

11/13/2006

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

RIGHT NUMBER: 1-10506

NAME AND ADDRESS: EARL SEARLE FAMILY PARTNERSHIP
C/O STAN SEARLE
6267 S 55 W
IDAHO FALLS ID 83402

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.520 CFS

PRIORITY DATE: 06/01/1883

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

3.520 CFS

PLACE OF USE: IRRIGATION in BINGHAM County

T01N R36E S23	NENE	35.00	T01N R36E S23	SENE	39.00
T01N R36E S23	NESE	39.00	T01N R36E S23	SESE	39.00
T01N R36E S24	NWNE	1.70	T01N R36E S24	SWNE	4.60
T01N R36E S24	NENW	37.00	T01N R36E S24	NWNW	38.00
T01N R36E S24	SWNW	40.00	T01N R36E S24	SENE	38.00
T01N R36E S24	NESW	25.00	T01N R36E S24	NWSW	40.00
T01N R36E S24	SWSW	40.00	T01N R36E S24	SESW	10.50
T01N R36E S25	NENW	0.90	T01N R36E S25	NWNW	23.00
T01N R36E S25	SWNW	1.30	T01N R36E S26	NENE	39.00
T01N R36E S26	SENE	14.00			

505 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 505 acres in a single irrigation season. Combined Right Nos.: 1-1A, 1-116A, 1-10502, 1-10506, and 1-10507.

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.

Water is delivered through Great Western and Porter Canals.

This right is a combination of portions of former rights 1-68 and 1-136B.

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: 1-10506

EARL SEARLE FAMILY PARTNERSHIP
C/O STAN SEARLE
6267 S 55 W
IDAHO FALLS ID 83402
Telephone Number: (208)523-8609

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: 11-26-06 SIGNATURE: Stanley Searle
Please print your name: Stanley Searle

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

KMT
12/15



Idaho Department of Water Resources

SRBA Recommendation:

1-1A 1-10506
1-116A 1-10507
1-10502

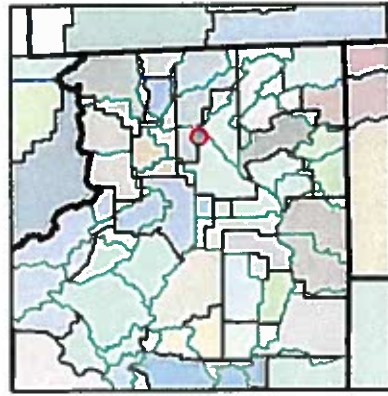
(Irrigation)

Place of Use

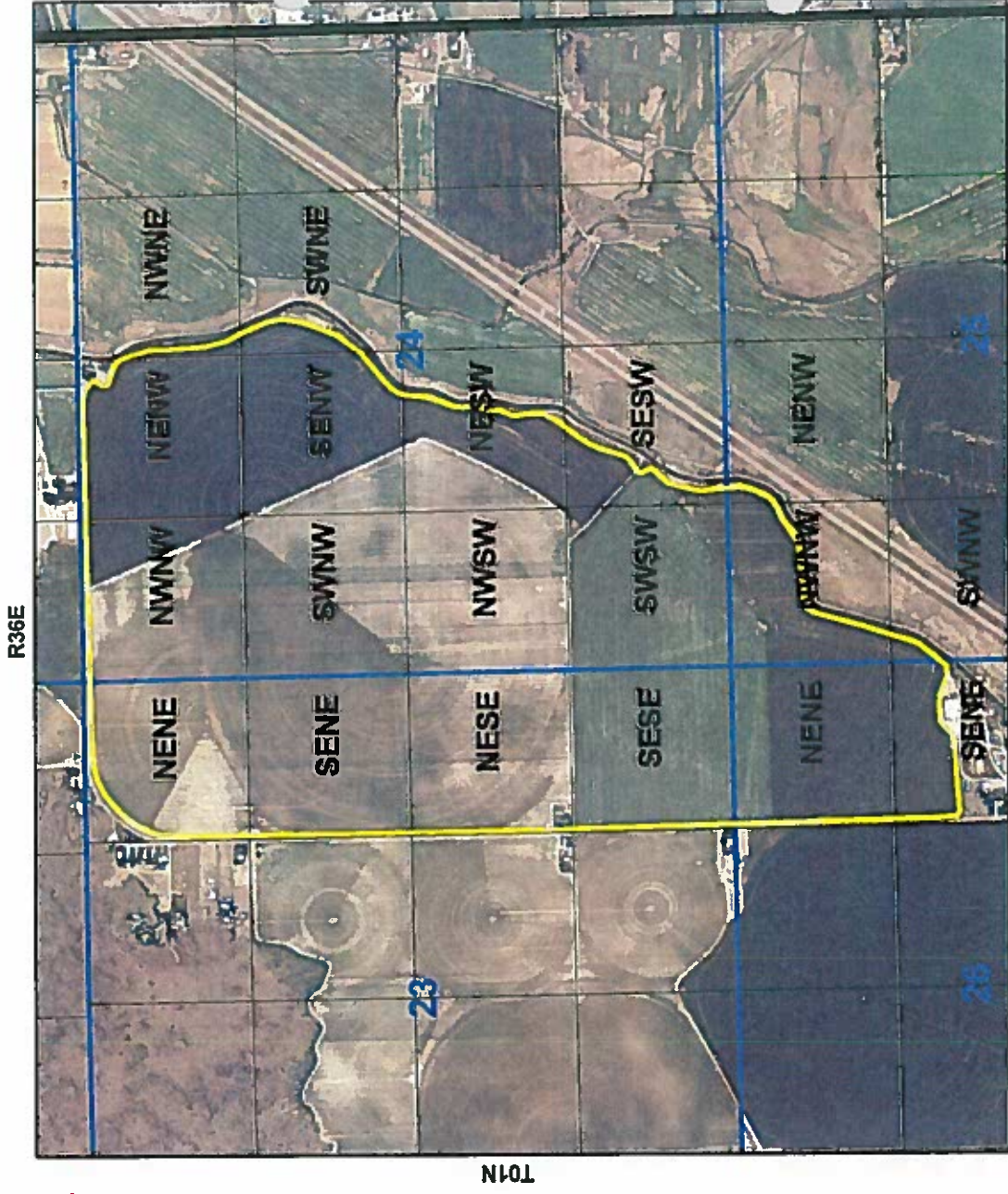
Townships

PLS Sections

Quarter Quarters



Bingham County
IDWR Basin 1



0 0.6 1.2 Miles

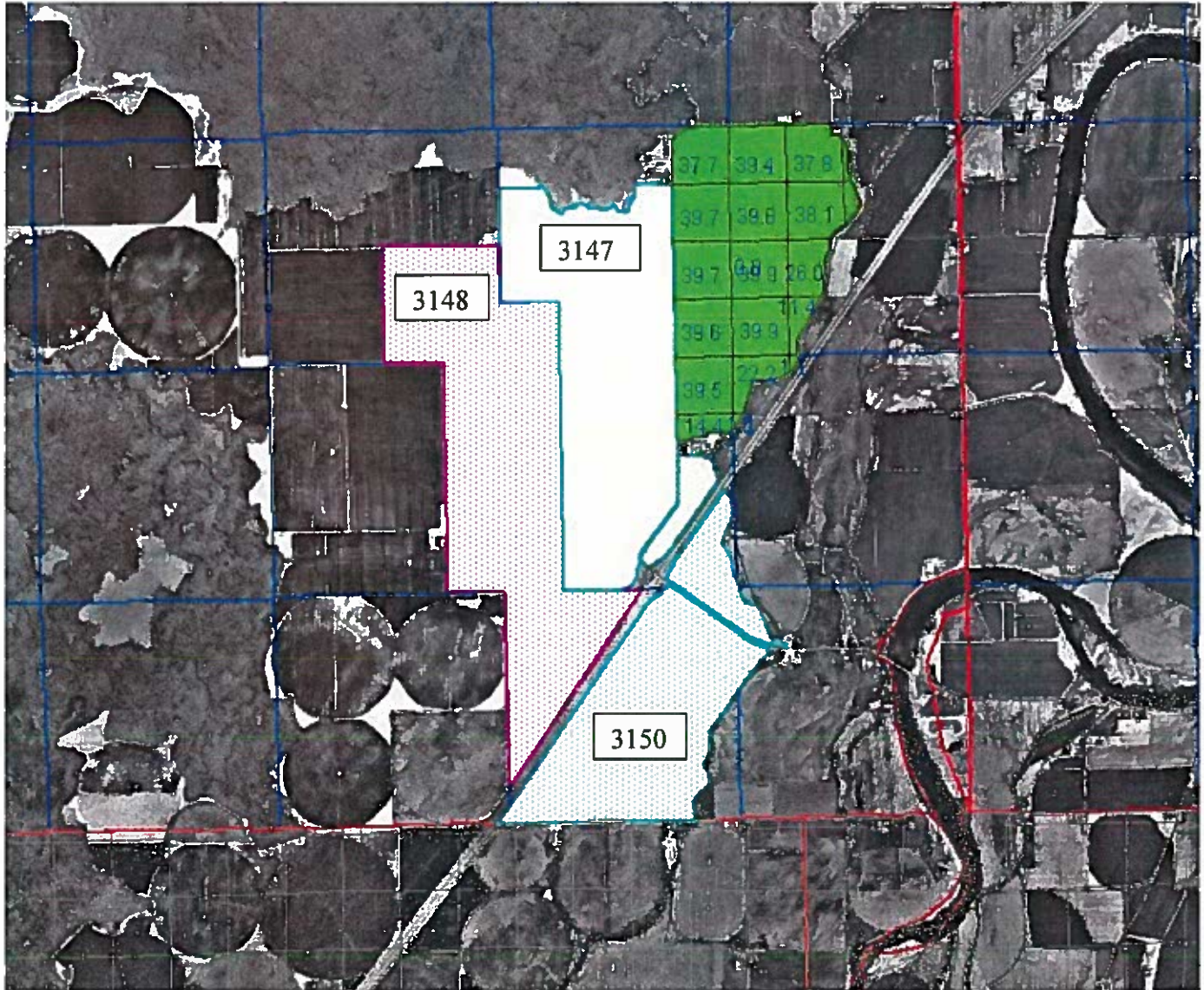
Prepared by C. Moore
 On Tuesday, November 14, 2006
 2004 Aerial Photography

Owner: Earl Searle Family Partnership

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

Transfer 3149

Earl Searle Family Partnership



Notes

Claims A01-1A, -68A, -116A, -118A + -118B

1/ The place of use verification exam was done on Feb 5, 2004 with Stan Searle

2/ The Arc View map was outlined under Mr. Searle's guidance. The claims should reflect Stan as the contact person + use his address of 6267 South 55 West, Idaho Falls, ID 83402.
Phone # is 208-523-8609

3/ Map is in file A01-68A

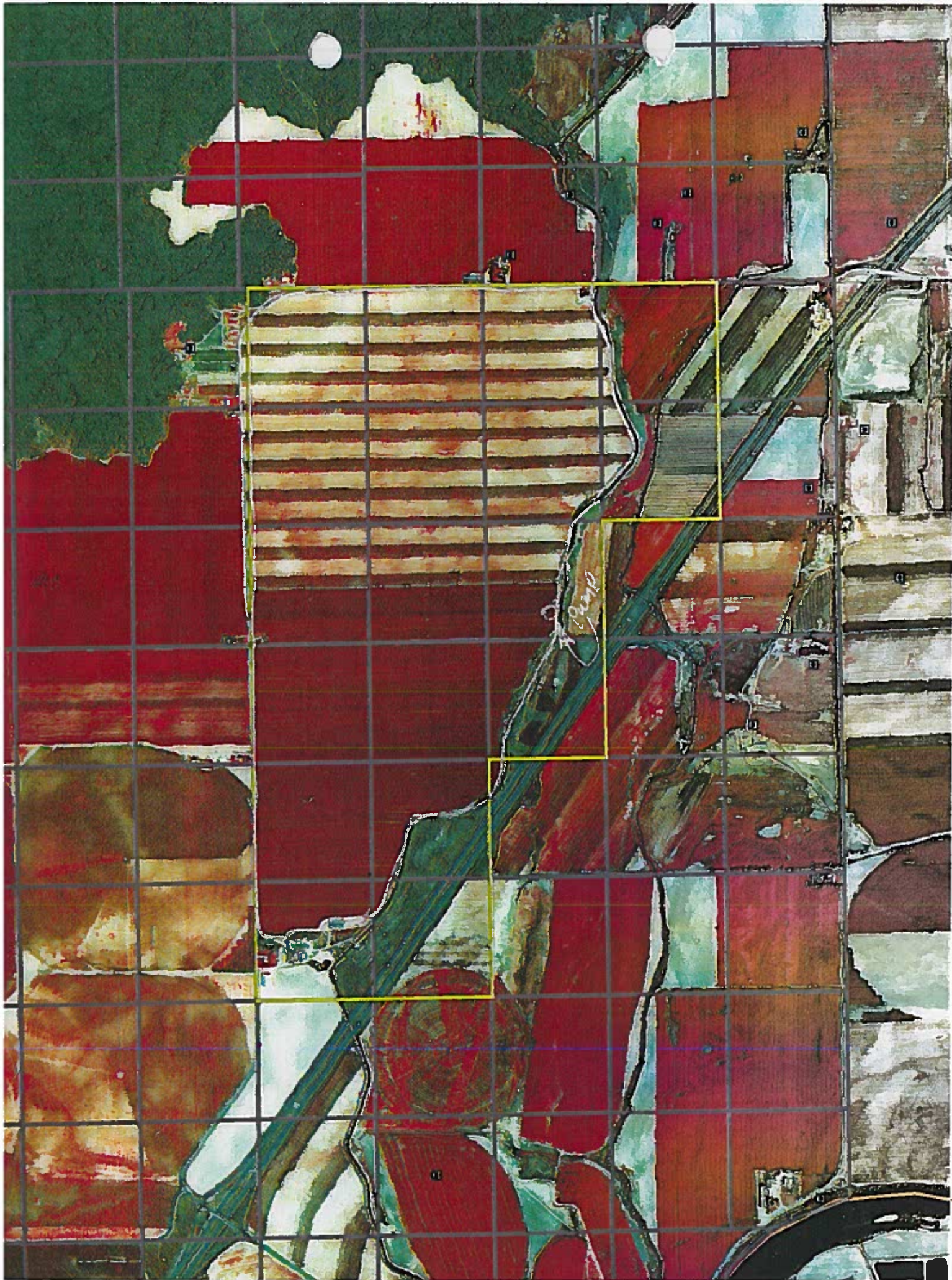
4/ This exam was done by Harold W. Jones of Great Rights Contracting Services.

5/ See partial copy of Transfer # 3149 showing the split of rights that went to Earl Searle.

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NOV 05 2004

PROFILED



T3149 SEARLE BROS

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RIGHT #	AMT. (cfs)	Kelly Bros. 19% cfs	Remainder cfs	Merwyn Searle 34% cfs	Karl Searle 37% cfs	Earl Searle 29% cfs
T264/01-0001B	8.67	1.65	7.02	2.39	2.60	2.03 ✓
T247/01-0068 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 ✓
T398/01-0116M 01-0117R 01-0118K	1.16	0.22	0.94	0.32	0.35	0.27 ✓
T399/01-0116P 01-0117T 01-0118M	0.835	0.159	0.676	0.23	0.25	0.196 ✓
T492/01-0116AR	8.00	1.52	6.48	2.20	2.40	1.88 ✓
TOTALS	33.665	6.399	27.266	9.27	10.10	7.896

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ATTACHMENT PART B

Searle Bros. are using a total amount of 27.27 cfs of all rights described in this transfer (see attached chart). The original places of use belong to Searle Bros. and others who have been sent disclaimers. Searle Bros. intend to define in the interest of each brother what his property will be and what water rights will be appurtenant when the corporation breaks up.

A specific land list for grounds asked for in Part B is just not available. Searle Bros. originally used the total of all the rights (33.67 cfs) but sold off part of their farm to Kelley Bros. along with 19% of all the rights involved (6.398 cfs).

This particular transfer is the vehicle which attempts to define actual place of use which really wasn't apparent before this application.

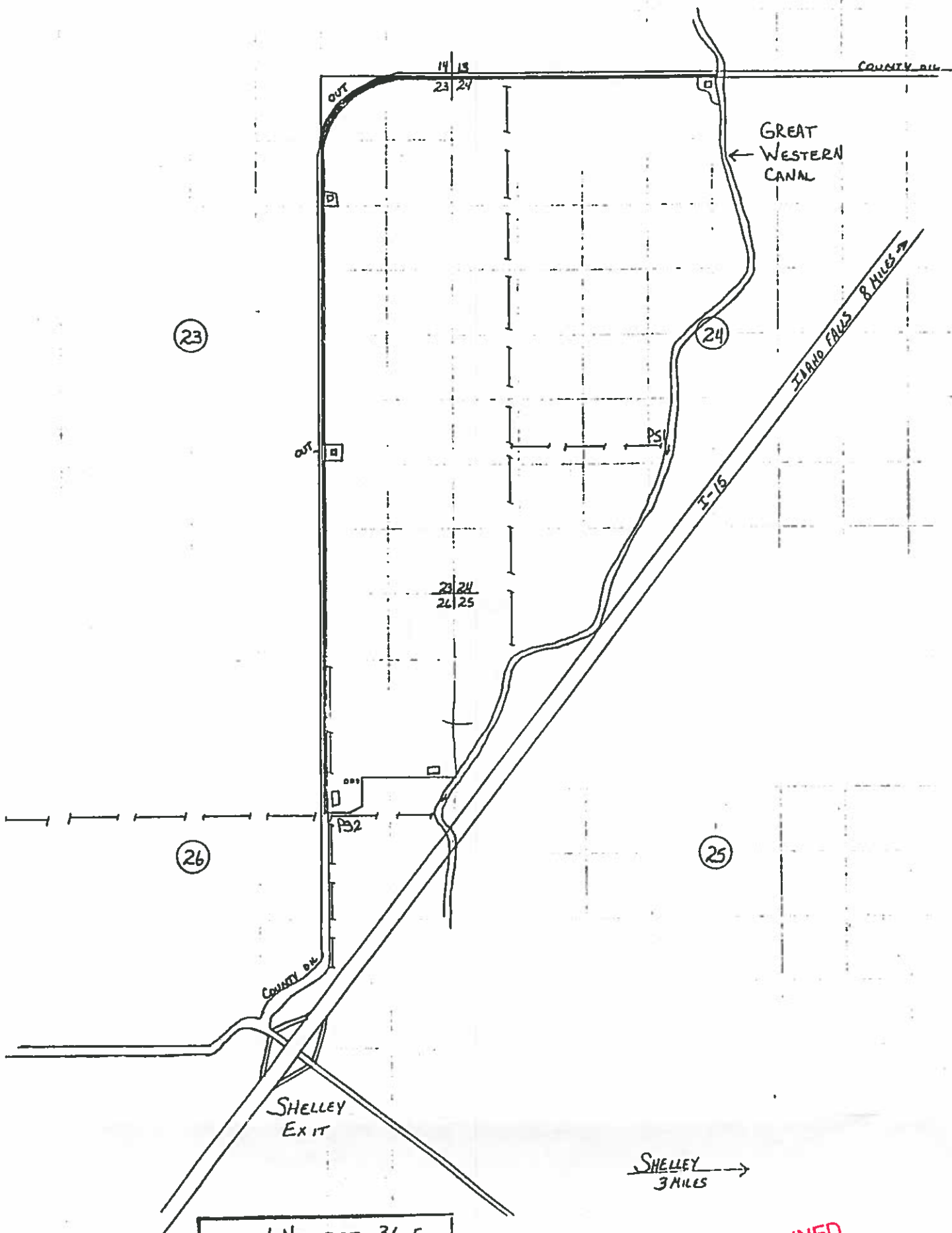
A total of 3 transfer applications will be filed by the Searle Bros. and one application from the Kelley Bros. Approval of all is necessary to wrap up all of the portions of the rights and their respective places of use.

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PLAT OF FARM

Use Standard Legend. Indicate roads and show direction and distance to nearest town. Indicate points of compass - show scale of map.
Designate section numbers at section centers. If more than one source of irrigation supply, indicate area served by each.



TP. 1 N	RGE 36 E
BINGHAM COUNTY	
IDAHO STATE	
SCALE: 1" = 1320'	
PLATTED BY BB	VERIFIED BY
TITLE REPORT DESCRIPTION	
VERIFIED BY	

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LEGAL DESCRIPTION:

1 NORTH - 36 EBM.

Sec: 24: $W\frac{1}{2}W\frac{1}{2}$, $NE\frac{1}{4}NW\frac{1}{4}$ AND THOSE PORTIONS OF $W\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$ LYING WEST OF THE RIGHT OF WAY OF THE GREAT WESTERN CANAL, EXCEPTING THEREFROM THAT PORTION OF $SE\frac{1}{4}SW\frac{1}{4}$ LYING S + E OF THE NORTHWESTELY LINE OF INTERSTATE HIGHWAY 15.

Sec 23: $E\frac{1}{2}E\frac{1}{2}$ EXCEPT: BEGINNING AT THE NW CORNER OF THE $NE\frac{1}{4}NE\frac{1}{4}$ OF SAID SECTION 23; THENCE S. 800 FEET, THENCE W. 25 FEET TO THE EXISTING ROAD RIGHT OF WAY LINE, THENCE NORTHEASTERLY 1217.6 FEET ON A CURVE OF RADIUS 775 FEET, WHICH IS TANGENT TO THE EXISTING NORTH-SOUTH AND EAST-WEST RIGHT OF WAY LINES OF THE EXISTING ROADS; THENCE N 25 FEET TO THE CENTER OF THE EXISTING RIGHT-OF-WAY, THENCE W. 800 FEET TO POINT OF BEGINNING.

Sec 25: ALL THAT PART OF $NW\frac{1}{4}$ LYING NORTH AND WEST OF THE RIGHT OF WAY OF GREAT WESTERN CANAL.

Sec 26: THE PORTION OF LAND LYING WEST OF THE GREAT WESTERN CANAL, EAST OF A NORTH-SOUTH COUNTY ROAD AND NORTH OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT THAT IS SOUTH ALONG THE SECTION LINE 1856.88 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 26; RUNNING THENCE S. $89^{\circ}04'54''$ W 752.10 FEET; THENCE S. $0^{\circ}44'25''$ E 326.89 FEET; THENCE S. $68^{\circ}27'18''$ W 136.49 FEET; THENCE S. $88^{\circ}44'03''$ W 200 FEET TO THE CENTER OF SAID COUNTY ROAD.

EXCEPTING THEREFROM BEGINNING AT THE NE CORNER OF SEC 26 IN RANGE 36 EBM; THENCE SOUTH ALONG THE SECTION LINE 1856.88 FEET; THENCE S. $89^{\circ}04'54''$ WEST 752.10 FEET; THENCE S. $0^{\circ}44'25''$ E 326.89 FEET; THENCE S. $68^{\circ}27'18''$ W 136.49 FEET; THENCE S. $88^{\circ}44'03''$ W 200 FEET M/L TO THE CENTER OF A COUNTY ROAD; THENCE NORTH 300 FEET ALONG THE CENTER OF SAID COUNTY ROAD TO THE POINT OF BEGINNING.

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c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
1 N	36E	23	36			39									38			39	152
		24		2	5		37	39	40	38	23	40	40	9					273
		25						24	1										25
		26	39		~~16~~	16													55

Total number of acres to be irrigated 505

4. Describe any other water rights used for the same purpose as described above. N.A.

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

See attached

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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

RENUMBERED TO: 1-10506
Ident. Number: ~~A01-00068A~~
Date Received: 6/21/1988
Receipt No: 5005520
Received By: HWS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EARL SEARLE FAMILY PARTNERSHIP 208-357-7982
Address: 546 E. 1250 N.
SHELLEY, ID 83274

2. Date of Priority: JUN 01, 1883

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
02N	37E	12		NW	NW		BONNEVILLE

5. Description of diverting works:
PORTER CANAL TO RELIFT PUMP AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.520		

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

8. Total consumptive use is 1262.5 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	23	NE	NE		IRR	36.0
			SE	NE		IRR	39.0
			NE	SE		IRP	38.0

A01-00068A

Page 1

Date: 01/16/89

PROFILED

MICROFILMED
OCT 19 1992

A0100068A



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	36E	23	SE	SE		IRR	39.0
					Section Acres		152.0
		24	NW	NE		IRR	2.0
			SW	NE		IRR	5.0
			NE	NW		IRR	37.0
			NW	NW		IRR	39.0
			SW	NW		IRR	40.0
			SE	NW		IRR	38.0
			NE	SW		IRR	23.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	9.0
					Section Acres		273.0
		25	NW	NW		IRR	24.0
			SW	NW		IRR	1.0
					Section Acres		25.0
		26	NE	NE		IRR	39.0
			SE	NE		IRR	16.0
					Section Acres		55.0
					Total Acres		505.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
SEE TRANSF. 3149

14. Remarks:
THIS RIGHT IS A COMBINATION OF 01-0068 AND 01-0136B AS PER
TRANSF. 3149

15. Basis of Claim: BENEFICIAL USE

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OCT 19 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 X 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: _____

For Organizations:

I do solemnly swear or affirm that I am General Partner of
Title
Earl Seale Family Partnership, that I have signed the foregoing
Organization
document in the space below as General Partner of
Title
Earl Seale Family Partnership and that the statements contained in the
Organization
foregoing document are true and correct.

Earl J. Seale
Signature of Authorized Agent

General Partner - Earl Seale Family Partnership
Title and Organization

1-16-89
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 16th day

of January 19 89

Seal

Betty J. Thompson
Notary Public

BETTY J. THOMPSON, NOTARY PUBLIC
Residing at _____
RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES: 6-30-94

A01-00068A

Page

3

Date: 01/16/89

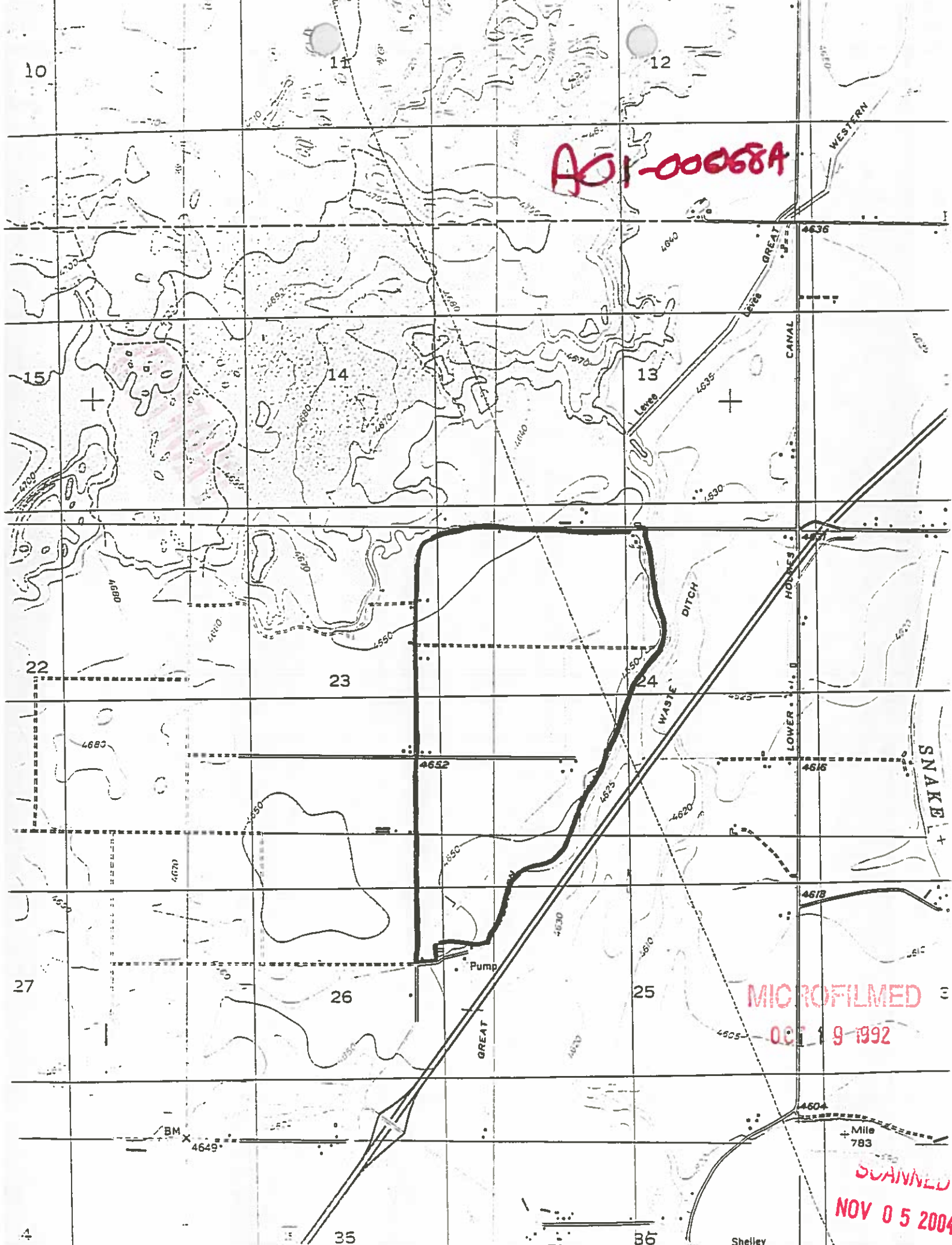
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MICROFILMED

OCT 19 1992



AGI-000684

MICROFILMED
OCT 9 1992

SCANNED
NOV 05 2004

Shelley