

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2004 FEB 11 AM 10 14

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Subcase No. 47-10025

Case No. 39576

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

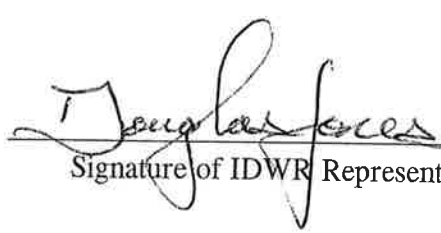
Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: _____

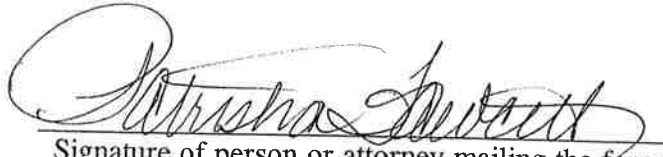
2/11/04


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2/11, 2004, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Duane Way
Marilyn Way
3353 N 3000 E
Twin Falls ID 83301
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Reed Harris
Kathleen Harris
3375 N 3000 E
Twin Falls ID 83301
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

01/09/2004

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 47-10025
NAME AND ADDRESS: KATHLEEN C HARRIS
3375 N 3000 E
TWIN FALLS ID 83301

REED HARRIS
3375 N 3000 E
TWIN FALLS ID 83301

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.050 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 08/01/1976

POINT OF
DIVERSION: T11S R17E S9 NESENE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.050 CFS
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER Within TWIN FALLS County
T11S R17E S09 SENE
DOMESTIC Within TWIN FALLS County
T11S R17E S09 SENE

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
RP 11S17E091810



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 11, 2004

REED HARRIS
KATHLEEN HARRIS
3375 N 3000 E
TWIN FALLS ID 83301

RE: SRBA Claim(s) 47-10025

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Duane and Marilyn Way

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-2-1997
PAGE: A-17

RIGHT NUMBER: 47-10025

NAME & ADDRESS: DUANE WAY
MARILYN WAY
RT 1 BOX 4741
3375 N 3000 E
TWIN FALLS ID 83301

SOURCE: GROUNDWATER

QUANTITY: 0.05 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 08/01/1976

POINT OF DIVERSION: T11S R17E S09 NESENE Within TWIN FALLS County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.05 CFS
	DOMESTIC 1 HOUSE	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within TWIN FALLS County
T11S R17E S09 SENE

DOMESTIC Within TWIN FALLS County
T11S R17E S09 SENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
RP 11S17E091810
120 STOCK

Claim proofread by: MH

Date: 9-10-97

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 47-10025
Date Received: 5/2/1988
Receipt No: S000151
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

REED HARRIS Phone: (208)735-0223
3375 N 3000 E
TWIN FALLS ID 83301

KATHLEEN C HARRIS Phone: (208)735-0223
3375 N 3000 E
TWIN FALLS ID 83301

2. Date of Priority: 08/01/1976

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11S	17E	9	NE SE NE	TWIN FALLS	

5. Description of diverting works:

6" X 335' DEEP WELL WITH 1 1/2 H.P. SUBMERSIBLE PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.05	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.05 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	17E	9	SE	NE	DOMESTIC STOCKWATER	

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 19, 2003

REED AND KATHLEEN HARRIS
3375 N 3000E
TWIN FALLS ID 83301

Re: SRBA Claim #47-10025

Dear Mr. And Mrs. Harris,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copy of the computer record of the claim noting the change in claimant. Review this record and if there is an error, or you have any questions, please contact this office. (208) 736-3033

Sincerely,

A handwritten signature in dark ink, appearing to read 'Carrie Hahn', written over a horizontal line.

Carrie Hahn
Office Specialist

Enc. (3)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

March 23, 1999

KARL J. DREHER
DIRECTOR

RECEIVED

APR 07 1999

Department of Water Resources
Southern Region

REED HARRIS
3375 N 3000 E
TWIN FALLS ID 83301

RE: ADJUDICATION CLAIM NOS. 47-10025, 47-10026

Dear Dr. and Mrs. Harris:

The Department has been notified that you presently own the property to which the above referenced Adjudication Claims are appurtenant. In order to change the record of current ownership to you, it will be necessary for you to complete the enclosed NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form. Please complete it per the instructions on the back of the form, attach the required information and return everything to me by April 9, 1999. I am also enclosing a self-addressed envelope for your convenience. As soon as I receive your information, I will make the changes in our computer records and forward copies back to you.

Should you have any questions, please feel free to contact me at 736-3033.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Trish Fawcett', written in a cursive style.

Trish Fawcett
Technical Records Specialist

/tf
Enclosures



Title:		Date: 12-19-2003
Scale: 1 inch = 2000 feet	File:	
Tract 1: 5.014 Acres: 218401 Sq Feet: Closure = n47.1230w 0.01 Feet: Precision = 1/219003; Perimeter = 1882 Feet		
001=NE,9,11S,17E	004=N89.5712W 498.81	007=N19.5526E 68.85
002=/S00.3230E 1328.62	005=S00.4726E 500.00	008=N13.0328E 446.66
003=N89.5712W 397.09	006=S89.5712E 367.54	



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 23, 1999

REED HARRIS
3375 N 3000 E
TWIN FALLS ID 83301

RE: ADJUDICATION CLAIM NOS. 47-10025, 47-10026

Dear Dr. and Mrs. Harris:

The Department has been notified that you presently own the property to which the above referenced Adjudication Claims are appurtenant. In order to change the record of current ownership to you, it will be necessary for you to complete the enclosed NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form. Please complete it per the instructions on the back of the form, attach the required information and return everything to me by April 9, 1999. I am also enclosing a self-addressed envelope for your convenience. As soon as I receive your information, I will make the changes in our computer records and forward copies back to you.

Should you have any questions, please feel free to contact me at 736-3033.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

/tf
Enclosures

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

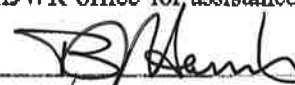
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APR 07 1999

Department of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): _____
Adjudication Claim No(s): 47-10025 47-10026
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant: Duane Way
3353 N 3000 E Twin Falls, ID 83301
4. New Owner/Claimant(s): Reed + Kathleen C. Harris
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address: 3375 N 3000 E, Twin Falls, ID 83301
City, State and ZIP Code: Twin Falls, ID 83301
New Telephone Number: (208) 735-0223
5. Date you acquired the property: ~~22 April~~ 30 May 1996
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s): 
Kathleen C. Harris
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

RECEIVED

APR 07 1973

Department of Water Resources
Southern RegionWARRANTY DEED

For Value Received DUANE R. WAY, the Grantor, does hereby grant, bargain, sell and convey unto the Grantees, REED J. HARRIS and KATHLEEN C. HARRIS, husband and wife, whose current address is 3375 North 3000 East, Twin Falls, Idaho, the following described premises, in Twin Falls County, Idaho, to-wit:

PARCEL NO. 1

Township 11 South, Range 17 East, Boise Meridian, Twin Falls, Idaho

Section 9: A portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Twin Falls County, Idaho Commencing at the Northeast corner of Section 9;

THENCE South 00°32'30" East, 1328.62 feet to the Northeast corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$. Said point lies North 00°32'30" West, 1328.63 feet from the East quarter corner of Section 9;

THENCE North 89°57'12" West, 397.09 feet along the North boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ to the REAL POINT OF BEGINNING;

THENCE North 89°57'12" West, 498.81 feet, along the North boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$;

THENCE South 00°47'26" East, 500.00 feet;

THENCE South 89°57'12" East, 367.54 feet;

THENCE North 19°55'26" East, 68.85 feet;

THENCE North 13°03'28" East, 446.66 feet to the REAL POINT OF BEGINNING.

SUBJECT TO: A 50.00 foot wide roadway, irrigation and utility easement parallel and adjoining the North boundary of said parcel.

Together with 5 shares of Twin Falls Canal Company stock.

PARCEL NO. 2

TOGETHER WITH: A 50.00 foot wide roadway, irrigation and utility easement parallel and adjoining a portion of the North boundary of SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, Township 11 South, Range 17 E., B.M., more particularly described as follows:

BEGINNING at the Northeast corner of Section 9;

THENCE South 00°32'30" East, 1328.62 feet to the Northeast corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$. Said point lies North 00°32'30" West, 1328.63 feet from the East quarter corner of Section 9;

THENCE North 89°57'12" West, 54.67 feet along the North boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ to the West right of way line of Federal Aid Highway Project No. S-2370(1), which is the

REAL POINT OF BEGINNING;
THENCE North 89°57'12" West, 342.42 feet, along the North
boundary of said SE¼NE¼;
THENCE South 13°03'28" West, 51.32 feet;
THENCE South 89°57'12" East, 353.55 feet, to said highway
right of way;
THENCE North 00°31'47" East, 50.00 feet to the REAL POINT OF
BEGINNING.

SUBJECT TO: A 5.00 foot wide irrigation and utility easement
parallel and adjoining the West and South boundaries.

SUBJECT to taxes and assessments for 1996.

TO HAVE AND TO HOLD the said premises, with their
appurtenances unto the said Grantees, their heirs and assigns
forever. And the said Grantor does hereby covenant to and with the
said Grantees, that he is the owner in fee simple of said premises;
that they are free from all encumbrances, and that he will warrant
and defend the same from all lawful claims whatsoever.

DATED: June 4-96, 1996.

Duane R. Way
DUANE R. WAY

STATE OF IDAHO

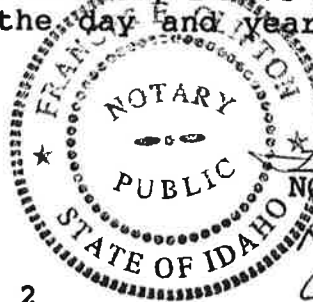
County of Twin Falls

NOTARY PUBLIC
COUNTY OF TWIN FALLS, IDAHO

TITLEFACT, Inc.

On this 4th day of June, 1996, before
me, a Notary Public in and for said County and State, personally
appeared DUANE R. WAY, known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that he
executed the same. FEE: 6.00 DEPUTY: James H. Hark

IN WITNESS WHEREOF I have hereunto set my hand and affixed my
official seal the day and year in this certificate first above
written.



Francis E. Ceyton
NOTARY PUBLIC

Residing in Twin Falls
Comm. expires - 1-20-98

WARRANTY DEED - 2

[illegible]

TITLE FACT, INC.

While this is a photographic reproduction of the Twin Falls County map of the subject area, *TITLEFACT, INC.*, assumes no liability for variations, if any, with a survey.

RECEIVED

APR 07 1999

Department of Water Resources
Southern Region

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: A47-10025

Date Received: 5/02/1988

Receipt No: 5000151

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DUANE WAY 208-733-9250
Address: RT. 1 BOX 4741
3375 N. 3000 E.
TWIN FALLS, ID 83301

AND/OR

Name: MARILYN WAY 208-733-9250
Address: RT. 1 BOX 4741
3375 N. 3000 E.
TWIN FALLS, ID 83301

2. Date of Priority: AUG 01, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	17E	9	NE	SE	NE		TWIN FALLS

5. Description of diverting works:
6" X 335' DEEP WELL WITH 1 1/2 H.P. SUBMERSIBLE PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31		0.040	
STOCKWATER	01/01	12/31		0.050	

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE WITH YARD & GARDEN S/ 120 RANGE

A47-10025

Page

1

Date: 05/02/88

MICROFILMED

MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	17E	9	SE NE		STOCK DOMEST	

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
SHARES IN TWIN FALLS CANAL CO.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

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: 1

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): Marilyn L. Way Date: 5-2-88
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 2nd day

of May 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding Id
My Commission Expires 10/16/1992

