

RIGHT NUMBER: 29-2365A
NAME AND ADDRESS: JEFFREY F HARRIS
PO BOX 252
MC CAMMON ID 83250

KATHLEEN M HARRIS
PO BOX 252
MC CAMMON ID 83250

SOURCE: MARSH CREEK
SPRING

TRIBUTARY: PORTNEUF RIVER
TRIBUTARY: MARSH CREEK

QUANTITY: 2.15 CFS

PRIORITY DATE: 06/28/1955

POINT OF DIVERSION:

T09S R36E S10 NWNE Lot 5 Within BANNOCK County
T09S R36E S10 SWNE Lot 6 Within BANNOCK County
T09S R36E S10 NWSE Lot 7 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.150 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T09S R36E S10 Lot 5 NWNE	41.0	T09S R36E S10 Lot 6 SWNE	50.0
T09S R36E S10 Lot 7 NWSE	21.0		

112 ACRES TOTAL

USE OF THIS RIGHT AND THE USE OF THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 280 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-2365A, 29-2365B, 29-11177, 29-11178

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

Dave

02/08/2003

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: April 21, 2003

Water right number: 29-2365A

JEFFERY F HARRIS
PO BOX 252
MC CAMMON ID 83250
Telephone Number: (208)254-3454

KATHLEEN M HARRIS
PO BOX 252
MC CAMMON ID 83250
Telephone Number: (208)254-3454

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:

4-21-03

SIGNATURE:

Jeff Harris

Please print your name:

Jeff Harris

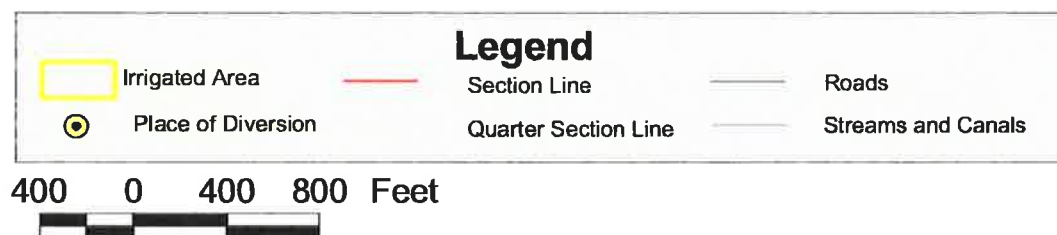
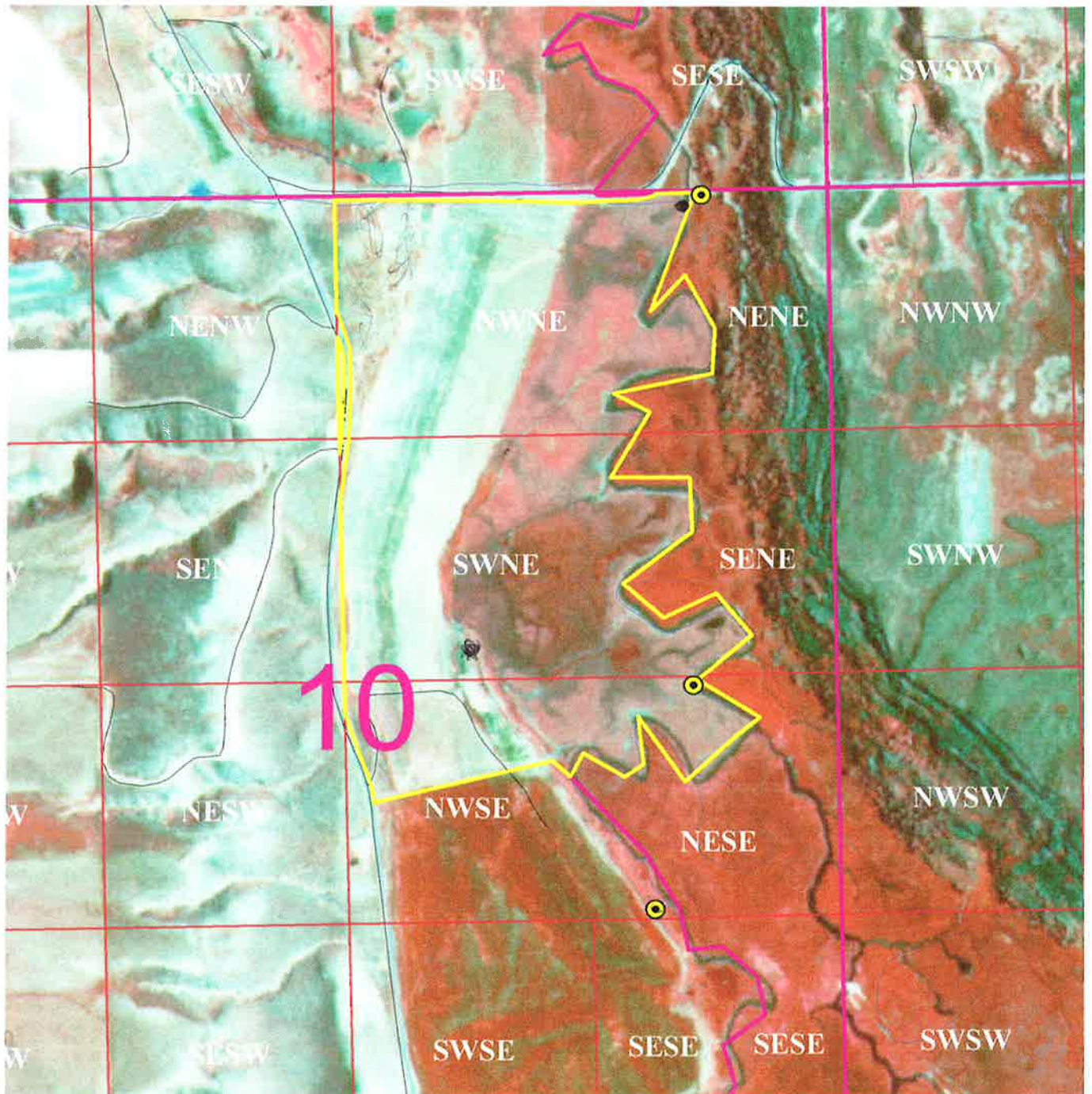
IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

RECEIVED
APR 28 2003
Department of Water Resources
Eastern Region

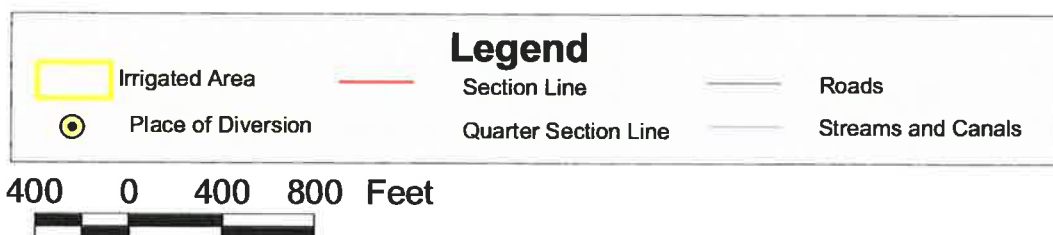
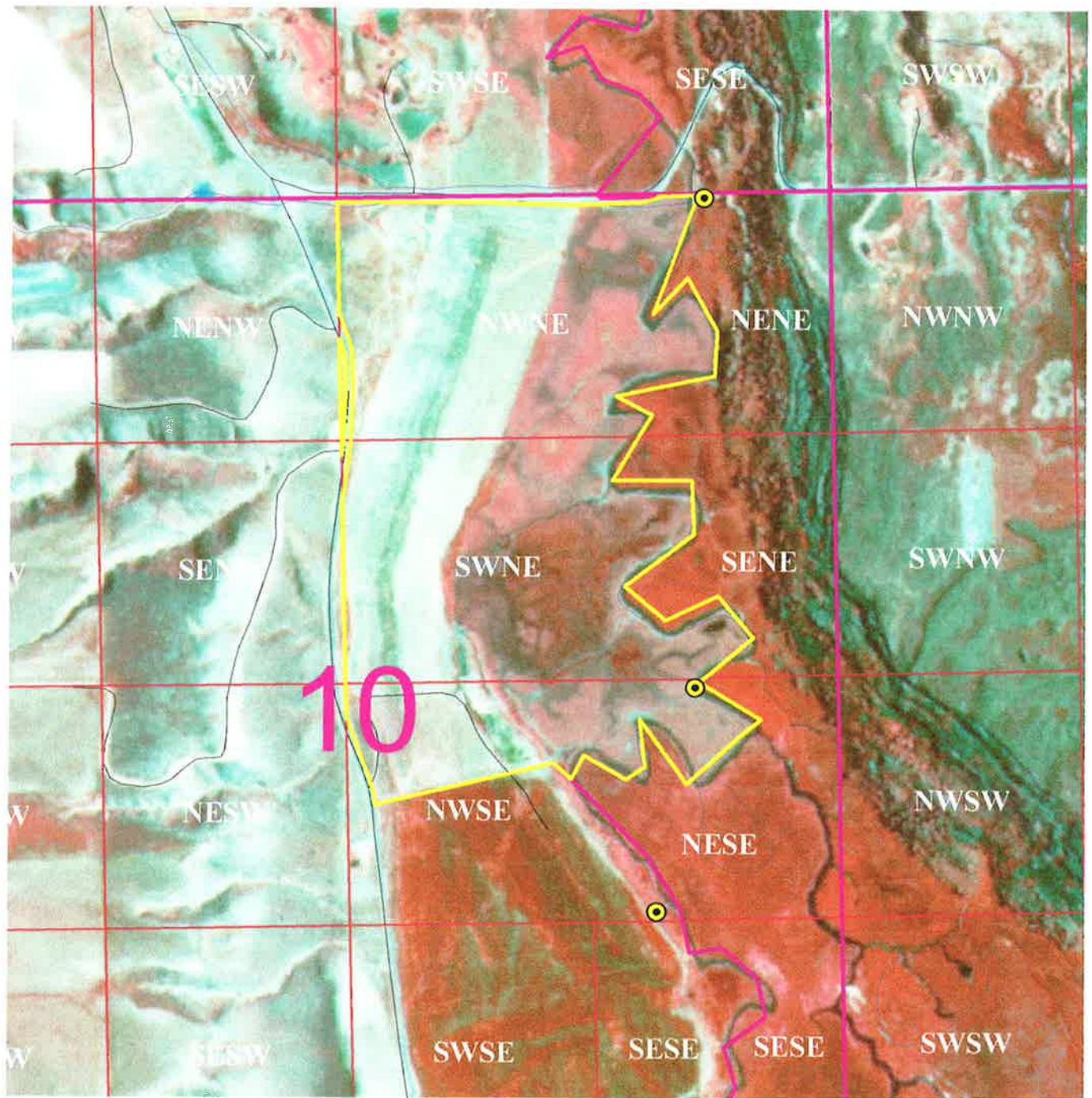
PROFILED

SCANNED
FEB 01 2006

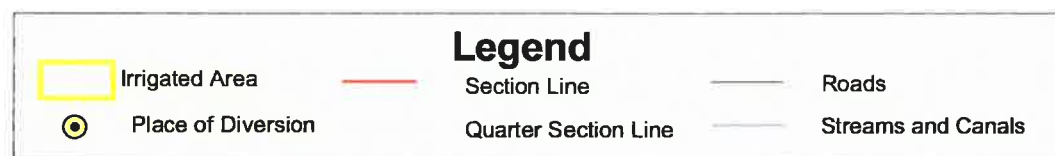
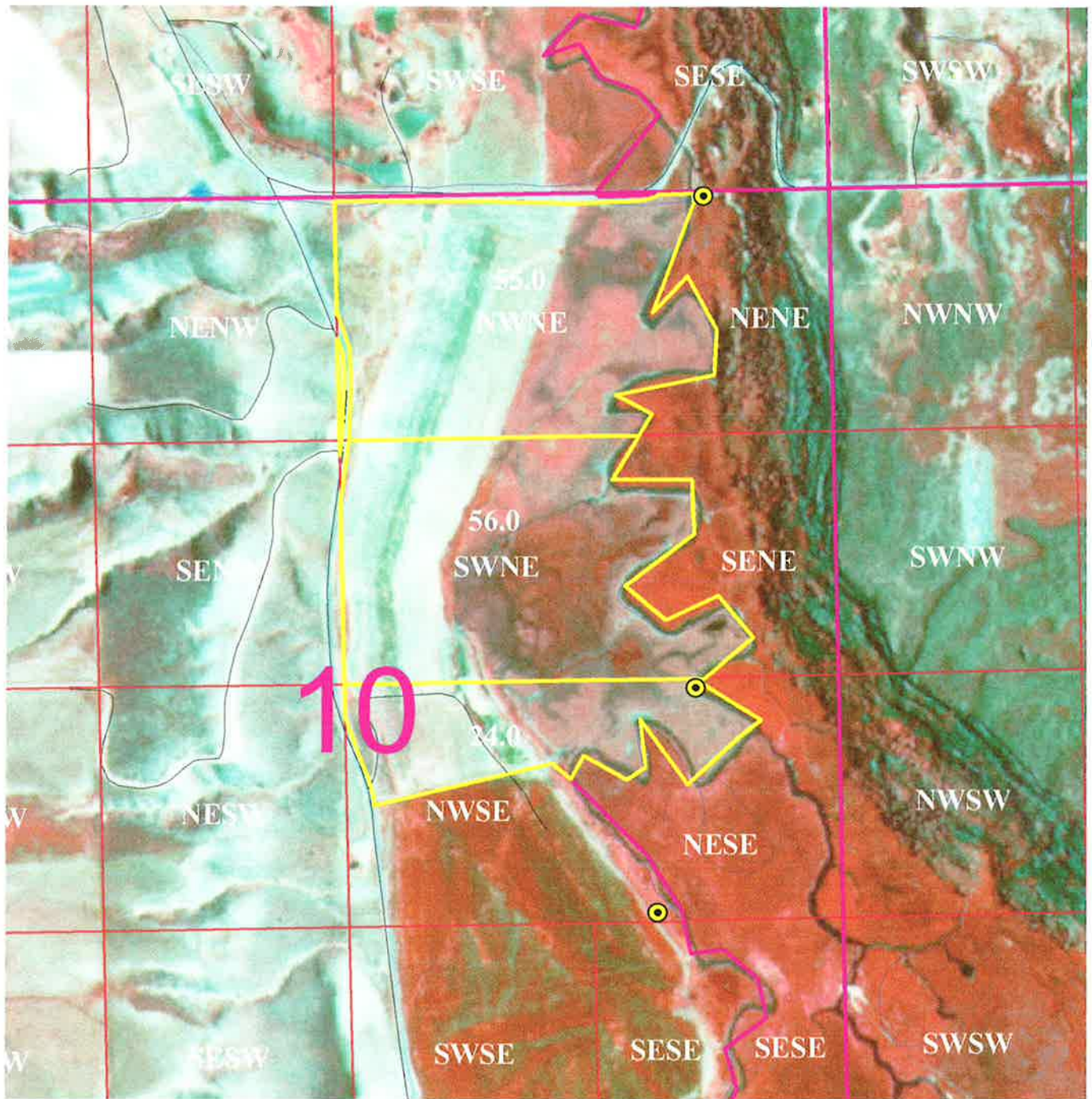
Township , 9S36E



Township , 9S36E



Township , 9S36E



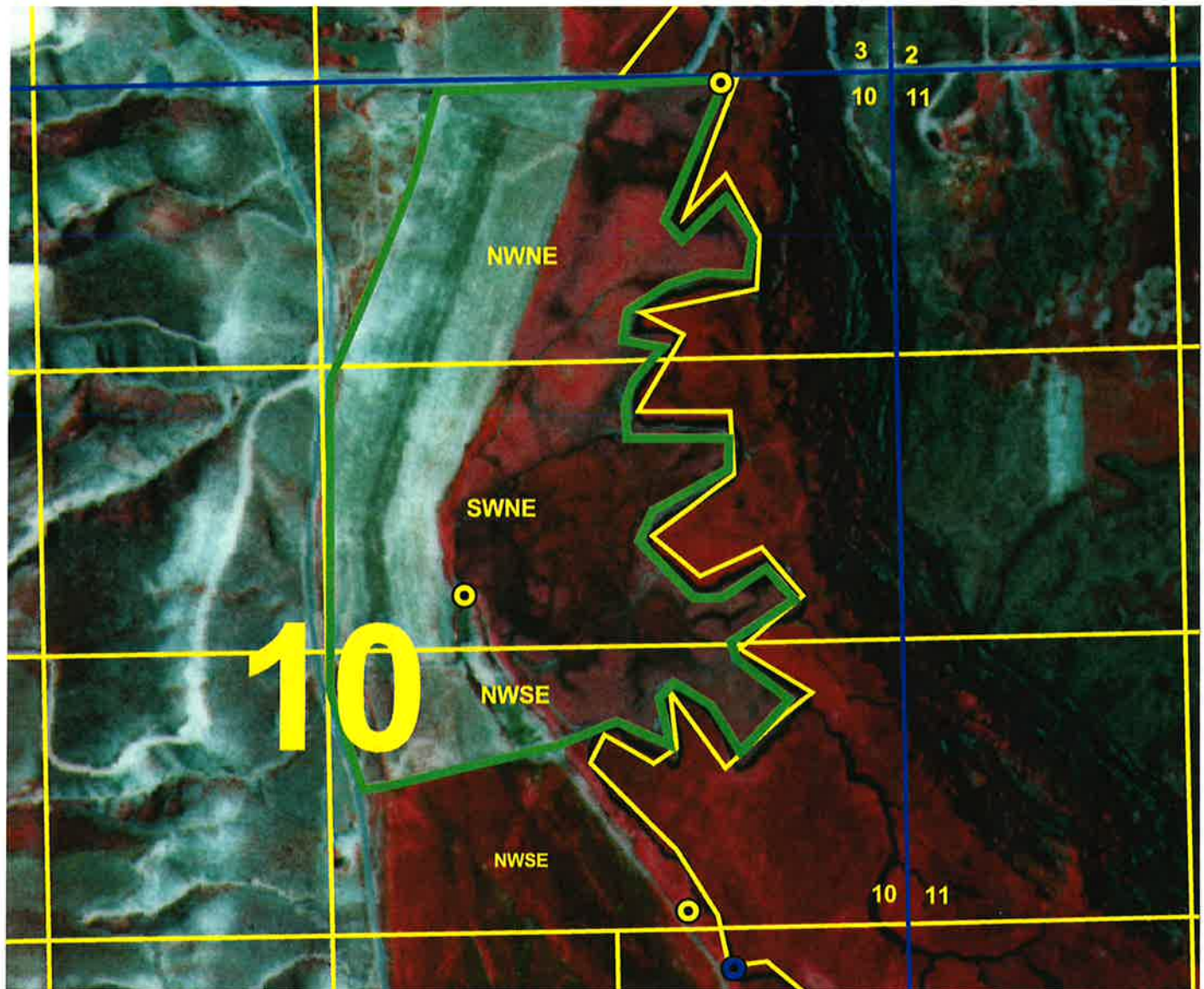
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IDAHO DEPARTMENT OF WATER RESOURCES

29-02365A

T9S, R36E SEC 10



ACRES IRRIGATED- 112



POINT OF DIVERSION



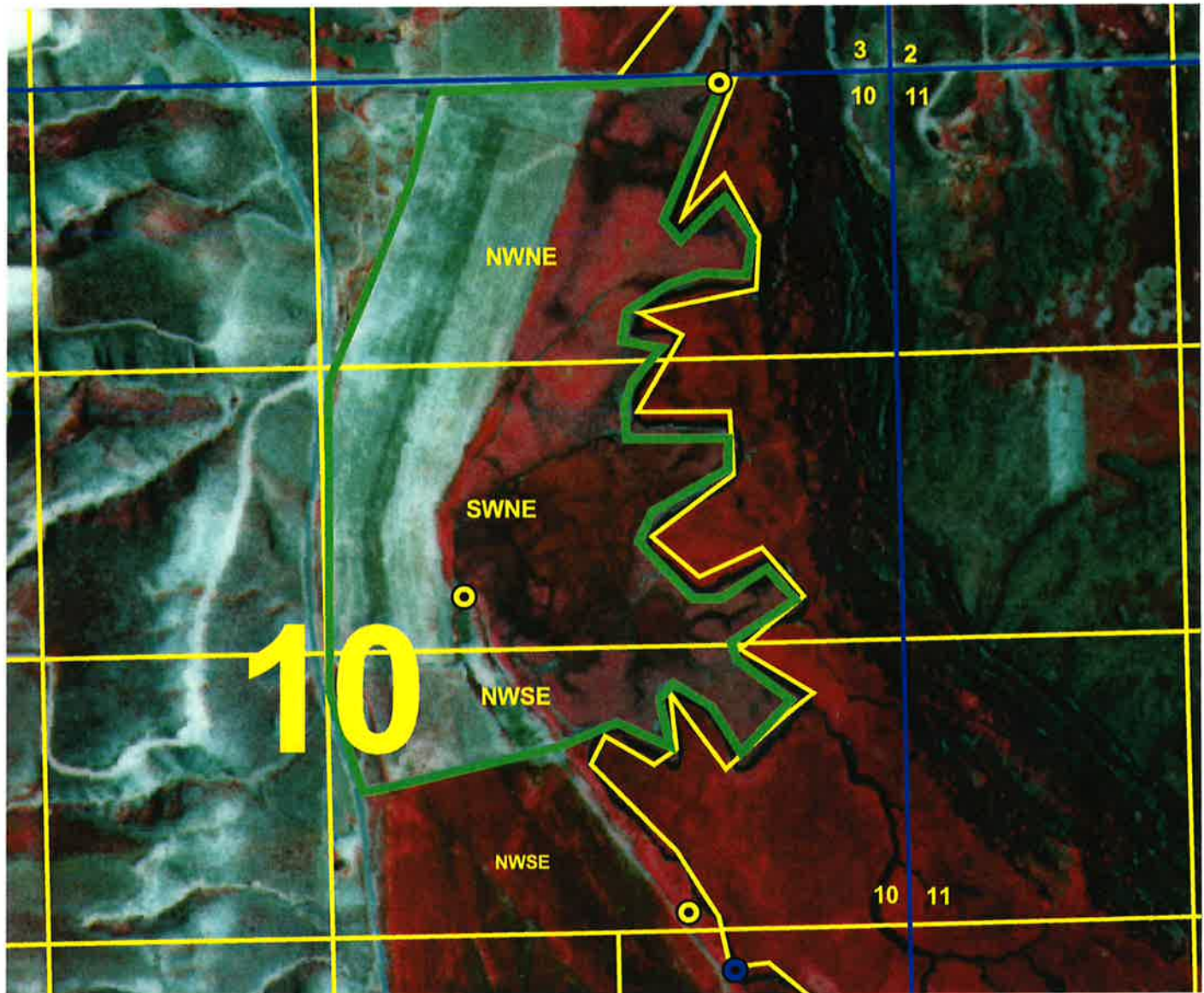
PLACE OF USE

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

IDAHO DEPARTMENT OF WATER RESOURCES

29-02365A

T9S, R36E SEC 10



ACRES IRRIGATED- 112



POINT OF DIVERSION



PLACE OF USE

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

JUN 04 2001

Log for claim A29-02365A

Spatial Dynamics LTD

7/13/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s36e	10	NENE	14	0	Acreage found in NWNE qq.
09s36e	10	NWNE	35	55	
09s36e	10	SWNE	35	56	
09s36e	10	SENE	9	0	Acreage found in SWNE qq.
09s36e	10	SENE	0	0	
09s36e	10	NESE	7	0	Acreage found in NWSE qq.
09s36e	10	NWSE	12	24	
Totals:			112	135	

$$\begin{array}{r} 112 \\ 84 \\ \hline 206 \end{array}$$

$$\begin{array}{r} 2.01 \\ 1.80 \\ \hline 3.81 \end{array}$$

$$\begin{array}{r} 2.11 \\ 1.62 \\ \hline 3.73 \end{array}$$

117

215
166

AJ5809NP
No. A29-02365A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 88

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KATHLEEN M HARRIS	06/28/1955	IRRIGATION	04-01 11-01	2.010 CFS	
C	JEFFREY F HARRIS PO BOX 252 MC CAMMON ID 83250 (208) 254-3454				2.010 CFS	
					TOTAL DIVERSION:	
					CONSUMPTIVE USE:	280.00 AFA

Water Source: MARSH CREEK
SPRINGS

Tributary to: PORTNEUF RIVER
MARSH CREEK

Stage: LICENSE

Point(s) of Diversion: T09S R36E S10 Lot05(NWNE) Lot07(SWNE) Lot07(NENWSE)

BANNOCK County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE						
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: SUM	
09S	36E	10	:	05-14	05-35	06-35	06-09	:			:						:	07-07	07-12	:					:	112.0
																							TOTAL ACRES	:	112.0	

POU County: BANNOCK

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-11458

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00437 A29-00438 A29-00439 A29-00440

Remarks: GEN WATER FROM MARSH CREEK IS DIVERTED BY A PUMP IN LOT 5. THIS PUMP WAS INSTALLED IN ABOUT 1983 WHEN I PURCHASED THE PROPERTY AND HAD TO CHANGE THE POINT OF DIVERSION. THE SPRINGS IN LOT 07 HAVE HISTORICALLY BEEN USED IN CONJUNCTION WITH WATER FROM MARSH CREEK FOR IRRIGATION OF APPROXIMATELY 49 ACRES OF THE PLACE OF USE. THE SPRINGS ARE USED TO FLOOD IRRIGATE LAND ADJACENT TO MARSH CREEK. THE SOUTHERN SPRING IS ON THE NEIGHBORS PROPERTY BUT HAS ALWAYS FLOWED ON TO MY LAND. THE EXCESS WATER FROM THE SPRINGS FLOWS BACK INTO MARSH CREEK.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 29H Field Inspection Flag:
Presumption Flag:

Audit: 03/23/90 CARLSEN 06/23/94 COX 03/29/95 POST-STD

SCANNED

JUN 04 2001

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: A29-02365A

Date Received: 2/08/1990

Receipt No: F012512

Received By: Dms

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JEFFREY F. HARRIS 208-254-3454
Address: P.O. BOX 252
MC CAMMON, ID 83250

OR

Name: KATHLEEN M. HARRIS 208-254-3454
Address: P.O. BOX 252
MC CAMMON, ID 83250

2. Date of Priority: JUN 28, 1955

3. Source: MARSH CREEK SPRINGS Trib. to: PORTNEUF RIVER
MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	36E	10	NW	NE	NE	5	BANNOCK
			SW	NE	SE	7	BANNOCK
			NE	NW	SE	7	BANNOCK

5. Description of diverting works:
PUMP, PIPELINE AND SPRINKLER SYSTEM. OPEN DITCHES FOR FLOOD IRRIG

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.010		

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

8. Total consumptive use is 280.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-02365A

Page 1

Date: 03/23/90

MICROFILMED
NOV 13 1992

A2902365A



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	36E	10	NE		NE	5	IRR	14.0
			NW		NE	5	IRR	35.0
			SW		NE	6	IRR	35.0
			SE		NE	6	IRR	9.0
			NE		SE	7	IRR	7.0
			NW		SE	7	IRR	12.0
							Section Acres	112.0
							Total Acres	112.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

WATER FROM MARSH CREEK IS DIVERTED BY A PUMP IN LOT 5. THIS PUMP WAS INSTALLED IN ABOUT 1983 WHEN I PURCHASED THE PROPERTY AND HAD TO CHANGE THE POINT OF DIVERSION. THE SPRINGS IN LOT 07 HAVE HISTORICALLY BEEN USED IN CONJUNCTION WITH WATER FROM MARSH CREEK FOR IRRIGATION OF APPROXIMATELY 49 ACRES OF THE PLACE OF USE. THE SPRINGS ARE USED TO FLOOD IRRIGATE LAND ADJACENT TO MARSH CREEK. THE SOUTHERN SPRING IS ON THE NEIGHBORS PROPERTY BUT HAS ALWAYS FLOWED ON TO MY LAND. THE EXCESS WATER FROM THE SPRINGS FLOWS BACK INTO MARSH CREEK.

15. Basis of Claim: LICENSE
Water Right Number: 25725

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): Jaffrey M. Harris Date: 3/23/90
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of March 19 90 Deleen Wray
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 5/29/1991

A. ROOT WATER RIGHT NUMBERS: A29-02365A
A29-02365B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	36E	10	NE	NE	5	HARRIS, KATHLEEN M	A29-02365A / 14.0	- /			46.0
			NE	NE		GIBSON, ROSS W.		29-02365 / 14.0			
			NE	NE		HARRIS, JEFFREY F.		29-07963 / 3.0			
			NE	NE	1	GREEN, JR., JARED		29-00439 /			
			NE	NE	1	GREEN, JR., JARED		29-00440 /			
09S	36E	10	NW	NE	5	HARRIS, KATHLEEN M	A29-02365A / 35.0	- /			46.0
			NW	NE		GIBSON, ROSS W.		29-02365 / 30.0			
			NW	NE		HARRIS, JEFFREY F.		29-08042 /			
			NW	NE	5	GREEN, JR., JARED		29-00439 /			
			NW	NE	5	GREEN, JR., JARED		29-00440 /			
09S	36E	10	SW	NE	6	HARRIS, KATHLEEN M	A29-02365A / 35.0	- /			62.0
			SW	NE		GIBSON, ROSS W.		29-02365 / 35.0			
			SW	NE		HARRIS, KATHLEEN M.		29-07962 /			
			SW	NE	6	GREEN, JR., JARED		29-00439 /			
			SW	NE	6	GREEN, JR., JARED		29-00440 /			
09S	36E	10	SE	NE	6	HARRIS, KATHLEEN M	A29-02365A / 9.0	- /			62.0
			SE	NE		GIBSON, ROSS W.		29-02365 / 14.0			
			SE	NE		HARRIS, JEFFREY F.		29-07963 / 7.0			
			SE	NE	2	GREEN, JR., JARED		29-00439 /			
			SE	NE	2	GREEN, JR., JARED		29-00440 /			
09S	36E	10	NE	SE	7	HARRIS, KATHLEEN M	A29-02365A / 7.0	- /			32.0
			NE	SE		WHEATLEY, RALPH	A29-02365B / 4.0	- /			
			NE	SE		MEADOWBROOK RANCH	A29-11458 / 30.0	- /			
			NE	SE		GIBSON, ROSS W.		29-02365 / 10.0			
			NE	SE		WHEATLEY, WAYNE		29-04413 / 15.0			
09S	36E	10	NW	SE	7	HARRIS, KATHLEEN M	A29-02365A / 12.0	- /			32.0
			NW	SE		WHEATLEY, RALPH	A29-02365B / 22.6	- /			
			NW	SE		MEADOWBROOK RANCH	A29-11458 / 3.0	- /			
			NW	SE		GIBSON, ROSS W.		29-02365 / 38.0			
			NW	SE	7	GREEN, B. Y.		29-00437 /			
			NW	SE	7	GREEN, B. Y.		29-00438 /			
			NW	SE	7	THOMPSON, JAMES L		29-07992 / 1.0			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-02365A	112.00	280.00
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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-02365A	09S	36E	10	NW	NE	NE	5		BANNOCK		
A29-02365A	09S	36E	10	SW	NE	SE	7		BANNOCK		
A29-02365A	09S	36E	10	NE	NW	SE	7		BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
29-07992

SOURCE: MARSH CREEK
SPRINGS

TRIB: PORTNEUF RIVER
MARSH CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-02365	09S	36E	10		NE	SE			BANNOCK		

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A29-11458 NONE

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 25725

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Ross W. Gibson
2. Source of water supply Marsh Creek, tributary of Portneuf River
3. Location of point of diversion: Is in the NE 1/4 Sec. 2 of Section 10
T. 9 S. R. 36 E. County of Bannock
4. Describe works as they exist, giving dimensions and capacities of same: I. H. Stationary Diesel Engine Model UD14, 50 HP, 9.5 GPM, US Halladay Gear Head 30 HP, 1030310 1-1 Ratio - Layne-Bowling Pump #19651 - 10" x 8" column 10" discharge

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: yes

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

W 1/4 Sec. 2; E 1/4 Sec. 3; NE 1/4 Sec. 11; NW 1/4 Sec. 15, T. 9 S., R. 36 E., B.M.

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

8. What large stream would the water here appropriated finally reach? Snake River via Portneuf

Remarks: Mr. Gibson along

Measured with Spading meter (5862 2mm G.S.)

This examination was made on the 27th day of July, 1961

(Signed)

Larry Johnson

Examiner

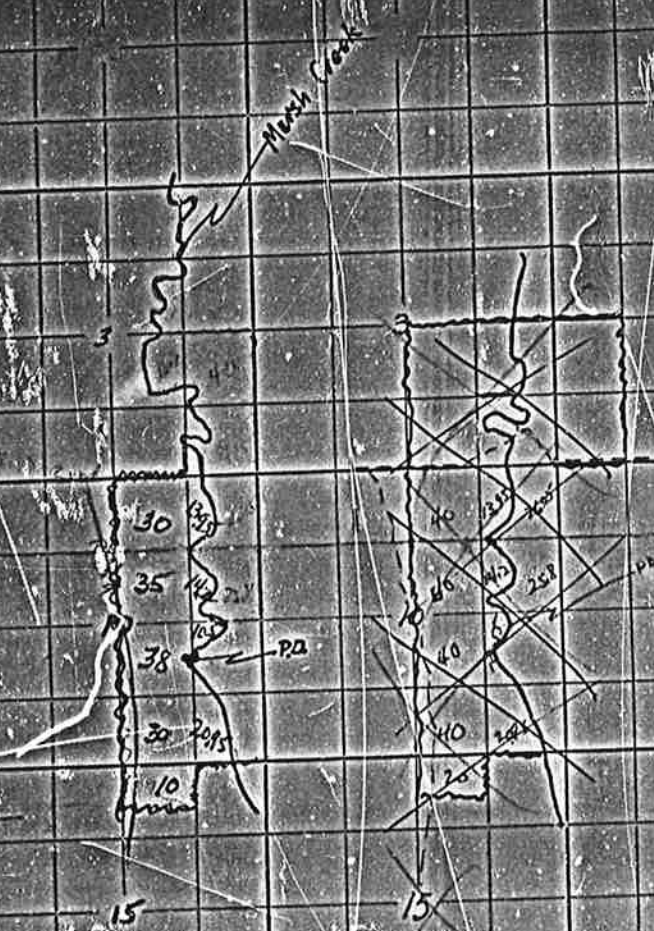
25725

R 36 E

3.971 AC = 3.81 ch n
126/500.00

T
9
S

43.95
49.20
48.50
50.95
54.45
10.00
211.60
202.6



McCANNON

Subdivisions

9

AREA

202.6
211.60 acres

9

3.81 ch n 190 1/2 inches

State of Idaho License and Certificate of Water Right

Water License No. 25725

Amount 3.81 c.f.s.

Water District No.

Priority June 28, 1955

THIS IS TO CERTIFY that ROSS W. OIBSON
of Arimo, Idaho made application for a permit to appropriate the
public waters of the State of Idaho, dated May 25, 1955; that Permit No. 25725
was issued under said application; that Certificate of Completion of works with a carrying capacity of
3.0 second feet was issued thereunder on June 6, 1957, showing that said works
were completed on the 12th day of June, 1957; and that on the 12th
day of July, 1960, ROSS W. OIBSON

of Arimo, State of Idaho made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Marsh
Creek, a tributary of Portneuf River, for the purpose of irrigation

under Use Permit No. 25725 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

11 of Licenses at page 7151 on the 1 day of September, 1961

The right hereby confirmed dates from June 28, 1955

The Point of Diversion is located

in the NE 1/4 SE 1/4, Sec. 10, Tp. 3 S., R. 36 E., B. 4 E., Bannock County

That the amount of water to which such right is entitled and hereby confirmed for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 3.81 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	15 E.	10	NE 1/4 NE 1/4	40	13.95
			NW 1/4 NE 1/4	40	30
			SW 1/4 NE 1/4	40	35
			SE 1/4 NE 1/4	40	14.2
			NE 1/4 SE 1/4	40	10.5
			NW 1/4 SE 1/4	40	38
			SW 1/4 SE 1/4	40	30
			SE 1/4 SE 1/4	40	20.95
			NW 1/4 NE 1/4	20	10
			Total number of acres to be irrigated:		202.60

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

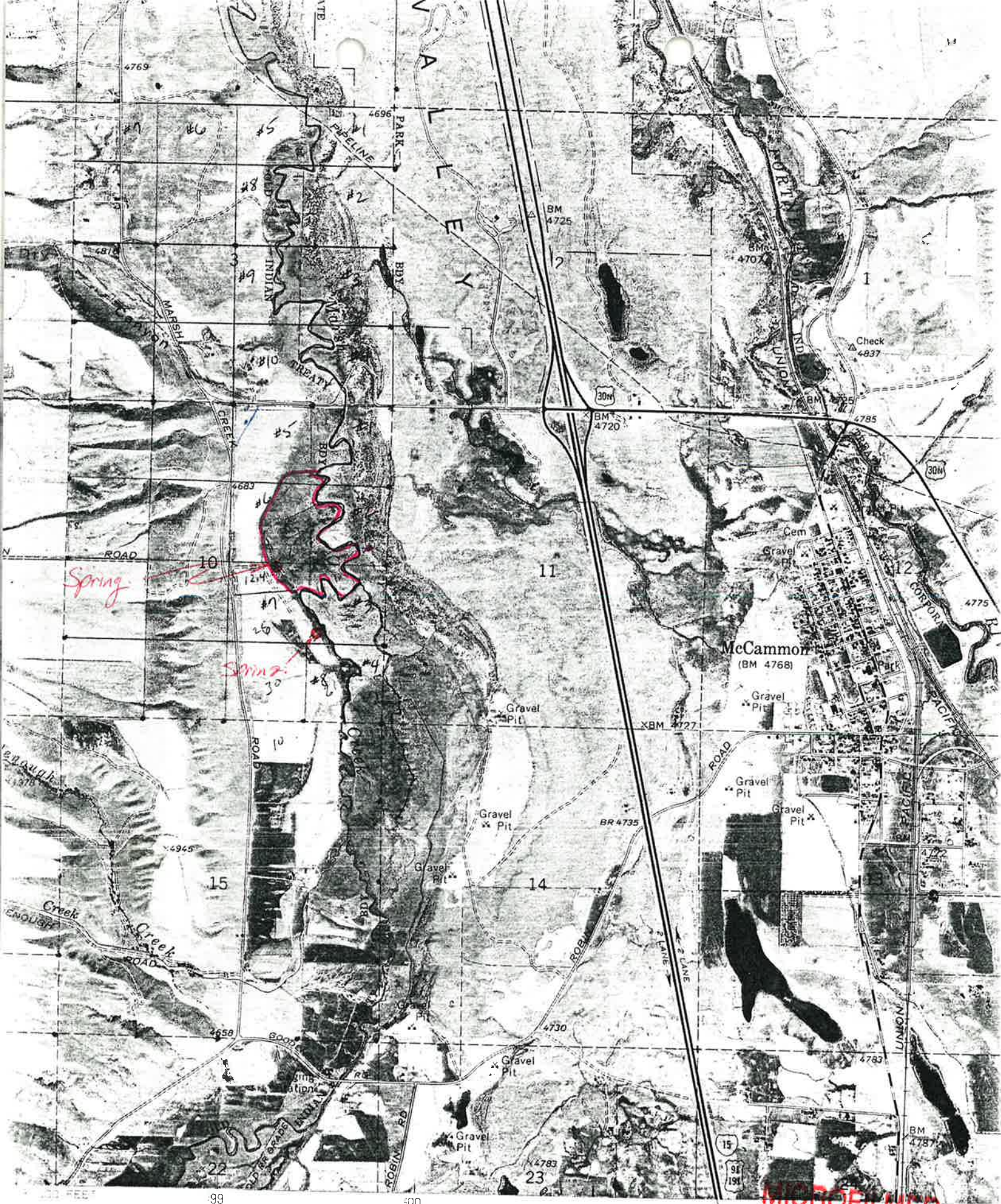
1st day of September

1961

/s/ RALPH W. THOMAS

Deputy State Reclamation Engineer

(SEAL)



the Geological Survey
 in with the Forest Service
 prepared from 1:78 000-scale
 taken August 7, 1976
 100-foot grid ticks: Idaho coordinate

MICROFILMED
 NOV 13 1992
 SCALE 1:24 000
 0 1000 2000 3000 4000



NOV 13 1992

SCALE 1:24 000