



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 20, 2008

DORIS AND LYLE HARRINGTON
2535 COUNCIL CUPRUM RD
COUNCIL ID 83612-5009

*1-29-09
S. Sherman
-10*

RE: Snake River Basin Adjudication (SRBA)
Water Rights #67-4334 and 67-11379

Dear Water Right Holders:

Mail sent to you by the SRBA District Court was returned undeliverable. We have enclosed the returned mail. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by December 5, 2008. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

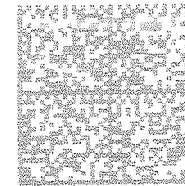
Water Right Holder's Signature

Telephone No.

SCANNED
JAN 29 2009

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

67-43342 P.D.s
67-11379



US POSTAGE
\$ 00.42
FIRST CLASS
Mailed From 83301
10/20/2008
031A 0002303159

NAME AND ADDRESS: DORIS HARRINGTON
LYLE HARRINGTON
2527 COUNCIL CUPRUM RD
COUNCIL, ID 83612-5009

SOURCE: HORNET CREEK TRIBUTARY: WEISI

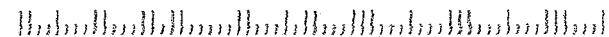
QUANTITY: 0 72 CDS

8361253009 4067

83303@2707

X 037 NFE 1 7070 00 10/24/09
FORWARD TIME EXP RTN TO SEND
HARRINGTON
2535 COUNCIL CUPRUM RD
COUNCIL ID 83612-5009

RETURN TO SENDER



SCANNED
JAN 19 2009

11/14/2006

NOTICE OF ERROR
REPLY

RECEIVED

DEC 08 2006

DEPARTMENT OF
WATER RESOURCES

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: December 8, 2006

Water right number: 67-4334

LYLE HARRINGTON
2527 COUNCIL CUPRUM RD
COUNCIL ID 83612-5009
Telephone Number: (208)253-4707

DORIS HARRINGTON
2527 COUNCIL CUPRUM RD
COUNCIL ID 83612
Telephone Number: (208)253-4707

which you disagree (e.g.

be River

from about
1895

Rob Harrington
Al Harrington

Al Harrington
253-6048
741-0951

Phone numbers

The phone number
be in the file
speak to anyone
confirm. JD

Please

Tried to
about the
with Al
any change
JD 12/2

Call from Al Harrington 1/17/07 2:13pm.
Return call tomorrow am. -done
Call from Al Harrington 1/23/07 2:07pm
Return call 2:30pm - spoke with Al.
Gave him info about objections &
about additional info needed.

ED

DEC 11 2006

09/11/2006

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

RIGHT NUMBER: 67-4334

NAME AND ADDRESS: LYLE HARRINGTON
2527 COUNCIL CUPRUM RD
COUNCIL ID 83612-5009

DORIS HARRINGTON
2527 COUNCIL CUPRUM RD
COUNCIL ID 83612

SOURCE: HORNET CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.720 CFS

PRIORITY DATE: 03/15/1944

POINT OF DIVERSION:

T17N R02W S14 NWSWSW Within ADAMS County

T17N R02W S15 NESWSE Within ADAMS County

T17N R02W S15 NESESE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.720 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R02W S14	NESW	7.90	T17N R02W S14	NWSW	4.40
T17N R02W S14	SWSW	7.30	T17N R02W S14	SESW	12.00
T17N R02W S15	SESE	4.20			

35.8 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



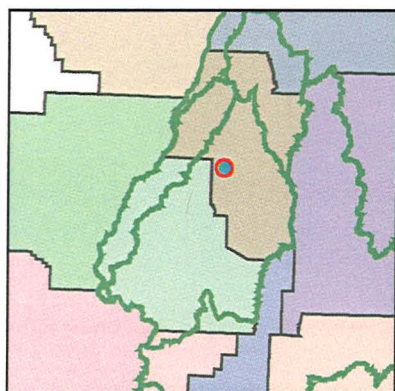
Idaho Department of Water Resources

SRBA Recommendation:

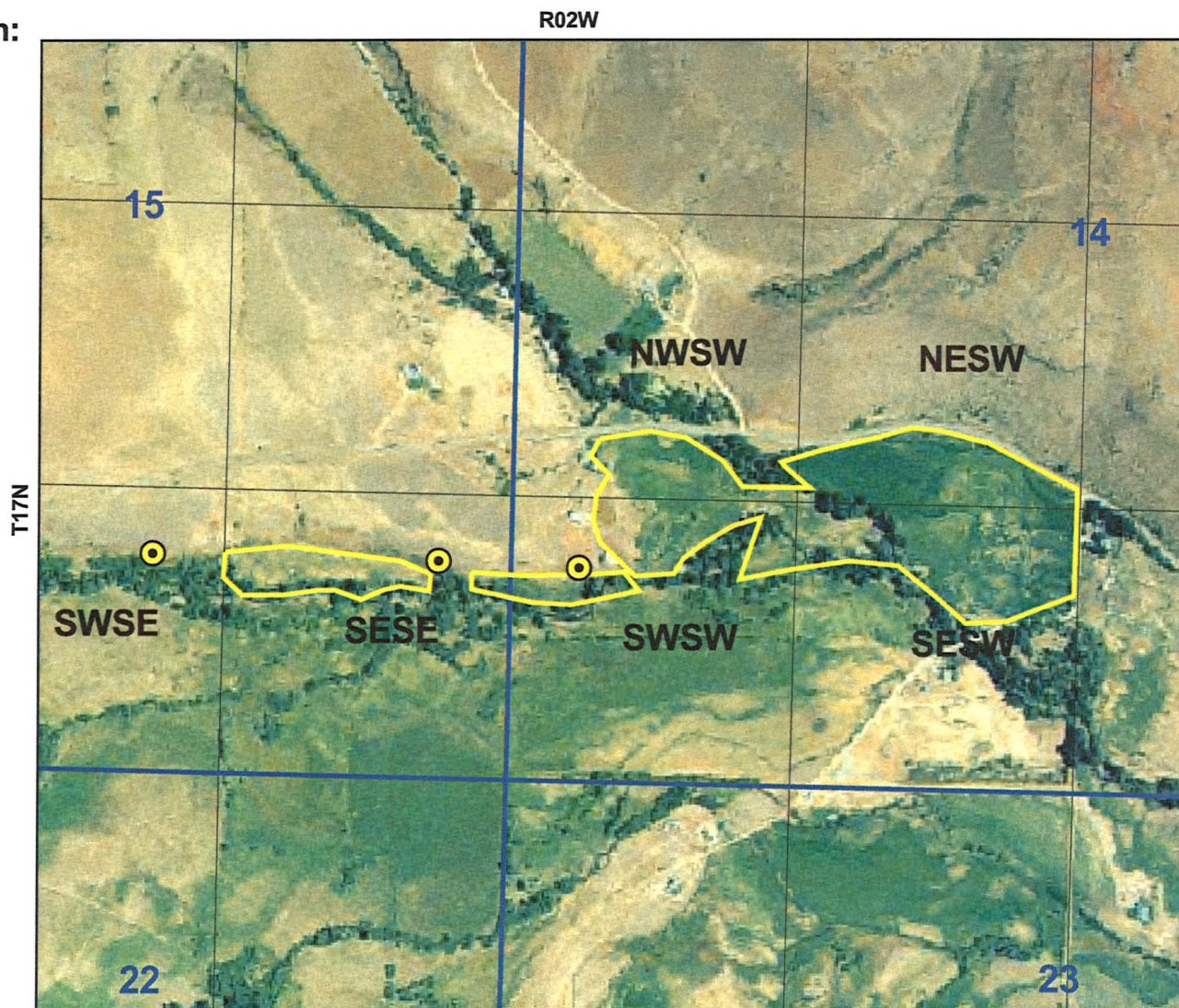
67-4334

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Adams County
IDWR Basin 67



0 0.3 0.6 Miles



Prepared by M. Mount
On Monday, September 11, 2006
1987/88 Aerial Photography

Mount, Misty

From: Saxton, Craig
Sent: Tuesday, August 15, 2006 9:30 AM
To: Mount, Misty
Subject: Last thing

Misty,

In my conversation with water master Bosco Bosler, he mentioned that you were scheduled to meet with Rob Harrington on Hornet creek to conduct a field exam. He stated that Rob's ditches could carry "more water than what was allotted to the ditches". He thought that information might save you a trip if you were just going to get a measurement.

I think you could call Bosco and confirm that he and I are talking about the same water rights you planned to look at. And if that is the case, and that is all you need. You could probably call Rob and explain that the information you were going to collect was provided by the WM.

Craig

Idaho Department of Water Resources

2004 Imagery



Reschedule!

→ 44 AC claimed - how many really??

908

67-4334 Harrington
outline of Harrington taxlots

67_4334_harringtontaxlots_possiblepou.shp
Washington taxlots
B-67streams.shp

circles inside show possible irrig land

Bosco has already tagged
the 3 diversions.



955

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4334

WATER RIGHT NUMBER: 67-4334

RECEIVED
SEP 20 2005
DEPARTMENT OF
WATER RESOURCES

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	~~LYLE HARRINGTON~~ 2527 COUNCIL CUPRUM RD COUNCIL, ID 83612-5009 (208)253-4707
Current Owner	DORIS HARRINGTON 2527 COUNCIL CUPRUM RD COUNCIL, ID 83612 (208)253-4707

Priority Date: 04/01/1900

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
HORNET CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	0.960 CFS	
	<u>Total Diversion:</u>	0.960 CFS	

Location of Point(s) of Diversion

HORNET CREEK	NW1/4SW1/4SW1/4	Sec. 14, Twp 17N, Rge 02W, B.M.
ADAMS County		
HORNET CREEK	NE1/4SW1/4SE1/4	Sec. 15, Twp 17N, Rge 02W, B.M.
ADAMS County		
HORNET CREEK	NE1/4SE1/4SE1/4	Sec. 15, Twp 17N, Rge 02W, B.M.
ADAMS County		

Place of UseIRRIGATION Within ADAMS County

T17N R02W S14	NESW	10.0	T17N R02W S14	NWSW	7.0
T17N R02W S14	SWSW	7.0	T17N R02W S14	SESW	14.0
T17N R02W S15	SWSE	2.0	T17N R02W S15	SESE	4.0

Total Acres: 44

Conditions of Approval:

- ATTACHED LETTER OF AUTHORIZATION AUTHORIZES AL & ROB HARRINGTON TO SIGN ON BEHALF OF DORIS AND LYLE HARRINGTON.
ONE OF THE POINTS OF DIVERSION LOCATED IN SECTION 14 IS ALSO USED BY PROPERTY OWNED BY MARK YATES.

Remarks:

SCANNED

SEP 20 2005

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
67-4939)
)
)

AFFIDAVIT

State of Idaho)
County of Adams)

Doris L Harrington being first duly sworn,
deposes and says: We have owned this Ranch since
"1944" it has been an working and
irrigated Ranch since "1881"

(Signature)

Subscribed and sworn to before me this
day _____ of _____, 19____.

SEAL

(Notary Public)

SCANNED
SEP 20 2005

Residing at _____.
My Commission Expires _____.

CONVERSATIONAL MEMORANDUM

Date: September 14, 2005

To: File 67-4334

From: Craig L. Saxton

Subject: Evidence of priority

Received a message from Rob Harrington (253-4704). I called back and got a woman on the phone that said she was sick and couldn't get around too well. She said she needed and extension on the deadline. I told her to take the time she needs to get it to us and not to worry about the deadline.

We hereby authorize Al & Rob
Harrington to act in our behalf in
any matter concerning water on
our ranch.

Signed

Doris Harrington
Lyle Harrington

SCANNED
APR 14 2004

MICROFILMED
JUL 2 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that LYLE AND/OR DORIS HARRINGTON

(Name of Claimant)

Council, ID 83612

(Mailing Address)

Telephone No. 253-4707

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 4/1/1900

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Hornet Creek flood water tributary to Weiser River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>.84cfs</u>		Use <u>irrigation</u>		Period of Use From <u>4/1</u>	To <u>10/31</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) .84cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

2 points SW 1/4 SW 1/4, Sec. 14 Twp. 17N Rge. 2W B.M., County of Adams

Additional points of diversion: SWSE, SESE, Sec. 15, 17N, 2W

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Diversion dam with gravity flow ditches

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
17N	2W	14									15	6	5	10					36
17N	2W	15													2			4	6

No. of acres 42

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

MICROFILMED

FEB 15 1989

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JRA

Right Number 67-4334 Applicant Harrington

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW: see

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed. none

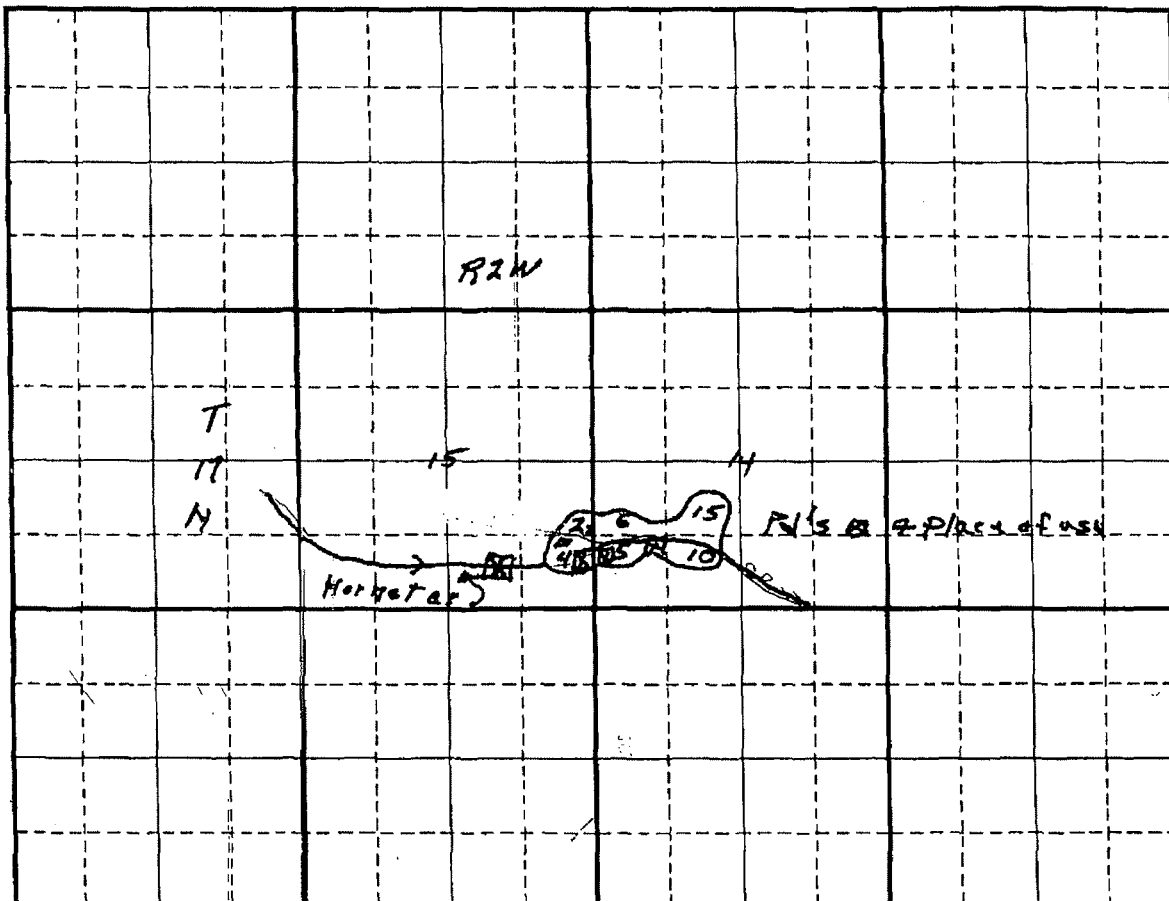
By _____ Date _____

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By 6LS Date 12/31/80
Hansen 1/6/81

(8) Remarks _____

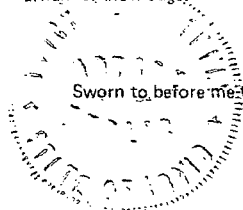


Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.



Sworn to before me this 25th day of November, 1980.

Lyle Harrington
(Claimant)

Nancy M. Hathway
Notary Public
Residing at Boston, MA

My commission expires Life

FEB 15 1989

FOR DEPARTMENT USE ONLY

Received by CEB Date 25 Nov 80 Exception filed by:
Prelim. check by GKN Date 12/1/80
\$0.00 fee received by CEB Date 25 Nov 80 #287
Published in Adams Co. Ledger
Dates 12/11/80 12/10/80

Forwarded to claimant by: WCH Date 1-2-81

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: A67-04334
Date Received: 12/28/1989
Receipt No: COI 3718
Received By: RAE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LYLE HARRINGTON 208-253-4707
Address: HC 67, BOX 2365
COUNCIL, ID 83612

AND/OR

Name: DORIS HARRINGTON 208-253-4707
Address: HC 67, BOX 2365
COUNCIL, ID 83612

2. Date of Priority: APR 01, 1900

3. Source: HORNET CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	02W	14	NW	SW	SW		ADAMS
		15	NE	SW	SE		ADAMS
			NE	SE	SE		ADAMS

5. Description of diverting works:
DAM & GRAVITY DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.960		

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

8. Total consumptive use is 144.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A67-04334

Page 1

Date: 12/28/89

SCANNED
APR 14 2004

MICROFILMED
OCT 02 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	02W	14	NE	SW		IRR	10.0
			NW	SW		IRR	7.0
			SW	SW		IRR	7.0
			SE	SW		IRR	14.0
			Section Acres				38.0
		15	SW	SE		IRR	2.0
			SE	SE		IRR	8.4
			Section Acres				10.6
			Total Acres				48.6

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
HORNET CREEK DITCH CO.

14. Remarks:

ATTACHED LETTER OF AUTHORIZATION AUTHORIZES AL & ROB HARRINGTON TO SIGN ON BEHALF OF DORIS AND LYLE HARRINGTON.
ONE OF THE POINTS OF DIVERSION LOCATED IN SECTION 14 IS ALSO USED BY PROPERTY OWNED BY MARK YATES.

15. Basis of Claim: STATUTORY CLAIM

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: 2

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): Rolh Harrington Date: 12/28/89
Al L. Harrington Date: 12/28/89

State of Idaho)
County of Ada) SS.

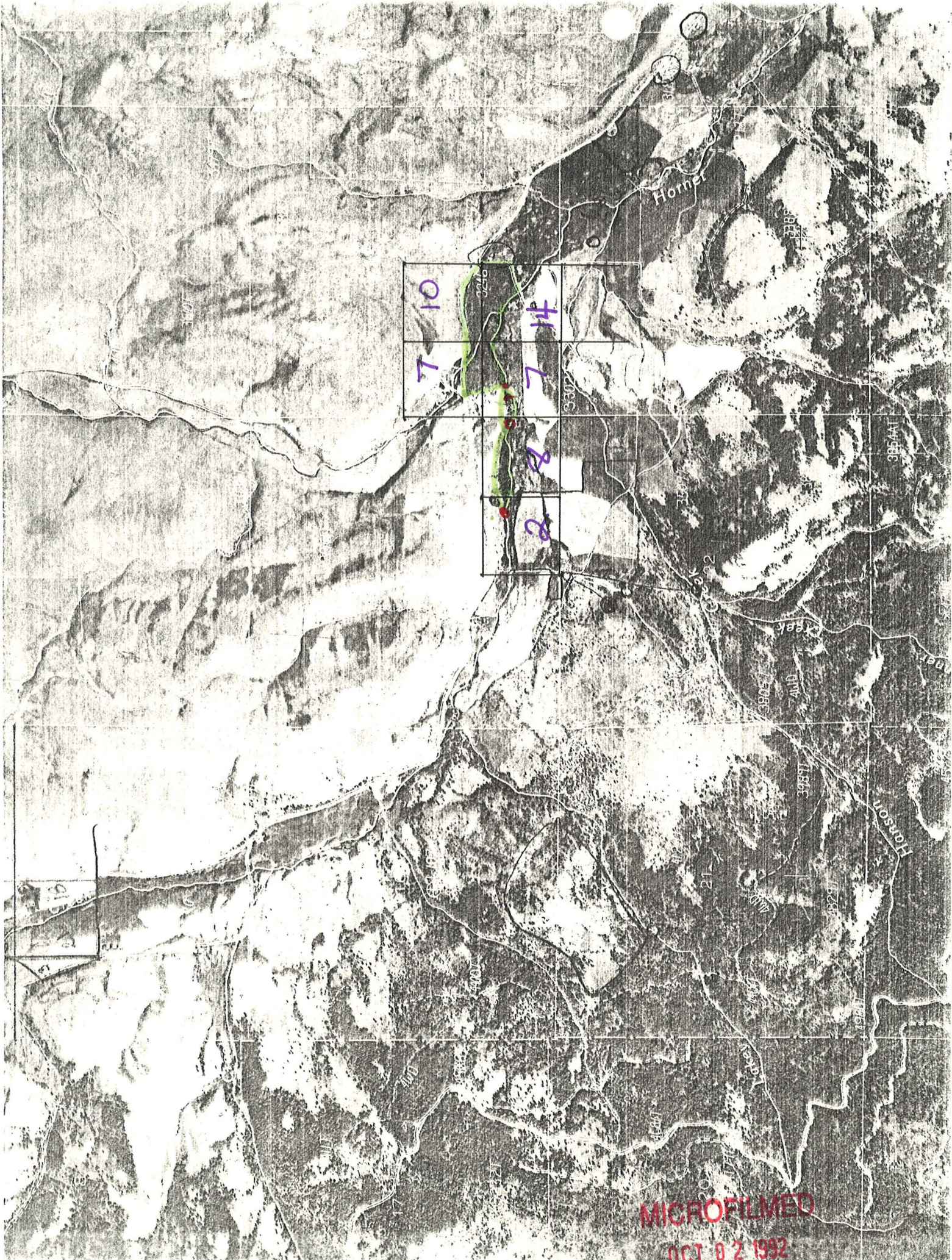
Subscribed and sworn (or affirmed) before me this 28th day
of December 19 89

Helen Harrington
Notary Public

Seal

Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

A67-04334



MICROFILMED
OCT 02 1992