

02/02/2004

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

RIGHT NUMBER: 25-7013

NAME AND ADDRESS: ARTHUR C HARRIS
BOX 384
RIRIE ID 83443

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.840 CFS
1,060.500 AFY

PRIORITY DATE: 08/25/1971

POINT OF DIVERSION:

T03N R40E S10 SESW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 11/01

QUANTITY
4.840 CFS
1,060.50 AFY

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R40E S10	NESE	40.0	T03N R40E S10	NWSE	40.0
T03N R40E S10	SWSE	40.0	T03N R40E S10	SESE	40.0
T03N R40E S14	SWNW	19.0	T03N R40E S15	NENE	40.0
T03N R40E S15	NWNE	40.0	T03N R40E S15	SENE	40.0

299 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: License



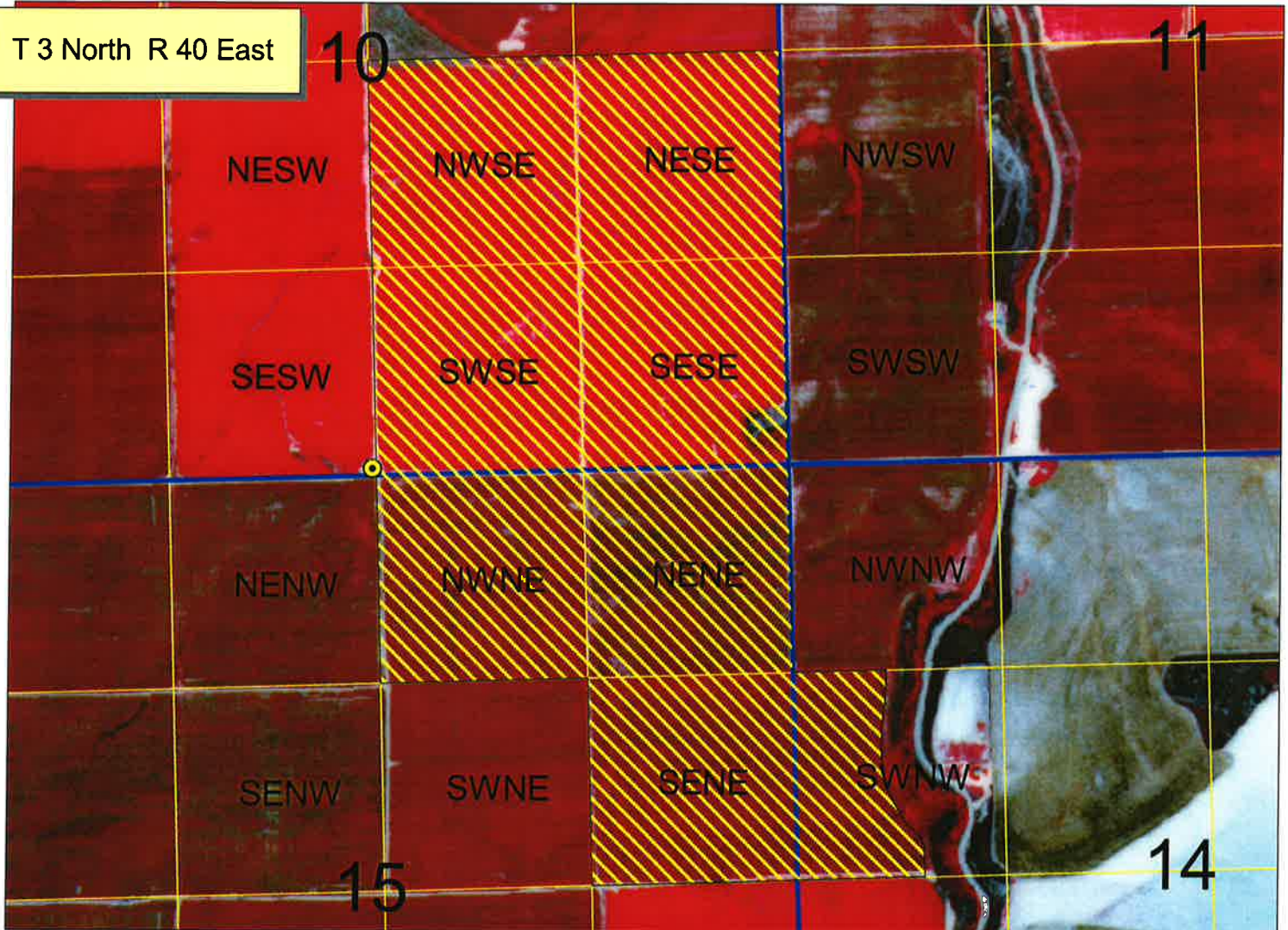
State of Idaho

Division of Water Resources

Eastern Region

Water Right(s): 25-07013

T 3 North R 40 East



1320 0 1320 2640 Feet

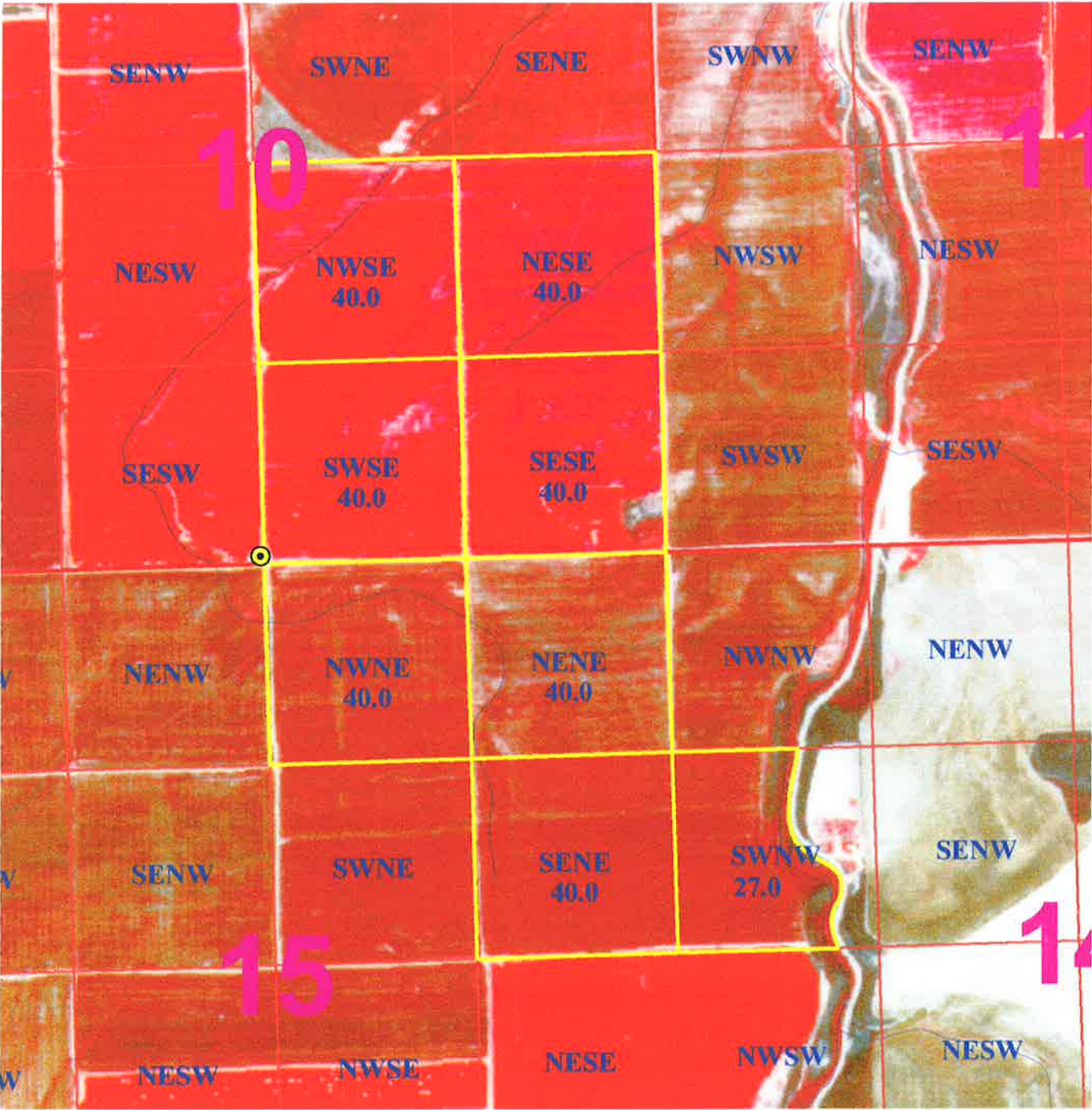
- Point of Diversion
- ▨ Place of Use
- ▭ Section
- ▭ Quarter Quarter



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: January 2004

Water Right Claim Number 25-07013
Township , 3N40E

12/05/2000



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals

Legend



SPATIAL
DYNAMICS



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 21, 2005

RE: Water Rights in Reporting Area 14, Basin 25
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right claim(s) in Basin 25 for part of the Upper Snake River drainage basin. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court.

Note that you have until June 22, 2005, in which to review your water rights or those of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Blackfoot, Idaho Falls, Rigby, and Soda Springs, and at all the Idaho Department of Water Resources offices (see addresses in enclosures).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed early next year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

PROFILED

SCANNED
MAR 02 2005

25-7013

Page 235

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

ATTEMPTED VOY KNOWN

RECEIVED
FEB - 3 2005
Department of Water Resources

ARTHUR C HARRIS
BOX 384
RIRIE ID 83443

Not at this Address

PROFILE

SCANNED
MAR 02 2005

25-7013



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 28, 2003

Dear Claimant in the Snake River Basin Adjudication (SRBA):

About 13 years ago you or your predecessor filed with the Idaho Department of Water Resources a claim to water right in the Snake River Basin. The investigation phase of this process is now focused on your area, Basin 25.

You are invited to attend a **public meeting to be held on March 10 at 7:00 p.m. in the West Coast/Red Lion Hotel, 475 River Parkway, Idaho Falls, Targhee and Bonneville Rooms.** The purpose of this meeting is for (1) the Department to update you on how the adjudication process works, and (2) for you, the claimant, to express concerns or discuss problems relating to water delivery in your area. This will help us to understand from an historical perspective the use and delivery of your water right.

Throughout this summer our adjudication staff, primarily from our Eastern Regional Office but also at times from Boise, will be contacting various water users in Basin 25. We ask for your cooperation in this process – the better we understand your water rights the better chance of you receiving an accurate decree from the SRBA Court that fully describes your water rights.

This investigation effort is being conducted by an experienced and successful staff. During recent years, this staff has accurately investigated and reported water rights in neighboring basins including the Big Lost River, the Little Lost River, Birch Creek, Camas Creek and the Portneuf River.

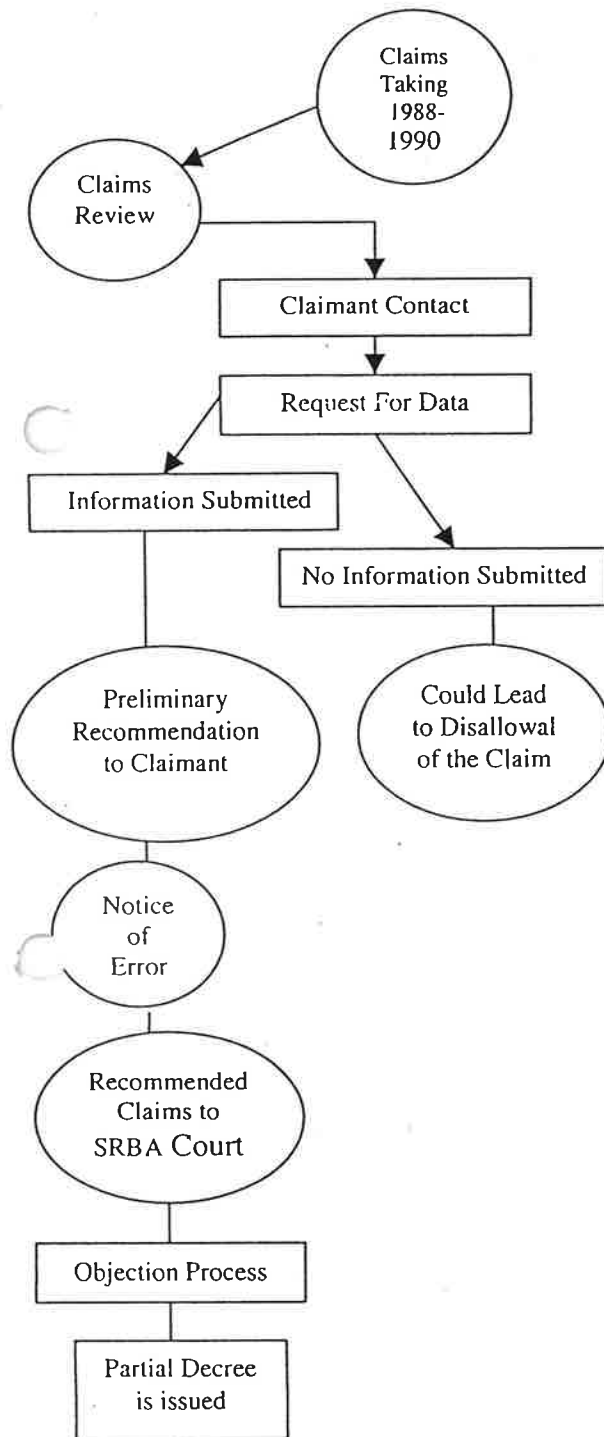
Please contact the Idaho Falls Office with any questions.

Sincerely,

Ernest Carlsen
Adjudication Supervisor, Eastern Region

Enclosure: Information Brochure





Questions and Answers:

Q: Why now? I adjudicated my water rights in 1989.

A. You filed your claims in 1989. Now we are investigating those claims to make accurate recommendations to the Fifth District Court.

Q: If I furnish more information will you take away my water right?

A. The State does not want your water right. We ask for additional information so that we may make accurate recommendations of Beneficial Uses of the water rights. Our schedule is very tight – we need the info ASAP.

Q: How much more money do you want?

A. You paid for your claim in 1989, or so. There might be additional fees only in extenuating circumstances, such as additional acres or new claims.

Q: How come you want me to file another claim?

A. If we suggest you file additional claims it means we have found

additional uses of water to which you may be entitled, or we have identified additional acres.

Q: What about my Domestic well and Stockwater?

A. There is no statutory requirement to file either; but IDWR accepts your Domestic and/or Stockwater claims.

The Tools We Use:

In the evaluation of water right claims and preparation of recommendations the adjudicator staff utilize:

- State-of-the-art computer technology.
- High resolution 1987 NAPP photography to identify the place of use.
- Global Positioning System (GPS) used to pin-point points of diversion or detail significant features.
- Prior decrees, licenses and transfers.
- Water measurements for claims based on beneficial use.
- Watermaster records
- Historical records
- Claimant input and participation

JUL 30 2001

Log for claim 25-07013

Spatial Dynamics CAT

12/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03n40e	10	NESE	40	40	
03n40e	10	NWSE	40	40	
03n40e	10	SWSE	40	40	
03n40e	10	SESE	40	40	
03n40e	14	SWNW	23	27	
03n40e	15	NENE	40	40	
03n40e	15	NWNE	40	40	
03n40e	15	SENE	40	40	
Totals:			303	307	



AJ5809NP
No. A25-07013

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 113

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ARTHUR C HARRIS BOX 384 RIRIE ID 83443	08/25/1971	IRRIGATION	04-01 11-01	4.840 CFS	
					TOTAL DIVERSION:	4.840 CFS
					CONSUMPTIVE USE:	757.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03N R40E S10

SESW

BONNEVILLE County

Place of use Legal Description for: IRRIGATION

				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	Lt	Ac	Lt	Ac	:	SUM
03N	40E	10	:					:					:					:	40	40	40	40	:		160.0	
03N	40E	14	:					:			23		:					:					:		23.0	
03N	40E	15	:	40		40		:					:					:					:		120.0	
																					TOTAL ACRES			303.0		

POU County: BONNEVILLE

Non-Irrigation Uses: NONE

Other Rights: NONE

Dates: Exam Made Date: Verified Date: 12/18/1984 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 10/11/88 OLENICHA 03/29/95 POST-STD

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 25-7013 Priority August 25, 1971 Amount 4.84 cfs

THIS IS TO CERTIFY, that Dewain C. &/or Melba S. Foster
of Rigby, Idaho, has complied with the terms and conditions of Permit
No. 25-7013 issued pursuant to Application for Permit dated August 25, 1971,
and has submitted proof to the Department of Water Administration on November 15, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.84 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u>	at <u>4.84</u> cfs and	<u>1,060.5 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.5 af per acre</u>
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 4.84 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,060.5 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 10,
Twp. 3 N, Rge. 40 E, B. M. in the County of Bonneville

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 N	40 E	10													40	40	40	40	160
		14						23											23
		15	40	40		40													120

Total number of acres irrigated 303

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 2 day of
April, 19 74.

Director

25-7013

Identification No. 25-7113

Application No. _____

LICENSE ISSUED FOR 4.97 SEC. F1.
 LICENSE PAG. NO. _____

STATE OF IDAHO
 DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriately the Public Waters of the State of Idaho
 (TYPE OR PRINT IN INK)

1. Name of applicant Dewain C. and/or Melba S. Foster
 post office address Route #2, Box 84, Rigby, Idaho 83442
2. Source of water supply Ground Water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10 Township 3N
 Range 40 E.B.M. Bonneville County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
 of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes: April 1 to November 1 BDE see letter of 11/24
 Amount 6.4 cfs for irrigation purpose from March 1 to Nov. 30 (both dates inclusive)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
5. Total quantity to be appropriated:
 a. 6.40 cubic feet per second and/or
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. Deep well, pressure system
and sprinkler irrigation system.

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
 capacity _____ acre feet, materials used in storage dam: _____
 Period of year during which storage will occur _____ to _____ inclusive.
 (Mo. Day) (Mo. Day)
- c. Proposed well diameter is 20 inches; proposed depth of well is 350 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
 is 1 years.
 b. Estimated construction cost is \$52,000.00
8. Description of proposed uses:
 a. If water is **not** for irrigation:
 (1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
 Range _____ B.M. _____
 (2) Amount of power to be generated: _____ hp under _____ feet of head.
 (3) List number of each kind of livestock to be watered: _____

 (4) Name of municipality to be served _____, or number of families to be
 supplied with domestic water: _____
 (5) If water is to be used for other purposes describe: _____

25 7013

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	40E	10													40 X	40 X	40 X	40 X	160
3N	40E	15	40 X	40 X															80
3N	40E	15				40 X													40
3N	40E	14						40 X											40

Total number of acres to be irrigated 320

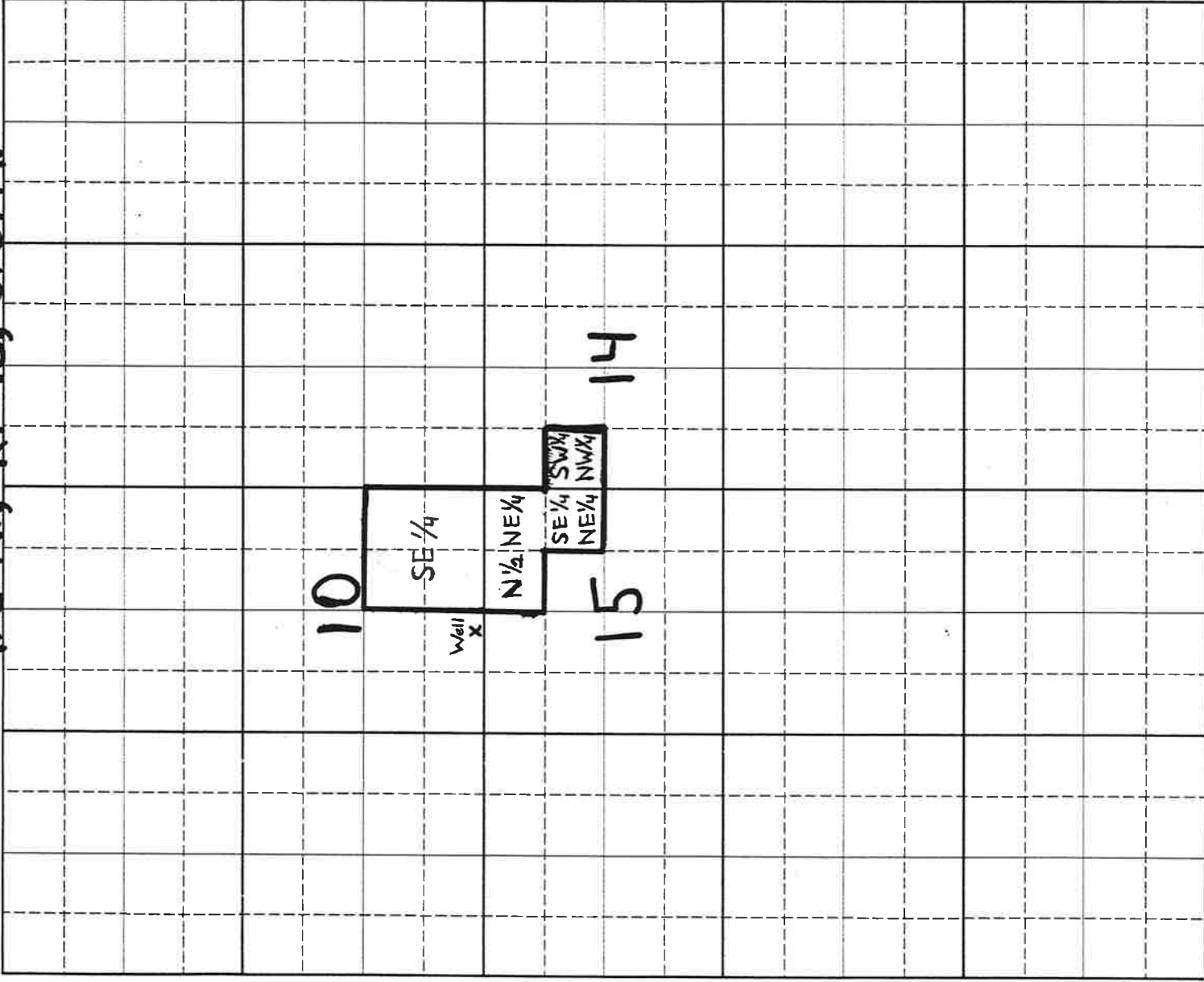
c. Describe any other water rights used for the same purposes none

9. a. Who owns the property at the point of diversion Dewain C. Foster
 b. Who owns the land to be irrigated or place of use Arthur C. Harris
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Applicants have a ten (10) year cash lease on the real property which is to be irrigated.

10. Remarks

11. Map of proposed project:

T.3 N., R. 40, E.B.M.



Scale: 2 inches equal 1 mile

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.

Dewain C. Foster
(Applicant) Dewain C. Foster
Melba S. Foster
Melba S. Foster

2013

DATE OF EXAM July 2, 1973

ACREAGE

Found 303
Recommended 303

Irrigation Requirement 3.5 Ac Ft/Ac

USE

Irrigation Q = 4.84 c.f.s. V = 1060.5 AF/Ann. from April to Nov 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
twp. _____ N/S, Rge E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 4.84 CFS Method of measurement McCrometer meter

Total Q recommended 4.84 CFS Meter No. T210160 Type Impeller flow Condition good

Total V recommended 1060.5 AF/ANN

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

Discharged 435.6 cu ft in 90 sec = 4.84 CFS
 $V = (303)(3.5) = 1060.5 < (4.84 \text{ CFS})(1.9833)(215)$

SYSTEM DESCRIPTION:

250 HP Motor # CHJ32215 w/ Johnston pump # GE 14084
12" discharge
Booster 125 HP Motor # BHJ214101 w/ Johnston pump # GE 14085

REMARKS:

System shown by Kendle Lovell, employee of permit holder

Examiner's Signature John Ferbauer Date 7/26/1973

Checked by W.R. Rhoads Date Dec 20, 1973

Approved by _____ Date _____

25-703

FIELD REPORT

3. Water will be used for the following purposes:

Period of Use: from April 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 6.4 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 3 N N/S, Range 40 E E/W, B.M., Section 10, Subdivision SE ¼ SW ¼, Bonneville County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ ¼ _____ ¼, _____ County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ ¼ _____ ¼, _____ County

Other Points of Diversions: _____

Description of diverting works: well, pump, motor, mainline & sprinkler (McCrometer-12")

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

25-707

TOTAL ACREAGE

320

0 10 E

25-7013

B-125
B-134

40

40

155.1

40

40

24.1

3-2 PD

15.14

B-14
B-17

40

40

31.2
h

a/
89.1

40

23

b
206.7

JD

a
63.5

B-25
B-115

d
3.6

22 23

B-31
B-27

56.8

76.7

9.5

25-7013
53.1

NOT TO SCALE

SCANNED

JUL 31 2000

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: A25-07013
Date Received: 10/11/1988
Receipt No: E003055
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARTHUR C. HARRIS
Address: BOX 384
RIRIE, ID

83443

2. Date of Priority: AUG 25, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	40E	10	SE	SW			BONNEVILLE

5. Description of diverting works:
WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.840		

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

8. Total consumptive use is 757.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	40E	10	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0

A25-07013

Page 1

Date: 10/11/88

A2507013



MICROFILMED
NOV 10 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	40E	10	SE	SE		IRR	40.0
						Section Acres	160.0
		14	SW	NW		IRR	23.0
						Section Acres	23.0
		15	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SE	NE		IRR	40.0
						Section Acres	120.0
						Total Acres	303.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 7013

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: 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): Arthur C. Harris Date: Oct 11, 1988

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of October 19 88

Anthony S. Olenichak
Notary Public



Residing at Idaho Falls
My Commission Expires 9/12/1994

A 25-07013

T3N R40E

IDAHO FALLS 18 MI.
14 MI. TO JUNC. U.S. 191

26

5064

5069

4828

9

10

11

Creek

Birch

14

16

4827

15

4826

35

RHIE DAM

SPALMAN
ELEV 8128

21

MICROFILMED
NOV 10 1992

23

