

06/01/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 43-2398

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GARY B HARPER 2040 E 850 S DECLO, ID 83323 (208)645-2227
Original Owner	ARDEL W WICKEL 1084 E 300 N DECLO, ID 83323 (208)654-2341
Original Owner	LESTER V TANNEHILL STAR RT DECLO, ID 83323

Priority Date: 08/25/1953
Basis: License
Status: Active

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/01	11/01	2.3 CFS		
Total Diversion			2.3 CFS		

Location of Point(s) of Diversion:

GROUND WATER	SWSW	Sec. 02	Township 12S	Range 26E	CASSIA County
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IRRIGATION Use:
Acre Limit: 230

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

<u>Townsh</u>	<u>Rang</u>	<u>Sectio</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
12S	26E	2		SWSW	10		SESW	40						
				SWSE	40		SESE	40						
		11		NENE	40		NWNE	40						
				NENW	20									

Total Acres: 230

Dates:

Licensed Date: 06/28/1979
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): S007521
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>43-2377A</u>	<u>43-2377</u>	<u>A</u>	_____	_____	_____
<u>43-2398</u>	<u>43-2398</u>	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Ardel Wickel
1084 E. 300 N. Declo ID 83323

4. New Owner/Claimant(s)

~~Declo ID 83323~~ Gary Harper

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

2040 E. 850 S.

City, State and ZIP Code

Declo, Idaho 83323

New Telephone Number

208 645 2227

5. Date you acquired the property

April 27, 1994

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Department of Water Resources
Southern Region

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Gary B. Larper
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

For Value Received

ARDEL W. WICKEL and JUDY M. WICKEL, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
GARY B. HARPER and SUSAN C. HARPER, husband and wife
Address: HC66 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 2: That part of the S $\frac{1}{2}$ S $\frac{1}{2}$ that lies East of State Highway No. 81. (formerly Highway No. 30 South)

Section 11: That part of the N $\frac{1}{2}$ N $\frac{1}{2}$ that lies East of State Highway No. 81. (formerly Highway No. 30 South)

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to Adjudication No. 43-02398 and 43-02377A.

SUBJECT TO:

See attached Exhibit "A" for exceptions

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 warrant and defend the same from all lawful claims whatsoever.

Dated: April 27, 1994

Ardel W. Wickel
Ardel W. Wickel

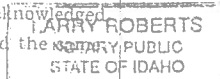
Judy M. Wickel
Judy M. Wickel

STATE OF IDAHO, COUNTY OF Cassia

On this 27th day of April, 1994,
before me, a notary public in and for said State, personally appeared

**Ardel W. Wickel and
Judy M. Wickel**

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.



Residing at Burley, Idaho
Notary Public Expires

Residing at Burley
Commission expires: 6-30-97

EXHIBIT "A"

All reservations in patents or deeds in the chain of title.

Taxes for 1994 and subsequent years.

Easement contained in Right-of-Way Deed from Milo L. Tannehill and Lucy Jane Tannehill, his wife, to the State of Idaho, dated October 2, 1933 and recorded November 3, 1933 as Instrument No. 110490 in Book 42 of Deeds, Page 573, records of Cassia County, Idaho, which reads as follows: "There is also granted hereby an easement adjacent to the above described highway right-of-way for relocation of all irrigation and/or drainage ditches and structures now located on such right-of-way and such surface drain ditches as may be necessary to the proper construction of the highway." (N½NW¼ of Section 11, Township 12 South, Range 26 East of the Boise Meridian.)

Agreement for Easement and Right-of-Way from County Commissioners of Cassia Co., of Burley, State of Idaho, to the United States of America, recorded April 22, 1942 as Instrument No. 141701 in Book 7 of Bills of Sale and Agreements on Page 13, records of Cassia County, Idaho, over and across a strip of land 100 feet wide being 50 feet on each side of the center line of the Salt Lake and Idaho Railroad. (N½NW¼ of Section 11, Township 12 South, Range 26 East of the Boise Meridian.)

Certification by Paul A. Shepard, Manager of the U.S. Land and Survey Office at Boise, as to portions of land acquired by State of Idaho, Department of Highways for right-of-way for highway purposes, recorded June 6, 1950 as Instrument No. 169469 in Book 14 of Miscellaneous, on Page 169, records of Cassia County, Idaho. (S½SW¼ of Section 2, Township 12 South, Range 26 East of the Boise Meridian.)

Right of Way and Easement as contained in Deed from Lester V. Tannehill and Gladys Tannehill, his wife; Milo S. Tannehill and Grace Tannehill, his wife; and Lurella Stevens and Sam Stevens, her husband, to Raft River Rural Electric Co-operative Inc., a corporation, dated May 26, 1951 and recorded May 31, 1951 as Instrument No. 172518 in Book 54 of Deeds, Page 389, records of Cassia County, Idaho, over and across a strip of land 20 feet wide being 10 feet on each side of the center line, said centerline being parallel with and 10 feet distance from the Southwest boundary line of U.S. Highway No. 30 South, over and across the N½NW¼ of Section 11, Township 12 South, Range 26 East of the Boise Meridian.

Agreement for Purchase of Power between Raft River Rural Electric Cooperative, Inc., as Seller and L. V. Tannehill, as Consumer, dated September 14, 1957 and recorded September 12, 1958 as Instrument No. 198541 in Book 10 of Bills of Sale and Agreements, records of Cassia County, Idaho, covering the SW¼SW¼ of Section 2, Township 12 South, Range 26 East of the Boise Meridian.

Agreement for Electric Service (Irrigation), between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative and Ardel Wickel, dated April 4, 1989 and recorded May 23, 1989 as Instrument No. 202034 on Film No. 207, records of Cassia County, Idaho, covering the S½SW¼ 2-12-26.

LAND RECORD
1994
FEE
LAND

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: A43-02398

Date Received: 6/05/1989

Receipt No: 5097521

Received By: kat

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARDEL W. WICKEL 208-654-2341
Address: RT. 1, BOX 37A
DECLO, ID 83323
2. Date of Priority: AUG 25, 1953
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 12S | 26E | 2 | SW | SW | SW | | CASSIA |
5. Description of diverting works:
WELL AND PUMP
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/01 | 11/01 | 2.300 | | |
7. Total Quantity Appropriated is:
2.300 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 690.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	26E	2	SW	SW		IRR	10.0
			SE	SW		IRR	40.0
			SW	SE		IRR	40.0

A43-02398

Page 1

Date: 06/05/89

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MAR 03 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	26E	2	SE	SE		IRR	40.0
						Section Acres	130.0
		11	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			NE	NW		IRR	20.0
						Section Acres	100.0
						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:
A43-02377A

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 24400

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: 1

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): Andel H. Shickel Date: 6-5-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

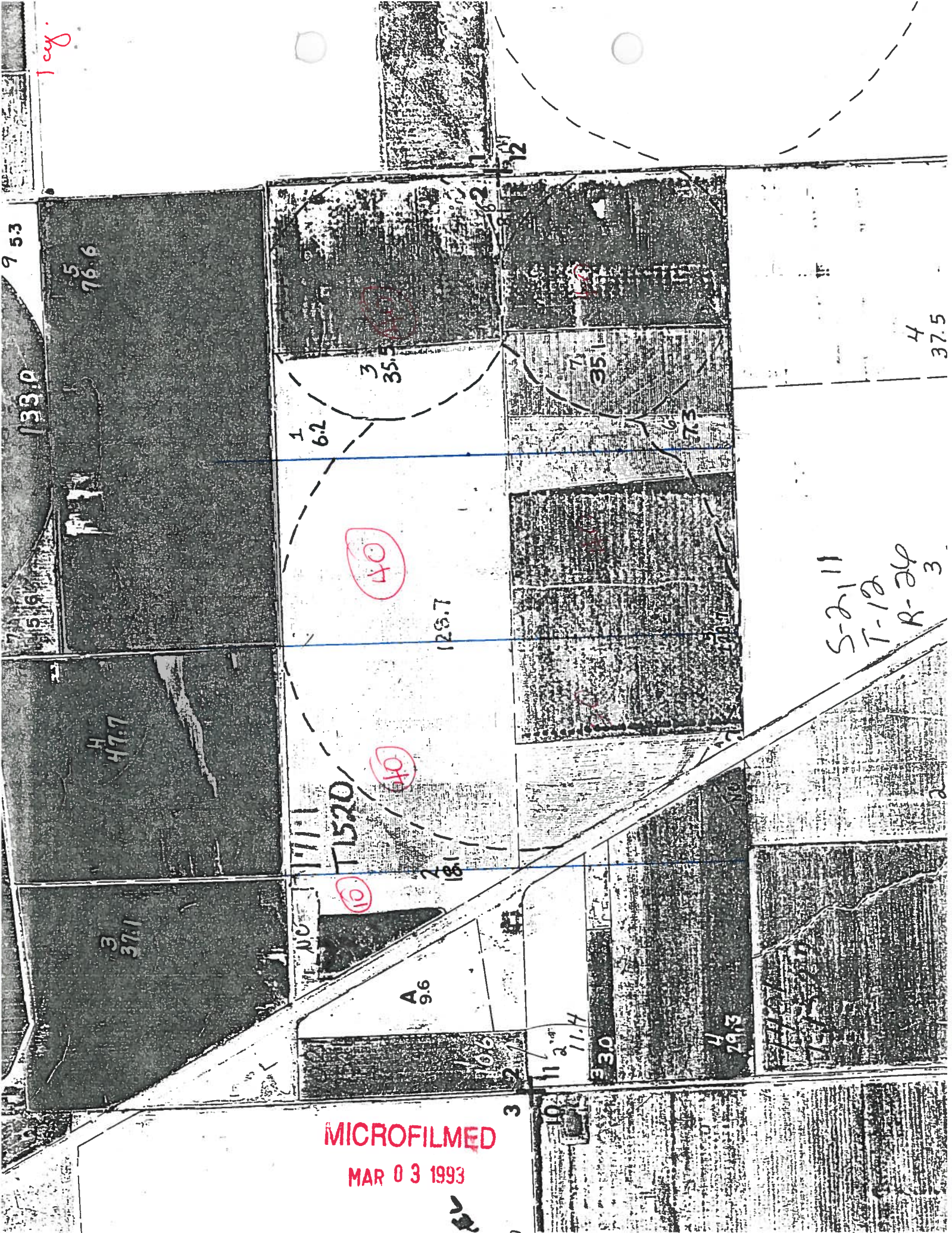
Subscribed and sworn (or affirmed) before me this 5th day
of June 19 89 Helen Harrington
Notary Public

Seal

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

MICROFILMED
MAR 03 1993

1 cy.



MICROFILMED

MAR 03 1993

S-211
T-12
R-24
3

06/01/2001

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: 43-2398

GARY B HARPER

2040 E 850 S

DECLO ID 83323

Telephone Number: (208) 645-2227

RECEIVED

JUN 12 2001

Department of Water Resources
Southern Region

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:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE:

10 June 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

06/01/2001

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

RIGHT NUMBER: 43-2398

NAME AND ADDRESS: GARY B HARPER
2040 E 850 S
DECLO ID 83323

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.300 CFS
520.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 43-2377A IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.55 CFS.

PRIORITY DATE: 08/25/1953

POINT OF DIVERSION:

T12S R26E S2 NWSWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/01	2.300 CFS 520.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT CONTINUE TO AS LATE
AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT
EXCEEDED. THE USE OF WATER AFTER NOVEMBER 1 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR
LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL
DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R26E S11	NENE	38.0	T12S R26E S11	NWNE	39.0
T12S R26E S11	NENW	30.0	T12S R26E S02	SWSW	10.0
T12S R26E S02	SESW	38.0	T12S R26E S02	SWSE	38.0
T12S R26E S02	SESE	37.0			

230 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 43-2377A IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 230 ACRES IN A SINGLE IRRIGATION SEASON.

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

03/01/2001

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

RIGHT NUMBER: 43-2398
NAME AND ADDRESS: ARDEL W WICKEL
RT 1 BOX 37A
DECLO, ID 83323

SOURCE: GROUND WATER

QUANTITY: 2.3 CFS
520 AFY

USE OF THIS RIGHT WITH RIGHT NO. 43-2377A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.55 CFS.

PRIORITY DATE: 08/25/1953

POINT OF DIVERSION: T12S R26E S2 NWSWS Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-01 11-01	2.30 CFS
		520.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY
CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF
THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER NOVEMBER
1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING
NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY
DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR
THIS RIGHT.

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T12S R26E S11	NENE	38	T12S R26E S11	NWNE	39
T12S R26E S11	NENW	30	T12S R26E S2	SWSW	10
T12S R26E S2	SESW	38	T12S R26E S2	SWSE	38
T12S R26E S2	SESE	37			

230 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 43-2377A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 230 ACRES IN A SINGLE
IRRIGATION SEASON.

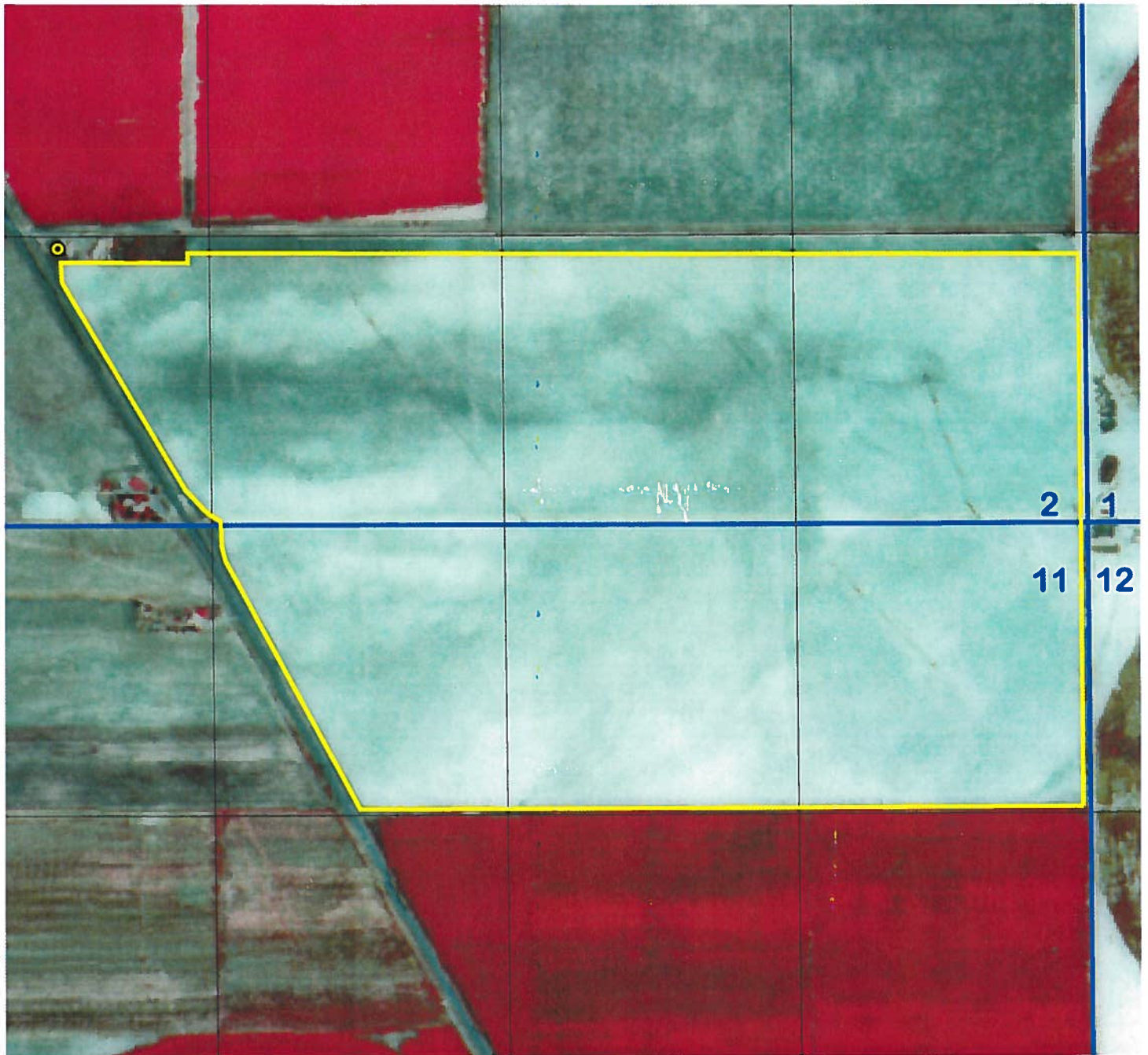
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

RIGHTS: 43-2377A, 43-2398

RECOMMENDED PLACE OF USE
TWP 12S, RNG 26E,
Data entry on February 28, 2001



0 1320 2640 3960 Feet

-  RECOMMENDED POINT OF DIVERSION
-  RECOMMENDED PLACE OF USE
-  SECTION LINES
-  QUARTER/QUARTER LINES



GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:56:46
01/30/01
12

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-02398

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ARDEL W WICKEL	08/25/1953	IRRIGATION	03-01 11-01	2.300 CFS	
TOTAL DIVERSION:					2.300 CFS	
CONSUMPTIVE USE:						

520 ofa
690.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T12S R26E S02

SWSW

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	2	:					:					:			10	40	:			40	40	:	130.0
12S	26E	11	:	40	40			:	20				:					:					:	100.0
TOTAL ACRES																							230.0	

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: A43-02377A

Dates: Exam Made Date: Verified Date: 11/07/1985 Objection Filed Date:

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

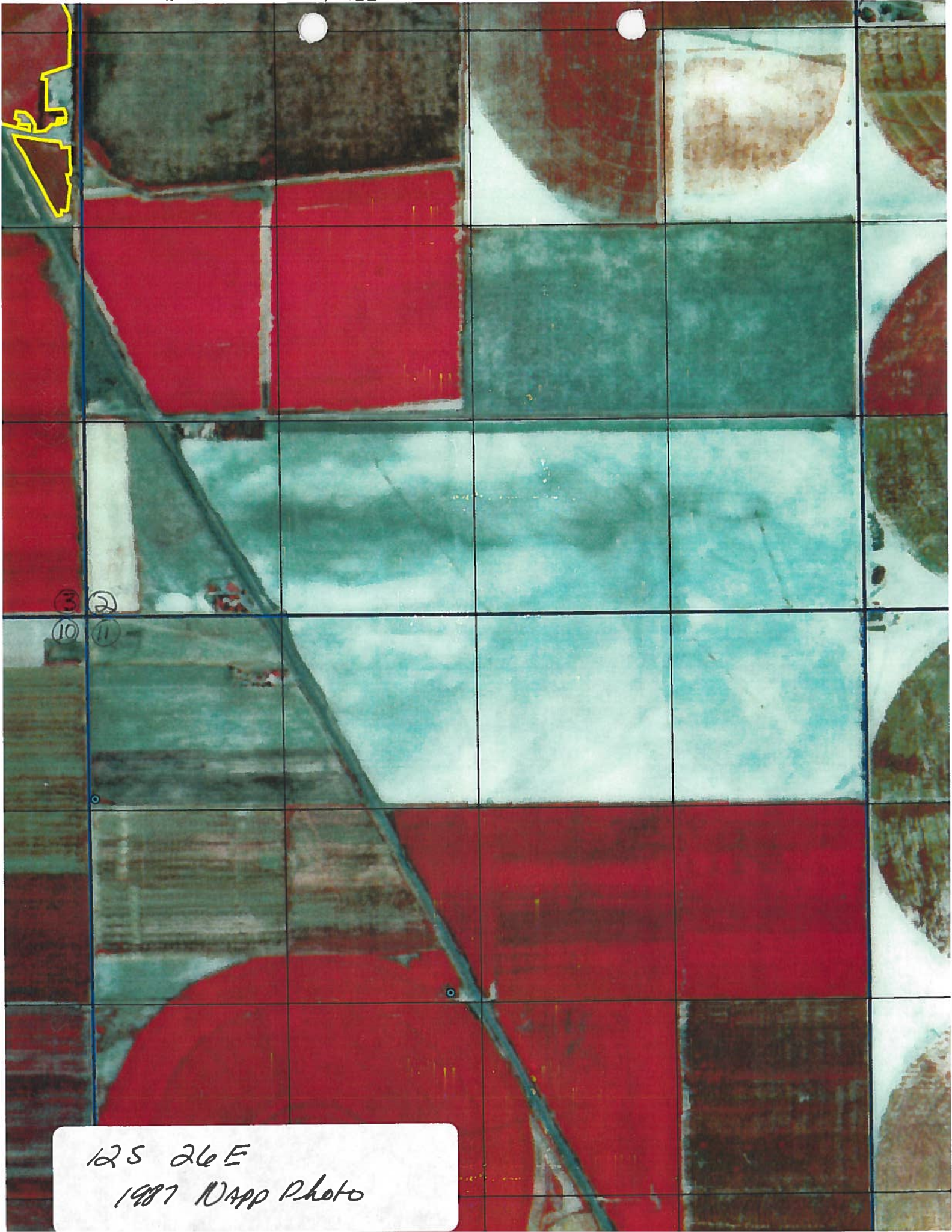
Comb limits } 3.55 cfs
43-2377A } 230 ac

C-18
use cond.

12S 26E

ARDEL WICKEL

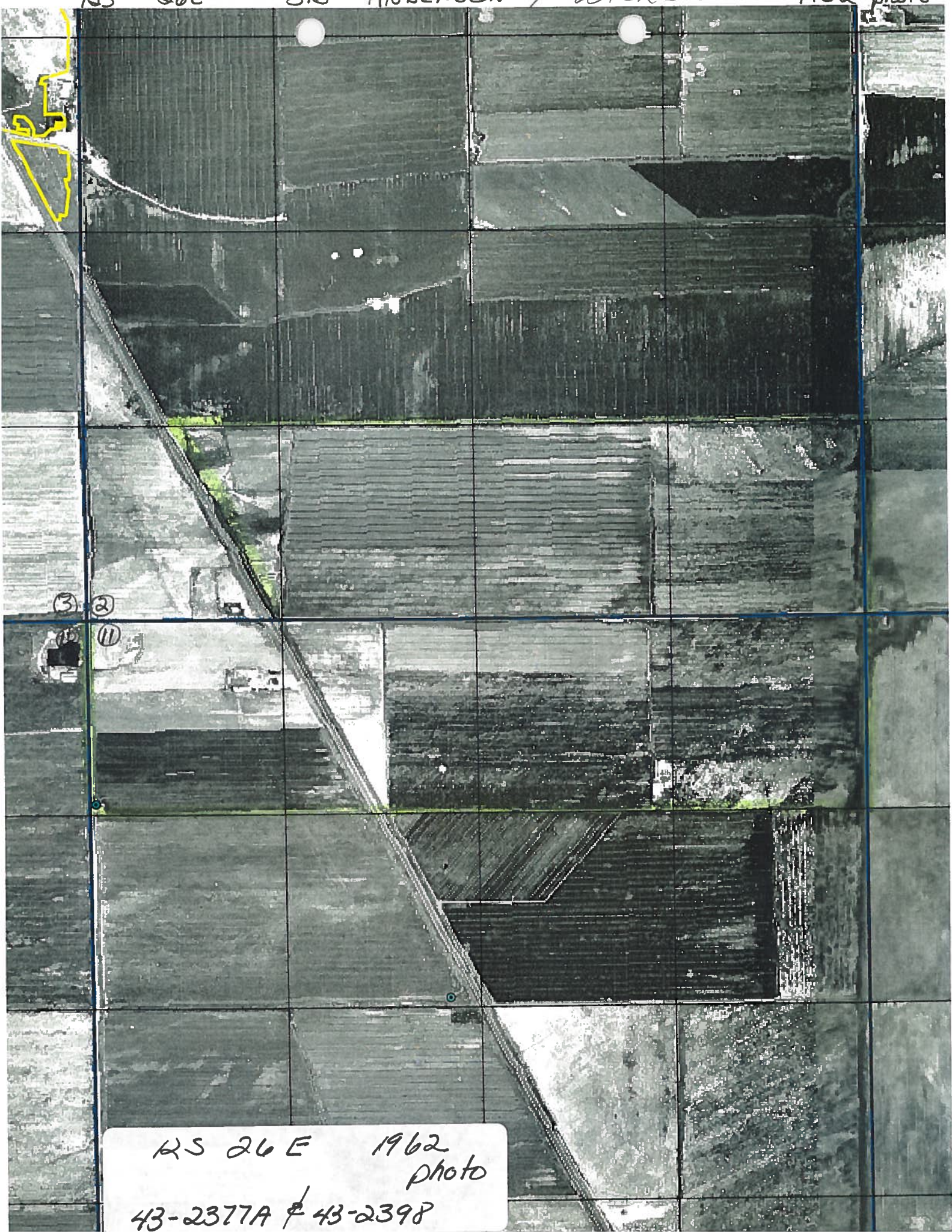
1101 PRIOR



12S 26E
1987 Napp Photo

RS 26E SID ANDERSON / WICKER

1962 photo

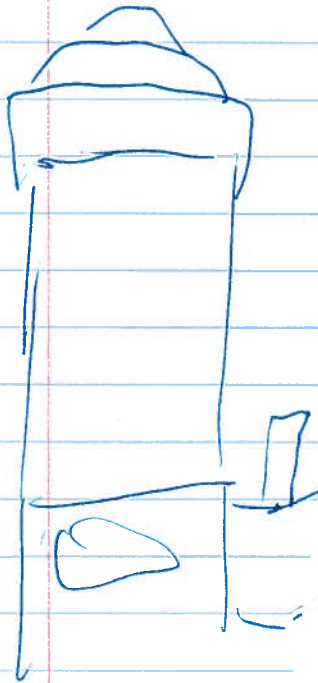


RS 26E 1962
photo
43-2377A & 43-2398

Gary Harper
Well # 7

Gary Harper - Well
H/B Wellline Pump
(no numbers)

pole #: 14034



MODE SELECT
INPUT

OUTER DIAMETER
12.0161 IN

PIPE MATERIAL
? CS, SS

WALL THICKNESS
0.1030 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
9.248 IN U

09-20 11:1500 *H
+831.085E 0GPM

09-20 11:1500 *H
+ E 0GPM

SPACING
9.240

08-30 11
+

08-30 10:3400 *I
+ 1.017E 3GPM

still no reading!

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
9.244 IN U

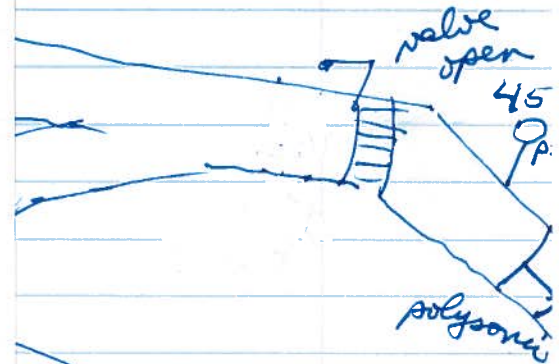
08-29 11:5500 *I
+ E 0GPM

booster
off

valve open
46 psi

S. Helloshaft Motor 100hp
1179970

am 444 U.P.Y

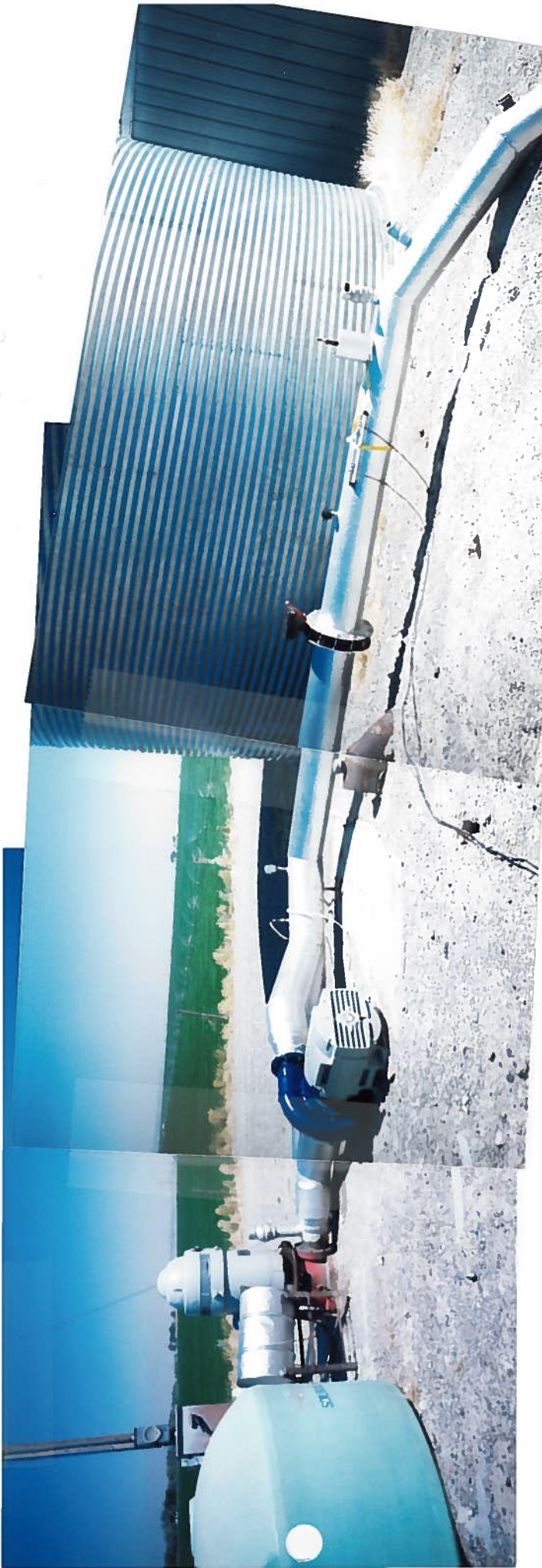


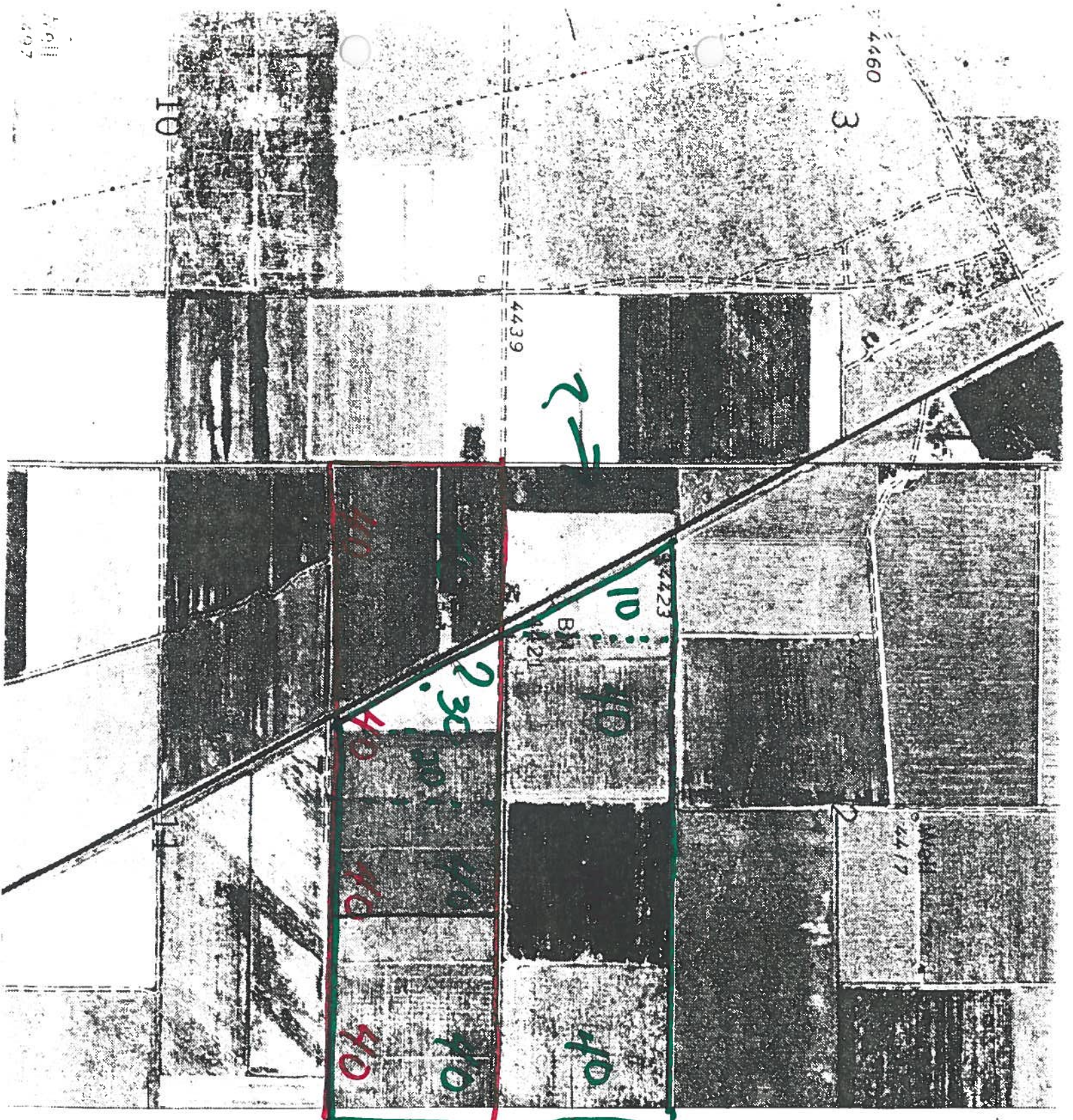
U.S. Motor 60hp.
C521720-593 84-0689

roll 44: 7 pc

no
reading

down below
house
(another system)





T 12 S
R 98

← 02398
Licensed 130 Ac

← 130 Ac

TRANSFER
#1622

← 100 Ac

Licensed
160 Ac

R 96

4460
4439
4423
4417

BEFORE THE STATE RECLAMATION ENGINEER
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER OF WATER RIGHT NO. 43-2398)
in the name of LESTER TANNEHILL)

ORDER

WHEREAS, on December 12, 1969, Lester Tannehill, Star Route, Declo, Idaho, filed with the Department of Reclamation an application for transfer of water right in connection with Water License No. 43-2398, and;

WHEREAS, Water License No. 43-2398 has a priority date of August 25, 1963, and was issued confirming the use of 2.3 c.f.s. of water diverted from a well within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 2, T. 12 S., R. 26 E., B.M., Cassia County, for the irrigation of 130 acres within Sec. 2, T. 12 S., R. 26 E., B.M., and;

WHEREAS, the transfer proposes to change the place of use to allow for irrigation of 130 acres of land in Sec. 2, T. 12 S., R. 26 E., B.M., and 100 acres of land in Sec. 11, T. 12 S., R. 26 E., B.M., making a total of 230 acres together with water diverted under license 43-2377, and;

WHEREAS, the Department of Reclamation, on December 18th and 24th, 1969, published the required notices advising the public of the proposed transfer, and;

WHEREAS, no protests were received against approval of this transfer, and;

WHEREAS, the use of water under Water License No. 43-2398 on 230 acres of land instead of the original 130 acres of land will not constitute an enlargement of the original right, provided such use is in conjunction with the application to transfer licensed right 43-2377 and provided further that the rate of diversion does not exceed 3.55 c.f.s. under both transferred rights and the applicant will not divert more water nor irrigate more land than originally allowed under both licenses,

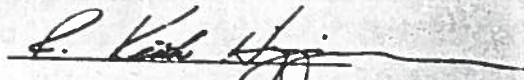
NOW THEREFORE IT IS ORDERED and Transfer No. 43-2398 is hereby APPROVED subject to the following conditions:

43 2398

1. That a totalizing measuring device of a type approved by the Department of Reclamation be installed and maintained as part of the diversion work on the well located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 2, T. 12 S., R. 26 E., B.M. Reports shall be made to the Department of Reclamation on at least monthly intervals giving the accumulated quantity of water diverted each irrigation season until such time as this requirement is removed by the department.

2. That no more water be diverted from the well under this license than the quantity required originally to irrigate 130 acres of land. Subject to confirmation by the District Court this quantity is hereby set at 4 acre feet per acre or a total of 520 acre feet of water per season.

Dated this 9TH day of MARCH, 19 70.


R. KEITH HIGGINSON
State Reclamation Engineer

Transfer No. 1621

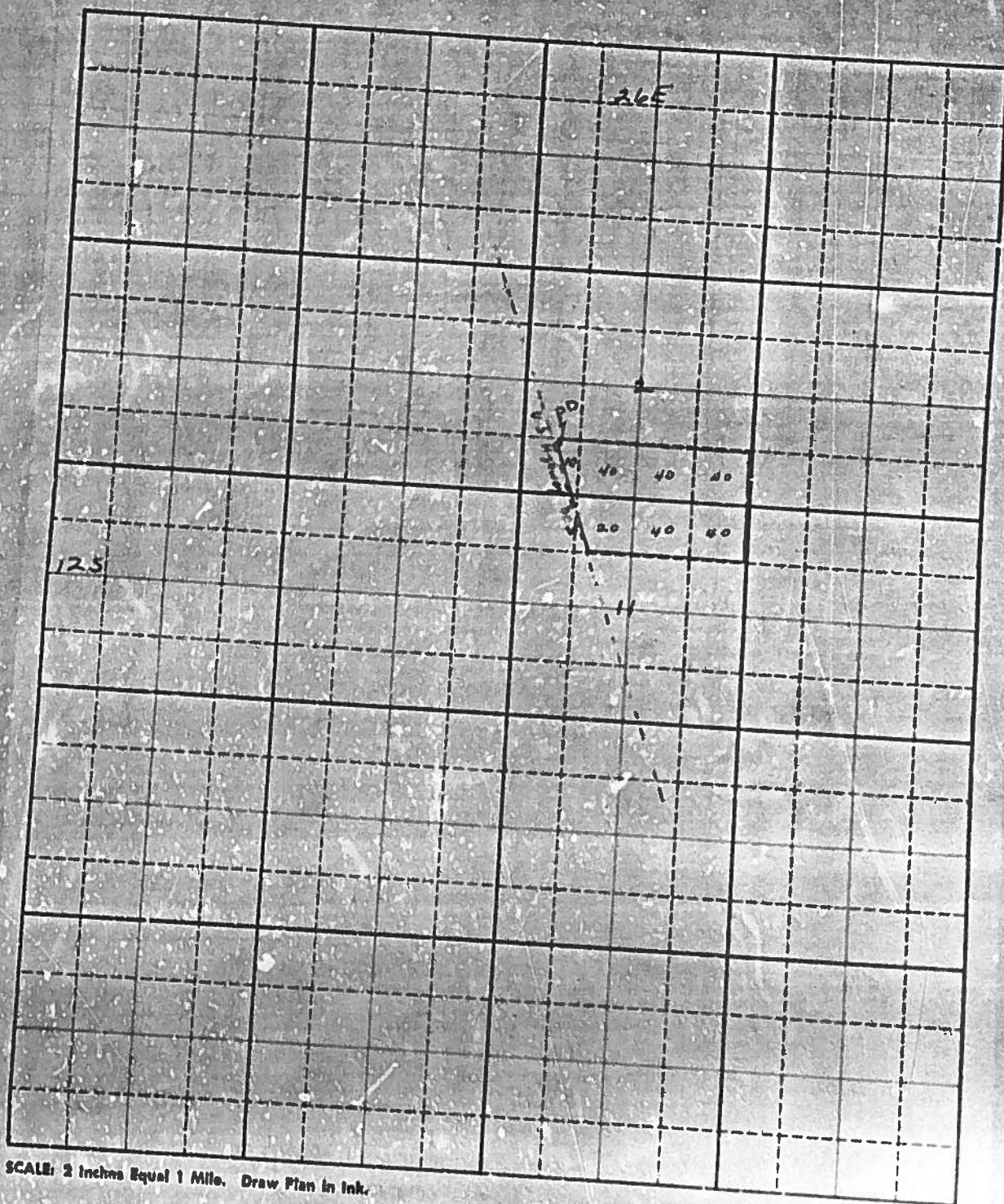
APPLICATION FOR TRANSFER OF WATER RIGHT **APPROVED**
To Change the Point of Diversion and/or the Place of Use

13 2398

PPU
w/ 43-2377A

43 2398

43 2398



SCALE: 2 inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired: _____

10. CHANGE IN POINT OF DIVERSION - NO CHANGE

- a. Quantity to be diverted at new point: _____ c.f.s. and/or _____ acre feet
- b. New point of diversion: _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ Section _____, Township _____
 _____, Range _____, B.M. _____
- c. Description of method of diversion and conveyance from new points of diversion: _____

- d. Is water to be conveyed to the lands previously irrigated? Yes _____ No _____
 If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion: _____

- f. Do you intend to make the transfer permanent? _____
- g. Do you intend to abandon completely the old point of diversion? _____
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12S	26E	2											10	40			40	40	130
		11	40	40			20												100

Total number of acres to be irrigated 239

- b. Do you intend to make the transfer permanent? Yes
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

No. I want to make the water under Licenses 43-2377 and 43-2398 appurtenant to all my land

- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: 43-2377

- e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Leotis V. Farnsworth
(signature of applicant)

Subscribed and sworn to before me this 12 day of December, 1969

Stephen R. Reed
(notary public)

My commission expires May 4, 1972

APPROVED

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2398,
and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

Subject to conditions as set forth in Order dated March 9, 1970

2. Denial of said application is for the following reasons:

Witness my hand this 9th day of March, 19 70.

P. Keith Higgs
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. C-24400

This proof is for C/W & Beneficial Use

In Water District No. _____

1. Name of applicant: Lester V. Tarneshill, Star Route, Declo, Idaho2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the SW 1/4 of Section 2
T. 12 S. R. 26 E. County of Cassia4. Describe works as they exist, giving dimensions and capacities of same: Well = 203' x 20"
h = 36' Lift = 80' (reported)40 hp. Fairbanks Morse Motor
Fairbanks Morse Turbine "PK 5140"10" pipe delivery to West into concrete block heading
ditches - to field by gravity5. Water is used for: Irrigation and domestic purposes6. 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):

Township 12 South, Range 26 EastSection 2: SW 1/4 (40a), SE 1/4 (40a), SW 1/4 (40a), SE 1/4 (40a), making a total of
160 acres.

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

8. What large stream would the water here appropriated finally reach?

Remarks:

Tarneshill along Operator Phillips Station
in MaltaCrops are hay and grain

This examination was made on the

7

day of

April1959

(Signed)

E. H. Humphrey Examiner24400

150 = 4 1/2 sq
100 = 3 1/2 sq

R-26E.

T.
12
S.



Subdivisions = four
Area = 130 acres
At 2.50 per acre

6710 State of Idaho License and Certificate of Water Right

Water License No. G-24400

Amount 2.3 c.f.s.

Water District No.

Priority August 25, 1953

THIS IS TO CERTIFY that

LESTER V. TANNEHILL

of Declo, Idaho

, made application for a permit to appropriate the public waters of the State of Idaho, dated August 25, 1953; that Permit No. G-24400 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.3 second feet, was issued thereunder on July 31, 1959, showing that said works were completed on the 21 day of August, 1958; and that on the 21 day of August, 1958,

LESTER V. TANNEHILL

of Declo

, State of

Idaho

, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of a well

, a tributary of subterranean flow

, for the purpose of irrigation & domestic

use

, under Use Permit No. G-24400

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 6710, on the 31 day of July, 1959;

the right hereby confirmed dates from August 25, 1953;

The Point of Diversion is located

in the SW 1/4 SW 1/4, Sec. 2, Tp. 12 S, R. 26 E., B. M. Cassia 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 2.3 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S.	26 E.	2	SE 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			SE 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	10
Total number of acres to be irrigated:					130

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

31 day of July, 1959.

MO. N. CARTER

State Reclamation Engineer.

(SEAL)

43 2398