

12/08/2006

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

RIGHT NUMBER: 1-2064R

NAME AND ADDRESS: HARRISON CANAL & IRRIGATION CO  
JOEL BRIGHTON PRESIDENT  
1074 E 129 N  
IDAHO FALLS ID 83401

**Disallowed**

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 12,026.000 AFY

PRIORITY DATE: 03/30/1921

POINT OF DIVERSION:

T07S R31E S30 SWSE Within POWER County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>   | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-------------------------|----------------------|-----------------|
| IRRIGATION STORAGE      | 01/01 12/31          | 12,026.00 AFY   |
| IRRIGATION FROM STORAGE | 04/01 10/31          | 12,026.00 AFY   |

PLACE OF USE:

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Recommended as Right No. 2064.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Recommended as Right No. \_\_\_\_\_: This is included for a claim that is proposed to be disallowed because the right claimed is recommended pursuant to another right. The remark indicates the water right number of the other right that is proposed to be recommended. If you are not mailed a notice of the recommendation of the other right, then the other right is recommended in another claimants name.

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 1-2064R  
Date Received: 12/6/2006  
Receipt No: E032452  
Received By: MWH

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HARRISON CANAL & IRRIGATION CO Phone:  
JOEL BRIGHTON PRESIDENT  
1074 E 129 N  
IDAHO FALLS ID USA 83401

2. Date of Priority: 03/30/1921

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 07S      | 31E   | 30      | SW SE                 | POWER  |      |

5. Description of diverting works:

AMERICAN FALLS DAM.

6. Water is used for the following purposes:

| Purpose                 | From  | To    | C.F.S. | (or) A.F.A |
|-------------------------|-------|-------|--------|------------|
| IRRIGATION STORAGE      | 01/01 | 12/31 |        | 12026      |
| IRRIGATION FROM STORAGE | 04/01 | 10/31 |        | 12026      |

7. Total Quantity Appropriated is:  
12026 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Place of use for irrigation from storage is within the boundary of Harrison Canal and Irrigation Co.

11. Place of use in counties:

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

13. Other Water Rights Used:

14. Remarks:

This claim does not conflict with the IDWR recommendation for claim no. 1-2064. The purpose of this claim is to extend 1-2064 and to define that for 12026 AF per year, the beneficial or equitable title for this water right is held in trust by Harrison Canal and Irrigation Company as documented in the reservoir space contract between the USBR and the Harrison Canal and Irrigation Company.

The purpose of this claim is to confirm for the court that the beneficial or equitable title for the waters defined in claim 1-2064 is held in trust by Harrison Canal and Irrigation Company as documented in the contract between the USBR and Harrison Canal and Irrigation Company and the Directors recommendation for 12026 AFY.

This claim adopts the IDWR Directors Report for claim 1-2064 with State of Idaho recommendations. However any language changes to that IDWR recommendation language shall be agreed to by the contract space holders including the Harrison Canal and Irrigation Company prior to implementation.

15. Basis of Claim: License

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 Organizations:

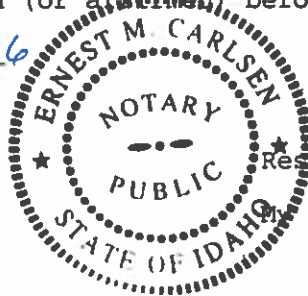
I do solemnly swear or affirm that I am President of  
Title  
Harrison Canal & Irrig. Co., that I have signed the foregoing  
Organization  
document in the space below as President. of  
Title  
Harrison Canal & Irrig. Co. and that the statements contained in the  
Organization  
foregoing document are true and correct. Paul Ryther  
Signature of Authorized Agent

President Harrison Canal and Irrigation Co.  
Title and Organization

12-6-06  
Date

State of Idaho )  
County of Bonneville. ) SS.

Subscribed and sworn (or affirmed) before me this 6<sup>th</sup>  
of December 2006



Ernest M. Carlsen.

Notary Public

Residing at Idaho Falls, ID

My commission Expires 8-21-2009.