

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: **A43-02383**
Date Received: 6/12/1989
Receipt No: W003184
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY B HARPER 208-645-2227
Address: HC 66 BOX 16
DECLO ID 83323

Name: SUSAN HARPER 208-645-2227
Address: HC 66 BOX 16
DECLO ID 83323

2. Date of Priority: SEP 15, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12S	26E	1	SW	SW	SW		CASSIA
		12	SW	SW	SW		CASSIA

5. Description of diverting works:
280' WELL, 100 HP PUMP, 75 HP BOOSTER, PIVOTS & WHEELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.120		

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

8. Total consumptive use is 690.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	26E	11	NE	SE		IRR	40.0
			SE	SE		IRR	37.0
					Section Acres		77.0
		12	NW	NW		IRR	33.0
			SW	NW		IRR	32.0
			NE	SW		IRR	23.0
			NW	SW		IRR	33.0
			SW	SW		IRR	32.0
					Section Acres		153.0
					Total Acres		230.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-02313B & A43-10632

14. Remarks:

PRESENT P/U OCCURRED IN 1979 WHEN SYSTEM CONVERTED TO PIVOT IRRIGATION. NO TRANSFER PROCEEDINGS WERE PROCESSED WITH IDWR. ALL LAND ALWAYS OWNED BY CLAIMANT. SEPARATE CLAIM FOR WATER SPREADING ALSO BEING FILED.

DWR NOTE

THIS WR IS EXPANDED P/U UNDER CLAIM A43-10632 WITH NO INCREASE IN WATER DIVERTED.

OWNERSHIP CHANGE 10/27/94 BY JG TO GARY B. & SUSAN HARPER.

15. Basis of Claim: LICENSE

Water Right Number: 23047

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

MAR - 1 1994

Department of Water Resources
Southern Region Office

DATE OF CLOSING: Feb. 22, 1994

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.
See attached for legal description

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) _____ A43-10632 has same name and
Assigned by IDWR: A43-02313B and A43-02383 Place of Use _____
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Kobe Brothers
- ☐ New Owner/Claimant (Purchaser): Gary B. Harper and Susan Harper
- ☐ New Mailing Address: HC 66 Box 16
Declo, Idaho 83323
- ☐ New Telephone Number: (208) 645 - 2227
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: recorded Warranty Deed
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s) Gary B. Harper Date 2-24-94
Susan Harper Date 2-24-94
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10/1/94 By: SG

Further Action Needed: 4/20/95 1st file

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

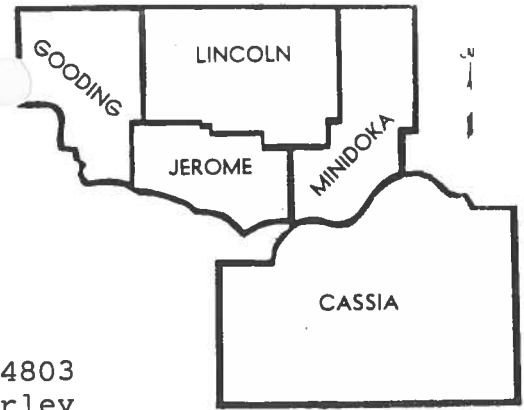
Date: _____ By: _____

Claim Numbers of Split, if any: _____

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #24803
OFFICE: Burley

February 28, 1994

Idaho Dept. of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

RECEIVED

MAR - 1 1994

Department of Water Resources
Southern Region Office

Dear Secretary:

Enclosed please find an original executed Notice of Change of Water Right Ownership on Gary B. Haper and Susan Harper on property located in Cassia County, Idaho.

Would you please record this Notice of Change and return a receipted copy to this office.

Thank you.

Very truly yours,
LAND TITLE AND ESCROW, INC.

Nancy Garrett

Nancy Garrett
Reconveyance Department

/nrg
enc.

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 1199

MAR - 1 1994

Edward Kobe
Edward Kobe

Norma S. Kobe
Norma S. Kobe
Department of Water Resources
Southern Region Office

Victor Kobe
Victor Kobe

Nancy C. Kobe
Nancy C. Kobe

John T. Kobe
John T. Kobe

Maxine Kobe
Maxine Kobe

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 23rd day of February, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Edward Kobe and Norma S. Kobe, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

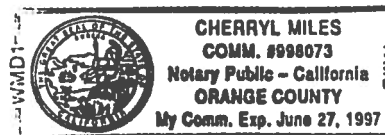
Kay Lamberson
Notary Public
Residing at: Boise, Idaho
My Commission expires: Sept. 20, 1998

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 23rd day of February, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Victor Kobe and Nancy C. Kobe, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Kay Lamberson
Notary Public
Residing at: Boise, Idaho
My Commission expires: Sept. 20, 1998

STATE OF CALIFORNIA)
) ss.
COUNTY OF Orange)



On this 24 day of February, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared John T. Kobe and Maxine Kobe, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Cherryl Miles
Notary Public
Residing at: Orange, California
My Commission expires: June 27, 1997

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
253

1994 FEB 25 P 1:44

229367

CLERK OF COUNTY CLERK
CARROLL H. ROSKELLEY
RECORDER

FEE 600 DEPUTY KM
LAND TITLE & ESCROW

R E C E I V E D

229367

WARRANTY DEED

MAR - 1 1994

Department of Water Resources

Southern Region Office

FOR VALUE RECEIVED, Edward Kobe and Norma S. Kobe, husband and wife, Victor Kobe and Nancy C. Kobe, husband and wife, and John T. Kobe and Maxine Kobe, husband and wife, Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Gary B. Harper and Susan Harper, husband and wife, Address: HC 66 Box 16, Declo, Idaho 83323 hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

TOWNSHIP 12 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 1: NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$

Section 11: E $\frac{1}{2}$ SE $\frac{1}{4}$, EXCEPT that portion deeded to the State of Idaho for highway purposes.

Section 12: W $\frac{1}{2}$

TOGETHER WITH all water and water rights, ditch and ditch rights, used thereon or appurtenant thereto, including but not limited to water rights under State of Idaho Adjudication No. A43-02383, A43-02313B and A43-10632.

SUBJECT TO:

Taxes for 1994 and subsequent years.

Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative and Kobe Brothers - Malta Farm, Victor R. Kobe, Ed R. Kobe and John T. Kobe, dated May 28, 1985 and recorded June 13, 1985 as Instrument No. 170268 on Film No. 173, records of Cassia County, Idaho.

Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative and Malta Farm, Kobe Bros. - Victor R. Kobe, Ed R. Kobe and John T. Kobe, dated May 29, 1985 and recorded June 13, 1985 as Instrument No. 170269 on Film No. 173, records of Cassia County, Idaho.

Agreement by and between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative, and Kobe Farms (Malta Farm) and Ed Kobe, dated May 2, 1986 and recorded May 15, 1986 as Instrument No. 178407 on Film No. 180, records of Cassia County, Idaho.

Agreement by and between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative, and Kobe Farms (Malta Farm) and Ed Kobe, dated May 2, 1986 and recorded May 15, 1986 as Instrument No. 178408 on Film No. 180, records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warranty and defend the same from all lawful claims whatsoever.

Dated: February 23, 1994

-Continued-

TOWNSHIP 12 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 1: NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$

Section 11: E $\frac{1}{2}$ SE $\frac{1}{4}$, except that portion deeded to the State
of Idaho for highway purposes.

Section 12: W $\frac{1}{2}$

RECEIVED

MAR - 1 1994

Department of Water Resources
Southern Region Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 27, 1994

GARY B HARPER
SUSAN HARPER
HC 66 BOX 16
DECLO ID 83323

RE: Change of Ownership Adjudication Claim(s) No. A43-02313B,
A43-02383 & A43-10632 in the Name of Kobe Brothers

Dear Claimant(s):

Pursuant to notification that you presently own the property in which the above-referenced Adjudication Claim is appurtenant, the Department has changed the record of the current owner as you requested.

Adjudication Claim No. A43-10632 I changed also. The name was the same and the place of use was within the same lands as A43-02313B & A43-02383.

Please review the record(s) and if you have any corrections or questions, feel free to call me at this office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Technical Records Specialist

/JG

Enclosures:

c.c. Larry Roberts - Land Title - Burley

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: A43-02383
Date Received: 2/23/1990
Receipt No: W003184
Received By: _____

DATA ENTERED BY SCC
DATE 2/23/90

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KOBE BROTHERS
Address: P.O. BOX 3386 T.A.
SPOKANE, WA

509-624-5365

99220

2. Date of Priority: SEP 15, 1952

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12S	26E	1	SW	SW	SW		CASSIA
		12	SW	SW	SW		CASSIA

5. Description of diverting works:
280' WELL, 100 HP PUMP, 75 HP BOOSTER, PIVOTS & WHEEL LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.120		

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

8. Total consumptive use is 690.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
12S	26E	11	NE	SE		IRR	40.0
			SE	SE		IRR	37.0
Section Acres							77.0

A43-02383

Page 1

Date: 02/23/90

MICROFILMED
MAR 03 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
12S	26E	12	NW		NW		IRR	33.0
			SW		NW		IRR	32.0
			NE		SW		IRR	23.0
			NW		SW		IRR	33.0
			SW		SW		IRR	32.0
							Section Acres	153.0
							Total Acres	230.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-02313B & A43-10632

14. Remarks:

PRESENT P/U OCCURRED IN 1979 WHEN SYSTEM CONVERTED TO PIVOT IRRIGATION. NO TRANSFER PROCEEDINGS WERE PROCESSED WITH IDWR. ALL LAND ALWAYS OWNED BY CLAIMANT. SEPARATE CLAIM FOR WATER SPREADING ALSO BEING FILED.

DWR NOTE

THIS WR IS EXPANDED P/U UNDER CLAIM A43-10632 WITH NO INCREASE IN WATER DIVERTED.

15. Basis of Claim: LICENSE
Water Right Number: 23047

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 Organizations:

I do solemnly swear or affirm that I am _____ of _____ Title

_____, that I have signed the foregoing Organization document in the space below as _____ of

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

Date Received

Receipt Number

A43-02383

W003184

RECEIVED
JUL 12 1989

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

FEB 26 1990

Department of Water Resources
Southern Region Office

Please type or print clearly

- Name of Claimant (s) Kobe Brothers Phone (509) 624-5365
Mailing Address P.O. Box 3386 T.A., Spokane, Wash. Zip 99220
- Date of Priority (Only one (1) per claim) September 15, 1952
- Source of water supply (a) Groundwater
which is tributary to (b) _____
- a. Location of existing point of diversion is: Township 12S Range 26E Section 12,
1/4 of SW 1/4 of SW 1/4, Govt. Lot, B.M., County of Cassia,
Additional points of diversion if any: SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1 - intertie system.
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
- 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. 280 foot well with 90 feet of 10 in.
casing, 100 H.P. pump and motor with 75 H.P. booster pump, mainline and
pivots. Wheel lines on 77 acres.

MICROFILMED

MAR 03 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 3.12 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.12 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 690 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	
12S	26E	12						33	32		23	33	32						153
12S	26E	11													40			37	77

Total number of acres irrigated 230

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

12. Do you own the property listed above as place of use? Yes X 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.
Intertie with well under License 43-2313 or None ()

14. Remarks: Present place of use occurred in 1979 when system converted to
pivot irrigation. No transfer proceedings were processed with Department
of Water Resources. All land always owned by claimant. Separate claim
for water spreading also being filed.

MICROFILMED

MAR 03 1993

Last Name Kobe Ident No. _____

Copies: White -State, Yellow-Claimant

1416
T8215
3
8.2

4 1.1
6.3
5 1.9
6 33.8
7 1.5

well

2 8
11 1.68
12 1416

1 T 8216
7.5

DO-18, DO-20
S-1, 12
T-12
R-26

3
7.7

105.6

5
5.8

1416
T8217

DO-20
S-11
T-12
R-26

6
6.5

well
11 8
12 5.8

9
128.5

110
7.4

965 14 19
T1558

14.8

RECORDED
MAR 13 1953

Ident No.

Last Name: Kobe

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number G-23047 (43-2383)
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) _____ Date _____
_____ Date _____

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

Signature of Authorized Agent Edward R. Kobe, Jr.
Title and Organization Kobe Brothers Date 6/8/89

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

Subscribed and sworn (or affirmed) before me this 8th day of June, 19 89

SEAL

Notary Public Rogers D. Ling

Residing at Rupert, Idaho

My Commission Expires 10/30/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Roger D. Ling 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 Rogers D. Ling

Address P.O. Box 396, Rupert, Idaho 83350

Date June 9, 1989

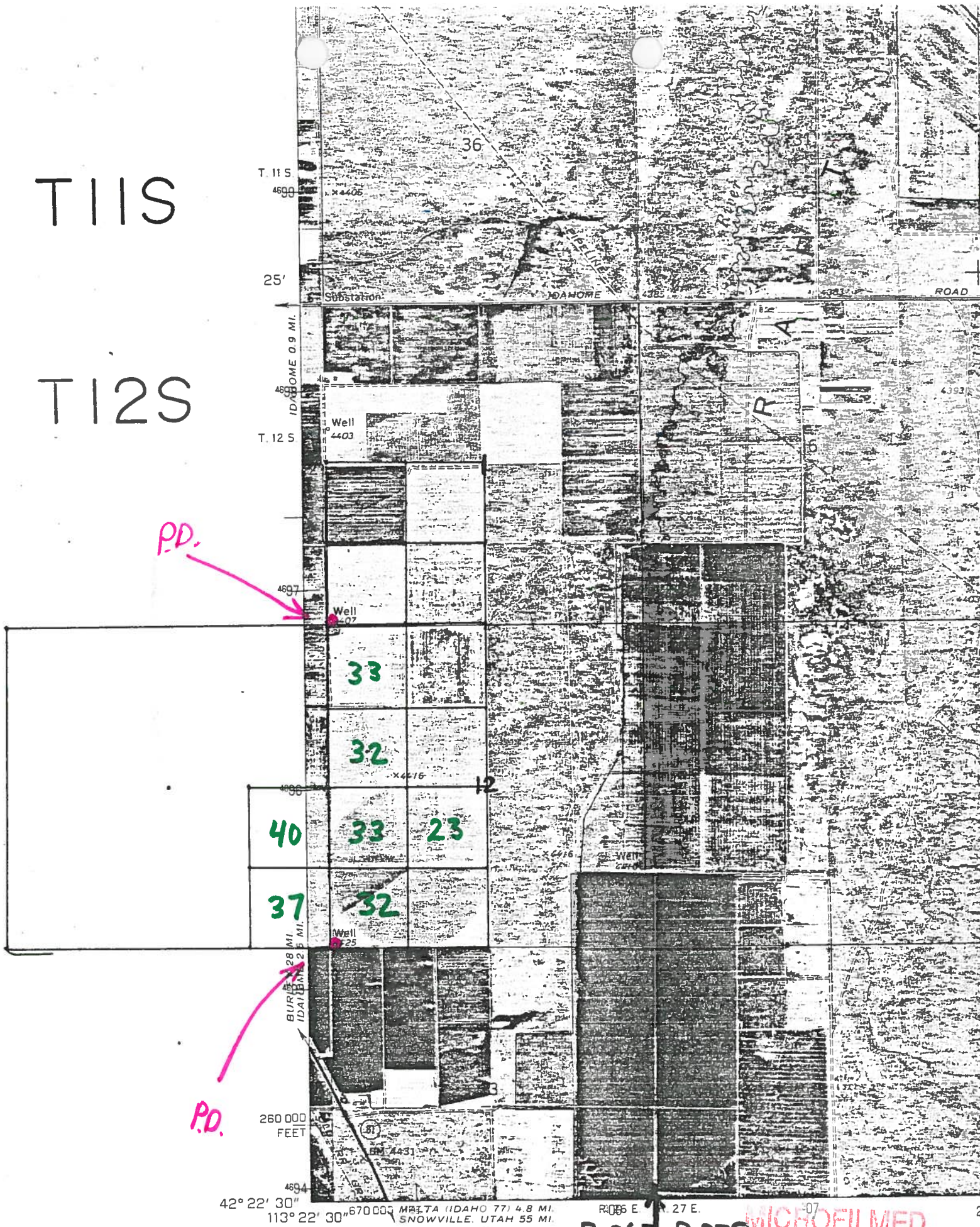
MICROFILMED
MAR 03 1993

Last Name Kobe Ident. Number _____

Copies White-State, Yellow-Claimant

TIIS

TI2S



42° 22' 30" 113° 22' 30" 670 000 MAR 17A (IDAHO 77) 4.8 MI. SNOWVILLE, UTAH 55 MI. R. 26 E. R. 27 E.

Produced by the Geological Survey
in cooperation with the Soil Conservation Service

Orthophotograph prepared from 1:78 000-scale
aerial photographs taken August 20, 1976

R. 26 E. R. 27 E.

MICROFILMED

MAR 03 1993

A43-02383



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Feb. 23, 1990

Re: A43-02313B
A43-02383
A43-10632

KOBE BROTHERS
P O BOX 3386 TA
SPOKANE WA 99220

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of you claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
MAR 03 1993

05/09/2001

**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: June 15, 2001

Water right number: 43-2383

GARY B HARPER
2040 E 850 S
DECLO ID 83323
Telephone Number: (208)645-2227

SUSAN C HARPER
2040 E 850 S
DECLO ID 83323
Telephone Number: (208)654-2227

RECEIVED
JUN 12 2001
Department of Water Resources

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: 27 May 01 SIGNATURE: Gary B. Harper
Please print your name: GARY B. Harper

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

VERIFIED BY *[Signature]* 1/31/01

01/31/2001

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

RIGHT NUMBER: 43-2383
NAME AND ADDRESS: GARY B HARPER
SUSAN HARPER
HC 66 BOX 16
DECLO, ID 83323

SOURCE: GROUND WATER

QUANTITY: 3.12 CFS
920 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 5.82 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1640 AF. COMBINED RIGHT NOS.: 43-
02313C, 43-02383, & 43-10632.

PRIORITY DATE: 09/15/1952

POINT OF DIVERSION:	T12S R26E S1	SWSWSW	Within CASSIA County
	T12S R26E S12	SWSWSW	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	3.12 CFS 920.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T12S R26E S11	NESE	40	T12S R26E S11	SESE	37
T12S R26E S1	NESW	40	T12S R26E S1	NWSW	33
T12S R26E S1	SWSW	40	T12S R26E S1	SESW	40
T12S R26E S12	NENW	40	T12S R26E S12	NWNW	40
T12S R26E S12	SWNW	40	T12S R26E S12	SENW	40
T12S R26E S12	NESW	40	T12S R26E S12	NWSW	40
T12S R26E S12	SWSW	39	T12S R26E S12	SESW	35

544 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 230 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 544 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-02313C, 43-02383, & 43-10632.

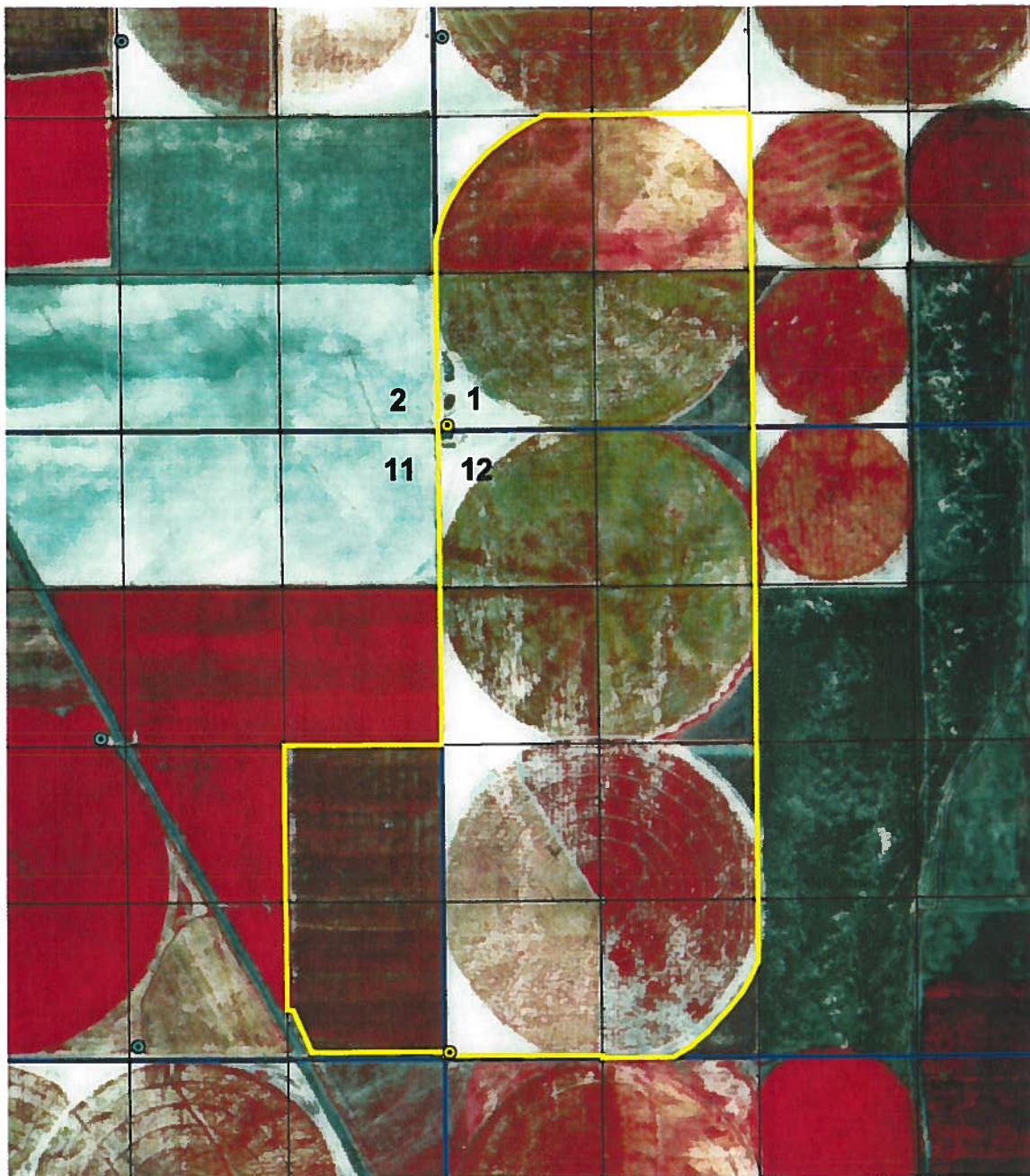
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - License

RIGHT NO. 43-10632 IS AN EXPANSION OF RIGHT NOS. 43-02313C
& 43-02383 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

43-02313C, 43-02383, & 43-10632



RECOMMENDED PLACE OF USE
DATA ENTRY ON JAN. 31, 2001
TWP 12S, RNG 26E, SEC. 1, 11, & 12

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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01/30/01
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PROFILE REPORT

CLAIM NUMBER: A43-02383

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARY B HARPER	09/15/1952	IRRIGATION	03-15 11-15	3.120 CFS	920 AF
C	SUSAN HARPER					(230x4)
TOTAL DIVERSION:					3.120 CFS	
~~CONSUMPTIVE USE:~~						~~690.00 AFA~~

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T12S R26E S01 SWSWSW
S12 SWSWSW

CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
12S	26E	11	:					:					:					:	40				37	:	77.0
12S	26E	12	:					:	33	32			:	23	33	32		:						:	153.0
TOTAL ACRES																							230.0		

POU County: CASSIA

Other Rights: A43-02313B & A43-10632

Remarks: GEN PRESENT P/U OCCURRED IN 1979 WHEN SYSTEM CONVERTED TO PIVOT IRRIGATION. NO TRANSFER PROCEEDINGS WERE PROCESSED WITH IDWR. ALL LAND ALWAYS OWNED BY CLAIMANT. SEPARATE CLAIM FOR WATER SPREADING ALSO BEING FILED.
DWR NOTE
THIS WR IS EXPANDED P/U UNDER CLAIM A43-10632 WITH NO INCREASE IN WATER DIVERTED.

OWNERSHIP CHANGE 10/27/94 BY JG TO GARY B. & SUSAN HARPER.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: C

Cond. Code C18
Remarks: POU1 K06 230 Ac.
E14 544 Ac.
QNT E27 582 cfs
EXP K03 1640 AF
exp. claim
(410 ac. x 4)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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QUICKLOOK INFORMATION

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CLAIM NUMBER: A43-02383

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	- N							
POINT OF DIV	- N							
SOURCE	- N							
PLACE OF USE	Y -							
DIV. AMOUNT CFS/VOLUME	Y -							
CONSUMPTIVE USE								
PURPOSES OF USE	- N							
PERIOD OF USE	- N							
BASIS OF CLAIM	- N							
REMARKS	Y -							

BARCODE UPDATED
WHOM/DATE

R PROOF

CVR

MAPS

PHOTOS

MISC

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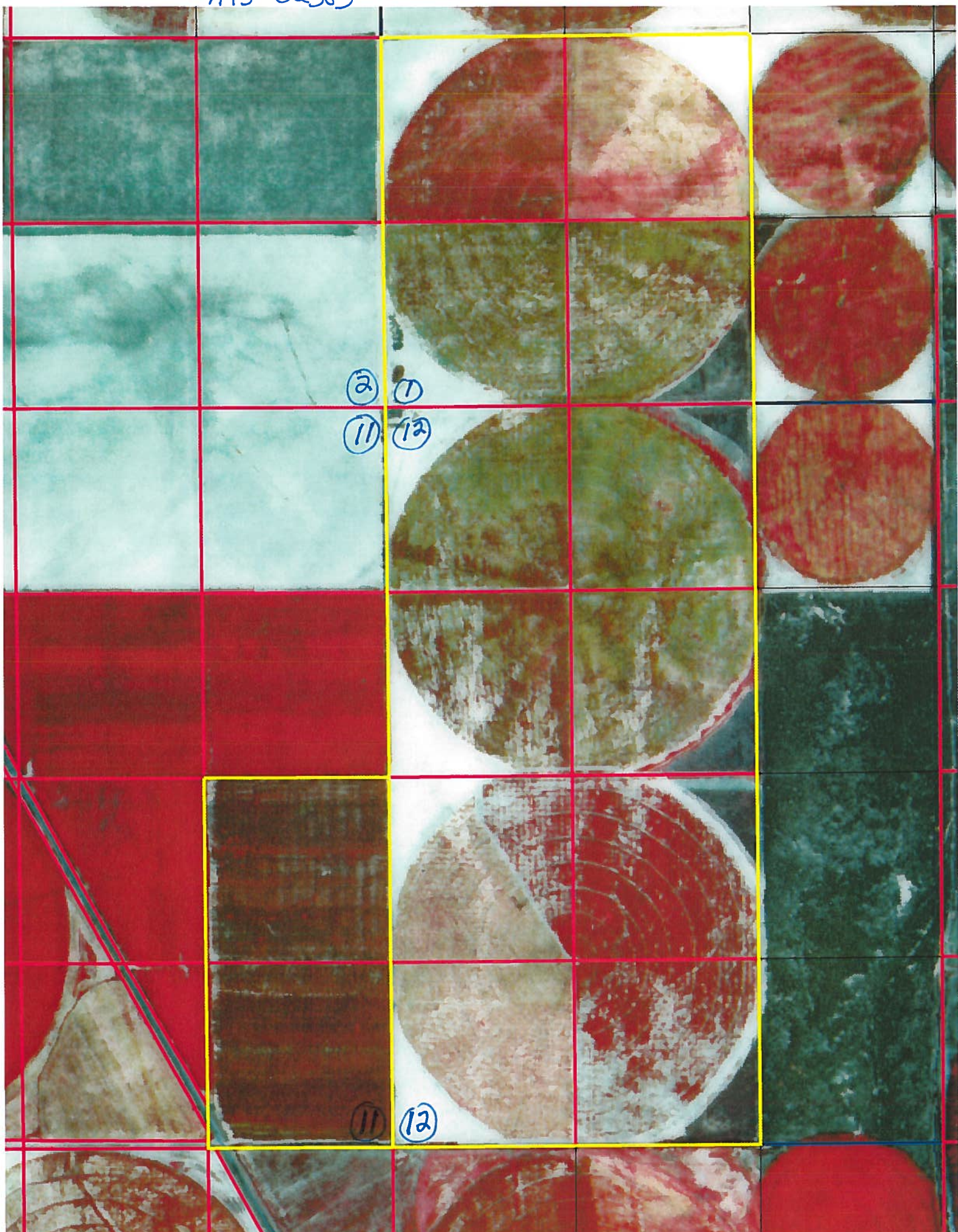
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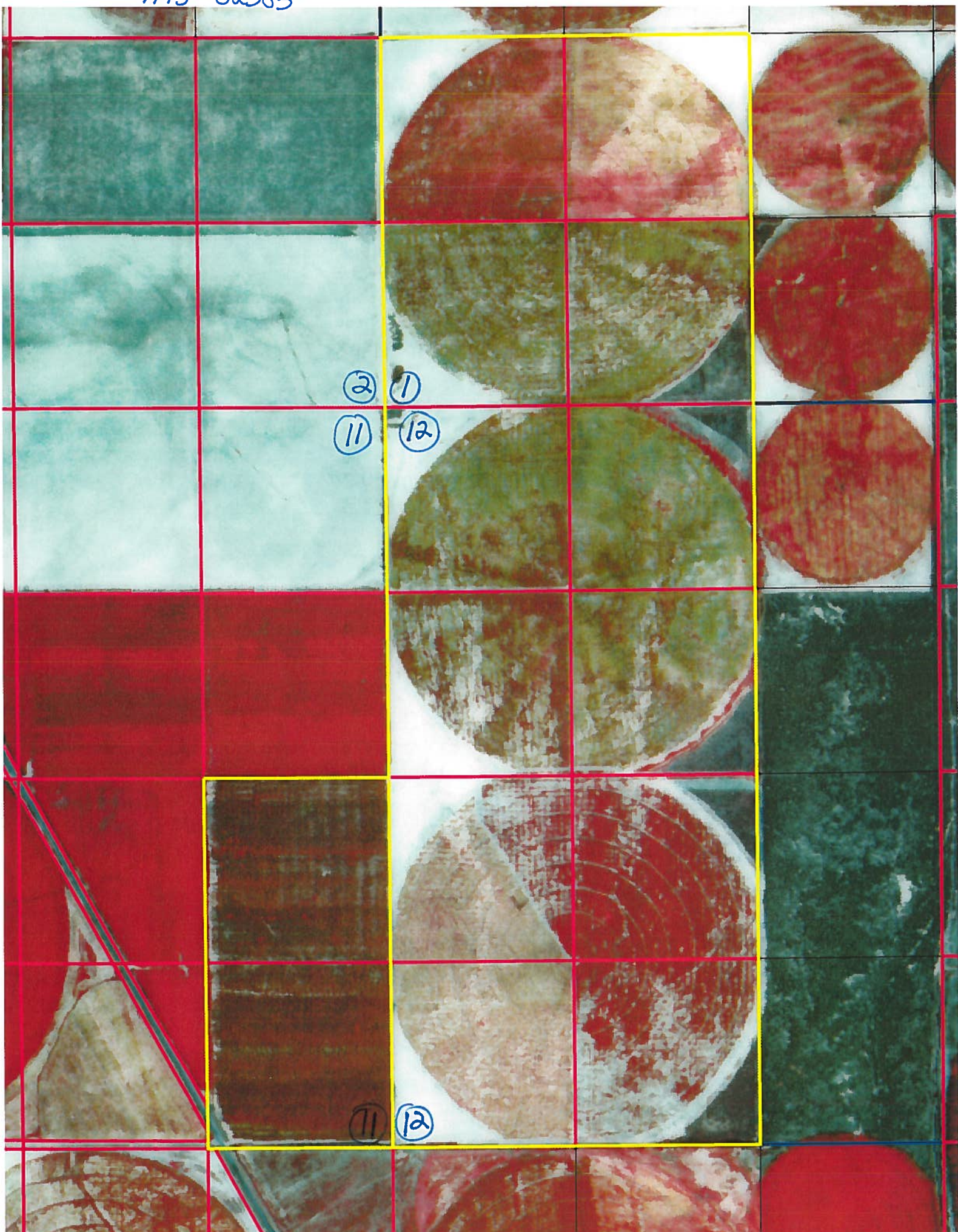
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A43 - 02383



A43-02383



CLAIM NUMBER A43-02383 DATE _____
AGENT _____

TRANSFER NUMBER _____
CLAIMED ACRE TOTAL 230
GIS ACRE TOTAL _____

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	12S	26E	11													40			37 77
GIS	12S	26E	11																
RECOM	12S	26E	11																
CLAIM	12S	26E	12					33.32				23.33.32							15
GIS	12S	26E	12																
RECOM	12S	26E	12																
CLAIM																			
GIS																			
RECOM																			

B43-POU.SHP

SHAPE NOS.

B43-POD.SHP

NOS. DESCRIPTION

DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT