

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 BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Claim ID: 11-323

Date Received: 1/28/25

Receipt No: P001771

Claim Fee: \$270.00 By: m3

RECEIVED

JAN 28 2025

NOTICE OF CLAIM TO A WATER RIGHT
IDWR/Preston ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of claimant(s) Eight Mile Ranch LLC Phone (208) 339-3857

Mailing address 13895 Nounan Rd Soda Springs ID 83276
Street or Box City State

Email address (optional) chadharriscattle@gmail.com

2. Date of priority: (Only one per claim) 5/01/1885 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Bear River
which is tributary to (b) Great Salt Lake

4. a. Location of point of diversion is: Township _____, Range _____, Section _____,
_____ 1/4 of _____ 1/4, Govt. Lot _____, BM, County of _____

Parcel no. _____

Additional points of diversion, if any: See Attachment A

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,

Govt. Lot _____, BM, County of _____

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

Govt. Lot _____, BM, 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.

Water is diverted directly from Pearl Creek from 9 different locations. First, there is a diversion headgate that runs into a water bubbler that catches water into a mainline pipe further up Pearl Creek canyon. Then there are 3 locations where water is diverted directly from Pearl Creek from 2 cement headgates and 1 canvas diversion. Then there are 5 other locations where water could be diverted from a secondary Pearl Creek stream using canvas and earthen dams.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Irrigation purposes from 4/20 to 10/31 amount 4.4 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 220 (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Parcel no(s). See attachment B Total number of acres irrigated 220

10. In which county(ies) are lands listed above as place of use located? Bear Lake

11. 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.

12. Describe any other water rights used at the same place and for the same purposes as described above.
See attachment C or None (☐)

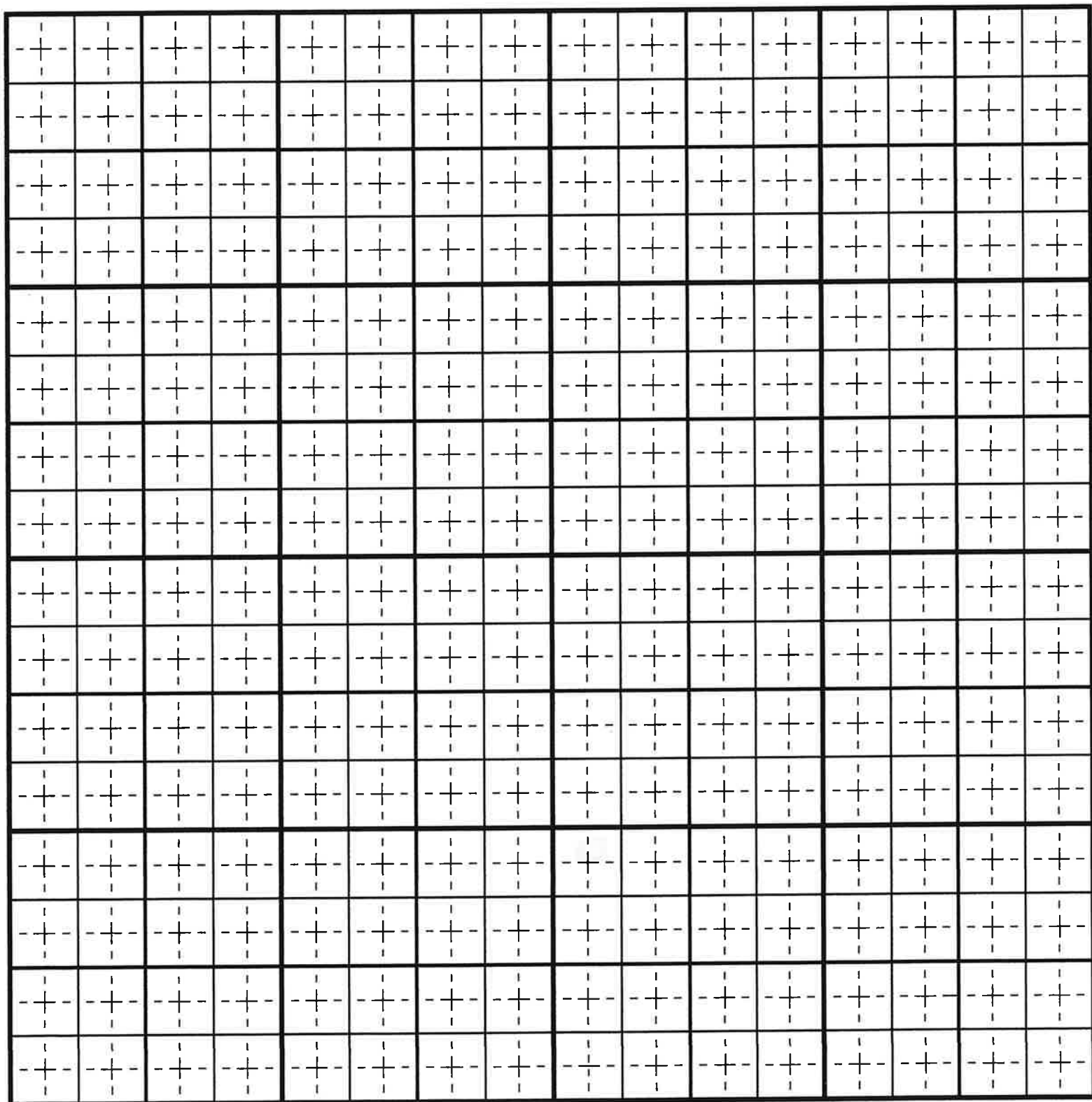
13. Remarks (Include an explanation of the priority date selected):

Date of priority water date from 1885. Season of use was changed from 4/20-9/30 from original decree to 4/20-10/31. We use this water well past 9/30 to irrigate grass pastures and crops. It is common to irrigate fall grain or other crops into October to put a little moisture in the ground before the winter season. We have owned the property for over 50 years and have been watering grass pastures every year since, well past the decreed season of use of 9/30 up to 10/31. The water right is for 220 acres within 1825.80 acre place of use.

Name of claimant(s) _____ Claim ID _____

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 inches equals 1 mile



Name of claimant(s) _____ Claim ID _____

14. Basis of claim (Check one) Beneficial Use () Posted Notice () License () Permit () Decree (✓)

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 11-323

15. **Signature(s)**

- (a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Owner - Partner of Ernst Mule Ranch LLC
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Wade A Harris Date 6/1/24

Printed Name of Authorized Agent Wade A Harris

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, 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 _____ Date _____

Address _____

Name of claimant(s) _____ Claim ID _____

HOW YOU WILL RECEIVE NOTICES IN THE CLARK FORK-PEND OREILLE RIVER BASIN WATER SYSTEM ADJUDICATION

All documents filed in the Clark Fork-Pend Oreille River Basin Water System Adjudication, other than notices of claim, are filed with the court. Notices of claim to water rights filed in the Clark Fork-Pend Oreille River Basin Water System Adjudication are filed with the Idaho Department of Water Resources (IDWR). Copies of all documents filed in the Clark Fork-Pend Oreille River Basin Water System Adjudication will not be mailed to all parties (claimants) in the adjudication. Any document filed with the court will be mailed only to those parties who may be directly affected by it.

A monthly docket sheet is prepared by the court, which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Clark Fork-Pend Oreille River Basin Water System Adjudication. Copies of a monthly docket sheet may be obtained from any of the offices of IDWR; a small fee may be charged to cover the cost of mailing and/or copying. If you wish to receive an annual subscription of the docket sheet printed each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee by the court to cover the cost of copying and mailing. The docket sheet is also available on the court's web site at:

<http://www.srba.idaho.gov/KRBA20.HTM>

Copies of any document listed on the docket sheet may be obtained from any of the IDWR offices or the court and a small fee may be charged to cover the cost of mailing and/or copying the document.

Copies of all notices of claim filed with IDWR will be available for inspection at all IDWR offices. You may also obtain copies of the notices of claim filed by other claimants, but you may be charged for the cost of copying and mailing. A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.

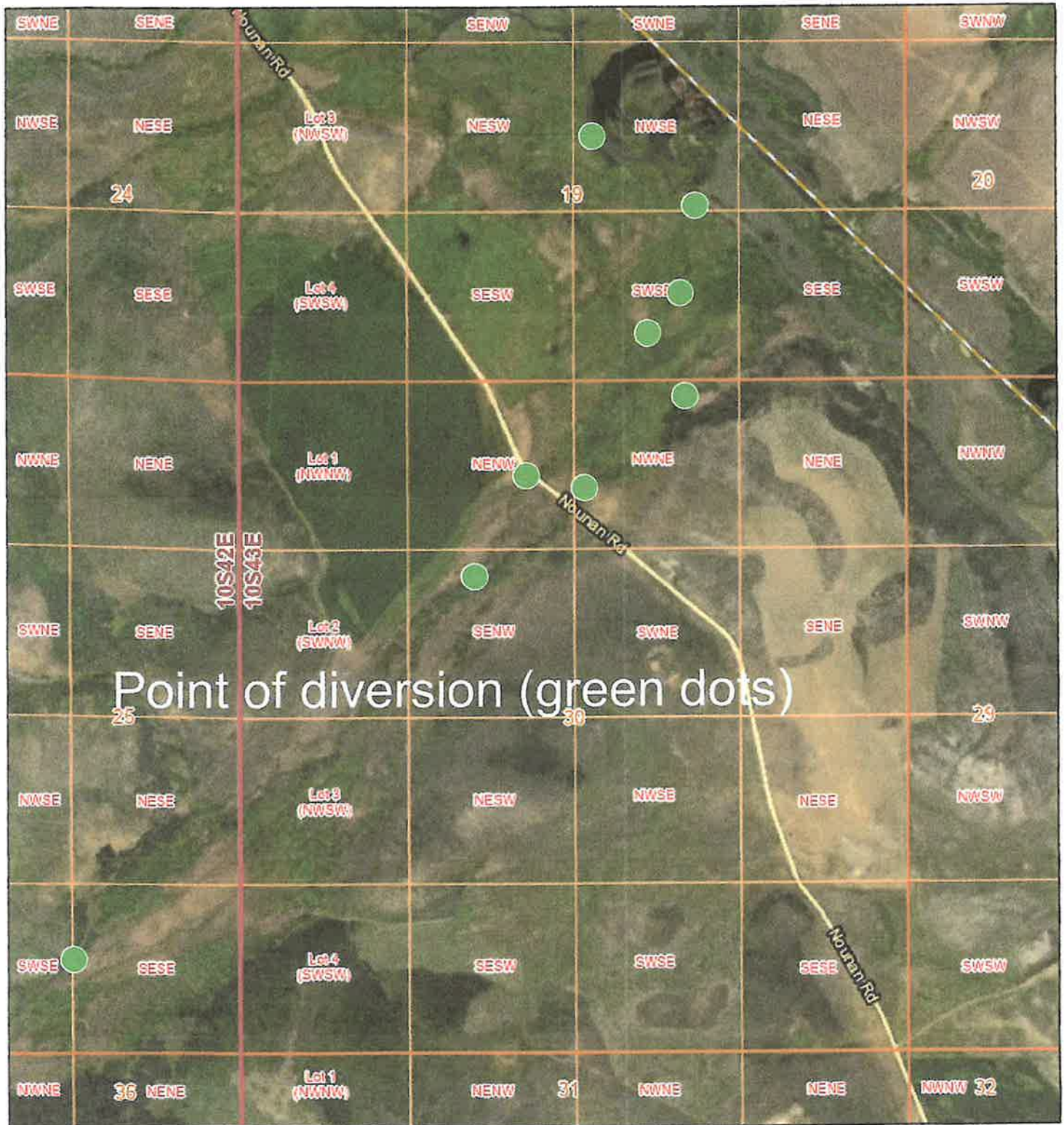
After the notices of claim have been reviewed, the director will prepare and file a Director's report with the court that will contain the Director's recommendations as to each water right claimed under state law and a copy of each federal reserved water right claimed. A Director's report will be prepared for all claims filed in the Clark Fork-Pend Oreille River Basin Water System Adjudication. When this report is filed with the court, you will be mailed a notice informing you that the report has been filed. The notice will be sent to the most recent address shown by IDWR's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way another claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection.

It is very important that you inform IDWR in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by IDWR or the court.

If you are acquiring property with water rights within the boundaries of the Clark Fork-Pend Oreille River Basin Water System Adjudication in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of IDWR whether a notice of claim has been filed. If you fail to file a required notice of claim for a water right, that water right may be determined to no longer exist.

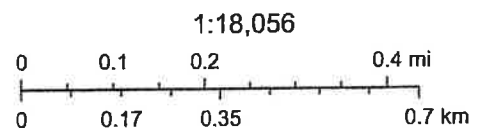
If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with IDWR. You may contact IDWR regional offices or the IDWR web site <http://www.idwr.idaho.gov/> for change of ownership forms. The notice of change in ownership form must be accompanied by evidence of the ownership of the property. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by IDWR or the court.

Water Rights



9/17/2024, 6:24:52 PM

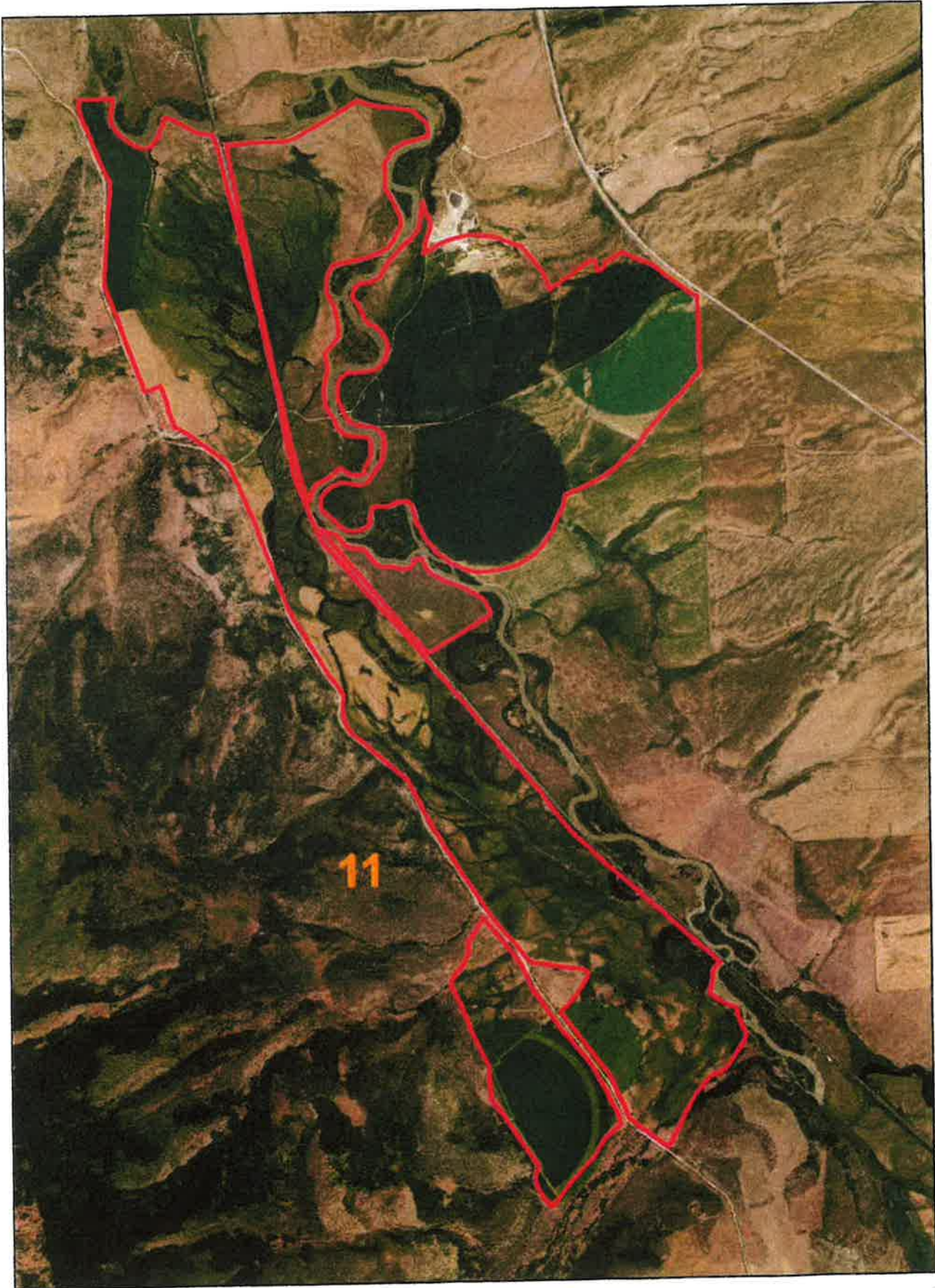
- Quarter Quarters
- PLS Sections
- Townships



Esri, HERE, iPC, Esri, HERE, Garmin, iPC, Maxar

A

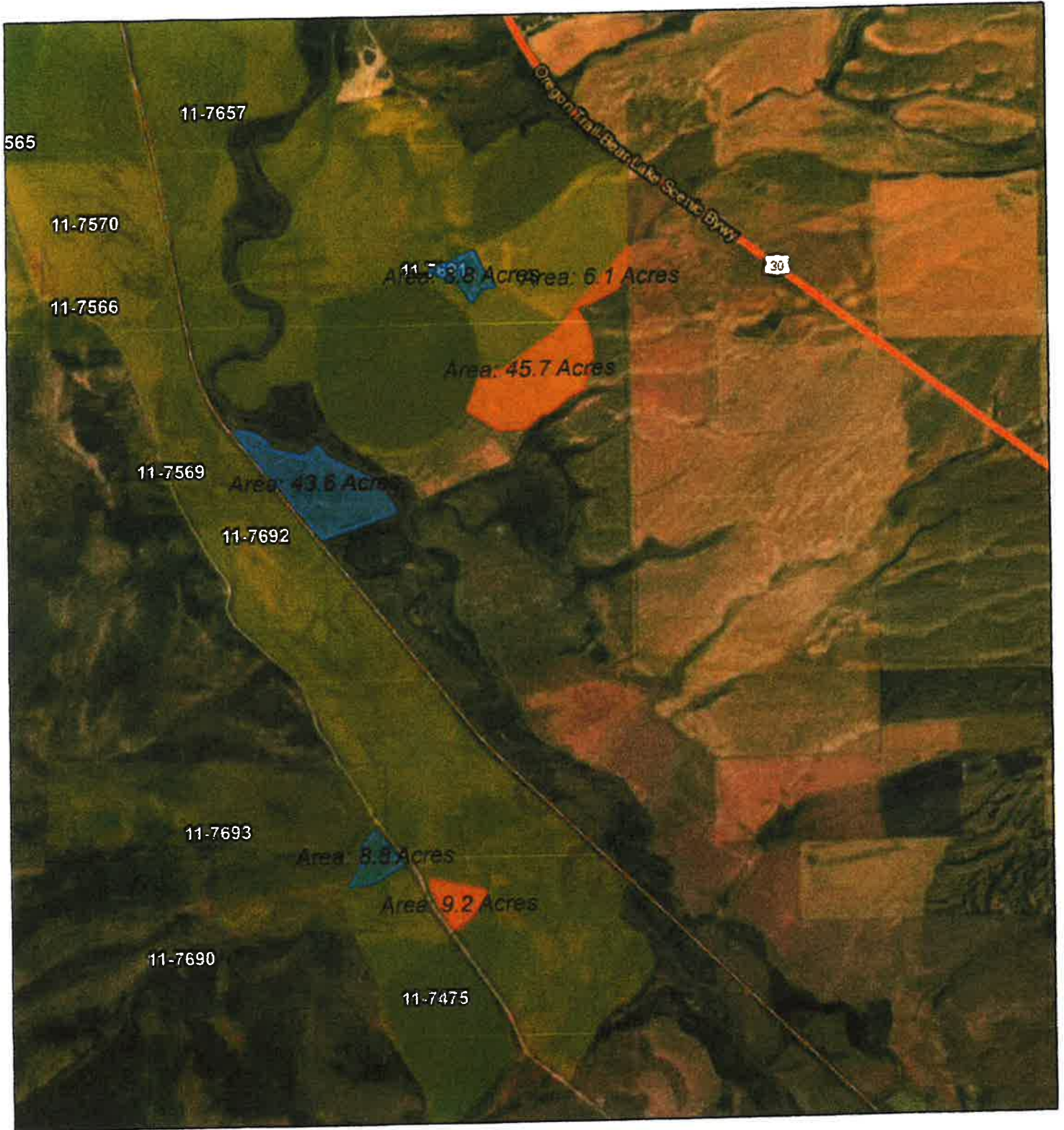
Irrigated Acres



0 750 1,500 3,000 4,500 6,000 Feet



Water Rights



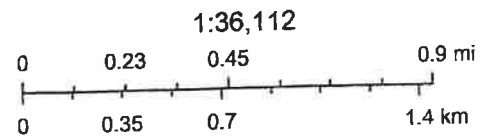
10/24/2023, 8:48:56 PM

POU - Water Rights



All Other POU (non-provider)

Orange -> take out
Blue -> add



Esri, HERE, Garmin, Esri, HERE, Maxar

B

Shape *	ObjectID *	AcresInPls	Meridian	GovtLot	Township	Range	Section
Polygon	1	20	1	0	10S	42E	1
Polygon	2	15	1	0	10S	42E	1
Polygon	3	28	1	0	10S	42E	1
Polygon	4	11	1	0	10S	42E	1
Polygon	5	0.3	1	0	10S	42E	2
Polygon	6	20	1	0	10S	42E	2
Polygon	7	25	1	0	10S	42E	11
Polygon	8	25	1	0	10S	42E	11
Polygon	9	12	1	0	10S	42E	11
Polygon	10	6.5	1	0	10S	42E	12
Polygon	11	40	1	0	10S	42E	12
Polygon	12	25	1	0	10S	42E	12
Polygon	13	38	1	0	10S	42E	12
Polygon	14	38	1	0	10S	42E	12
Polygon	15	39	1	0	10S	42E	12
Polygon	16	40	1	0	10S	42E	12
Polygon	17	39	1	0	10S	42E	12
Polygon	18	39	1	0	10S	42E	12
Polygon	19	40	1	0	10S	42E	12
Polygon	20	22	1	0	10S	42E	12
Polygon	21	38	1	0	10S	42E	12
Polygon	22	40	1	0	10S	42E	12
Polygon	23	20	1	0	10S	42E	12
Polygon	24	31	1	0	10S	42E	12
Polygon	25	40	1	0	10S	42E	12
Polygon	26	33	1	0	10S	42E	13
Polygon	27	22	1	0	10S	42E	13
Polygon	28	33	1	0	10S	42E	13
Polygon	29	30	1	0	10S	42E	13
Polygon	30	32	1	0	10S	42E	13
Polygon	31	0.5	1	0	10S	42E	13
Polygon	32	22	1	0	10S	42E	13
Polygon	33	3.5	1	0	10S	42E	13
Polygon	34	21	1	0	10S	42E	13
Polygon	35	38	1	0	10S	42E	13
Polygon	36	20	1	0	10S	42E	13
Polygon	37	39	1	0	10S	42E	13
Polygon	38	30	1	0	10S	42E	24
Polygon	39	8.5	1	0	10S	42E	24
Polygon	40	16	1	0	10S	42E	24
Polygon	41	8.4	1	0	10S	42E	24
Polygon	42	0.7	1	0	10S	42E	25
Polygon	43	19	1	0	10S	43E	7
Polygon	44	0.1	1	0	10S	43E	7
Polygon	45	0.6	1	1	10S	43E	7
Polygon	46	37	1	2	10S	43E	7
Polygon	47	20	1	0	10S	43E	7
Polygon	48	40	1	0	10S	43E	7
Polygon	49	41	1	3	10S	43E	7
Polygon	50	41	1	4	10S	43E	7
Polygon	51	40	1	0	10S	43E	7
Polygon	52	0.6	1	0	10S	43E	7
Polygon	53	40	1	0	10S	43E	7
Polygon	54	16	1	0	10S	43E	7
Polygon	55	12	1	0	10S	43E	18
Polygon	56	41	1	1	10S	43E	18
Polygon	57	11	1	2	10S	43E	18
Polygon	58	7.5	1	4	10S	43E	18
Polygon	59	3.1	1	0	10S	43E	19
Polygon	60	2.4	1	0	10S	43E	19
Polygon	61	35	1	1	10S	43E	19
Polygon	62	40	1	2	10S	43E	19
Polygon	63	32	1	0	10S	43E	19
Polygon	64	38	1	0	10S	43E	19
Polygon	65	28	1	3	10S	43E	19
Polygon	66	39	1	4	10S	43E	19
Polygon	67	37	1	0	10S	43E	19

B

QQ	Q	RngPart	SurveyCode	SurveyNum	TractID	County	Shape_Length
SW	SW	0	A			BEAR LAKE	1464.799915
SE	SW	0	A			BEAR LAKE	1151.566034
SW	SE	0	A			BEAR LAKE	1353.211862
SE	SE	0	A			BEAR LAKE	942.868908
NE	SE	0	A			BEAR LAKE	362.253487
SE	SE	0	A			BEAR LAKE	1414.705532
NE	NE	0	A			BEAR LAKE	1319.835192
SE	NE	0	A			BEAR LAKE	1285.898521
NE	SE	0	A			BEAR LAKE	992.505866
NE	NE	0	A			BEAR LAKE	1558.035505
NW	NE	0	A			BEAR LAKE	1608.820457
SW	NE	0	A			BEAR LAKE	2407.756768
SE	NE	0	A			BEAR LAKE	1765.68808
NE	NW	0	A			BEAR LAKE	2010.976683
NW	NW	0	A			BEAR LAKE	1593.88464
SW	NW	0	A			BEAR LAKE	1609.698722
SE	NW	0	A			BEAR LAKE	2402.723591
NE	SW	0	A			BEAR LAKE	2410.722003
NW	SW	0	A			BEAR LAKE	1592.508156
SW	SW	0	A			BEAR LAKE	1380.483423
SE	SW	0	A			BEAR LAKE	2389.02689
NE	SE	0	A			BEAR LAKE	1609.650316
NW	SE	0	A			BEAR LAKE	2470.991175
SW	SE	0	A			BEAR LAKE	2612.370656
SE	SE	0	A			BEAR LAKE	1610.136974
NE	NE	0	A			BEAR LAKE	1531.203784
NW	NE	0	A			BEAR LAKE	2301.712335
SW	NE	0	A			BEAR LAKE	2511.504161
SE	NE	0	A			BEAR LAKE	1981.8277
NE	NW	0	A			BEAR LAKE	1817.538861
NW	NW	0	A			BEAR LAKE	257.810788
SE	NW	0	A			BEAR LAKE	1262.286744
NE	SW	0	A			BEAR LAKE	605.561239
NE	SE	0	A			BEAR LAKE	2054.59873
NW	SE	0	A			BEAR LAKE	1544.187024
SW	SE	0	A			BEAR LAKE	1264.353955
SE	SE	0	A			BEAR LAKE	1546.989302
NE	NE	0	A			BEAR LAKE	1463.527603
SE	NE	0	A			BEAR LAKE	1143.777599
NE	SE	0	A			BEAR LAKE	1126.775442
SE	SE	0	A			BEAR LAKE	1039.395409
NE	NE	0	A			BEAR LAKE	250.757547
SW	NE	0	A			BEAR LAKE	1218.524431
SE	NE	0	A			BEAR LAKE	117.342123
NW	NW	0	L			BEAR LAKE	359.511397
SW	NW	0	L			BEAR LAKE	1512.97785
SE	NW	0	A			BEAR LAKE	1501.400547
NE	SW	0	A			BEAR LAKE	1609.026945
NW	SW	0	L			BEAR LAKE	1621.170618
SW	SW	0	L			BEAR LAKE	1620.400456
SE	SW	0	A			BEAR LAKE	1596.382666
NE	SE	0	A			BEAR LAKE	704.819006
NW	SE	0	A			BEAR LAKE	1578.190836
SW	SE	0	A			BEAR LAKE	1253.164041
NE	NW	0	A			BEAR LAKE	1279.028396
NW	NW	0	L			BEAR LAKE	1599.15277
SW	NW	0	L			BEAR LAKE	1273.495049
SW	SW	0	L			BEAR LAKE	848.245876
SW	NE	0	A			BEAR LAKE	541.721061
NE	NW	0	A			BEAR LAKE	495.106687
NW	NW	0	L			BEAR LAKE	1507.45469
SW	NW	0	L			BEAR LAKE	1678.208031
SE	NW	0	A			BEAR LAKE	1467.297533
NE	SW	0	A			BEAR LAKE	1722.888033
NW	SW	0	L			BEAR LAKE	2222.069701
SW	SW	0	L			BEAR LAKE	1796.699822
SE	SW	0	A			BEAR LAKE	2113.225381

B

Shape *	ObjectID *	AcresInPls	Meridian	GovtLot	Township	Range	Section
Polygon	68	31	1	0	10S	43E	19
Polygon	69	40	1	0	10S	43E	19
Polygon	70	5.6	1	0	10S	43E	19
Polygon	71	15	1	0	10S	43E	30
Polygon	72	26	1	0	10S	43E	30
Polygon	73	34	1	1	10S	43E	30
Polygon	74	8.6	1	2	10S	43E	30
Polygon	75	0.7	1	0	10S	43E	30

QQ	Q	RngPart	SurveyCode	SurveyNum	TractID	County	Shape_Length
NW	SE	0	A			BEAR LAKE	1479.426088
SW	SE	0	A			BEAR LAKE	1566.10669
SE	SE	0	A			BEAR LAKE	751.321981
NW	NE	0	A			BEAR LAKE	1126.83331
NE	NW	0	A			BEAR LAKE	1960.279466
NW	NW	0	L			BEAR LAKE	1489.2625
SW	NW	0	L			BEAR LAKE	751.565489
SE	NW	0	A			BEAR LAKE	251.908

	Type	Basin	Sequence	Basis	Status	Priority Date	Div. Rate (cfs)	Acres	Source	Water Use	Owner
1	WR	11	256	Decreed	Active	5/1/1889	2.5	93.8	BEAR RIVER	IRRIGATION	EIGHT MILE RANCH LLC
2	WR	11	321	Decreed	Active	5/1/1883	6	300	PEARL CREEK	IRRIGATION	EIGHT MILE RANCH LLC
3	WR	11	323	Decreed	Active	5/1/1885	4.4	220	SPRINGS	IRRIGATION	EIGHT MILE RANCH LLC
4	WR	11	322	Decreed	Active	5/1/1886	2.9	145	TRAIL CREEK	IRRIGATION	EIGHT MILE RANCH LLC
5	WR	11	7474	Decreed	Active	5/1/1889	11.5	461.6	BEAR RIVER	IRRIGATION	EIGHT MILE RANCH LLC
6	WR	11	7475	Decreed	Active	5/1/1889	12.5	501.7	BEAR RIVER	IRRIGATION	EIGHT MILE RANCH LLC
7	WR	11	7657	Decreed	Active	5/1/1889	2	82.8	BEAR RIVER	IRRIGATION	EIGHT MILE RANCH LLC
8	WR	11	7691	Statutory Claim	Active	5/1/1959	0.31	10.3	CLOVER CREEK	IRRIGATION	EIGHT MILE RANCH LLC
9	WR	11	7692	Statutory Claim	Active	5/1/1959	0.32	10.6	POLE CREEK	IRRIGATION	EIGHT MILE RANCH LLC
							42.43	1825.8			

C