 30

Size of Drilled Hole 14" to 292, 12" from 292 to 357, 10" from 357 to 485
 Total depth of Well

Give depth of standing water from surface _____ Water Temp. _____ °Farenheit

On pumping test delivery was _____ g.p.m. or _____ c.f.s. Drawdown was _____ feet.

Size of pump and motor used to make the test _____

Length of time pumped during check was _____ hr., _____ minutes.

If flowing well, give flow in c.f.s. _____ or g.p.m. _____ and shut in pressure _____

If flowing well, describe control works _____
 (TYPE AND SIZE OF VALVE, ETC.)

Water will be used for irrigation Weight of casing per linear foot _____

Thickness of casing 14" casing is 1/4"
10" liner is 1/2 gauge Casing material plate
 E.G., PIPE, CONCRETE, WOOD.

Diameter, length and location of casing 14 1/2" O.D. from 1 1/2' above to 286 1/2' 10" liner from 293 to
 (CASING 12" IN DIAMETER AND UNDER GIVE INSIDE DIAMETER, CASING OVER 12" IN DIAMETER GIVE OUTSIDE DIAMETER.)

Number and size of perforations approx 2000 5/8" x 2 1/2" located 190 feet to 280 feet
 from surface of ground.

Other perforations 580 holes 3/4" x 4" from 357 to 293 in liner

Date of commencement of well Oct. 4, 1954 Date of completion of well Nov. 6, 1954

Type of well rig Speedstar 71 Cable Tool Rig

CASING RECORD

DIAM. CASING	FROM FEET	TO FEET	LENGTH	"REMARKS" -- SEALS, GROUTING, ETC.
14"	1 1/2' above	286 1/2'	288	
10"	293	357	64	

MICROFILMED
MAR 8 5 1993

●TIA

15, I.M. 06	16014	585. 02	2-21-56	seven	M 100	✓ 800	9/1/56
15, I.M.	16015	585. 09	2-21-56	seven	M 100	✓ 600	9/1/56

MAR 05 1993

Place with new contract 160157
Form 0-153-1
Page 1
Payton
AGREEMENT FOR PURCHASE OF POWER

THIS AGREEMENT, Made this 21 day of February, 19 56, between
the Raft River Rural Electric Cooperative, Inc., hereinafter called the Seller, and
I. M. Harris & wife hereinafter called the Consumer.

WITNESSETH, WHEREAS the Consumer is the owner of the following described real
estate in the County of Cassia, State of Idaho, particularly
described as follows, to-wit:

SW $\frac{1}{4}$ of SW $\frac{1}{4}$; NW $\frac{1}{4}$ of SW $\frac{1}{4}$; NE $\frac{1}{4}$ of SW $\frac{1}{4}$; of Section 30 Township 12 S,
Range 28 East of Boise Meridan

Section 30, Township 12 South, Range 28,
East, of the Boise Meridan. And has a well on the NE $\frac{1}{4}$ of SW $\frac{1}{4}$
of Section 30 of the said real estate and desires to irrigate the irrigable
portion of said real estate by pumping water from such well or wells.

NOW, THEREFORE, THE SELLER agrees to sell and deliver to the Consumer on the
above described real estate, electrical energy up to ^{50/160}75 KVA, and the Consumer ^{> 75}₁₄
agrees to purchase from the Seller all electrical energy used for pumping water from
the well or wells upon said premises for irrigation purposes during the irrigation
season of each year for a period of not less than seven years from the date of
this contract.

1. Service Characteristics

The electrical energy to be furnished under this contract shall be alternating
current, three phase, sixty cycle, 480 volts.

2. Payment

The Consumer shall pay to the Seller for the electrical energy furnished at
the rates and upon the terms and conditions set forth in Schedule I which
is hereto attached and by reference made a part of this contract,

In the event that the Consumer uses no electrical energy upon the said premises
or the amount of electrical energy used by the Consumer during any irrigation season
at the purchase price or prices shown on Schedule I shall not equal

\$ 585.00 to be paid during any irrigation season

**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: June 15, 2001

Water right number: 43-4054

GARY B HARPER

2040 E 850 S

DECLO ID 83323

Telephone Number: (208)645-2227

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

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

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 29 May 01 SIGNATURE: Gary B. Harper
Please print your name: Gary B. HARPER

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

VERIFIED BY X 1/31/01

01/31/2001

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

RIGHT NUMBER: 43-4054
NAME AND ADDRESS: GARY B HARPER
STAR RT BOX 16
DECLO, ID 83323

SOURCE: GROUND WATER

QUANTITY: 0.6 CFS
480 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1284 AF. COMBINED
RIGHT NOS.: 43-04040, 43-04041, 43-04053, & 43-04054.

PRIORITY DATE: 04/01/1961

POINT OF DIVERSION: T12S R28E S30 SENESW Within CASSIA County
T12S R28E S30 LOT 4 SESWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	0.60 CFS 480.00 AFY

PLACE OF USE:

IRRIGATION Within CASSIA County							
T12S R28E S30		NENW	40	T12S R28E S30	LOT 1	NWNW	52
T12S R28E S30	LOT 2	SWNW	53	T12S R28E S30		SENW	40
T12S R28E S30		NESW	40	T12S R28E S30	LOT 3	NWSW	53
T12S R28E S30	LOT 4	SWSW	43				

321 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 321 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-04040, 43-04041, 43-04053, & 43-04054.

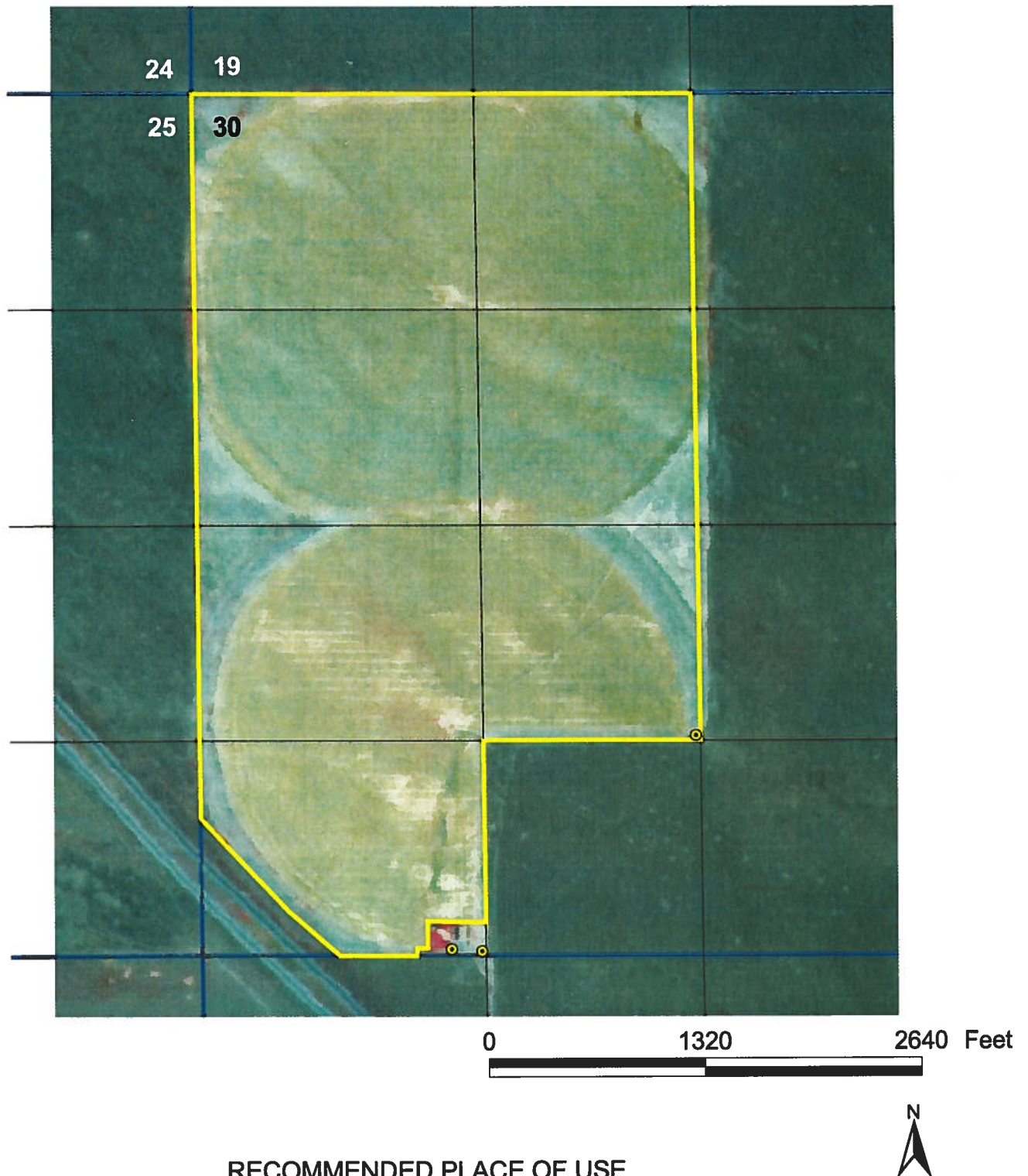
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

43-04040, 43-04041, 43-04053, & 43-04054



RECOMMENDED PLACE OF USE
DATA ENTRY ON JAN. 31, 2001
TWP 12S, RNG 28E, SEC. 30

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:57:05
01/30/01
24

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-04054

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARY B HARPER	04/01/1961	IRRIGATION	04-01 11-15 3/15 - 11/15	0.600 CFS	480 AF (120 X 4)
TOTAL DIVERSION:					0.600 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T12S R28E S30 SENESW Lot04(SESWSW) CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
12S	28E	30	:					:						:											:	120.0
																								TOTAL ACRES	120.0	

POU County: CASSIA

Other Rights: SEE A43-04040

Remarks: GEN AC. IRR.=160.
ALL WR ARE PART OF ONE SYSTEM.

Dates: Exam Made Date: Verified Date: 06/03/1985 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Cond. Coole C18
Remarks:
POU 1 < 06 120A
E14 321A
w/all
QNT E08
1284AF
w/all

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:56:29
01/30/01

PAGE: 2
QUICKLOOK INFORMATION

23
CLAIM NUMBER: A43-04054

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	-N							
POINT OF DIV	-N							
SOURCE	-N							
PLACE OF USE	Y-							
DIV. AMOUNT CFS/VOLUME	Y-							
CONSUMPTIVE USE	/							
PURPOSES OF USE	-N							
PERIOD OF USE	Y-							
BASIS OF CLAIM	Y-							
REMARKS	Y-							

BARCODE UPDATED
WHOM/DATE

R PROOF

CVR

MAPS

PHOTOS

MISC

—

—

—

—

—

CLAIM NUMBER

A43-04054

DATE

TRANSFER NUMBER

AGENT

CLAIMED ACRE TOTAL

120

GIS ACRE TOTAL

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	12S	28E	30					40			40	40								120
GIS	12S	28E	30																	
RECOM	12S	28E	30																	
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B43-POU.SHP

SHAPE NOS.

B43-POD.SHP

NOS. DESCRIPTION

DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT

A43-04054

30

30

30

30

Identification No. _____

Claim No. 43-4054

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 43-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Ben S. Paxton
post office address Malta, ID 83342
2. The point of diversion is in NE 1/4 of SW 1/4 Section 30 Township 12S
Range 28E S.M. located on Groundwater
(Name of source)
tributary to _____ in Cassia County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

April, 1961 amount: .6 c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet

See Remarks

Total claimed .6 c.f.s. or _____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Irrigation period of use from April 1 to Nov. 15 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of deep wall, pump, and
motor for gravity irrigation; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped pumped; depth of well is 530 feet; diameter of well is 14-10 inches; type of pump is Fairbanks-Morse
capacity of pump is 1160 g.p.m.; name and address of well driller is Frank Conley,
Declo, ID

attach well logs if available; has there been any change in pump or motor since well was first completed _____ if so, give dates and explain well originally pumped 2.0 c.f.s.; well was redesigned April 1, 1961 to produce 2.6 c.f.s.

- c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____; Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____

- d. If water is stored: name of reservoir _____; total capacity of reservoir is _____ acre feet, active capacity of reservoir is _____ acre feet; year construction commenced _____; year completed _____; date first used _____; period of storage is from _____ to _____; is reservoir drained each year _____; is reservoir on or off stream _____; explain _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built _____; if so, give dates and describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres.

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12S	28E	30					X			X	X								160

Total number of acres to be irrigated 160

Explain any significant increase in area irrigated since first use, give dates and acreages if known No increase. The well on this claim and on an accompanying claim are used to irrigate portions of land which overlap so that they supplement each others areas as needed by varying demand during growing season.

b. Do you get water through a ditch owned by several users? No If yes, give the name of the ditch
The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered. Nil

7. Where water is used for domestic or municipal purposes give number of families served Nil
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible
giving dates and quantities. None

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
When Mr. Ivan Harris Sr. allowed application for Permit No. 22034 to be cancelled
on Oct. 5, 1967, he subsequently filed two claims to a water right (43-4040 & 43-4041).
Claim No. 43-4041 covered this well at its original pumping level of 2.0 c.f.s. with
a priority date of May 15, 1955. He omitted filing for additional water appropriated
in April 1961 when he re-engineered the wells. This claim together with attached
evidence of the April 1961 appropriation is intended to lay claim to the additional
water appropriated in April 1961 but not claimed in Mr. Harris's filing of August 1971.

State of Idaho

County of Latah

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 5th

day of February

1973

David S. Harten
Claimant

John L. Jones
Notary Public

Residing at Barley, Idaho

My commission expires 9-10-1974

For Department Use Only

Received by alw Date 2-6-73

Exception filed by: _____

Forwarded to
claimant by: _____

Date: _____

Prelim. check by RIA Date 2-7-73 29555

Fee received by alw Date 2-7-73 Fee \$10.00

Approved for publication by RIA

Published in South Idaho Press Dates 2-20 &
alw 2-27-73

43 4054



VERT-LITE Pumps
for every vertical pump need

LAYNE & BOWLER PUMP COMPANY

1750 KIMBERLY ROAD, TWIN FALLS, IDAHO
MAIL ADDRESS: P. O. BOX 382, TWIN FALLS, IDAHO 83301

January 10, 1972

To Whom It May Concern:

In April of 1961 Layne & Bowler Pump Company of Twin Falls, Idaho performed work on two well pumps near Malta, Idaho for the Harris Brothers. The following is what was done.

Well #1: 100 H.P. Fairbanks-Morse Pump, pump was pulled and well was tested. From the results of the test, the pump was redesigned with a new bowl assembly and new 125 H.P. motor to produce 1500 G.P.M. at a pumping level of 270 ft.

Well #2: 75 H.P. Fairbanks-Morse Pump, pump was pulled and well was tested. From the results of the test, the pump was redesigned to a 100 H.P. unit with new bowl assembly and motor from well #1. This pump was designed to produce 1160 G.P.M. at a pumping level of 285 ft.

These two pumps were checked during the 1961 pumping season and found to be producing the water as above designed.

Yours truly,

Gail J. Staley
Gail J. Staley

Layne & Bowler Pump Co.

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

February 17, 1972

Mr. Ben Paxton
Malta, Idaho 83342

Dear Mr. Paxton:

Following your telephone call today, I have checked the files of this office concerning the two wells apparently drilled by Ivan M. Harris in 1955 and 1956 on lands in Section 30; Twp. 12S, Rge. 28E, B.M. Our records show that Permit No. 22034 was issued to Mr. Harris and he had until 1967 within which to drill the wells and apply the water to beneficial use. The Proof of Completion of Works was submitted, but it was indicated at that time, that there had been a failure of some of the pumping equipment and that he was not then using the water.

On August 10, 1967, we notified him by certified mail at his home address in Boise that the permit would be cancelled unless Proof of Beneficial Use was received before September 19, 1967. The return receipt card was signed by Mr. Harris. No further information was received from him, and therefore, on October 5, 1967, the permit was permanently cancelled. This office has no authority to reinstate a permit, except upon the finding of an error on the part of the department. You are probably aware that Mr. Harris has filed Claim Nos. 43-4040 and 43-4041 covering these two wells in which he has claimed the right to 2.4 cfs of water from the well in Lot 4 and 2.0 cfs of water from the well in the NE1/4SW1/4, Section 30; Twp. 12S, Rge. 28E, B.M.

If you desire further information concerning these wells, please let me know.

Very truly yours,


R. KEITH HIGGINSON
Director

RKH:mjl

43 4054

Show center section thus— (12)
 MAT— Abrupt changes in contour should be indicated

Indicate scale

1 square inch
 10 acres
 40 acres



COUNTY CASSIA

DESCRIPTION LOTS 1, 2, 3, 4 (SW 1/4 NW 1/4), 1/4 of NW 1/4, NE 1/4 of SW 1/4, all in section 30, Twp. 12 S. R. 20 E. 01

Form 17331-40-1-61

Printed in U. S. A. by Proc.