

11/13/2006

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

RIGHT NUMBER: 1-10064
NAME AND ADDRESS: KARL SEARLE
860 E 1200 N
SHELLEY ID 83274

SOURCE: SNAKE RIVER
QUANTITY: 0.350 CFS
TRIBUTARY: COLUMBIA RIVER

The rights listed below are limited to a total combined diversion rate of 10.1 cfs. Combined Right Nos.: 1-1R, 1-10064, 1-10066, 1-10067, 1-10068, and 1-10508.

PRIORITY DATE: 06/01/1889

POINT OF DIVERSION:
T02N R37E S12 NWNENW Within BONNEVILLE County
T04N R37E S35 NENE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04/01 10/31	0.350 CFS
PLACE OF USE:	IRRIGATION in BINGHAM County		
	T01N R36E S22 NESE 39.00	T01N R36E S22 NWSE 40.00	
	T01N R36E S22 SWSE 39.00	T01N R36E S22 SESE 40.00	
	T01N R36E S23 SWSW 40.00	T01N R36E S26 NWNW 39.00	
	T01N R36E S26 SWNW 40.00	T01N R36E S26 NWSW 40.00	
	T01N R36E S26 SWSW 39.00	T01N R36E S27 NENE 40.00	
	T01N R36E S27 SENE 40.00	T01N R36E S27 NESE 40.00	
	T01N R36E S27 SESE 40.00	T01N R36E S35 NWNE 1.10	
	T01N R36E S35 NENW 37.00	T01N R36E S35 NWNW 35.00	
	T01N R36E S35 SWNW 40.00	T01N R36E S35 SENW 14.00	
	T01N R36E S35 NWSW 25.00	T01N R36E S35 SWSW 1.60	

669.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 652 acres within the place of use described above in a single irrigation season. Combined Right Nos.: 1-1R, 1-10064, 1-10066, 1-10067, and 1-10068.

The rights listed below are limited to the irrigation of a combined total of 669.7 acres in a single irrigation season. Combined Right Nos.: 1-1R, 1-10064, 1-10066, 1-10067, 1-10068, and 1-10508.

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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right No. 1-10508 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Water is delivered through the Great Western and Porter Canals.

This right is a combination of portions of old Right Nos. 1-116M, 1-117R, and 1-118K.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

11/13/2006

NOTICE OF ERROR
REPLY

RECEIVED
NOV 24 2006

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.

Department of Water Resources
Eastern Region

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 1-10064

KARL SEARLE

860 E 1200 N

SHELLEY ID 83274

Telephone Number: (208)357-7102

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:

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

DATE: 11-17-06

SIGNATURE:

Karl Searle

Please print your name:

Karl Searle

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

LMT
11/30



Idaho Department of Water Resources

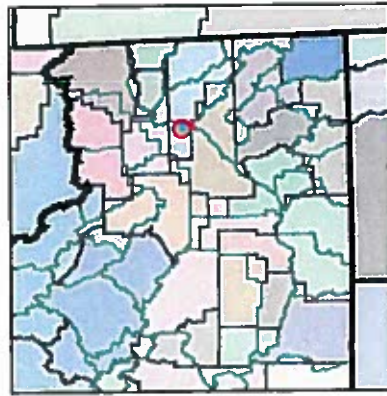
SRBA Recommendation:

- 1-1R
- 1-10064
- 1-10066
- 1-10067
- 1-10068
- 1-10508

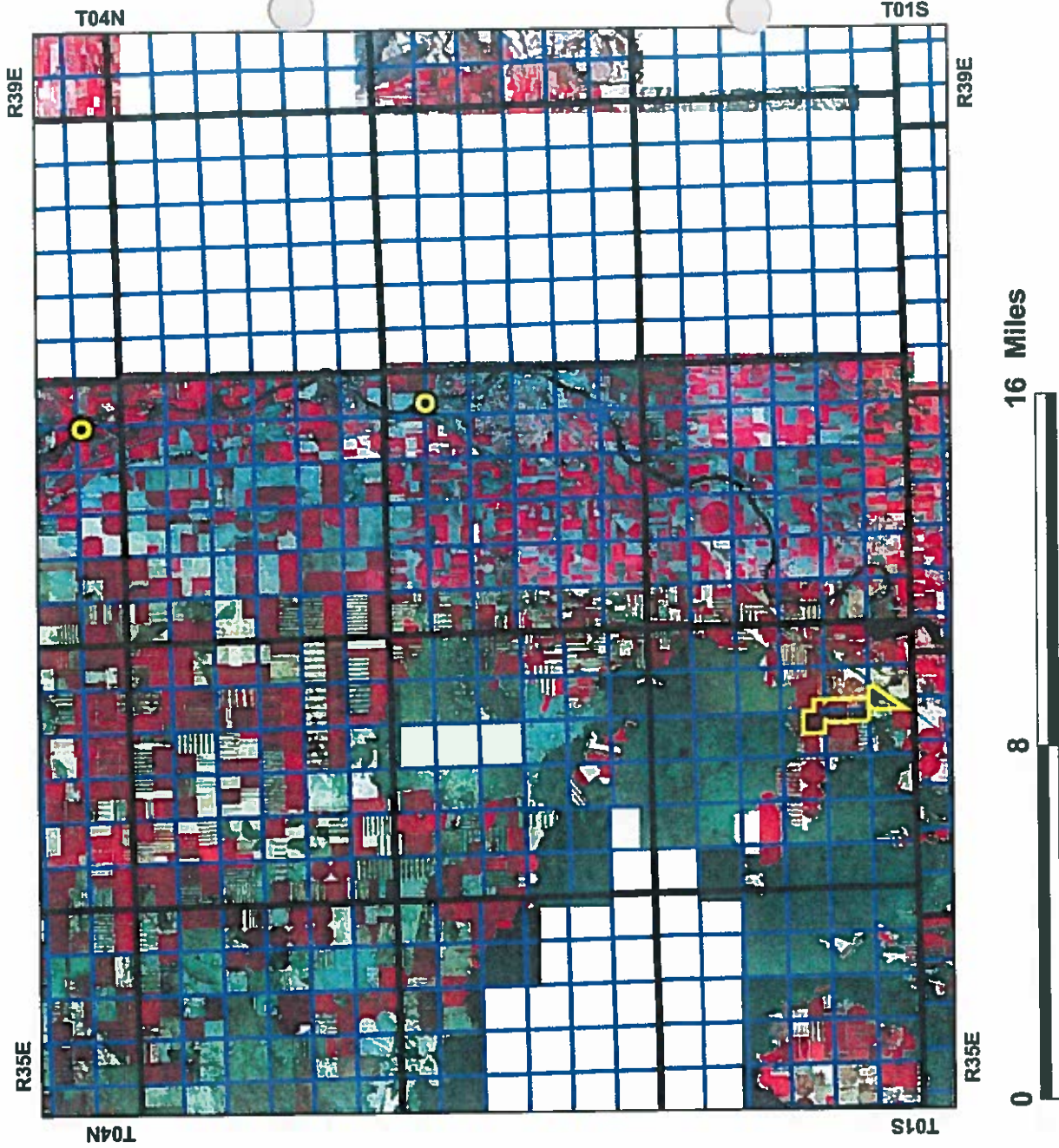
(Irrigation)

Legend

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

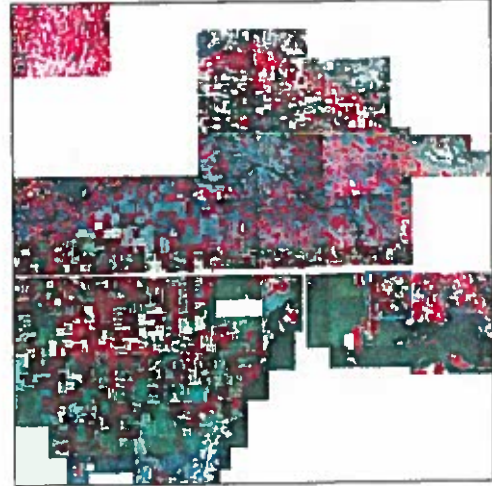
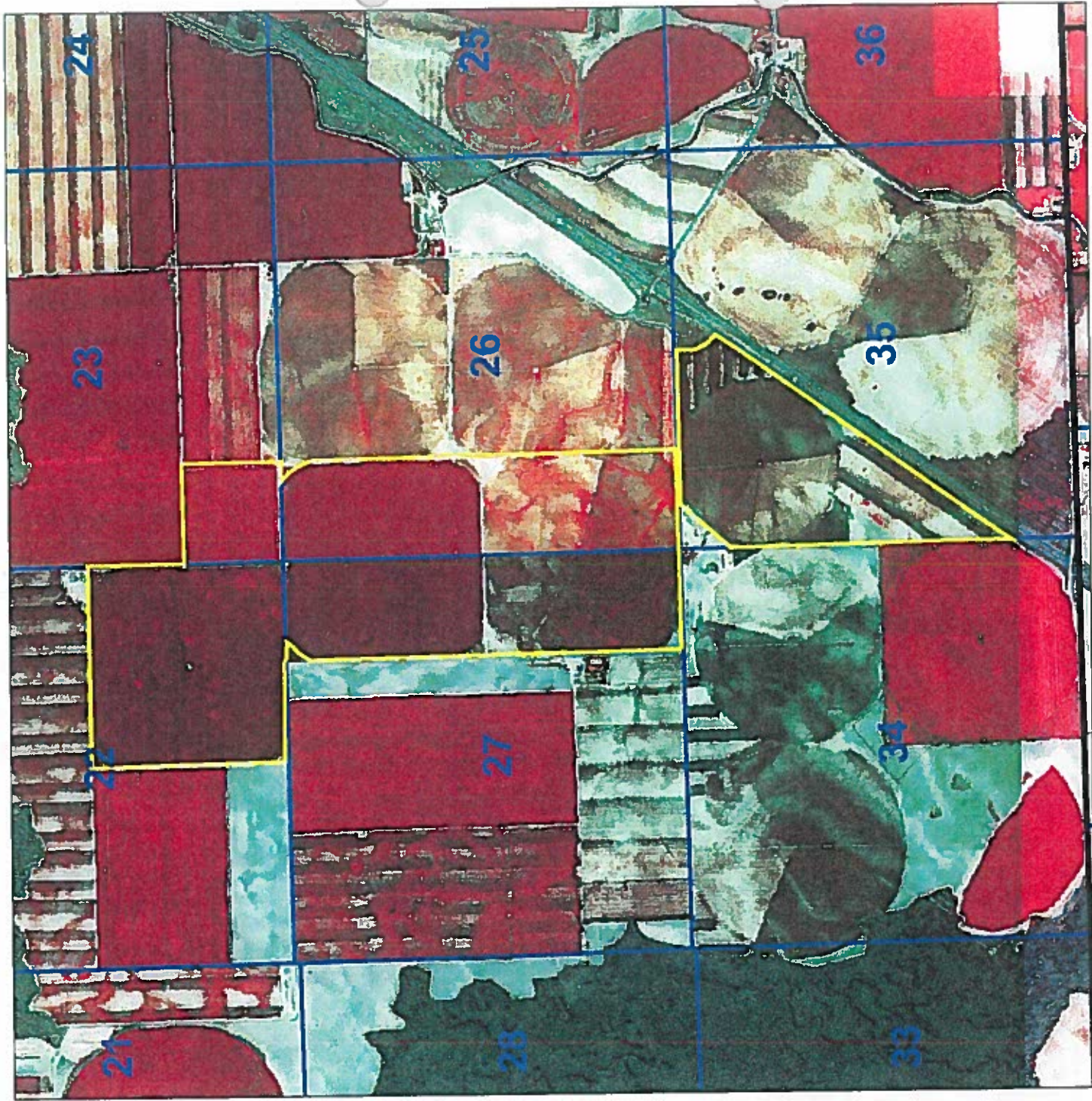


Bonneville, Bingham Counties
IDWR Basin 1



Prepared by K. Moore
On Thursday, November 2, 2006
1987/88 Aerial Photography

1-1R
1-10064
1-10066
1-10067
1-10068
1-10508



AUG 27 2001

see 1-1R
for field
map

Karl Searle's claims should reflect
shown on attached sheet ~~as~~ which represents
transfer 3/4.

Processing of claims can proceed once
allocation completes data entry of transferred
rights and assigns new water right numbers.

- Use 10,000 # for claims and identify
parent rights in remarks.

THE FOLLOWING DECREED WATER RIGHTS:

① Evidence of the following decrees:

PRIORITY	RIGHT #	AMT. (cfs)	Kelly Bros. 19% cfs	Remainder cfs	Merwyn Searle 34% cfs	Karl Searle 37% cfs	Earl Searle 29% cfs
7-10-1889	T264/01-0001B	8.67	1.65	7.02	2.39	2.60	2.03
6-1-1883	T247/01-0006 01-0136B	10.00 5.00	1.90 0.95	8.10 4.05	2.75 1.38	3.00 1.50	2.35 1.17
6-1-1887 6-1-1888 6-1-1889	T398/01-0116M 01-0117R 01-0118K	1.16	0.22	0.94	0.32	0.1159 0.1159 0.1159	0.27
↑	T399/01-0116P 01-0117T 01-0118M	0.835	0.159	0.676	0.23	0.0834 0.0834 0.0834	0.196
↑	T492/01-0116AR	8.00	1.52	6.48	2.20	2.40	1.88
	TOTALS	33.65	6.399	27.266	9.27	10.10	7.896

cant is

6-1-1887

01-00116?

T398/ 0.1159
 T399/ 0.0834
 T492 2.40
2.5993
 (2.60 cfs.)

6-1-1888

01-00117?

T398 0.1159
 T399 0.0834
0.1993
 (0.20 cfs)

6-1-1889

01-00118?

T399 0.1159
 T399 0.0834
0.1993
 (0.20 cfs.)

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Karl Seale

CLAIM IDENT. NO.

A01-10064

DATE RECEIVED

6-1-89

CK #

AMOUNT \$

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered?
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO * 8632
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A
- Is the consumptive use correct? ☒ YES ☐ NO N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO
12. Is the ownership of p.u. checked? ☒ YES ☐ NO
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A
15. Is the basis of the claim indicated? ☒ YES ☐ NO
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A
22. Should this claim be data entered? ☒ YES ☐ NO

Claim checked by:

ESJ

Date:

7-7-89

Claim must be returned to claimant:

☒ (Yes) ☐ (No)

Claimant must be notified of modifications:

☒ (Yes) ☐ (No)

Receipt Prepared by:

Claim data entered by:

SS-7-24-89

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

Old water right 10-01-00116M / 00117R / 00118K#7 used 0.35 #6 used 1 year round

SCANNED

AUG 27 2001

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: A01-10064
Date Received: 6/01/1989
Receipt No: E008632
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KARL SEARLE 208-357-7102
Address: 860 E. 1200 N.
SHELLEY, ID 83274
2. Date of Priority: JUN 01, 1889
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 |
|----------|-------|---------|--------|--------|-----|-----|-----------|
| 04N | 30E | 35 | NE | NE | | | JEFFERSON |
5. Description of diverting works:
HEADWORKS OF GREAT WESTERN AND PORTER CANAL
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 01/01 | 12/31 | 0.350 | | |
7. Total Quantity Appropriated is:
0.350 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	36E	22	NE	SE		IRR	39.0
			NW	SE		IRR	38.0
			SW	SE		IRR	38.0

A01-10064

Page 1

Date: 07/24/89

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	36E	22	SE	SE		IRR	40.0
						Section Acres	155.0
		23	SW	SW		IRR	40.0
						Section Acres	40.0
		26	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	39.0
						Section Acres	159.0
		27	NE	NE		IRR	39.0
			SE	NE		IRR	39.0
			NE	SE		IRR	39.0
			SE	SE		IRR	38.0
						Section Acres	155.0
		35	NE	NW		IRR	34.0
			NW	NW		IRR	35.0
			SW	NW		IRR	39.0
			SE	NW		IRR	12.0
			NW	SW		IRR	22.0
			SW	SW		IRR	1.0
						Section Acres	143.0
						Total Acres	652.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

T247J01-0068, T26401-0001, T398-0118, T49201-0116

14. Remarks:

THE PROPERTY LISTED ABOVE IS OWNED BY THE KARL SEARLE FAMILY
LIMITED PARTNERSHIP OF WHICH I AM A GENERAL PARTNER.
INCLUDED IS A COPY OF THE TRANSFER OF WATER RIGHT FROM THE IDWR.

15. Basis of Claim: DECREED

Case Number:
Court :
Decree date:

Decree Plaintiff

vs

Decree 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: _____

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 _____

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

A01-10064

Date Received

6-1-89

Receipt Number

E008632

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s)

Karl Searle

Phone

(208) 257-7102

Mailing Address

860 E 1200 N Shelley, Idaho83274

2. Date of Priority (Only one (1) per claim)

June 1, 1889

3. Source of water supply (a)

Snake River

which is tributary to (b)

Columbia River

4. a. Location of existing point of diversion is: Township

4N

Range

31E

Section

35NE 1/4 of NE 1/4 of1/4, Govt. Lot,B.M., County ofJefferson

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township

Range

Section

1/4 of1/4 of1/4,

Govt. Lot

B.M., County of

ending point is: Township

Range

Section

1/4 of1/4 of1/4, Govt. LotB.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.

Headworks of Great Western
and Porter Canals.

Filed on portion of 01-0116M

0117R & 0118K

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from _____ to _____ amount 0.35 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

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

8. Total consumptive use claimed is _____ 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	
1N	36E	22													39	38	38	40	155
		26						40	40				40	39					159
		27	39			39									39			38	153
		35					34	35	39	12		22	1						143
		23											40						40

Total number of acres irrigated 652

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

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.

T24701-0068, T24901-0068, T398-0118, T49201-0116 or None ()

14. Remarks:

T26401-0001
The property listed above is
owned by The Karl Searle Family
Limited Partnership of which I
am a General Partner.
Included is a copy of the Transfer
of Water Right from The IDWR

Last Name Searle 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 T398 0117
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 4

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

Signature of Claimant (s) Karl Searle Date 6/1/89

Date _____

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

Title
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title
and that the statements contained in the foregoing document are true and correct.
Organization

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or X)
County of Bonneville) SS.

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

SEAL

Notary Public Thomas R. [Signature]

Residing at Idaho Falls, Idaho

My Commission Expires 1-1-92

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

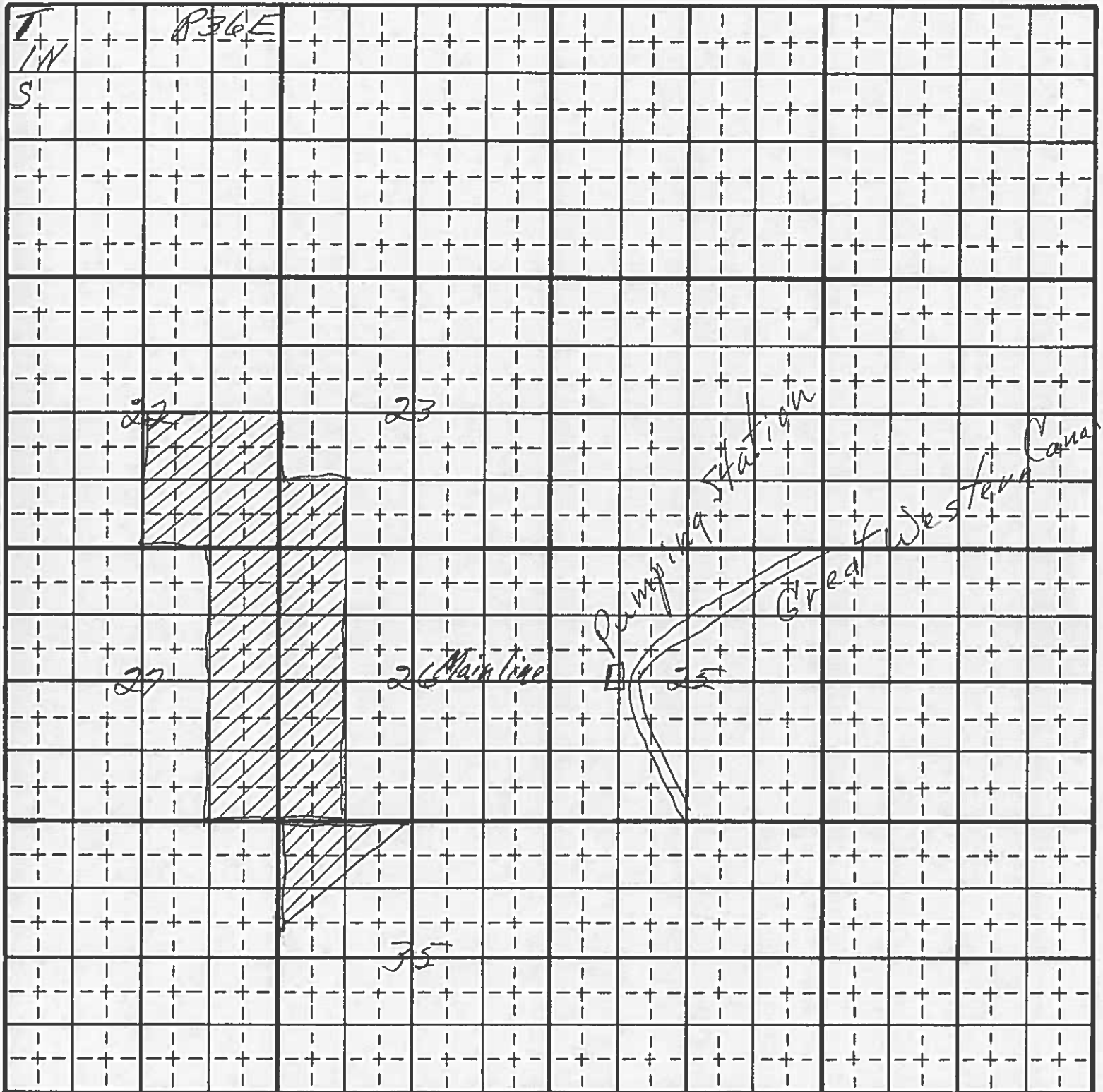
Date _____

Last Name Searle Ident. Number _____

Copies White-State, Yellow-Claimant

Map Of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name Searle Ident No. _____

Copies: White-State, Yellow-Claimant

KARL SEARLE

RIGHT #	AMT. (cfs)	Kelly Bros. 19% cfs	Remainder cfs	Merwyn Searle 34% cfs	Karl Searle 37% cfs	Earl Searle 29% cfs
(P-01-0000A) T264/01-0001B	8.67	1.65	7.02	2.39	2.60	2.03
A 01-00068 T267/01-00068	10.00	1.90	8.10	2.75	3.00	2.35
2/01-0136B	5.00	0.95	4.05	1.38	1.50	1.17
A 01-00118A { T398/01-0116M 01-0117R 01-0118K	1.16	0.22	0.94	0.32	0.1167 0.1167 0.35 0.1167	0.27
A 01-00118B T399/01-0116P 01-0117T 01-0118M	0.835	0.159	0.676	0.23	0.0833 0.0833 0.25 0.0833	0.196
A 01-00118C T492/01-0116AR	8.00	1.52	6.48	2.20	2.40	1.88
TOTALS	33.67	6.399	27.266	9.27	10.10	7.896

Claims Done For Earl

01-00118K

01-00118M

0.1167

0.0833

0.200 cfs.