

11/20/2006

**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: 12/13/2006

Water right number: 75-14263

O JERRY HARRIS

4649 NOUNAN RD

MONTPELIER ID 83254

Telephone Number: ~~(208) 221-2368~~

cell
301-760-2071

MYRNA R HARRIS

4649 NOUNAN RD

MONTPELIER ID 83254

Telephone Number: (208) 221-2368 - *cell*

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:

12/3/06

SIGNATURE:

Myrna R Harris

Please print your name:

Myrna R Harris

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

*The paper work looks correct.
We are not in Salmon so we won't
be to one of your meetings.*

SCANNED ✓

DEC 12 2006

RECEIVED

DEC 11 2006

IDWR/North



Idaho Department of Water Resources

SRBA Recommendation:
75-14263

Legend

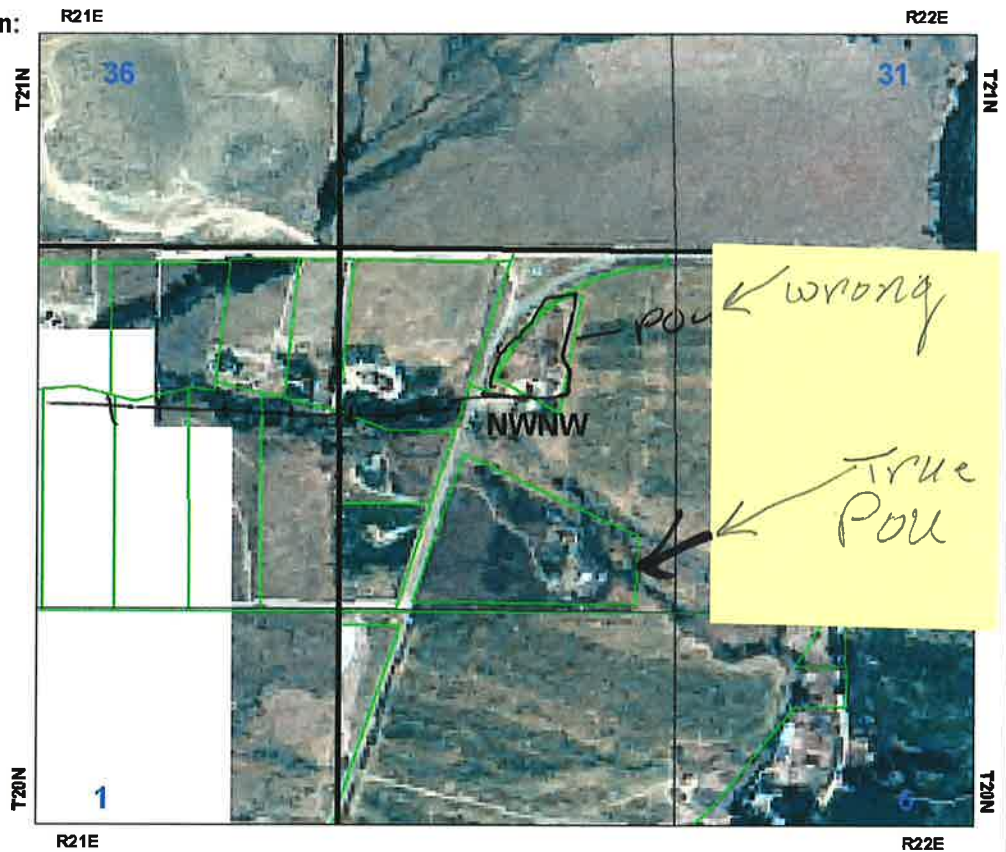
- Townships
- PLS Sections
- Quarter Quarters
- Parcels



Lemhi County
IDWR Basin 76



Prepared by R. Brown
On Thursday, May 18, 2006
1987/88 Aerial Photography



0 0.2 0.4 Miles

SCANNED

JAN 3 8 2008

75-14263



-  Lemhi taxlots
-  GCDB20N21E GCDB
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp



SCANNED
JAN 30 2003

RECEIVED

SEP 24 2007

DEPARTMENT OF
WATER RESOURCES

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)

A.

Subcase

⁷⁵⁻
14263
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

DAVID YANOFF

Address:

343 DIAMOND CREEK RD.
SALMON, ID 83467

Daytime Phone: 208-756-6212

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

O. JERRY + MYRNA HARRIS

Address:

4649 NOUNAN RD.
MONTPELIER, ID 83254

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☒ **Priority Date**
Should be: 1951-04-01
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. ☐ **I object because:**
 - ☐ This water right Should not exist.
 - ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** This property was sold with the same Priority Date as the other properties in Perreau Creek Subdivision (see water right numbers 4210A and 10706)

F.

VERIFICATION (must be completed)

State of IDAHO)
)ss.
County of LEHHI)

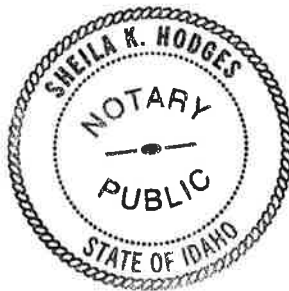
DAVID YANCEY _____, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

[Signature]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: September 18, 2007



Sheila K. Hodges
Notary Public for Idaho
Residing at: Salmon Idaho
My Commission Expires: 9.18.2013

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on September 19, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

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 the claimant of the water right at the following address:

Name: O. Jerry & Myrna Harris
Address: 4649 Nounan Rd.
Montpelier, ID 83254

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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

9222
Signature of objector or attorney
mailing on Objector's behalf

Franklin, Keith

From: IDWRInfo
Sent: Monday, November 06, 2006 11:11 AM
To: Franklin, Keith
Subject: FW: Cancelling amendment

-----Original Message-----

From: Myrna Harris [mailto:myrnalouise@yahoo.com]
Sent: Friday, November 03, 2006 4:51 PM
To: IDWRInfo
Subject: Cancelling amendment

Hi,
Water Right Claim 75-14263 O Jerry and Myrna R. Harris

I wrote a letter in June asking for an amendment to my 8/8/2005 application for water rights from Perreau Creek in Lemhi Country. I talked on the phone with Keith Franklin, senior water resources agent, and found out that I should only do an amendment if I left something out of the first application. Since the acre and 4 hundredths wasn't previously watered, I understand that I would need to do a separate filing for that. Therefore, I will leave the application as prepared in August of 2005.

Thank you, Myrna R. Harris. 4649 Nounan Rd, Montpelier, Idaho 83254. Phone 208 -847- 0104, work phone 208-945-2113

Thanks,
Myrna Harris

We have the perfect Group for you. Check out the [handy changes to Yahoo! Groups](#).

SCANNED
JAN 30 2008

11/8/2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 31, 2006

Myrna R. Harris
4649 Nounan Road
Montpelier, ID 83254

Re: Water Right Claim #75-14263

Dear Ms. Harris:

The IDWR is in the final stages of the Snake River Adjudication and your claim number 75-14263 is going to be recommended as shown on the enclosed recommended claim form.

On June 17, 2006, the IDWR received a letter from you stating you would like to increase the acreage claimed from 5.0 acres to 6.04 acres, since that is the amount you have been assessed by the county. In order to do so, you must complete the enclosed form as an amendment and return it to this office by November 10, 2006.

If you have any questions, feel free to contact me at this office.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

Encl/kf

SCANNED
JAN 30 2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 75-14263

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0015091 E.L. * 916 P.O.D.T

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

diversion in creek pipeline to gravity sprinkler

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 7-3-06

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature

75-14263 MA

RECEIVED

JUN 21 2006

DEPARTMENT OF
WATER RESOURCES

Myrna R. Harris
4649 Nounan Road
Montpelier, ID 83254

State of Idaho
Department of Water Resources
322 East Front Street, P.O. Box 83720
Boise, ID 83720-0098

June 17, 2006

To Whom it May Concern:

I am writing with concern for water rights.

Name of Claimant - O. Jerry and Myrna R. Harris

Cell phone: 208-221-2368

Date of Priority: May, 20, 1898

Water Source: Perreau Creek - Tributary to Salmon River

Location: Township 20N Range 21E Section 2

1/4NE 1/4of NW

Filed Claim in the Salmon Office: August 8, 2005

I have left messages for Robert Foster, but have not received a call back as of yet. Since he lost my water right adjudication claim and your office called me in April to see if I had filed, I finally decided to drop you a letter of my concern.

In the claim I asked for 5 acres of water rights. I since have found out that on our taxes for the past 30 years or so, we have been assessed for 6.040 of irrigated ag. This year they changed the assessment to read: 5.204 AC irrigated ag and .836 AC dry and rural homesite 1 AC.

If possible, I would like to claim the whole 6.040 acres because we have pipeline to sprinkle the dry hillside area. I also want to keep the acre of irrigated home well water that we currently have a right to.

Please write or call and let me know how matters are progressing. I have not heard since your office called me early this current year and I sent copies of the claim I filed in Robert Foster's office last August 8, 2005.

Thank you,

Myrna R Harris

6/17/2006
SCANNED
JUN 30 2006

RECEIVED

AUG 11 2005

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 75-14263

Date Received 8-11-05

Receipt Number C078844

d.e. 202-21-06

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWRECEIVED
8-8-05
R. B. H.

Please type or print clearly

1. Name of Claimant (s) O. Jerry or Myrna R. Harris Phone (208) 221-2368 Cell phoneMailing Address 100 Williams Cr Rd Zip 834672. Date of Priority (Only one (1) per claim) 5/20/18983. Source of water supply (a) Perreau Creek
which is tributary to (b) Salmon River4. a. Location of existing point of diversion is: Township 20N Range 21E Section 21/4 of NW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of _____Addition NW NE

b. If instr _____ ed instream flow is:

Township From Field Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,Govt. Lot Exam.

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Ditch, pipeline

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FEB 7 1 2006

* Winter mailing address (Sept-May)
4649 Nounan Rd, Montpelier ID 83254Home phone
208-847-0104

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4/1 to 4/1 amount 0.10 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.10 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
20N	21E	6					5												5
↑ 22E Gov. Lot. 5																			

Total number of acres irrigated 5

11. In which county (ies) are lands listed above as place of use located? _____

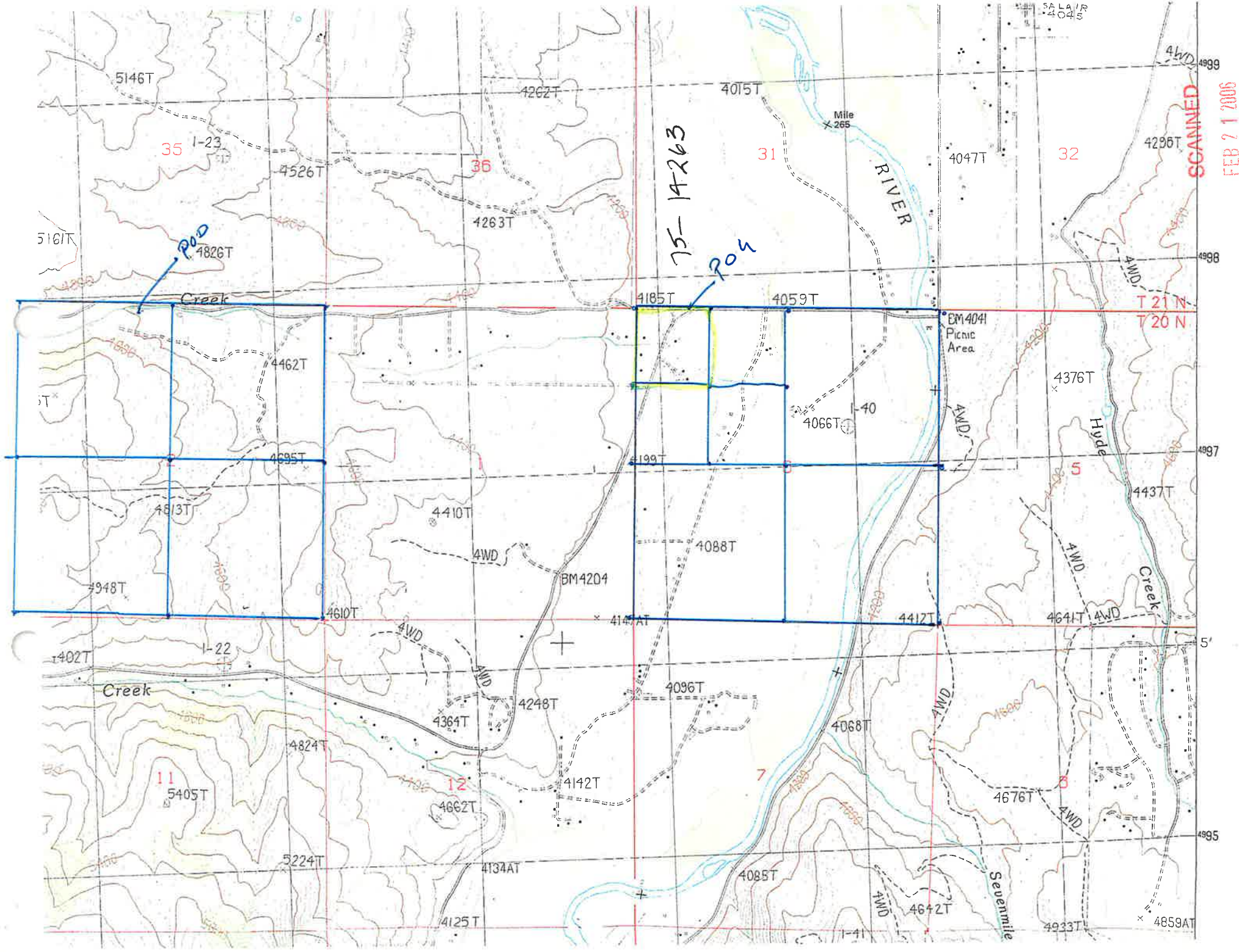
12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Well - Home 1 acre or None ()

14. Remarks:

Last Name Harris Ident No. 75-14263

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FEB 21 2006



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FEB 21 2006

Scale: 2 inches equals 1 mile

A 16x16 grid of squares. Each square contains a crosshair pattern formed by a vertical dashed line and a horizontal dashed line intersecting at the center. The grid is composed of 16 columns and 16 rows of these squares.

Harris

Ident No.

Ident No. 75-14263

SCANNED

FEB 21 2006

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) Myrna R. Harris Date 8/8/2005
_____ Date _____

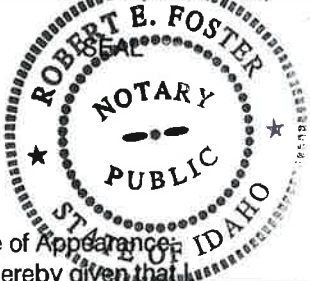
For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 8th day of August 19 2005



Notary Public Robert E Foster

Residing at Salmon Idaho

My Commission Expires 02-16-07

Please Print Name

17. Notice of Appearance:
Notice is hereby given that _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Harris Ident. Number 75-14263

SCANNED
FEB 21 2006

10/31/2006

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

RIGHT NUMBER: 75-14263

NAME AND ADDRESS: O JERRY HARRIS
4649 NOUNAN RD
MONTPELIER ID 83254

MYRNA R HARRIS
4649 NOUNAN RD
MONTPELIER ID 83254

SOURCE: PERREAU CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 05/20/1898

POINT OF DIVERSION:

T20N R21E S2 NWNE Lot 2 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.100 CFS

PLACE OF USE:

IRRIGATION Within LEMHI County

T20N R22E S06

NWNW

5.00

5 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: BASIS OF CLAIM - Beneficial Use