

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5527
WATER RIGHT NO. 47-11769

RECEIVED

MAR 16 2000

Department of Water Resources
Southern Region

This is to certify that: ALVIN E HARRIS
PATRICIA HARRIS
2932 E 3400 N
TWIN FALLS ID 83301

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	2.7 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.06 CFS	3.9 AF

SOURCE

GROUNDWATER

Priority: 09/28/1915

LOCATION OF POINT(S) OF DIVERSION:

SWSESW , Sec. 4, Township 11S, Range 17E
TWIN FALLS County

PLACE OF USE: STOCKWATER

TWN RGE SEC

11S 17E 4 SESW

PLACE OF USE: DOMESTIC

TWN RGE SEC

11S 17E 4 SESW

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

TRANSFER NO. 5527
WATER RIGHT NO. 47-11769

CONDITIONS OF APPROVAL AND REMARKS

3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Domestic use is for 1 home.
5. The quantity of water decreed for this water right for stockwater and domestic use is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of a final unified decree.

Dated this 13 TH day of March, 2000.

J. Glen Saxton
Chief, Water Allocation Bureau

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)04/27/00 11:58:03
Page 1

Water Right Number - R47-11769

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HARRIS

ALVIN E

1 - 2932 E 3400 N

2 -

3 -

City- TWIN FALLS

State- ID Zip- 83301

Phone - 208-733-0489

HARRIS

PATRICIA

1 - 2932 E 3400 N

2 -

3 -

City- TWIN FALLS

State- ID Zip- 83301

Phone - 208-733-0489

*** D - DIR RPT OWNER ***
HARRIS FARMING COMPANY INC

1 - 3068 EAST 3400 NORTH

2 - RT 2 BOX 5223

3 -

City- TWIN FALLS

State- ID Zip- 83301

Phone - 208-733-7655

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
09/28/1915 ERROR IN REGION J - BENEFICIAL USE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
11S 17E 4 SW SE SW (83) TWIN FALLS+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040 1.20
04 - STOCKWATER 01/01 12/31 0.020 2.70+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.060 3.90 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
11S 17E 4 SE SW 04 STOCKWATER (83) TWIN FALLS
11S 17E 4 SE SW 43 DOMESTIC (83) TWIN FALLS

Total Acres:

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use - 1 HOUSE

Water right number - R47-11769

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +

EXP 200 RANGE_CATTLE
RP 11S17E046650

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +
N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.
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.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +

Date: 01/29/1997 User Id: CORR1 Subject: COPIED FROM REMARKS
THIS WELL IS A COMMUNITY WELL ORIGINALLY DEVELOPED IN 1915 PURSUANT TO AGREEMENT DATED 9/28/1915. THE PRESENT USE OF THE
WELL IS COVERED UNDER THE AGREEMENT DATED 2/27/1941. THIS CLAIM COVERS THE USES DESCRIBED UNDER THE SWEET PORTION OF THE 1941
AGREEMENT WHICH IS 1/4 INTEREST IN THE WELL & SYSTEM. HARRIS FARMING COMPANY, INC.; CHARLES HARRIS, PRESIDENT OWNES THE
E1/2SW1/4 OF SEC. 4 EXCEPT A 210' BY 330' PARCEL IN THE SW CORNER WHICH IS BEING PURCHASED FROM HARRIS FARMING COMPANY, INC. BY
ALVIN HARRIS, SON OF CHARLES HARRIS. THIS STRIP OF LAND IS WHERE THE DOMESTIC USE IS LOCATED. THE LIVESTOCK USE IS ON THE
ENTIRE SE1/4SW1/4. HARRIS FARM COMPANY IS FILING THIS CLAIM AS OWNER AND LIEN HOLDER.
Date: 08/20/1998 User Id: VHANCOCK Subject: CORRECTED POD
CHANGED POINT OF DIVERSION PER CLAIMANT CONTACT, SF4 AND DRILLING LOG. CLAIMANTS DRILLED NEW WELL AFTER COMMENCMENT. PRIORITY DATE
CHANGED TO DATE NEW WELL WAS PUT TO USE.
Date: 04/27/2000 User Id: TFAWCETT Subject: APPROVED TRANSFER / AMENDED CLAIM
CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 5527.

+ - - Audit Fields - - +
04/27/00 TFAWCETT

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 08/14/1998	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 11/28/1988	Last Amended Date	- 08/24/1998	Temporary Right	- P
		Receipt Number	- S004037	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

47-11769

RECEIVED

FEB 26 1999

Department of Water Resources
Southern Region

RECEIVED

FEB 05 1999

Department of Water Resources

1999 FEB -3 AM 10:03

FILED
JAN 31 1999
IDAHO

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

In Re SRBA

)

Subcase 47-11769

)

(Insert water right number)

)

Case 39576

)

STANDARD FORM 4

)

)

MOTION TO FILE:

)

☐ LATE NOTICE OF CLAIM

)

☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a separate form for each late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☐ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is _____

My address is _____

My phone number is: Work _____ Home _____

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☒ I must amend my Notice of Claim to the use of water in the SRBA because:

There has been A change OF The point OF
diversion.

- ☒ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

drilling Permit No. 47-94-S-0192-000 dated 11-7-94

I have attached:

- ☒ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Twin Falls

Alvin E. Harris, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Alvin E. Harris
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on August 24, 1998.
(Insert Date)



Vikie Hancock
Notary Public for Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 5-7-2003

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. FAX filings will not be accepted by the SRBA Clerk of the Court. You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on February 4, 1999, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, 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. Copies to:

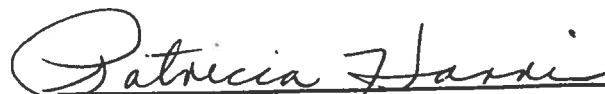
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)



Signature of person or attorney mailing the form

COMMUNICATION DOCUMENTATION

August 24, 1998

Regarding:

47-11769

Customer:

Alvin and Patricia Harris

From: Vikie Hancock

[illegible]

Mrs. Harris came into the office on August 20 to discuss her claim as recommended in the Director's Rept. After commencement, they changed the location of the well that they use for domestic purposes. Specifically, they unhooked from a community well in Section 9. T11S, T17E and drilled a new well in Section 4, same Tshp and Rng. Communication Documentation in the file indicated that Charles Harris discussed filing a transfer on this claim in 1995, but a query of the WR Transfer menu found nothing under Harris, or claim no. 47-11769.

After discussion with Diana at SRBA Court, Doug, Allen, Nick S., Carter, Kelly and Steve, it was decided that the Harris's could file a Motion to File an Amended Claim with the court to change the point of diversion and priority date to reflect the location of the new well and the date that they were hooked up to the new well.

Mr. and Mrs. Harris both came into the office on August 24 to fill out an SF-4 and to get a copy of their drilling permit and amended claim from me. Trish is also filing an NCAP with the court because the name and address of the current owner was also changed. Harris Farming was removed as co-owner, and the Harris's address used as the current address.

NOTE: When notice is received from SRBA court that they have accepted the Motion to Amend:

Remove the A and R records from the temp file

Done Vot 6/14/99

Contact Don Shaff to delete the current blank record so that It can be replaced by the amended R record.

AJ0749NP
No. R47-11769

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/24/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALVIN E HARRIS	12/01/1994	STOCKWATER	01-01 12-31	0.02 CFS	
C	PATRICIA HARRIS		DOMESTIC	01-01 12-31	0.04 CFS	
	2932 E 3400 N					
	TWIN FALLS ID 83301			TOTAL DIVERSION:	0.06 CFS	
	(208) 733-0489					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T11S R17E S04 SESW

TWIN FALLS County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac
11S 17E 4	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac	: Lt	: Ac
11S 17E 4	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: TWIN FALLS

Non-Irrigation Uses: 1 HOUSE

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP 200 RANGE_CATTLE
RP 11S17E046650

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

RECEIVED

AUG 16 1999

Department of Water Resources
Southern Region

1999 AUG 13 PM 2:33

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

VOID

*Partial Decree issued
6/30/99*

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

Water Rights: 47-11769

Case No. 39576

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above
water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated
below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

☒ I.C. § 42-222 transfer

☒ point of diversion ☐ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed no later than:
August 1, 2000.

DATED: 8/10/99

Douglas Jones
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 8/13, 1998, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant or attorney of record:
Alvin Harris
Patricia Harris
2932 E 3400 N
Twin Falls ID 83301
3. One copy to:
Each party in the subcase, or attorney of record
4. One copy each 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

RECEIVED

JUN 10 1999

Department of Water Resources
Southern Region

RECEIVED

MAY 21 1999

Department of Water Resources

47-11701
COPY

File

1999 MAY 18 PM 2:35

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

Case No. 39576

) Subcase No. 47-11769

)
) ORDER RESCINDING PARTIAL
) DECREE, I.R.C.P. 60(a).
)

On May 14, 1999, a *Partial Decree* was entered in the above subcase. The Court's records reflect that this subcase is currently set for hearing **June 30, 1999** on a *Motion to File Amended Notice of Claim* pursuant to I.R.C.P. 60(a). IT IS ORDERED that the *Partial Decree* entered May 14, 1999 (a copy of which is attached) is hereby rescinded. The matter will proceed before the Special Master.

IT IS SO ORDERED.

DATED May 18, 1999

B Wood

BARRY WOOD

Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 47-11769

COPY

NAME AND ADDRESS: ALVIN E HARRIS
PATRICIA HARRIS
2932 E 3400 N
TWIN FALLS, ID 83301

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 09/28/1915

POINT OF DIVERSION: T11S R17E S09 SESW Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOUSE	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS

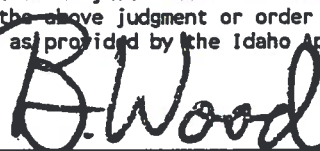
PLACE OF USE:	Stockwater		Within Twin Falls County
	T11S R17E S04	SESW	
	Domestic		Within Twin Falls County
	T11S R17E S04	SESW	

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.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

COPY

1998 SEP 15 AM 11:47
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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)
Case No. 39576)
_____))
SUB CASE NO. 47-11769

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

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

Harris Farming Co Inc
3068 E 3400 N
Rt 2 Box 5223
Twin Falls ID 83301
Phone: 733-7655

TO: Claimant/Purchaser(s):

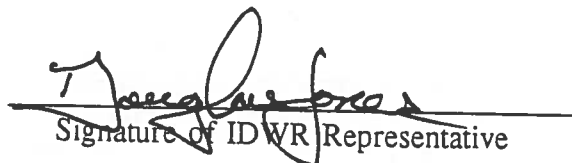
Name and Address of Claimant/Purchaser(s):

Alvin E Harris
Patricia Harris
2932 E 3400 N
Twin Falls ID 83301
Phone: 733-0489

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.

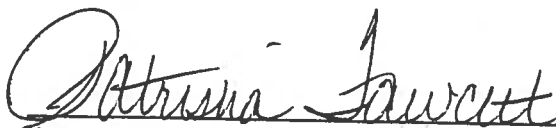
DATED: 9/4/98


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 9-15, 1998, 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:
Harris Farming Co Inc
3068 E 3400 N
Twin Falls ID 83301
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Alvin E Harris
Patricia Harris
2932 E 3400 N
Twin Falls ID 83301
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. 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

AJ5856NP

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

DATE: SEP-2-1998
PAGE: A-2

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 47-11769

NAME & ADDRESS: ALVIN E HARRIS
PATRICIA HARRIS
2932 E 3400 N
TWIN FALLS ID 83301

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 09/28/1915

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

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOUSE	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within TWIN FALLS County
T11S R17E S04 SESW

DOMESTIC Within TWIN FALLS County
T11S R17E S04 SESW

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
200 RANGE_CATTLE
RP 11S17E046650



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

September 11, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ALVIN E HARRIS
PATRICIA HARRIS
2932 E 3400 N
TWIN FALLS ID 83301

RE: SRBA Claim(s) 47-11769

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

/tf

cc: Harris Farming Co. Inc.

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: R47-11769
Date Received: 11/28/1988
Receipt No: S004037
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ALVIN E HARRIS 208-733-0489
Address: 2932 E 3400 N
TWIN FALLS ID 83301

AND/OR

Name: PATRICIA HARRIS 208-733-0489
Address: 2932 E 3400 N
TWIN FALLS ID 83301

2. Date of Priority: DEC 1, 1994

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL & 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	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	17E	4	SE	SW		STOCK	
			SE	SW		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:
NONE

14. Remarks:
200 RANGE CATTLE
RP 11S17E046650

15. Basis of Claim: BENEFICIAL USE

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): Alvin E. Harris Date: 8-24-98
Patricia A. Harris Date: 8-24-98

State of Idaho)
County of Adams Falls) SS.

Subscribed and sworn (or affirmed) before me this 24 day
of August 19 98

Vikie Hancock
Notary Public



Residing at Adams Falls, Idaho
My Commission Expires 5-7-2003

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

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AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ALVIN E HARRIS 208-733-0489
Address: 2932 E 3400 N
TWIN FALLS ID 83301

AND/OR

Name: PATRICIA HARRIS 208-733-0489
Address: 2932 E 3400 N
TWIN FALLS ID 83301

2. Date of Priority: DEC 1, 1994

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
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0.060 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	17E	4	SE SW		STOCK	
			SE SW		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:
NONE

14. Remarks:
200 RANGE CATTLE
RP 11S17E046650

15. Basis of Claim: BENEFICIAL USE

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:

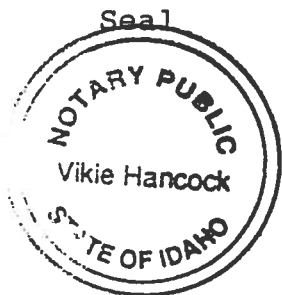
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Alvin E. Harris Date: 8-24-98
Patricia A. Harris Date: 8-24-98

State of Idaho)
County of Adair) SS.

Subscribed and sworn (or affirmed) before me this 24 day
of August 19 98

Vikie Hancock
Notary Public



Residing at Adair, Idaho
My Commission Expires 5-7-2003

A47-11769

Please inform Vikie

When any court documents

Are filed in this claim

Thanks

Still waiting for the
court docs needed
10/28
Vikie

PER TWATERS
MOTION FILED 2/3/99

AJ5856NP

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

DATE: SEP-2-1997
PAGE: A-1427

RIGHT NUMBER: 47-11769

NAME & ADDRESS: HARRIS FARMING COMPANY INC
3068 EAST 3400 NORTH
RT 2 BOX 5223
TWIN FALLS ID 83301

ALVIN E HARRIS
RT 2 BOX 5274
TWIN FALLS ID 83301

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 09/28/1915

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

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOUSE	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within TWIN FALLS County
T11S R17E S04 SESW

DOMESTIC Within TWIN FALLS County
T11S R17E S04 SESW

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
200 RANGE_CATTLE
RP 11S17E046650

D 4-20-98

Claim proofread by: MH
SEP 15 1997

Date: _____

COMMUNICATION DOCUMENTATION

August 24, 1998

Regarding:

47-11769

Customer:

Alvin and Patricia Harris

From: Vikie Hancock

[illegible]

Mrs. Harris came into the office on August 20 to discuss her claim as recommended in the Director's Rept. After commencement, they changed the location of the well that they use for domestic purposes. Specifically, they unhooked from a community well in Section 9. T11S, T17E and drilled a new well in Section 4, same Tshp and Rng. Communication Documentation in the file indicated that Charles Harris discussed filing a transfer on this claim in 1995, but a query of the WR Transfer menu found nothing under Harris, or claim no. 47-11769.

After discussion with Diana at SRBA Court, Doug, Allen, Nick S., Carter, Kelly and Steve, it was decided that the Harris's could file a Motion to File an Amended Claim with the court to change the point of diversion and priority date to reflect the location of the new well and the date that they were hooked up to the new well.

Mr. and Mrs. Harris both came into the office on August 24 to fill out an SF-4 and to get a copy of their drilling permit and amended claim from me. Trish is also filing an NCAP with the court because the name and address of the current owner was also changed. Harris Farming was removed as co-owner, and the Harris's address used as the current address.

NOTE: When notice is received from SRBA court that they have accepted the Motion to Amend:

Remove the A and R records from the temp file

Contact Don Shaff to delete the current blank record so that It can be replaced by the amended R record.

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

RECEIVED**AUG 20 1998****NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**Department of Water Resources
Southern Region

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).: 47-11769
Adjudication Claim No(s).: _____

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 Harris Farming Company Inc
3068 E. 3400 N.

4. New Owner/Claimant(s) Alvin E. Harris or Patricia Harris
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 2932 E. 3400 N.
City, State and ZIP Code Twin Falls, Idaho 83301
New Telephone Number () _____

5. Date you acquired the property Dec. 5, 1977

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 1 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) Patricia A. 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..

8-31834

THIS BLANK FURNISHED BY TWIN FALLS TITLE & TRUST COMPANY.

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED,

HARRIS FARMING COMPANY,

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto

ALVIN E. HARRIS and PATRICIA ANN HARRIS, husband and wife,

grantee, the following described real estate, situated in Twin Falls County, Idaho, to-wit:

The South Two Hundred and Ten feet (210) of the Southwest quarter (SW $\frac{1}{4}$) of the Southwest quarter (SW $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$) of the Southwest quarter (SW $\frac{1}{4}$) of Section 4, Township 11 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho.

EXCEPTING therefrom and water and water rights represented by capital stock of the Twin Falls Canal Company and Grantees consent to the retention of said water rights by Grantor by the recording of the deed.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its Secretary.

Dated: Dec 5, 1977.

By

Charles E. Harris
CHARLES E. HARRIS, PRESIDENT.

ATTEST:

A. Wilma Harris
A. WILMA HARRIS, SECRETARY.

STATE OF IDAHO, } ss.
County of Twin Falls,

On this 5th day of December, 1977, before me, a Notary public in and for said State, personally appeared CHARLES E. HARRIS and A. WILMA HARRIS, known to me to be the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

John A. Rosholt
Notary Public for the State of Idaho,
Residing at _____, Idaho.

STATE OF IDAHO, } ss.
County of _____

I hereby certify that this instrument was filed for record at the request of SAHCO Title at 38 minutes past 8 o'clock a.m., this JAN 17 1978 day of January, 1978, in my office, and duly recorded in Book 228 of Deeds at Page 1539.

GARY WHITWELL

Ex-Officio Recorder

By Genevieve Crawford
Deputy.

Fees \$ 1.00

Mail to: CHARLES E. HARRIS, ROUTE #2,
TWIN FALLS, IDAHO 83301

INSTRUMENT NO.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A47-11769

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

□

9/3/98 4:00 PM

NAME: _____

CHARLIE HARRIS

CAMEIN

RE:

A47-11769 AGREEMENTS

He wanted know if we had the well agreements for the community well and he described the changes in ownership that have occurred. I pulled the file and told him the ownership is pending as he thought it should be... in the name of Alvin Harris. (Pending the SF4 approval by the SRBA court.)

NOV 28 1996

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

NAME: CHARLIE HARRIS RE: CALLIN NEEDS COPIES FOR LAWYER

PS. A47-13581

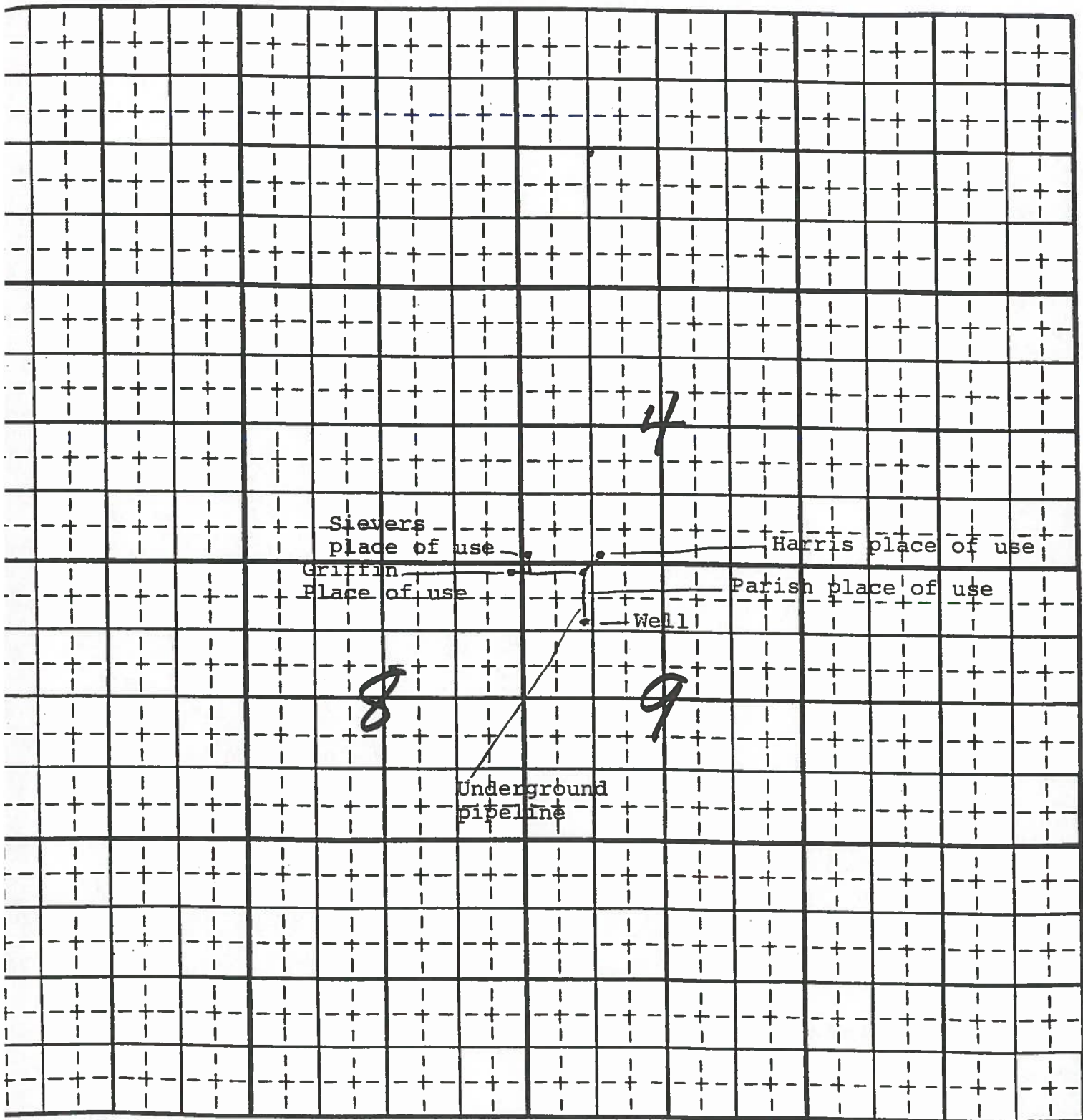
appears to be filed by
representatives for all users
as a group.

A47-11300 Ronald Davis; filed separately.

A47-11769 Harris Farming Co.; filed separately.

Be in your this that
show clearly the point of diversion, place of use, section number, township, and range number.
inches equals 1 mile

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



8

MICROFILMED

MAR 14 1993

NOV 28 1996

Last Name Parish, et al

Ident No. A47-13581

Copies: White-State, Yellow-Claimant

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: A47-11769
Date Received: 11/28/1988
Receipt No: S004037
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HARRIS FARMING COMPANY, INC. 208-733-7655
Address: 3068 EAST 3400 NORTH
RT. 2 BOX 5223
TWIN FALLS, ID 83301

AND/OR

Name: ALVIN E. HARRIS 208-733-0489
Address: RT. 2 BOX 5274
TWIN FALLS, ID 83301

2. Date of Priority: SEP 28, 1915

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL & 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	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSEHOLD, S/ 200 RANGE

A47-11769

Page 1

Date: 11/28/88

MICROFILMED

MAR 12 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	17E	4	SE	SW		STOCK	
			SE	SW		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:
NONE

14. Remarks:

THIS WELL IS A COMMUNITY WELL ORIGINALLY DEVELOPED IN 1915 PURSUANT TO AGREEMENT DATED 9/28/1915. THE PRESENT USE OF THE WELL IS COVERED UNDER THE AGREEMENT DATED 2/27/1941. THIS CLAIM COVERS THE USES DESCRIBED UNDER THE SWEET PORTION OF THE 1941 AGREEMENT WHICH IS 1/4 INTEREST IN THE WELL & SYSTEM. HARRIS FARMING COMPANY, INC.; CHARLES HARRIS, PRESIDENT OWNES THE E1/2SW1/4 OF SEC. 4 EXCEPT A 210' BY 330' PARCEL IN THE SW CORNER WHICH IS BEING PURCHASED FROM HARRIS FARMING COMPANY, INC. BY ALVIN HARRIS, SON OF CHARLES HARRIS. THIS STRIP OF LAND IS WHERE THE DOMESTIC USE IS LOCATED. THE LIVESTOCK USE IS ON THE ENTIRE SE1/4SW1/4. HARRIS FARM COMPANY IS FILING THIS CLAIM AS OWNER AND LIEN HOLDER.

15. Basis of Claim: BENEFICIAL USE

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: 3

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT of
Title
HARRIS FARMING CO. INC., that I have signed the foregoing
Organization

document in the space below as PRESIDENT of
Title

HARRIS FARMING CO. INC. and that the statements contained in the
Organization

foregoing document are true and correct.

Charles E. Harris
Signature of Authorized Agent

PRESIDENT H.F. CO. INC.
Title and Organization

11-28-88
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of Nov. 19 88

Joe D. Meritt
Notary Public

Seal.

Residing at Kimberly, Id.

My Commission Expires 6/30/94



Water Tank

Filtration Plant

NORTH

9847

32

33

34

WASHINGTON ST

LINE

CANAL

ST

EAST

3992

3979

300

NORTH

3954

STREET

3893

3100

5

4

pk

line

MICROFILMED

MAR 12 1993

Instrument No 90709

THIS AGREEMENT, Made and entered into this 28th day of September A D 1915, by and between, J Herbert Glandon, Victor Nelson, E A Griffin, Herman Voss and John W Feicht all of Twin Falls, County of Twin Falls, State of Idaho, witnesseth:

WHEREAS, the said J Herbert Glandon is the owner of the East half ($N\frac{1}{2}$) of the Southwest quarter ($SW\frac{1}{4}$) of Section four (4) Township eleven (11) South of Range seventeen (17) East of the Boise Meridian.

AND WHEREAS, Victor Nelson is the owner of the Southwest quarter ($SW\frac{1}{4}$) of the Southwest quarter ($SW\frac{1}{4}$) of Section four (4) of said Township eleven (11) South of Range seventeen (17) East of the Boise Meridian.

And Whereas, E A Griffin is the owner of the North half ($N\frac{1}{2}$) of section eight (8) Township eleven (11) South of Range Seventeen (17) East of the Boise Meridian.

And Whereas, Herman Voss is the owner of the Northwest quarter ($NW\frac{1}{4}$) of the Northeast quarter ($NE\frac{1}{4}$) of Section nine (9) Township eleven (11) South of Range seventeen (17) East of the Boise Meridian.

And Whereas, John W Feicht is the owner of Lot five (5) of High Line Orchards located in the Northwest quarter ($NW\frac{1}{4}$) of the Northwest quarter ($NW\frac{1}{4}$) of Section Nine (9) of said Township eleven (11) South of Range seventeen (17) East of the Boise Meridian.

And Whereas, said parties above mentioned, are desirous of drilling and constructing a well located in the West portion of Lot 5 of said High Line Orchards on the property of the said John W Feicht for the purpose of supplying water for domestic use and stock purposes for the parties to this agreement, which said well and the water system is to be handled as a mutual proposition between the said parties, the water from said well, to be pumped from a tank or reservoir and from there supplied through a pipe system to the lands of the several parties hereto.

NOW THEREFORE, it is mutually agreed by and between said parties that said well and water system shall be constructed as above outlined and the delivery pipe thereof properly laid at a depth of not less than three (3) feet under the surface of the ground and that of the total cost of said system including all necessary pipe for the delivery of water to the lands of the respective parties hereto, the said John Herbert Glandon shall pay an equal two ninths ($\frac{2}{9}$) of the total cost thereof, the said Victor Nelson an equal two-ninths ($\frac{2}{9}$) thereof, the said E A Griffin an equal two-ninths ($\frac{2}{9}$) and the said Herman Voss an equal two-ninths ($\frac{2}{9}$) of the total cost thereof, and the said John W Feicht an equal one-ninth ($\frac{1}{9}$) thereof.

IT IS FURTHER AGREED, that the said John W Feicht does hereby give and grant unto the other parties hereto the necessary easement and right of way across the said land described as Lot 5 of High Line Orchards, for the purpose of the necessary pipe for delivery of the water from said well, said pipe to be laid not less than three (3) feet under the surface of the ground, together with the right to the other parties of this agreement of ingress, egress and regress necessary for the proper care of said pipe line and the necessary attention to said well and water system. The other parties to this agreement however, to permit no unnecessary waste or damage to the premises of the said John W Feicht.

IT IS FURTHER AGREED, that the cost of maintenance of said system together

with the cost of purchase of all kinds connected proportion as is the IN WITNESS the day and year first

Signed sealed and in presence of Arthur J Peavey

State of Idaho County of Twin Falls On this 26

a Notary Public in and before me, Victor Nelson, E A Griffin, Herman Voss and John W Feicht whose names are subscribed and executed the same.

IN WITNESS the day and year in the

(Arthur J Peavey Notary Public Twin Falls County Idaho)

Filed for record at the Office of the County Clerk of Twin Falls, Idaho Fees: \$1.40 Paid AW

LAST NAMES

HARRIS FARMING CO. INC
AND HARRIS

MICROFILMED
MAR 12 1993

with the cost of pumping the water from said well and the necessary supplies of any and all kinds connected therewith shall be borne by the said parties hereto in the same proportion as is the original cost of said system.

IN WITNESS WHEREOF, the said parties have hereunto set their hands and seals the day and year first above written.

Signed sealed and delivered in the presence of
Arthur J Peavey

John Herbert Glandon
Victor Nelson
E A Griffin
Herman Voss
John W Feicht

State of Idaho)
County of Twin Falls) ss

On this 26th day of December in the year 1917, before me, Arthur J Peavey a Notary Public in and for said County and State, personally appeared John Herbert Glandon Victor Nelson, E A Griffin, Herman Voss and John W Feicht, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

(Arthur J Peavey Notary Public)
(Twin Falls County Idaho)

Arthur J Peavey
Notary Public for the State of Idaho,
residing at Twin Falls, Idaho.

Filed for record at the request of J Herbert Glandon at 3-42 P.M. Dec 26th 1917.

Fees: \$1.40 Paid

E J Finch

AW

Recorder

HARRIS FARMING Co, INC
LAST NAMES AND HARRIS

MICROFILMED

MAR 12 1993

Instrument No. 319846

THIS AGREEMENT, Made and entered into this 27th day of February, 1941, by and between N. V. Nelson and Tena Nelson, husband and wife (hereinafter referred to as first party); Julia Griffin, a widow (hereinafter referred to as second party); Fort L. Sweet and Hazel E. Sweet, husband and wife (hereinafter referred to as third party); and C. E. Greene and Anna Greene, husband and wife (hereinafter referred to as fourth party),

WITNESSETH:

WHEREAS, first party is the owner of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Four (4), Township Eleven (11) South, Range Seventeen (17) E. B. M., Twin Falls County, Idaho, and

WHEREAS, second party is the owner of the North Half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Eight (8), Township Eleven (11) South, Range Seventeen (17) E. B. M., lying north of the HighLine Canal, Twin Falls County, Idaho, and

WHEREAS, third party is the owner of the East Half (E $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Four (4), Township Eleven (11) South, Range Seventeen (17) E. B. M., Twin Falls County, Idaho, and

WHEREAS, fourth party is the owner of Lot Five (5) of HighLine Orchards, located in the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Nine (9) Township Eleven (11) South, Range Seventeen (17) E. B. M., Twin Falls County, Idaho, and

WHEREAS, under date of September 28, 1915, the then owners of said property entered into a written agreement wherein and whereby there was drilled and constructed a well on the property of the fourth party for the purpose of supplying water for domestic use and stock purposes to the owners of the various parcels of land hereinabove described, and at which time there was constructed and laid pipes for the purpose of conveying said water to said various parcels of land and which well, pipes and water system is now owned proportionately by the parties hereto, and

WHEREAS, the use of said well was abandoned and said water was taken from the canal through a reservoir now located upon the premises of the fourth party and delivered to the above described parcels of real property through said water pipes, and

WHEREAS, the parties hereto desire to purchase and install an electric water pump for the purpose of using the water from said well instead of from the reservoir hereinabove mentioned and to make whatever repairs are necessary in said well so that the same may be properly used, and desire to make arrangements for the payment of the cost thereof and the payment of the power charges for the operation of said pump;

NOW, THEREFORE, the parties hereto, for and in consideration of the premises herein contained, agree as follows:

1. That each of the parties hereto is now the owner of a one-fourth interest in and to said well, water pipes and water system.

2. That the parties hereto shall upon the signing of this agreement purchase and have installed upon their respective property at the proper location and at their own expense a water meter so that there may be determined the amount of water used by each of said parties.

3. That after said water meters shall have been installed, as hereinabove set forth, a majority of the parties hereto shall mutually agree upon an electric water

HARRIS FARMING CO., INC.
LAST NAMES
AND HARRIS

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to be purchased and installed at said well, and at the time that the same is purchased and before being installed each of the parties hereto shall pay in cash to the party from whom said pump shall be purchased, or make arrangements for the payment thereof, upon the following basis, to-wit: The first, second and third parties each to pay two-sevenths of said cost and the fourth party to pay one-seventh.

4. That the cost of any repair work necessary in said well, including the casings therein, and the cost of the repair, upkeep and maintenance of said well and water system in the future, shall be paid immediately upon the completion of said work by the parties hereto in the same proportion as hereinabove set forth.

5. That there shall be installed at said well a meter by the power company in the name of the party of the fourth part and that each month the four water meters shall be read by some party to be determined by a majority of the parties to this agreement, and said monthly meter bill shall be paid by the parties hereto in proportion to the amount of water used by them, as shown by the monthly reading of said water meters.

6. That in the event that any of the parties hereto shall fail to pay their respective share of the costs and expenses in connection with the maintenance, upkeep and operation of said water system, including the power charges, the parties not in default may institute action to collect the same and in which event the defaulting party agrees to pay a reasonable attorney's fee.

7. That the parties hereto shall be entitled to the use of all the water they may need upon their respective premises, provided, however, that at any time there should not be sufficient water in said well to supply such needs, the same shall be divided equally between the parties hereto.

8. That the reservoir from which the water is now being run into said water pipe system shall remain intact for use at any time in case of an emergency.

9. That the party of the fourth part does hereby grant and convey unto the other parties to this agreement an easement and right of way over and across the property owned by him, as above described, and where said water pipes have been laid, together with the right of ingress and egress necessary for the proper care and maintenance of said pipe line, well and water system and that the parties hereto shall have all of the rights and privileges heretofore granted to the owners of the premises hereinabove described at the time that said well was first drilled and said pipes installed.

10. That this agreement shall be binding upon the parties hereto, their heirs, administrators, executors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and their first above written.

N. V. Nelson
Tena Nelson
Julia Griffin
Bert A. Sweet
Hazel E. Sweet
C. E. Greene
Anna Greene

STATE OF IDAHO
County of Twin Falls

On this 27th
day of said State
and wife; Bert A.
Greene, husband
to the within instrument

IN WITNESS
the day and year in
(Harry Benoit, Notary,
State of Idaho)

STATE OF IDAHO
County of Twin Falls

On this 7th
day of said State
be the person whose
that she executed the

IN WITNESS
the day and year in
(Harry Benoit, Notary,
State of Idaho)

Filed for record at

Fee \$2.60 paid.
ID

LAST NAMES HARRIS FARMING CO, INC. FILMED
AND HARRIS

MAR 12 1993

STATE OF IDAHO
County of Twin Falls } ss.

On this 27th day of February, 1941, before me, the undersigned, a Notary Public in and for said State and County, personally appeared N. V. Nelson and Tena Nelson, husband and wife; Bert A. Sweet and Hazel E. Sweet, husband and wife; and C. E. Greene and Anna Greene, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

(Harry Benoit, Notary Public)
State of Idaho

Harry Benoit, Notary Public,
Residing at Twin Falls, Idaho.

STATE OF IDAHO
County of Twin Falls } ss.

On this 7th day of April, 1941, before me, the undersigned, a Notary Public in and for said State and County, personally appeared Julia Griffin, a widow, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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

(Harry benoit, Notary Public)
State of Idaho

Harry Benoit, Notary Public,
Residing at Twin Falls, Idaho.

Filed for record at request of Bert A. Sweet at 3:50 P.M. July 2, 1941.

Walter C. Musgrave
Recorder.

Fee \$2.60 paid.

KP

LAST NAMES HARRIS FARMING CO, INC
AND HARRIS

MAR 12 1943