04/08/2008

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-94

NAME AND ADDRESS: C & V HARRELL RANCH LLC
C/O ROBERT C HARRELL
30 SHORELAKE DR
KINGWOOD TX 77339

SOURCE: UNNAMED STREAM TRIBUTARY: FALL CREEK

Water is diverted from the source and then injected into North Fork Greys Creek, then rediverted into a man made ditch that turns into a natural drain, then injected into Thorn Creek from which it is rediverted to the place of use..

QUANTITY: 2.400 CFS

PRIORITY DATE: 07/01/1883

POINT OF DIVERSION:

T15N R01E S30 SWNW Lot 2 Rediversion Within ADAMS County
T15N R01E S35 NESE Injection Within ADAMS County
T15N R01E S36 NWSW Within ADAMS County
T15N R01W S26 NWNW Injection Within ADAMS County
T15N R01W S27 NWSE Rediversion Within ADAMS County
T15N R01W S27 SWSE Rediversion Within ADAMS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 10/31	2.400 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T15N R01W S27	SESW	18.00	T15N R01W S27	SWSE	37.00
T15N R01W S34	NWNE	4.00	T15N R01W S34	NENW	35.00
T15N R01W S34	NWNW	26.00			

120 ACRES TOTAL

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 - Decreed

09/26/2007

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-94

NAME AND ADDRESS: C & V HARRELL RANCH LLC
C/O ROBERT C HARRELL
30 SHORELAKE DR
KINGWOOD TX 77339

SOURCE: UNNAMED STREAM TRIBUTARY: FALL CREEK

QUANTITY: 2.400 CFS

PRIORITY DATE: 07/01/1883

POINT OF DIVERSION:

T15N R01E S30 SWNW Lot 2 Rediversion Within ADAMS County

T15N R01~~E~~ W ~~S35~~ 26 NWNW NESE Injection Within ADAMS County

T15N R01E S35 NESE Injection Within ADAMS County

T15N R01E S36 ~~SWNW~~ NWSW Within ADAMS County

T15N R01W S27 NWSE Rediversion Within ADAMS County

T15N R01W S27 SWSE Rediversion Within ADAMS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 10/31	2.400 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T15N R01W S27	SESW	18.00	T15N R01W S27	SWSE	37.00
T15N R01W S34	NWNE	4.00	T15N R01W S34	NENW	35.00
T15N R01W S34	NWNW	26.00			

120 ACRES TOTAL

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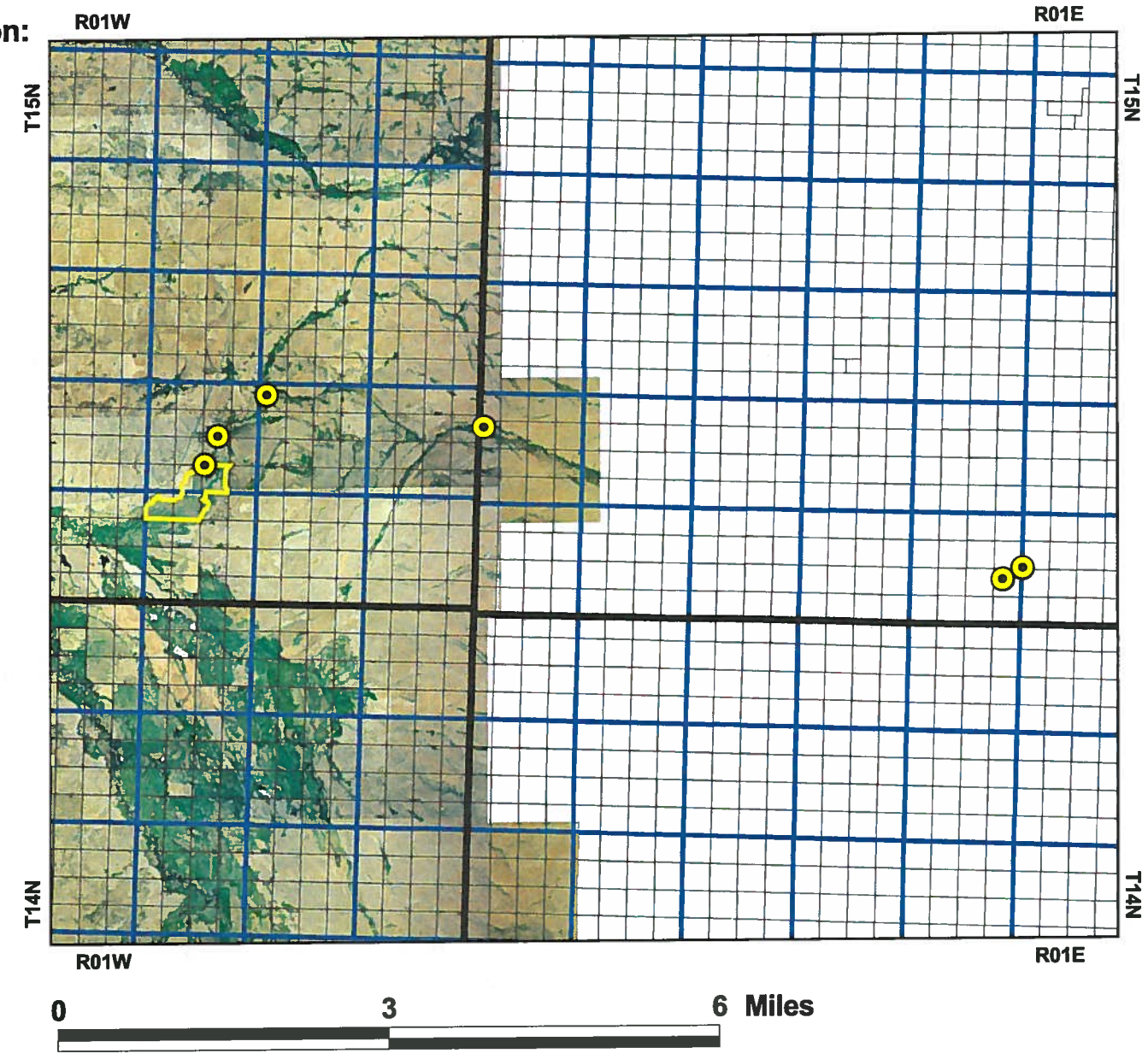
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Idaho Department of Water Resources

SRBA Recommendation:

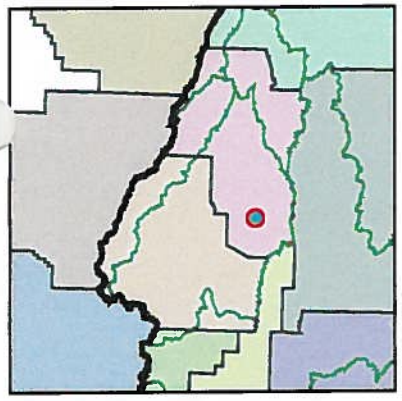
67-94

(Irrigation)



Legend

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

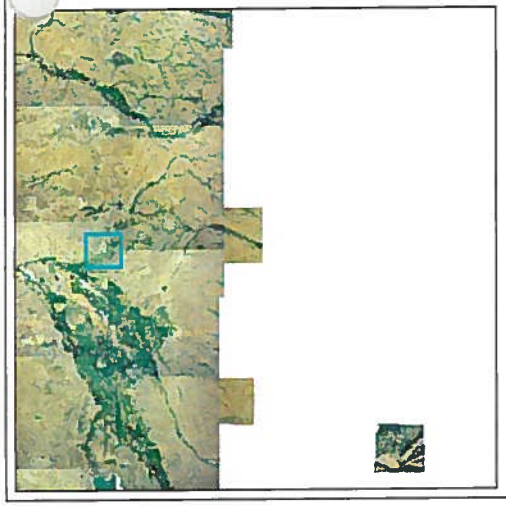


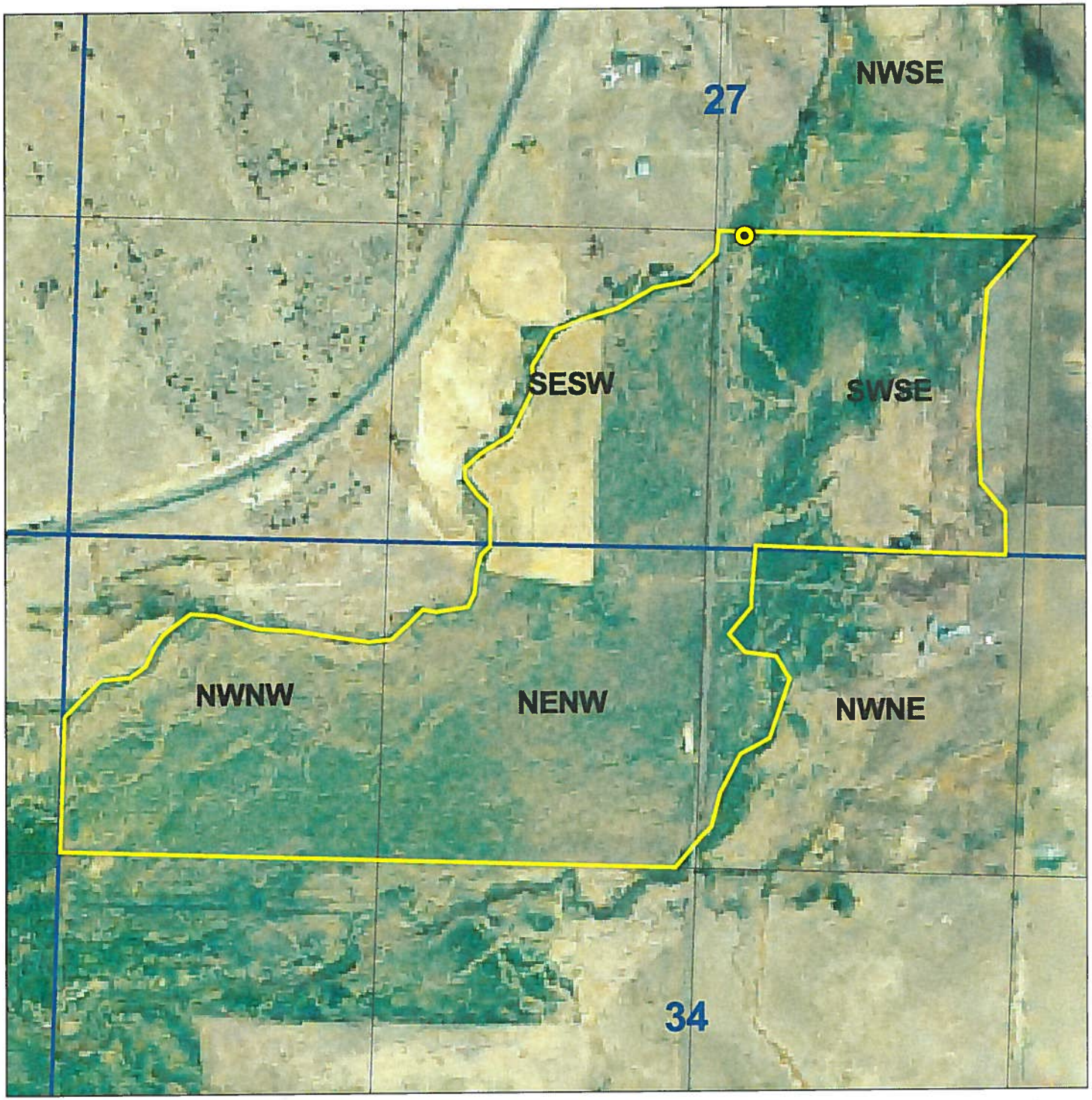
Adams County
IDWR Basin 67

N

Prepared by IDWR State Office
On Wednesday, September 12, 2007
1987/88 Aerial Photography

67-94





Saxton, Craig

From: Egbert, Sandy
Sent: Thursday, July 19, 2007 2:47 PM
To: Saxton, Craig
Subject: 67-94

Hi Craig,
Sally just sent me a phone call from Robert Harrell of C & V Harrell Ranch LLC. He is concerned because we changed his source from Fall Creek to unnamed stream. Would you be able to call him and explain why it was changed? If you can't, let me know and I will invent a plan B! His number is 281-358-8277.
Thanks
Sandy

7-20-07:

Contacted Robert and Explained that a 2002 memo confirmed location of P.O.D.

I Scanned a copy of the memo + E-mailed it to him @ amhrch@usa.com.

L. Saxton

Saxton, Craig

From: Saxton, Craig
Sent: Friday, July 20, 2007 11:02 AM
To: 'amhrch@msn.com'
Subject: 67-94 - POD Memo

Dear Mr. Harrell,

The water right numbers diverted from that same point of diversion (POD) are:

(67-94 - your water right)
67-95
67-98
67-99
67-14482

All have been recommended in the SRBA with a source of Unnamed Stream.

You can look up the recommendations for these water right by going to:

http://www.idwr.idaho.gov/apps/ExtSearch/SearchWRAJ.asp

Below is a screen shot of how you would enter in the water right number you want to look up:

Feel free to contact me with questions:



67-94 POD location Memo.pdf

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau
craig.saxton@idwr.idaho.gov

http://www.idwr.idaho.gov/apps/ExtSearch/SearchWRAJ.asp - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Search Favorites

Address http://www.idwr.idaho.gov/apps/ExtSearch/SearchWRAJ.asp

Links Workflow Query Tools WEnet IDWR Public Website SRBA Partial Decree Google MSN.com NIA De

☐ Search for both active and inactive water right records.

Search by: Basin

Type of Query | USAGE INSTRUCTION

☐ All SRBA & Water Rights

SRBA	Water Rights
☐ Claims	☐ Applications
☑ Recommendations	☐ Permits
☐ Both	☐ Decrees, Licenses and Statutory Claims
	☐ Transfers
	☐ All of the above

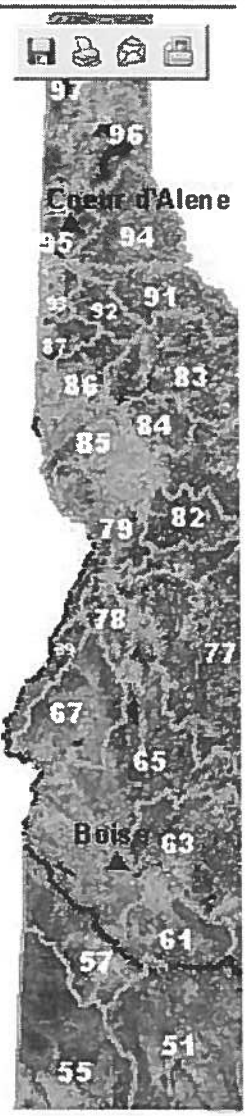
Basin | Who | What | When | Where | Clear | Search | Help

Basin 67 To (Example: 63)

Sequence 94 To (Example: 7819)

Split Suffix (Example: A)

(Hint: Water Right Numbers are comprised of three Components: the Basin Number, the Sequence Number, and sometimes a Split Suffix. For water right 63-7819A, the Basin Number is 63, the Sequence Number is 7819, and the Split Suffix is A. Not all water right numbers have Split Suffixes.)



Done

start Inbox - ... iTunes http://w... ArcView ... http://w... WRProof...

11/07/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-94

NAME AND ADDRESS: C & V HARRELL RANCH LLC
C/O ROBERT C HARRELL
30 SHORELAKE DR
KINGWOOD TX 77339

SOURCE: UNNAMED STREAM TRIBUTARY: FALL CREEK

QUANTITY: 2.400 CFS

PRIORITY DATE: 07/01/1883

POINT OF DIVERSION:

T15N R01E S35 NESE Rediversion Within ADAMS County

T15N R01E S36 SWNW Within ADAMS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 10/31	2.400 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T15N R01W S27	SESW	18.00	T15N R01W S27	SWSE	37.00
T15N R01W S34	NWNE	4.00	T15N R01W S34	NENW	35.00
T15N R01W S34	NWNW	26.00			

120 ACRES TOTAL

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

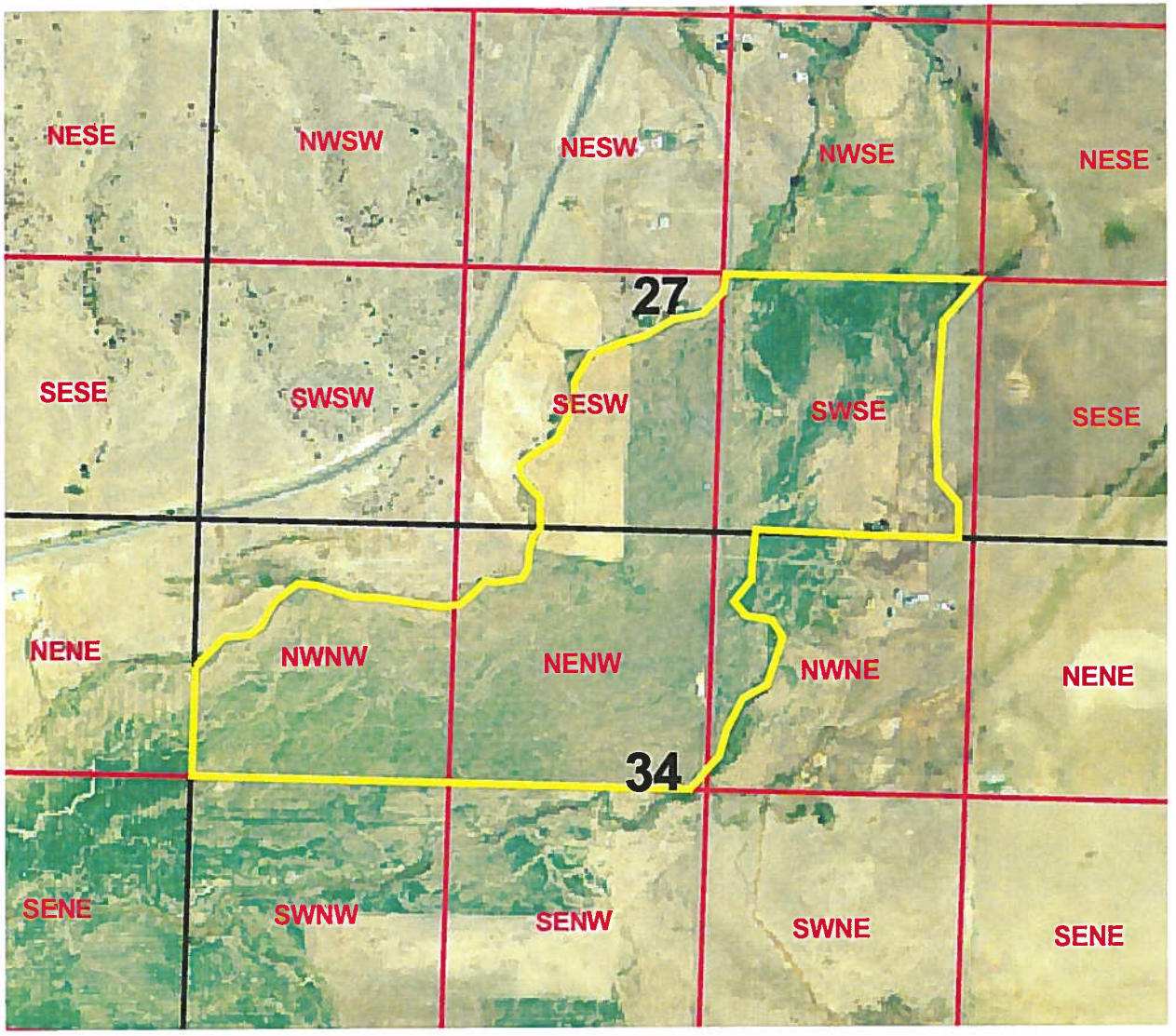
Idaho Department of Water Resources

T15N, R01W S27 & 34
Water Right No: 67-94

Legend

- Point of Diversion
- Place of Use
- Quarter Quarter Lines
- Section Lines

N



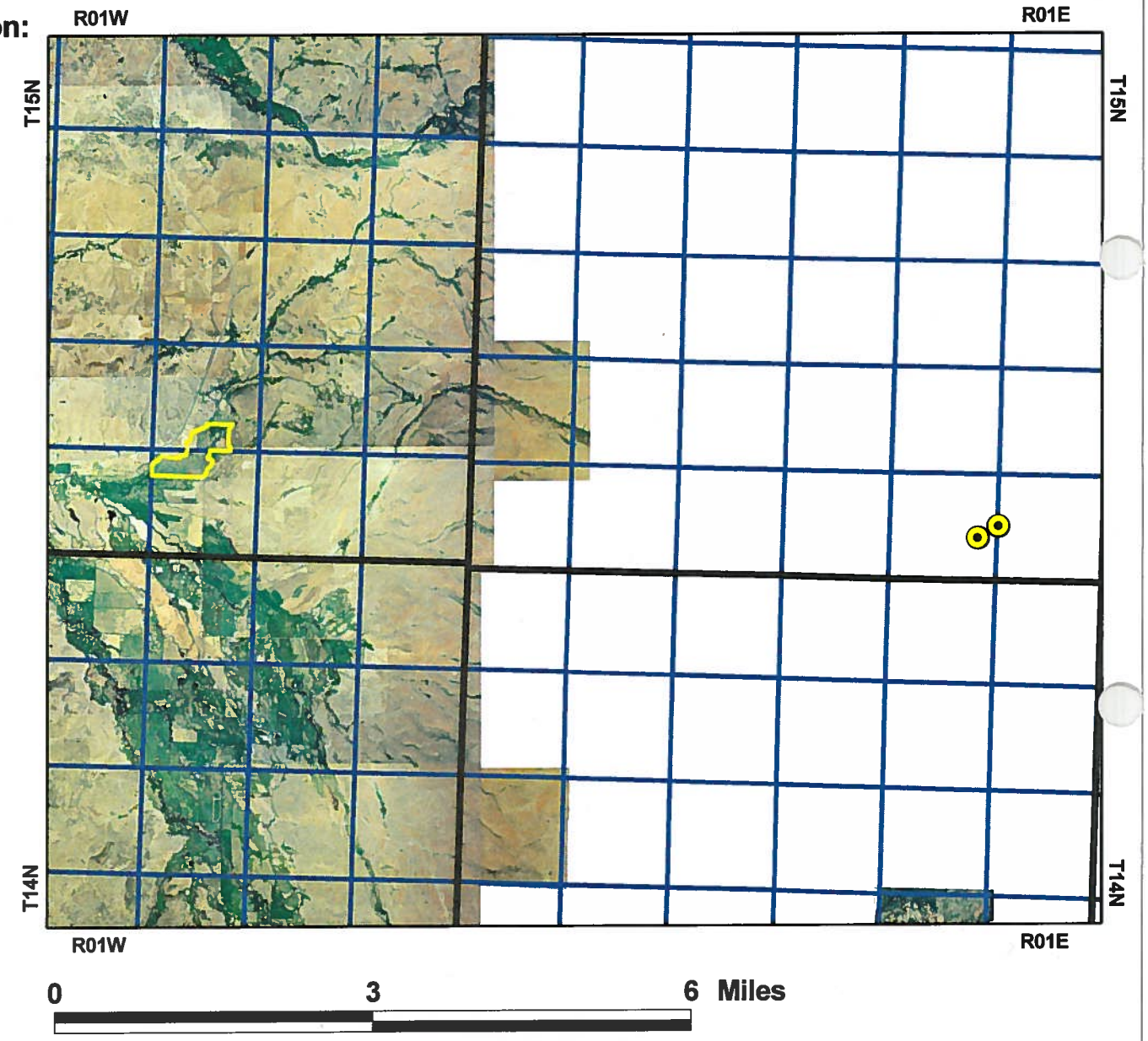
Prepared by Morgan Case
July 29, 2004
1987 True Color

Idaho Department of Water Resources

SRBA Recommendation:

67-94

(Irrigation)



Legend

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



Adams County
IDWR Basin 67

N

Prepared by S. Egbert
On Tuesday, November 7, 2006
1987/88 Aerial Photography

RECEIVED
DEC 05 2006
DEPARTMENT OF
WATER RESOURCES

November 29, 2006

Robert C. Harrell
30 Shorelake Drive
Kingwood, Texas 77339

IDWR Regional Office
322 E Front St
PO Box 83720
Boise, ID 83720-0098

Dear Sirs:

Reference is made to a telephone conversation between Sandy Egbert and myself on Monday, November 27, 2006 concerning the water rights (Number 67-94) for the C&V Harrell Ranch LLC. I recommended some changes to make it consistent with previous documents and provide a clear explanation of the various diversions.

Enclosed with this letter is a notice of error reply to achieve the above objective. Also, enclosed is a copy of an Adjudication Claim Profile Report with a verified date of April 16, 1985.

Very truly yours

Robert C. Harrell

See Tori Graves memo in file

SCANNED
DEC - 6 2006

RECEIVED
DEC 05 2006
DEPARTMENT OF
WATER RESOURCES

11/14/2006

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: December 8, 2006

Water right number: 67-94

C & V HARRELL RANCH LLC
C/O ROBERT C HARRELL
30 SHORELAKE DR
KINGWOOD TX 77339
Telephone Number: (281)358-8277

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

SOURCE

POINTS OF DIVERSION

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

CHANGE SOURCE FROM UNNAMED STREAM TO: FALL CREEK
CHANGE TRIBUTARY: FALL CREEK TO THE FOLLOWING:
TRIBUTARY TO: WEISER RIVER, MIDDLE FORK *

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

THESE CHANGES WILL MAKE IT CONSISTENT WITH PREVIOUS DOCUMENTS AND IT PROVIDES A CLEAR EXPLANATION OF THE VARIOUS DIVERSIONS.

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

DATE: NOV. 29, 2006 **SIGNATURE:** Robert C. Harrell

Please print your name: ROBERT C. HARRELL

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

* PROVIDE A REMARKS SECTION TO DESCRIBE THE VARIOUS DIVERSIONS.

WATER DIVERTED FROM FALL CREEK TO NORTH FORK GRAYS CREEK THEN TO THORN CREEK THEN TO IRRIGATED LANDS.

SCANNED
DEC - 6 2006

AJ0749NP
No. A67-00094

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 09/16/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	VEDA HARRELL	07/01/1883	IRRIGATION	03-15	11-15	2.400 CFS	
					TOTAL DIVERSION:	2.400 CFS	

Water Source: FALL CREEK Tributary to: WEISER RIVER, MIDDLE FORK Stage: DECREED

Point(s) of Diversion: T15N R01W S16 NESW ADAMS County
Point(s) of Re-diversion: T15N R01W S27 NWSE ADAMS County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
T R S	NENE Lt Ac	NWNE Lt Ac	SWNE Lt Ac	SENE Lt Ac	NENW Lt Ac	NWNW Lt Ac	SWNW Lt Ac	SENW Lt Ac	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	SUM
15N 01W 27												18			37		55.0
15N 01W 34		04			35	26											65.0
															TOTAL ACRES		120.0

POU County: ADAMS

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN WATER DIVERTED FROM FALL CK. TO N.F. GRAYS CK. THENCE TO THORN CK. THENCE TO IRRIGATED LANDS.

Dates: Exam Made Date: Verified Date: 04/16/1985 Objection Filed Date:

Misc: Water District Number: 67 Field Inspection Flag:
Presumption Flag:

SCANNED
DEC - 6 2006

RECEIVED
DEC 2003
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 11 2005
DEPARTMENT OF
WATER RESOURCES

February 7, 2005

phone: 281/358-8277

C&V Harrell Ranch LLC
% Robert C. Harrell
30 Shorelake Drive
Kingwood, Texas 77339

#67-94

State of Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098

Dear Sirs:

Reference is made to a telephone conversation between Sally of your department and myself concerning notification about water rights relating to claim 67-94. Since I will be out of the United States for the next several weeks, I would like the other two members of the LLC and our current renter to be notified of any appropriate communications relating to the claim. The addresses and telephone numbers are as follows:

LLC Members

Anna Harrell Baker
41 Locust Avenue
Mill Valley, California 94941
Telephone (415) 388-1202

LaVern Harrell
19452 Sierra Santo Road
Irvine, California 92612
Telephone (949) 854-7637

Renter

Tom Grossen
P.O. Box 72
Indian Valley, Idaho 83632
Telephone (208) 256-4419

added 2-14-05
as rep
owners

Very truly yours,

Robert C. Harrell

SCANNED
FEB 14 2005

MEMORANDUM

DATE: 7/27/2002

FROM: Lori Graves

TO: Fall Creek SRBA Claim Files

RE: Source and Diversion Clarification

Fall Creek is actually tributary to the Weiser River drainage but has been historically diverted and decreed to lands in the Little Weiser River drainage.

The original ditch was built in 1883 and is still in use. A second ditch was attempted in the early 1900's but failed.

Bob Whitman once owned the majority of land that Fall Creek water is decreed to. He hired Bill Thomas many years ago to clean, maintain and regulate the original Fall Creek diversion dam and ditch. At 77 years old, Bill is still at it. On 7/25/02 Bill agreed to show Mike Bishop and myself the Fall Creek diversion and ditch site. From Bill's house, we drove up N Fk Grays Creek to the end of the road in the NESE S35 T15N R1EW. This is the beginning of N Fk Grays Creek and the end of the original man-made ditch used to divert Fall Creek water. From there, we hiked up the man-made ditch to the actual P/D, which consisted of a 4' rock dam used to block the water from flowing naturally into the Weiser River drainage. Instead, the water is diverted into the Little Weiser River drainage via the man-made ditch and N Fk Grays Creek.

The location of the P/D (beginning of the ditch) and end of the ditch were captured with a Garmen GPS unit and downloaded onto the King Hill Creek Topo map (T-58). Based on the GPS results, the actual source should be described as an unnamed stream tributary to Fall Creek. The unnamed stream is diverted into the ditch in the SWSWNW S36 T15N R1E. The ditch flows into the drainage for N Fk Grays Creek in the NESE S35 T15N R1E. Mystery solved.


T15N R1E S36
SWSWNW
P/D: Unnamed Stream Trib to Fall Cree
Beginning of Man-Made Ditch
End of Man-Made Ditch
Beginning of N Greys Creek
Creek
Fall
Creek
Creek
Creek
Creek
Grove
Petroglyph Spring
ROAD
5008T
5213T
4555T
5362T
5207T
5306T
5515T
5039T
5170T
4930T
5342T
4710AT
5307T
4785AT
4785T
5081T
5027T
5230T
5780T
5226T
4933T
4740T
5408T
5044T
4717RT
4627BT
4708BT
4723T
4955T
4940T
4768T
6198T

Basin	Sequence	Suffix	Basis	Priority Date	Rate(cfs)	Source	Water Use(s)	Owner(s)	Source Ta App.ID
67	94		Decreed	1883-07-01	2.4	FALL CREEK	IRRIGATION	C & V HARRELL RANCH LLC (Current)	wrAdjudicationClaim
67	95		Decreed	1883-07-01	1.8	LITTLE FALL CREEK	IRRIGATION	WHITEMAN, ILENE C (Current); WHITEMAN, ROBERT W (Current)	wrAdjudicationClaim
67	97		Decreed	1899-05-01	0.8	FALL CREEK	IRRIGATION, STOCKWATER	GRAYS CREEK RANCH (Current)	wrAdjudicationClaim
67	98		Decreed	1895-06-01	0.52	FALL CREEK	IRRIGATION	VANZANDT, STEPHEN C (Current)	wrAdjudicationClaim
67	99		Decreed	12/30/1907	1.48	FALL CREEK	IRRIGATION, STOCKWATER	GRAYS CREEK RANCH (Current)	wrAdjudicationClaim
67	100	A	Decreed	12/30/1907	0.48	FALL CREEK	IRRIGATION	HOLMES, JOHN W (Current)	wrAdjudicationClaim
67	100	B	Decreed	12/30/1907	0.1	LITTLE FALL CREEK	IRRIGATION	THOMAS, ROBERTA L (Current); THOMAS, WILLIAM R (Current)	wrAdjudicationClaim
67	102	B	Decreed	1883-07-01	0.35	FALL CREEK	IRRIGATION, STOCKWATER	GRAYS CREEK RANCH (Current)	wrAdjudicationClaim
67	2022	B	License	12/30/1907	3.98	FALL CREEK , LITTLE FALL CREEK	IRRIGATION, STOCKWATER	GRAYS CREEK RANCH (Current)	wrAdjudicationClaim
67	4577		Statutory Claim	5/1/1940	0.2	FALL CREEK , UNNAMED STREAM , WEISER RIVER MIDDLE FORK	COMMERCIAL, FIRE PROTECTION, STOCKWATER	BOISE CASCADE CORP (Current)	wrAdjudicationClaim
67	12046		Beneficia l Use	1883-06-01	0.03	FALL CREEK	STOCKWATER	UNITED STATES OF AMERICA ACTING THROUGH (Current)	wrAdjudicationClaim
67	12047		Beneficia l Use	1883-06-01	0.03	FALL CREEK	STOCKWATER	UNITED STATES OF AMERICA ACTING THROUGH (Current)	wrAdjudicationClaim
67	12127		Beneficia l Use	1883-06-01	0.03	FALL CREEK PONDS	STOCKWATER	UNITED STATES OF AMERICA ACTING THROUGH (Current)	wrAdjudicationClaim
67	14266		Decreed	1883-06-01	1.42	LITTLE FALL CREEK	IRRIGATION	W EUGENE FISHER FAMILY TRUST (Current)	wrAdjudicationClaim
67	14267		Decreed	1883-06-01	0.44	LITTLE FALL CREEK	IRRIGATION	DAVIS, KATHLEEN A (Current); DAVIS, LESLIE G (Current)	wrAdjudicationClaim

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Source	Water Use(s)	Owner(s)	Source Table
67	96	A	Decreed	Active	12/30/1907	0.58	GRAYS CREEK NORTH FORK	IRRIGATION	BOTT, EDWARD T BUZZ (Current); SINDEN, CAROL ANN (Current)	wrAdjudicationClaim
67	101		Decreed	Active	12/30/1907	1.25	GRAYS CREEK NORTH FORK	IRRIGATION	BOTT, EDWARD T BUZZ (Current); SINDEN, CAROL ANN (Current)	wrAdjudicationClaim
67	102	A	Decreed	Active	1883-07-01	0.35	GRAYS CREEK NORTH FORK	IRRIGATION	BOTT, EDWARD T BUZZ (Current); SINDEN, CAROL ANN (Current)	wrAdjudicationClaim
67	11774		Beneficial Use	Active	1883-07-01	0.88	GRAYS CREEK	IRRIGATION, STOCKWATER	GRAYS CREEK RANCH (Current)	wrAdjudicationClaim
67	12074		Beneficial Use	Active	1883-06-01	0.03	GRAYS CREEK NORTH FORK	STOCKWATER	UNITED STATES OF AMERICA ACTING THROUGH (Current)	wrAdjudicationClaim
67	12495		Beneficial Use	Active	1877-01-01	0.04	GRAYS CREEK NORTH FORK	STOCKWATER, WILDLIFE	UNITED STATES OF AMERICA ACTING THROUGH (Current)	wrAdjudicationClaim
67	14252		Decreed	Active	1884-06-01	1.97	GRAYS CREEK NORTH FORK	IRRIGATION	W EUGENE FISHER FAMILY TRUST (Current)	wrAdjudicationClaim
67	14253		Decreed	Active	1884-06-01	0.53	GRAYS CREEK NORTH FORK	IRRIGATION	BANTA, ALLAN H (Current)	wrAdjudicationClaim

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise. Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 30, 2000

C & V HARRELL RANCH LLC
c/o ROBERT C HARRELL
30 SHORELAKE DR
KINGWOOD TX 77339

RE: Water Right No. 67-10071 & 67-10072

Dear Property Owner(s):

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Please note, the ownership has also been changed on claim number A67-00094, and a copy is enclosed.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

Denise Buffington

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosures

cc: Veda Harrell

Janes
Veda L. Harrell (Deceased)
Send Correspondence 67-00094
~~LaVern S.~~ Harrell 10071
Robt. C. 10072
~~Irvine Cal~~ 30 Shore Lake Dr
Phores Kingwood TX
(281) 358-8277 77339
(949) 854-7637

9-16-99

Per phone call, property in probate.