

10/31/2006

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

RIGHT NUMBER: 1-10070
NAME AND ADDRESS: MERWYN SEARLE
1394 N 475 E
SHELLEY ID 83274

JOYCE SEARLE
1394 N 475 E
SHELLEY ID 83274

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 0.320 CFS
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:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.320 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T01N R36E S23	SWNE	31.00	T01N R36E S23	SWNW	36.00
T01N R36E S23	SENE	24.00	T01N R36E S23	NESW	40.00
T01N R36E S23	NWSW	40.00	T01N R36E S23	SESW	40.00
T01N R36E S23	NWSE	37.00	T01N R36E S23	SWSE	36.00
T01N R36E S26	NWNE	38.00	T01N R36E S26	SWNE	40.00
T01N R36E S26	SENE	4.60	T01N R36E S26	NENW	40.00
T01N R36E S26	SENE	40.00	T01N R36E S26	NESW	40.00
T01N R36E S26	SESW	40.00	T01N R36E S26	NESE	18.00
T01N R36E S26	NWSE	39.00	T01N R36E S26	SWSE	23.00
T01N R36E S26	SESE	0.40			

607 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 607 acres in a single irrigation season. Combined Right Nos.: 1-10069, 1-10070, 1-10071, 1-10072, and 1-10073.

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

10/31/2006

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

This right is a combination of portions of former rights 1-116M, 1-117R, and 1-118K.

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

Water is delivered through Great Western and Porter Canals.

11/13/2006

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:

Water right number: 1-10070

MERWYN SEARLE
1394 N 475 E
SHELLEY ID 83274
Telephone Number: (208)357-3013

JOYCE SEARLE
1394 N 475 E
SHELLEY ID 83274
Telephone Number: (208)357-3013

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: 30 Nov 06 SIGNATURE: Merwyn M Searle
Please print your name: Merwyn M Searle

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

KMT
12/04



Idaho Department of Water Resources

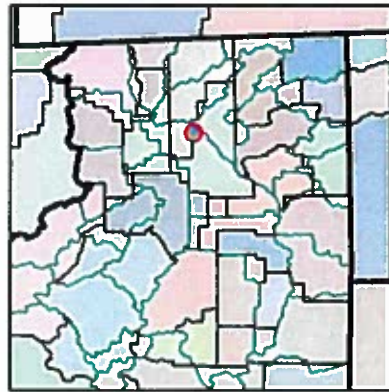
SRBA Recommendation:

1-10069 1-10072
1-10070 1-10073
1-10071

(Irrigation)

Legend

	Place of Use
	Townships
	PLS Sections
	Quarter Quarters



Bingham County
IDWR Basin 1

Prepared by C. Moore
On Tuesday, November 14, 2006
1987/88 Aerial Photography

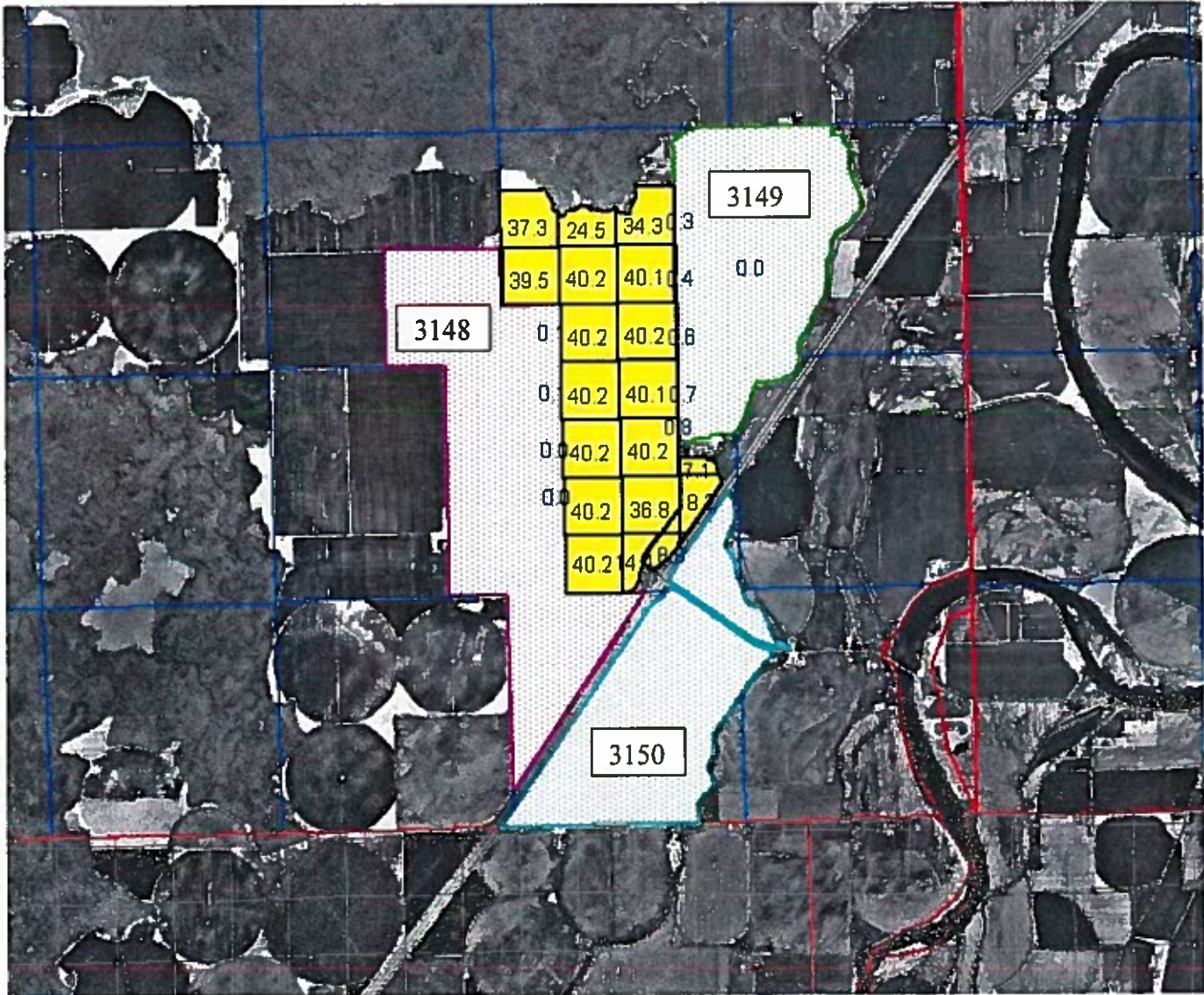


Owner: Merwyn Searle

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Transfer 3147

Merwyn and Joyce Searle



Notes

Claim A 01-10070 thru -10073

1/ A place of use verification exam was done on 1-14-2004 with Merwyn Seerke. An outlined Arc view map is attached.

2/ Exam done by Harold Jones of Water Rights Contracting Services.

3/ See map in file A01-10073

SCANNED

NOV 08 2004

PROFILED

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Merwyn S. Soble

CLAIM IDENT. NO.

A01-10070

DATE RECEIVED

6-1-89

CK #

AUG 27 2005

AMOUNT \$

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- 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 *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☒ NO N/A ☐ NO *
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 ☐ NO *
- Is the consumptive use correct? ☐ YES ☒ NO N/A ☐ NO *
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 ☐ NO *
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 ☐ NO *
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 ☐ NO *
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 ☐ NO *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☒ NO N/A ☐ NO *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by: [Signature]

Date: 6-12-89

Claim must be returned to claimant: ☐ (Yes) ☒ (No)

Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by:
Claim data entered by:
Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

Remarks: Portion of 01-0016m, 0018K 3 0018K.
Code OLD No. 5

MICROFILMED

OCT 20 1992

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: A01-10070
Date Received: 6/13/1989
Receipt No: E008641
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MERWYN SEARLE 208-357-3013
Address: 1394 N 475 E
SHELLEY, ID 83274

OR

Name: JOYCE SEARLE 208-357-3013
Address: 1394 N 475 E
SHELLEY, ID 83274

2. Date of Priority: JUN 01, 1888

3. Source: SNAKE RIVER Trib. to: COLUMBIA

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	37E	12	NW	NW	NW		JEFFERSON
04N	37E	35	NE	NE	NE		JEFFERSON

5. Description of diverting works:
HEADWORKS OF GREAT WESTERN CANAL SYS. AND PORTER CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.320		

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

8. Total consumptive use is 1821.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A01-10070

Page 1

Date: 06/13/89

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	36E	23	SW		NE		IRR	31.0
			SW		NW		IRR	38.0
			SE		NW		IRR	26.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NW		SE		IRR	36.0
			SW		SE		IRR	35.0
			Section Acres					286.0
		26	NW		NE		IRR	39.0
			SW		NE		IRR	39.0
			SE		NE		IRR	7.0
			NE		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			SE		SW		IRR	38.0
			NE		SE		IRR	18.0
			NW		SE		IRR	35.0
			SW		SE		IRR	25.0
			Section Acres					321.0
			Total Acres					607.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
T264/01-0001 T247/01-0068 T399/01-0118 T/492/01-0116

14. Remarks:
SEE ATTACHMENT INFORMATION GAINED FROM APPLICATION FOR TRANSFER
OF WATER RIGHT
PORTIONS OF 01-00116M, 00117R AND 00118K.

15. Basis of Claim: DECREED
Water Right Number: 010117
Case Number:
Court :
Decree date:

		vs		
Decree Plaintiff			Decree Defendant	
A01-10070	Page	2	Date:	06/13/89

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OCT 20 1992

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 AD1-10070Date Received 8-1-89Receipt Number 6008641EB

A0110070



NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Merwyn or Joyce Scarle Phone (208) 357-3013Mailing Address 1394 N 475 E Shelley Idaho Zip 832742. Date of Priority (Only one (1) per claim) 6-1-18883. Source of water supply (a) Snake River
which is tributary to (b) Columbia River4. a. Location of existing point of diversion is: Township 4N Range 37E Section 35,
NE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of JeffersonAdditional points of diversion if any: NW 1/4 NW 1/4, Sect. 12, T4N R37E

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.Headworks of Great
Western Canal System and Porter Canal

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OCT 20 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 1 Apr to 1 Nov amount 32 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 32 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1824 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

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	
<u>1N</u>	<u>36E</u>	<u>23</u>		<u>31</u>					<u>38</u>	<u>26</u>	<u>40</u>	<u>40</u>		<u>40</u>		<u>36</u>	<u>35</u>		<u>286</u>
	<u>26</u>			<u>39</u>	<u>39</u>	<u>7</u>	<u>40</u>			<u>40</u>	<u>40</u>			<u>38</u>	<u>18</u>	<u>35</u>	<u>25</u>		<u>324</u>

Total number of acres irrigated 607

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 Yes No 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.

T264/01-0001 T/247/01-0068 T399/01-0118 T492/01-0116 or None ()

14. Remarks:

Last Name Searle Ident No. _____

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Copies: 20 State of Idaho 1992

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

Scale: 2 inches equals 1 mile

See attachment

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OCT 20 1992

Last Name Scarle Ident No. _____

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree 7398/01-0117

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 _____

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

Signature of Claimant (s) Margaret M. Leath Date 1 Jan 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

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 Bonanza) SS.

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

SEAL

Notary Public Rogaine Leathan

Residing at Shelley

My Commission Expires 1-27-91

Please Print Name Leathan

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 _____ Ident. Number _____

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OCT 20 1992

Copies White-State, Yellow-Claimant