

01/24/2011

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

RIGHT NUMBER: 22-2226
NAME AND ADDRESS: R LAYNE HARRIS
PO BOX 63
NEWDALE ID 83436

LENA HARRIS
PO BOX 75
NEWDALE ID 83436

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 1.900 CFS
444.900 AFY

PRIORITY DATE: 03/28/1963

POINT OF DIVERSION:

T07N R41E S34 SENE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.900 CFS 444.90 AFY

PLACE OF USE: IRRIGATION in FREMONT County

T07N R41E S34	NENE	34.00	T07N R41E S34	NWNE	34.00
T07N R41E S34	SWNE	24.00	T07N R41E S34	SENE	35.10

127.1 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 - License

Use of this right is combined with water from Enterprise Irrigation Dist.

Water Right No(s).

A22-02226

GPS data - 269 2880
1412758

GPS Rte # - 222226

GPS DATA:

Tag # A0015979 Location: on power panel post

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: GE Model: _____ Hp: 125
SN: SK504X0144 Booster - 40 Hp GE - SN-SK364 YP 268
Cornell pump - SN-20750

PUMP

Make: NA Model: _____ Disch: _____
SN: NA

NOTES:

use Wayne Harris as addresser. Lina is gone. (mother)
Met with Wayne Harris & modified P.O. map. **Enlargement**
claim appears needed.
System is well pump booster to pivots & sprinklers.

Field Exam Date: 11-16-05 Agent: Shelby

SCANNED

AUG 16 2007

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 31062/22-2226 Priority March 28, 1963 Amount 1.9 cfs

THIS IS TO CERTIFY, that William Henry Harris
of Newdale, Idaho, has complied with the terms and conditions of Permit
No. 31062/22-2226 issued pursuant to Application for Permit dated March 28, 1963
and has submitted proof to the Department of Water Administration on October 30, 1963
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.9 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 1.9 cfs for irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 1.9 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE 1/4 NE 1/4 Sec. 34, Twp. 7 N, Rge. 41 E, B.M.
in the county of Fremont; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 444.9 acre feet per year or
3.5 acre feet per acre.

Description and location of place of use:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7 N	11 E	34	33.4	31.6	30	321													127.1

Total number of acres irrigated 127.1

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of

January, 19 72.


Director

22 2226

AUG 16 2007

22-2226

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 39151
Permit No. G- 31062
District No.

1. Name of Applicant: William Henry Harris, NEW LAKE
Postoffice address: c/o Mary Smith Rexburg County: Madison State: Idaho
2. Quantity of water claimed:
- (a) Rate of withdrawal in cubic feet per second 3.2 or Idaho
Miners' inches or gallons per minute
- (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean well
4. Location of point of diversion or well is in the SE 1/4 of the NE 1/4 of Section 34
Twp. 7 N , Rge. 41 E , B.M., County of Fremont
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
- (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
- (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Pump, sprinkler system and ditches
8. Estimated cost of works: \$ 3600.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is five years.
11. If applicant is a corporation, give:
- I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
- II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 80 ac. of land in
Enterprise Irrigation District. 1 in. to acre until decrees cut - which is early in the
irrigation season.
- (a) 1.6 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supple-
mental to the existing water rights.
- (b) 1.6 (cubic feet per second, inches or gallons per minute) is for new lands.

SCANNED

AUG 16 2007

Remarks:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ William Henry Harris *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation: 8:00 A.M. March 28, 1963

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 31062
Recorded in Book 109 Page 31062 Approved April 1, 1963

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before October 1, 1965

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before April 1, 1968

Witness my hand this 1st day of April, 1963

s/ CARL E. TAPPAN
Ass't. STATE RECLAMATION ENGINEER

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 1st day of April, 1963

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

By ROBERT E. SMYLLIE
Governor

12.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7 N	11 E	34	40	40	40	40													160
LICENSE ISSUED FOR 1.9 SEC. FL. LICENSE P. 1																			

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AUG 16 2007

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-31062/22-2226

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant William Henry Harris
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the SE 1/4 NE 1/4 of Section 34
T. 7 N R. 41 E.B.M. County of Fremont

4. Describe works as they exist, giving dimensions and capacities of same: _____

Leaves into earth ditch and from flood
irrigates

5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NE 1/4 Sec. 34., Twp. 7 N., Rge. 41 E.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

Used Ariscope for:

850 - 448 = 1.2 c.f.s.

Flood irrigates

This examination was made on the 16th day of July, 1920

(Signed) Ed. E. S. S. S.

Examiner.

STAMPED
AUG 16 2007

22 2226

1/6
30 - P
Strength Pump
8776

O.F.
21105
- HUSTON VERICAL
JS-3024

SCANNED
AUG 16 2007

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

22 2226

Wm. Henry Harris
% Mary Smith
Newdale, Idaho
Permit No. G-31062 / 22-2226

Examination for Completion of Works & Beneficial Use

County Fremont
Sec. 34 T.7N R.41 EBM

Quantity: 2.2 cfs

Source: Well 22-

P. D.: SENE, 34-7N-41E

Use: Irrigation

Filed: 3-28-63

Due: 1-1-68

Extension:

Protest:

Completion of Works:

Other Rights: 1.6 cfs
Enter in Irrigation Dist
Cuts off early in irrig.
season.
Made Oct 30, 1963

Call & determine
when the system will
be rebuilt.

8500 PM

To see if
could cost

SCANNED

T	
7	
N	

R	4	E
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31.6	33.4
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30	32.1
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P.D.

US Hwy 20A

NEWDALE

Area = 127.1 acres

Q. 1.90 gts

$$V = 3.5 \times 127.1 = 444.9 \text{ A.F.}$$

Acc Reg = 3.5

$$\text{Sol.} = 4$$

Amad. = None

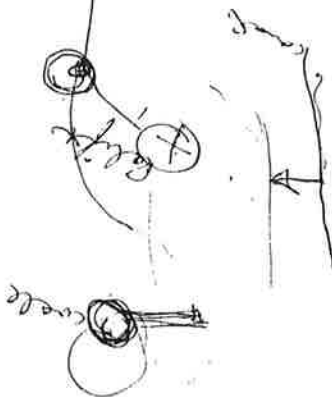
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-31062/22-2226

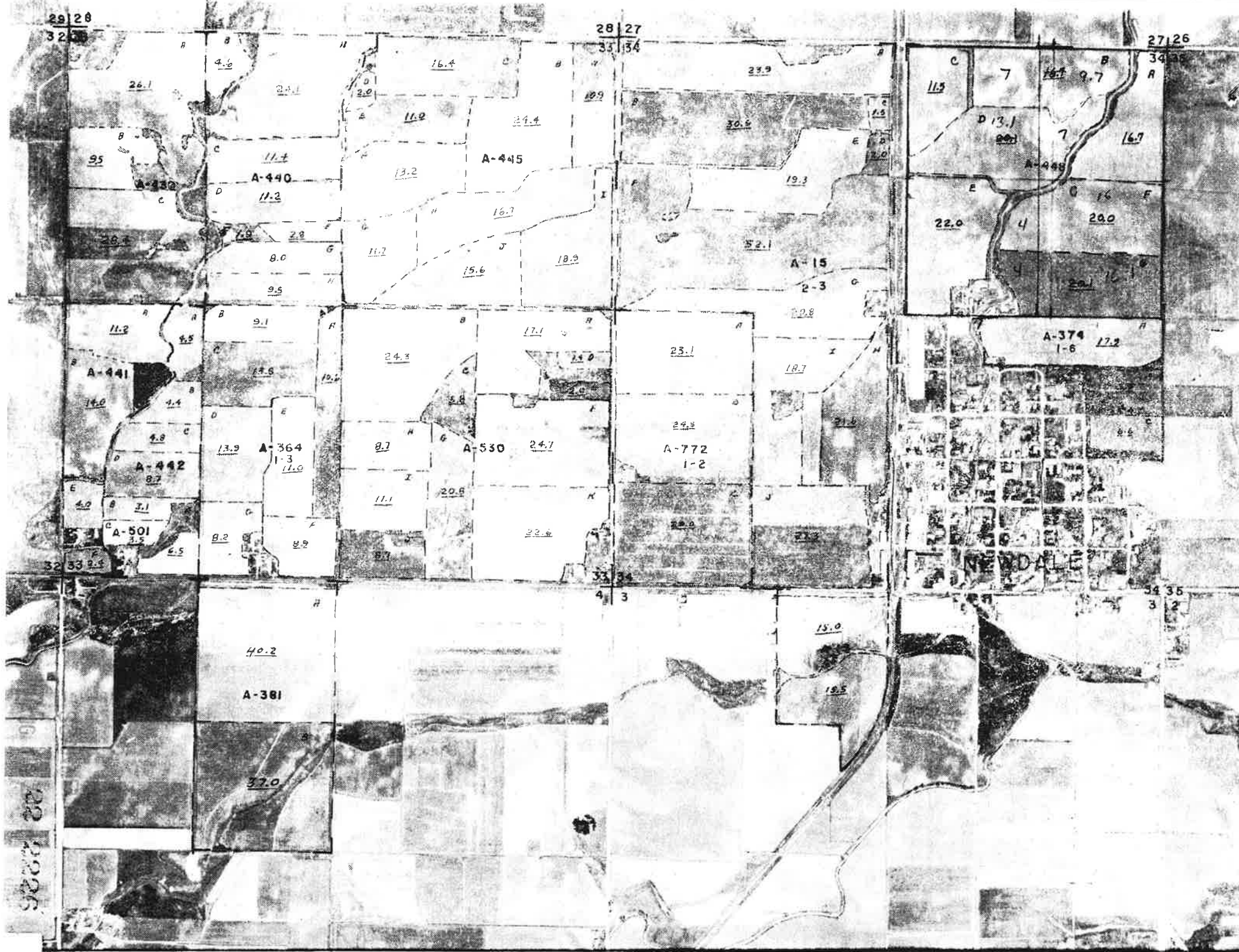
REPORT ON PROOF OF Completion of Works & Beneficial Use

Wm. Henry Harris, % Mary Smith, Newdale, Idaho



22 2226

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AUG 16 2007



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44 13

45 12

46 11

47 10

48 9

49 8

50 7

51 6

52 5

53 4

54 3

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AUG 16 2007

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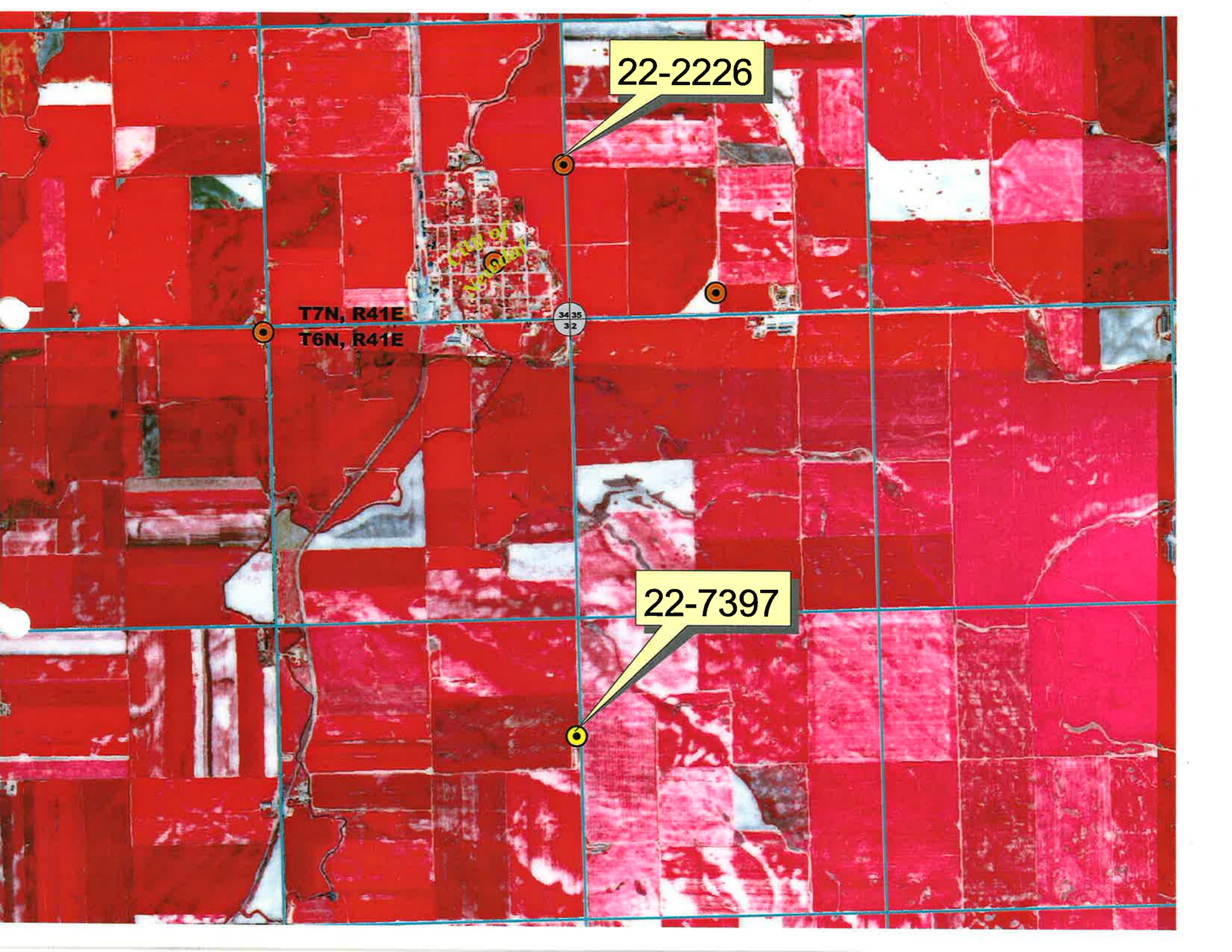
A 22-02226, Looking East



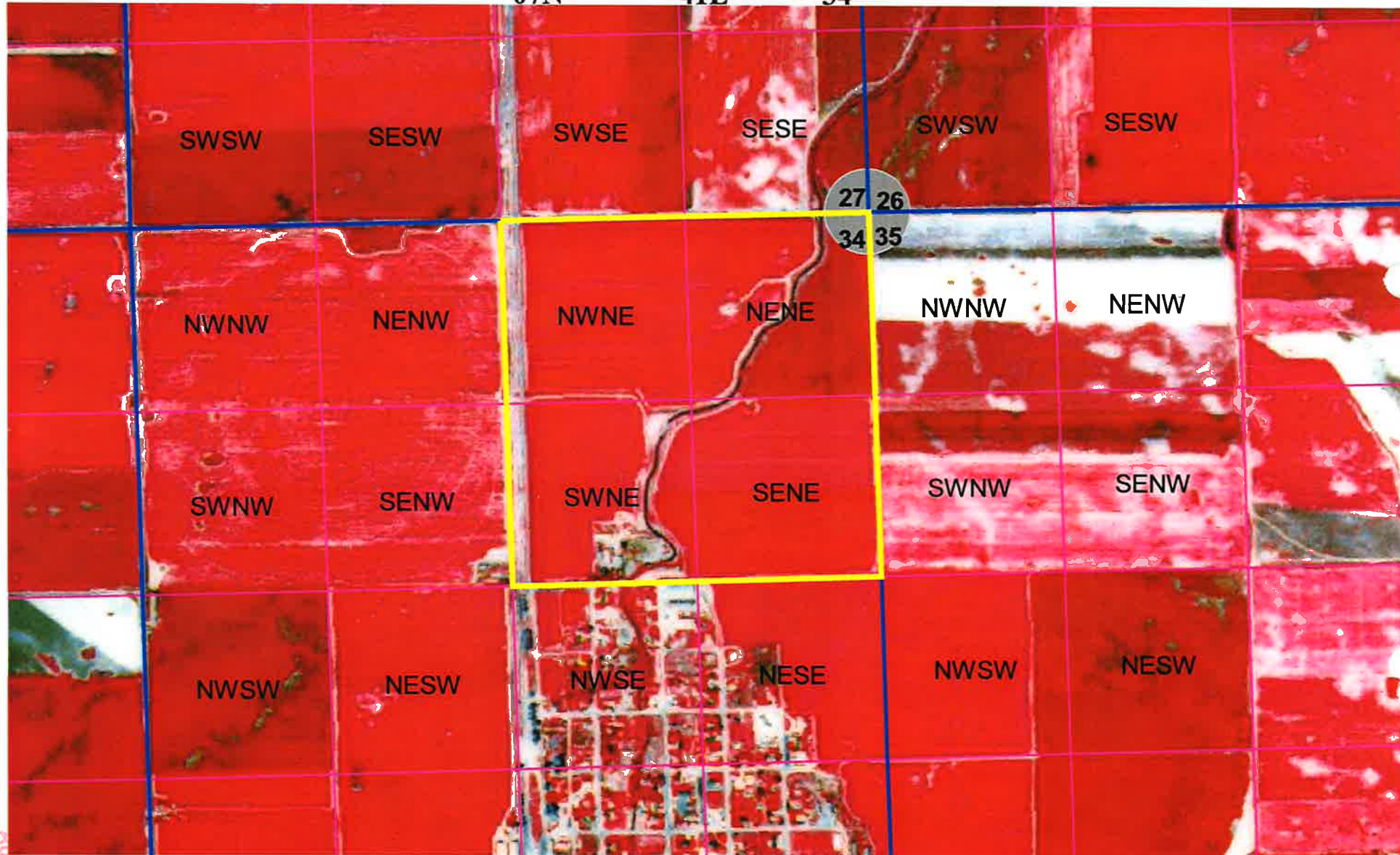
22-2226

T7N, R41E
T6N, R41E

22-7397



Township 07N
Range 41E
Section 34



Notes:



600 0 600 1200 1800 2400 3000 3600 Feet

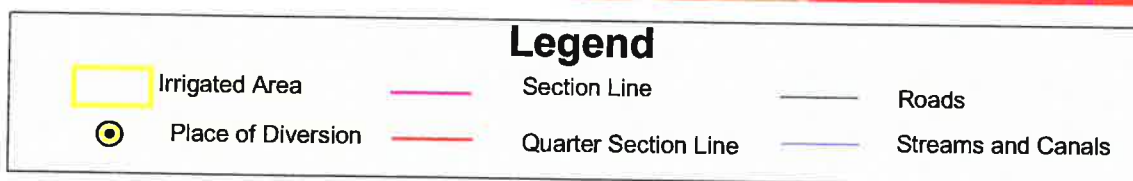
Water Right #: 2202226

Examiner:

Date:

AUG 18 2007

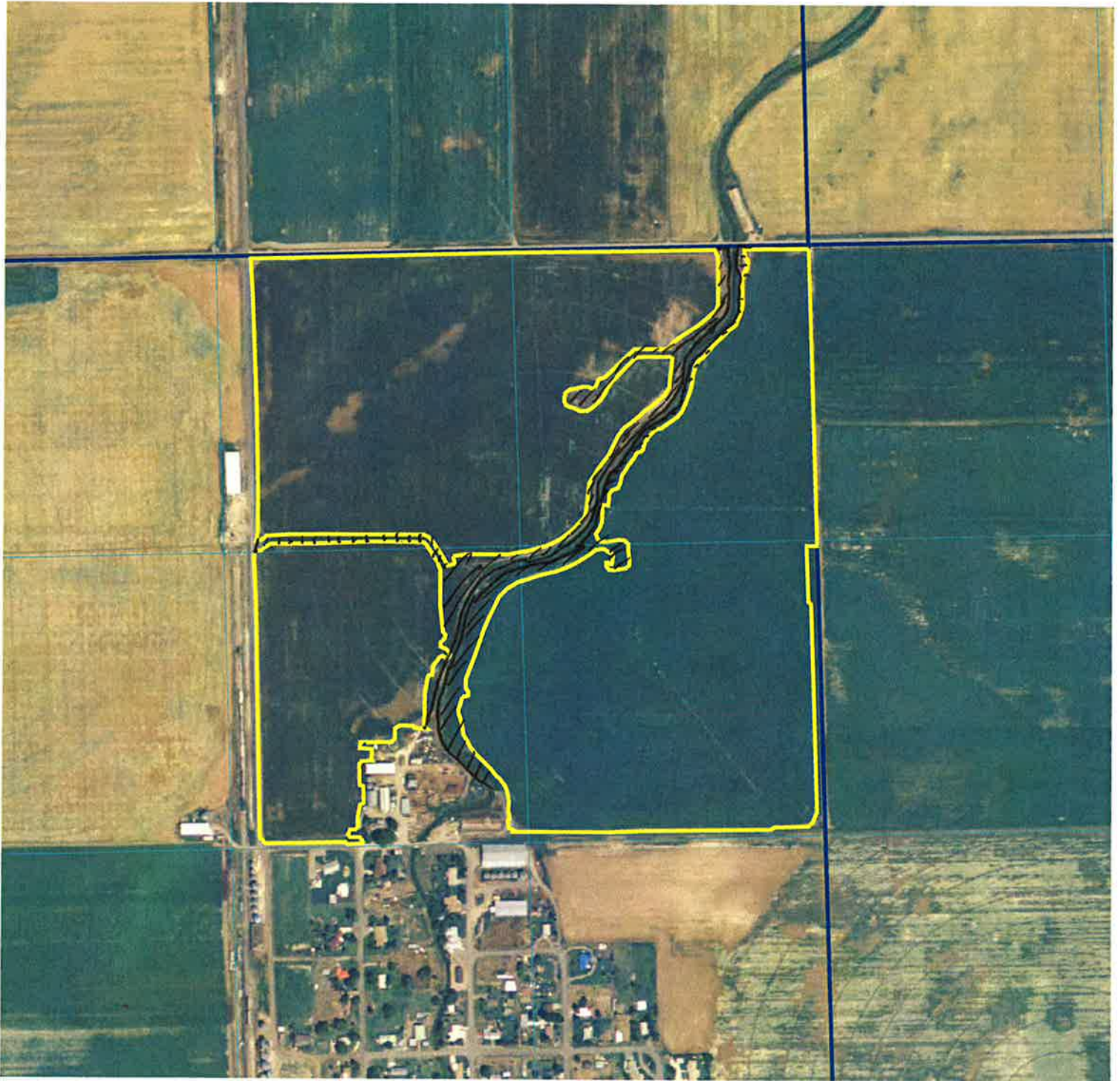
CANCELLED 2007



SPATIAL
DYNAMICS

SCANNED

AUG 16 2007



In field exam w/skip, Layne pointed out that the marked areas should be included. However, they were not irrigated in 1987 according to the photography. Obviously, they have been irrigated sometime since 1987. They cannot be included, however, w/ the recommendation for 22-2226

SCANNED

AUG 15 2007

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 22-2226

Date Received:
Receipt Nos:
Received By:

AMENDED
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Name of Claimant

R LAYNE HARRIS
PO BOX 63
NEWDALE, ID 83436
(208)458-4936

LENA HARRIS
PO BOX 75
NEWDALE, ID 83436
(208)458-4902

Priority Date: 06/01/1900
Basis: Decreed/License
Status: Active

<u>Source</u>	<u>Tributary</u>			
<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
Ground Water Teton River		Snake River		
IRRIGATION	04/01	11/01	1.9 CFS	444.9 AFA
Total Diversion			1.9 CFS	

Location of Point(s) of Diversion:

GROUND
WATER SESENE Sec. 34 Township 07N Range 41E FREMONT County

Place(s) of use:

Place of Use Legal Description: IRRIGATION FREMONT County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	41E	34		NENE	38		NWNE	34		SWNE	28		SENE	37

Total Acres: 137

Remarks: This water right includes the right to divert water which is recovered ground water resulting from recharge for irrigation and/or water resulting from irrigation under the Canyon Creek Canal Company irrigation works for use on lands within said irrigation entity's authorized place of use. Diversion of this right for the purpose of irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code. § I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code. In the event recharge or recovered water is not available, the priority date shall revert to the previously licensed priority date.

- 1.C18 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.
- 2.E18 Use of water under this right is combined with water from Enterprise Canal.
- 3.K06 This right is limited to the irrigation of 127.1 acres within the place of use described above in a single irrigation season.

Describe any other water rights used at the same place and for the same purposes as describe above: Those water rights recommended as of the date of this amended claim.

Basis of Claim: Decreed/License



Idaho Department of Water Resources

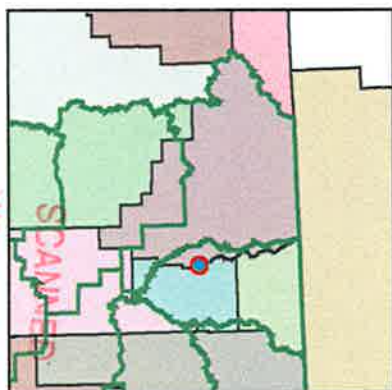
SRBA Recommendation:

22-2226

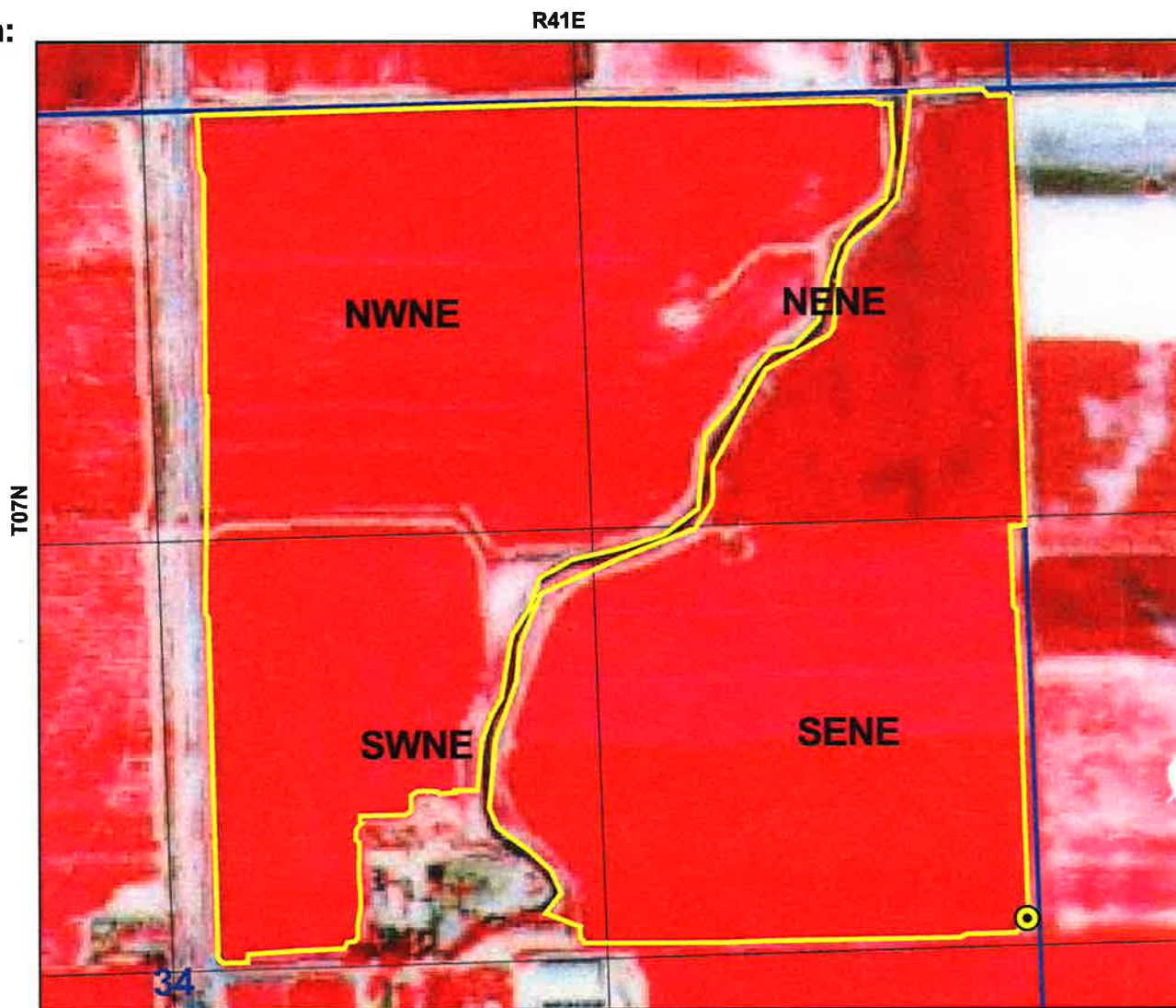
(Irrigation)

Legend

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



Fremont County
IDWR Basin 22



0 0.2 0.4 Miles

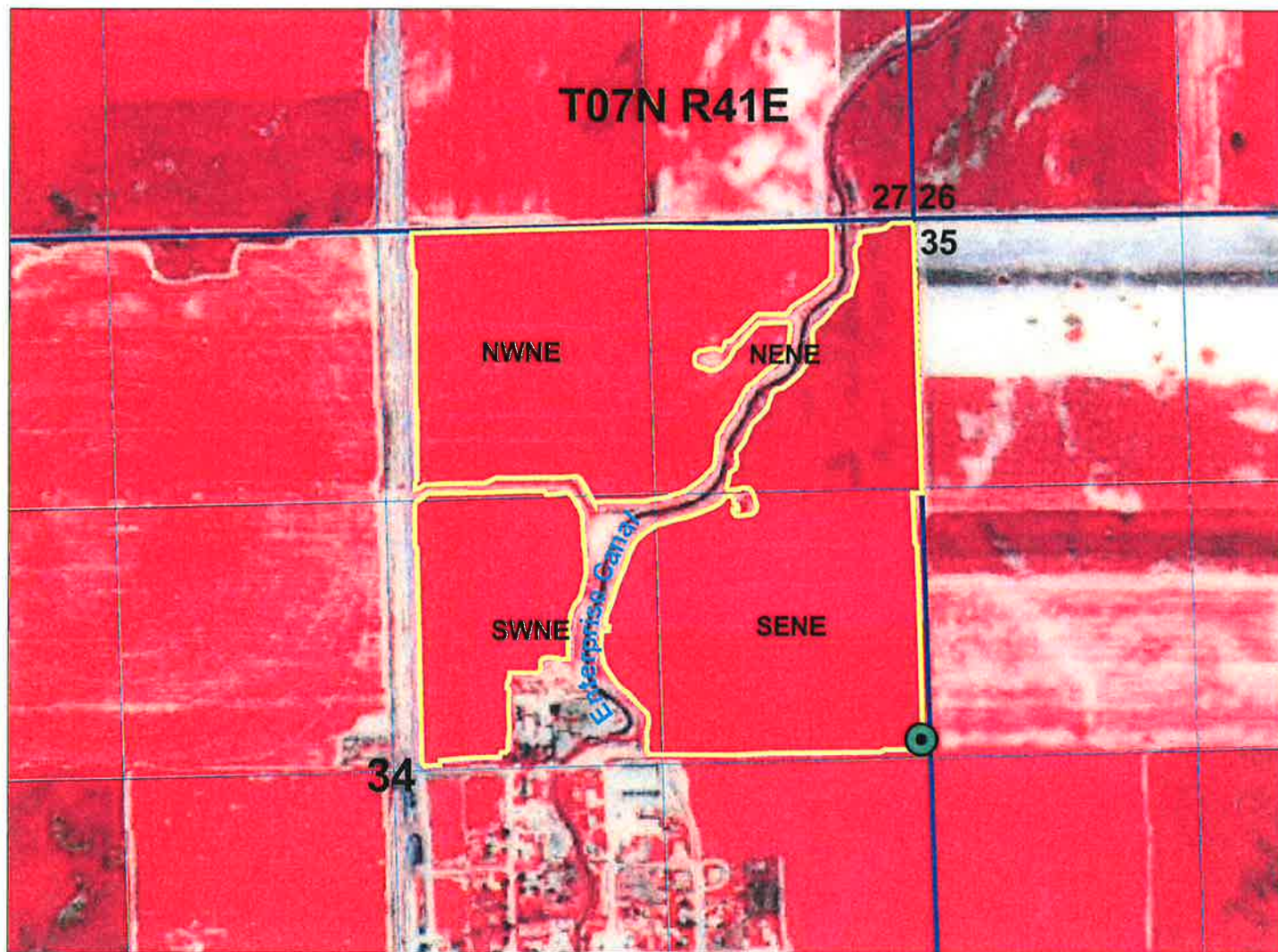
Prepared by T. Galbraith
On Thursday, November 2, 2006
1987/88 Aerial Photography

Department of Water Resources

Eastern Region

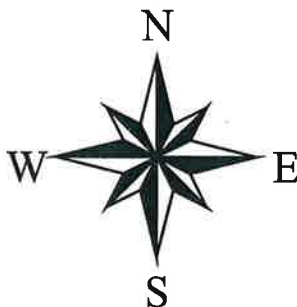


Claim No.: 22-2226



0 660 1320 1980 2640 Feet

- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: December 2005

SCANNED
AUG 16 2007

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: A22-02226
Date Received: 9/14/1988
Receipt No: E002297
Received By: KCW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LENA HARRIS 208-458-4902
Address: P.O. BOX 75
NEWDALE, ID 83436
OR
Name: R. LAYNE HARRIS 208-458-4936
Address: P.O. BOX 63
NEWDALE, ID 83436

A2202226



2. Date of Priority: MAR 28, 1963
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	41E	34	SE	SE	NE		FREMONT

5. Description of diverting works:
WELL PUMP MAINLINE AND LATERALS WITH SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.900		

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

8. Total consumptive use is 254.2 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-02226

Page 1

Date: 09/14/88

SCANNED

MICROFILMED

AUG 16 2007

OCT 29 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	41E	34	NE		NE		IRR	33.4
			NW		NE		IRR	31.6
			SW		NE		IRR	30.0
			SE		NE		IRR	32.1
							Section Acres	127.1
							Total Acres	127.1

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:
ENTERPRISE CANAL RIGHTS FROM FALLS RIVER

14. Remarks:
AC. IRR. = 127.1.

15. Basis of Claim: LICENSE
Water Right Number: 31062

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): *R. Layne Harris* Date: 9-14-88
_____ Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 14th day

of September 19 88

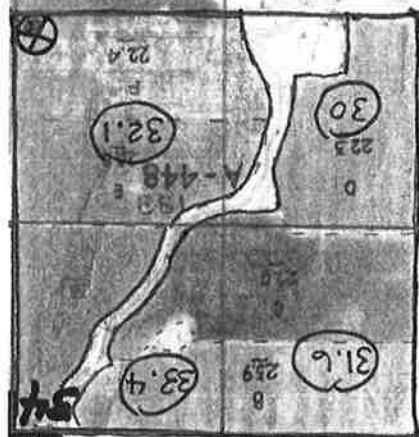
Betty J. Thompson
Notary Public

Seal

Residing at *Idaho Falls*

My Commission Expires 6-94

A22-02226



Twp 7N.
Rge 4E.

Not to scale

