

09/08/2005

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

RIGHT NUMBER: 22-10002

NAME AND ADDRESS: MYRON LEWIS FARMS
C/O RICHARD LEWIS
PO BOX 353
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 2,500 gallons per day.

PRIORITY DATE: 05/01/1970

POINT OF DIVERSION:

T05N R40E S4 SWNWNE Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.020 CFS

Domestic use is for 2 potato cellar.

PLACE OF USE: DOMESTIC Within MADISON County

T05N R40E S04 NWNE

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.

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 - Beneficial Use

PARCEL NO. RP05N40E041801A

09/14/2005

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-10002

MYRON LEWIS FARMS

C/O RICHARD LEWIS

PO BOX 353

REXBURG ID 83440

Telephone Number: (208)356-9670

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

11/29/2006

SIGNATURE:

Myron Lewis Farms by
Richard M. Lewis

Please print your name:

RICHARD M. LEWIS

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

KMD
12/17

Water Right No(s). A22-10002

See attached
photo

GPS DATA:

Tag # A0000259 Location: 2680694
1401571 WSR Tag on metal
GPS File # 221002 post on top of
well casing

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Submerged
Make: NA Model: _____ Hp: 1 1/2
SN: NA

PUMP

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

NOTES:

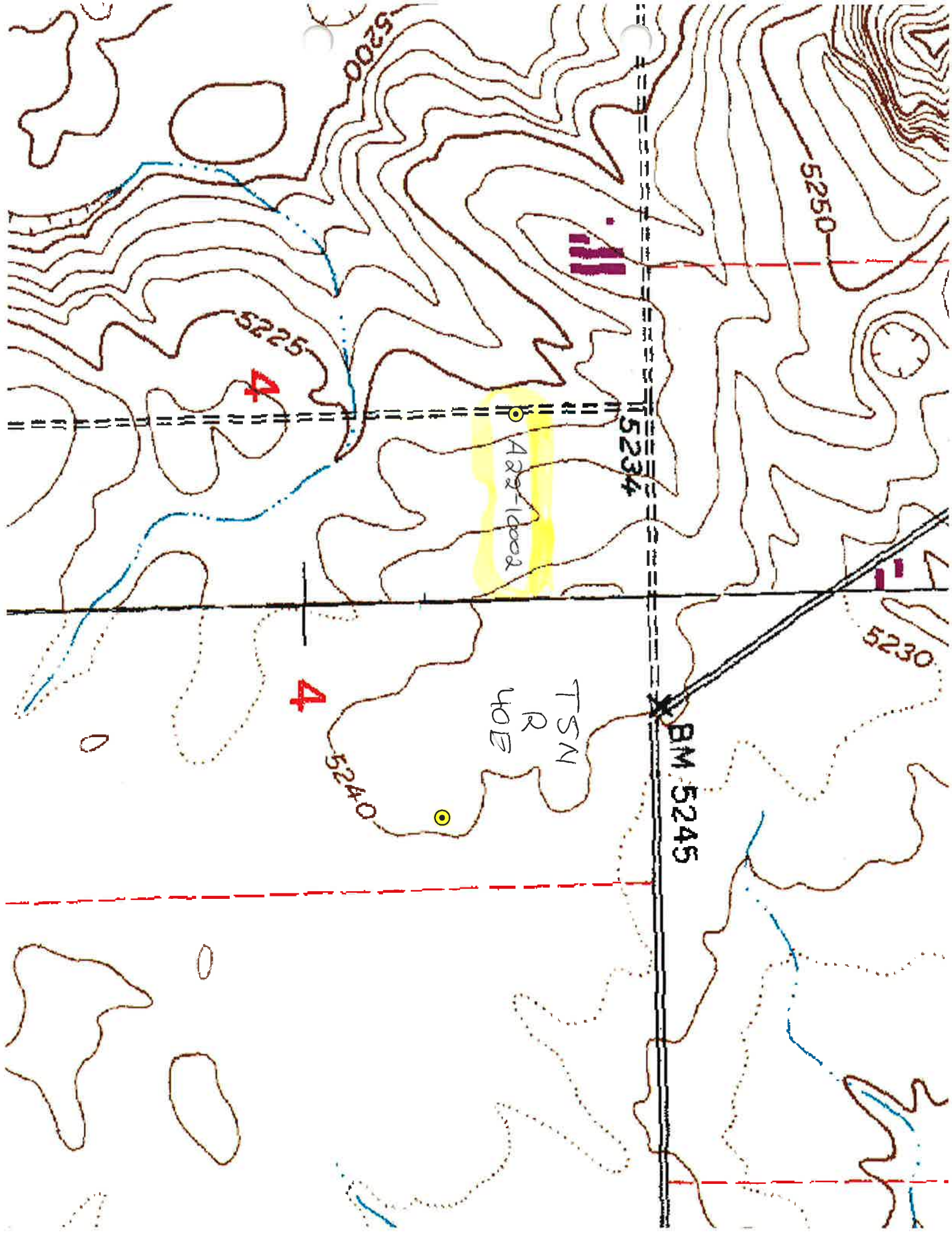
Well serves 2 potato cellars. Nature of use recently changed to
"Domestic" so I assume no evidence of priority required. ← NO
Place of use & claimant name, address & phone # verified by
Richard Lewis
Additional phone #s - 208-356-9459 (work) 351-9670 (cell)

Field Exam Date: 1-3-2005 Agent: 2. W. Jones



GPS
Tag

A22-10002 - 1 1/2 hp submersible pump
Serves 2 Potato storage units
(Looking west)



22-10002



June 3, 2004

**MYRON LEWIS FARMS
CO RICHARD LEWIS
PO BOX 353
REXBURG ID 83440**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-10002

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 22, the Teton River drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of MAY 1 1970, from GROUNDWATER.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

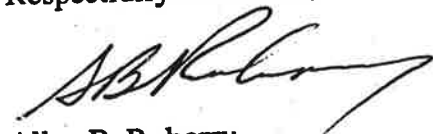
For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**". **PLEASE READ THE ENCLOSED PAMPHLET.**

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

Please submit documentation supporting the priority date within 30 days of the date of this letter, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,



Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"

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: A22-10002
Date Received: 5/18/1988
Receipt No: E000223

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MYRON LEWIS FARMS
Address: C/O RICHARD LEWIS
P.O. BOX 353
REXBURG, ID 83440

208-356-9670

A2210002



2. Date of Priority: MAY 01, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	40E	4	SW	NW	NE		MADISON

5. Description of diverting works:
WELL W/ PUMP TO OUTSIDE FAUCET FOR USE IN POTATO CELLAR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annu..

9. Non-irrigation uses:
INDUSTRIAL USE AT POTATO STORAGE FACILITY

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	A res
05N	40E	4	NW	NE		INDUST	

11. Place of use in counties: MADISON

A22-10002

Page 1

Date: 05/ 8/88

MICROFILMED
OCT 29 1992

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

13. Other Water Rights Used:
IRRIGATION RTS. FROM SEPERATE WELL.

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: _____

For Organizations:

I do solemnly swear or affirm that I am a general Partner of
Title
Myron Lewis Farms, that I have signed the foregoing
Organization
document in the space below as a general partner of
Title
Myron Lewis Farms and that the statements contained in the
Organization
foregoing document are true and correct.

Richard H. Lewis
Signature of Authorized Agent
Partner - Myron Lewis Farms
Title and Organization
5/18/88
Date

State of Idaho

County of

Bonneville

) SS.
)

Subscribed and sworn (or affirmed) before me this 18th day

of May 19 88

Dana Green
Notary Public

Seal

Residing at

Ridgely

My Commission Expires

4-22-1994

