

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 43-2441B
Date Received: 6/11/2002
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

GARY B HARPER
2040 E 850 S
DECLO ID USA 83323

Phone: (208)645-2227

2. Date of Priority: 03/05/1956

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11S	27E	31	NW SE SE	CASSIA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.99	510

7. Total Quantity Appropriated is:
1.99 C.F.S. and/or 510 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
11S	27E	31	NE NE	IRRIGATION	32.3
			NW NE	IRRIGATION	32.3
			SW NE	IRRIGATION	32.3
			SE NE	IRRIGATION	32.3
			NE SE	IRRIGATION	31.9
			NW SE	IRRIGATION	31.9

SW	SE	IRRIGATION	31.9
SE	SE	IRRIGATION	31.5
Section Acres			256.4
Total Acres			256.4

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:

14. Remarks: **Transfer 66647**

✓ The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

✓ Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

✓ Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

✓ After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

✓ The total instantaneous diversion of water from all points of diversion under Rights 43-2356A, 43-2441B, 43-4022A, 43-4023A and 43-4024C shall not exceed 4.80 cfs, nor total combined annual volume of 1025.6 af and the irrigation of 256.4 acres.

✓ Rights 43-2441B, 43-4022A, 43-4023A and 43-4024C when combined shall not exceed a total diversion rate of 3.40 cfs, a total annual maximum diversion volume of 680.0 af at the field headgate, and the irrigation of 170 acres.

✓ This right is limited to the irrigation of 127.5 acres within the place of use described above in a single irrigation season.

✓ This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

✓ Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

✓ Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

15. Basis of Claim: License

WATER RIGHT NO. 43-2441B
As Modified by Transfer No. 66647

In accordance with the approval of Transfer No. 66647, Water Right No. 43-2441B is now described as follows.

Right Holder: GARY B HARPER
2040 E 850 S
DECLO ID 83323

Priority Date: 03/05/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	1.99 CFS	510.0 AF
			1.99 CFS	510.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESE Sec. 31 Twp 11S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
11S 27E 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	32.3	32.3	32.3	32.3									31.9	31.9	31.9	31.5	256.4

Total Acres: 256.4

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The total instantaneous diversion of water from all points of diversion under Rights 43-2356A, 43-2441B, 43-4022A, 43-4023A and 43-4024C shall not exceed 4.80 cfs, nor total combined annual volume of 1025.6 af and the irrigation of 256.4 acres.
6. Rights 43-2441B, 43-4022A, 43-4023A and 43-4024C when combined shall not exceed a total diversion rate of 3.40 cfs, a total annual maximum diversion volume of 680.0 af at the field headgate, and the irrigation of 170 acres.
7. This right is limited to the irrigation of 127.5 acres within the place of use described above in a single irrigation season.

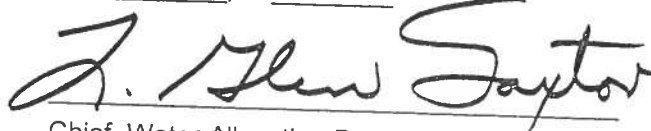
WATER RIGHT NO. 43-2441B
As Modified by Transfer No. 66647

CONDITIONS OF APPROVAL

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of June, 2002



Chief, Water Allocation Bureau

RECEIVED

OCT 23 2002

Department of Water Resources

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2002 OCT 21 PM 4 37

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

)

) ORDER OF PARTIAL DECREE

)

) For Water Rights 43-2441B, 43-2441C and

) 43-2441D

On June 18, 2002, the Idaho Department of Water Resources filed an *Amended Director's Report* recommending that water right claim 43-2441A be split and decreed as 43-2441B, 43-2441C and 43-2441D. No objection was filed to this *Amended Director's Report* and the time for filing objections has expired.

Therefore, IT IS ORDERED that water rights 43-2441B, 43-2441C and 43-2441D are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED October 21, 2002



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2002 OCT 21 PM 4 37

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 43-02441B

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

SOURCE: GROUND WATER

QUANTITY: 1.99 CFS
510.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.8 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1025.6 AF. COMBINED RIGHT NOS.: 43-2356A,
43-2441B, 43-4022A, 43-4023A AND 43-4024C.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.4 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 680 AF. COMBINED RIGHT NOS.: 43-2441B,
43-4022A, 43-4023A AND 43-4024C.

PRIORITY DATE: 03/05/1956

POINT OF DIVERSION: T11S R27E S31 NWSESE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.99 CFS 510.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
	T11S R27E S31	NENE 32.3 NWNE 32.3 SWNE 32.3 SENE 32.3 NESE 31.9 NWSE 31.9 SWSE 31.9 SESE 31.5
	256.4 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 127.5 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 170 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-02441B, 43-4022A, 43-4023A, 43-4024C.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 256.4 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-2356A, 43-2441B, 43-4022A, 43-4023A &
43-4024C.

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. I.C. SECTION 42-1412(6).

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

FILED
2002 OCT 21 PM 4 37

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 43-02441C

NAME AND ADDRESS: ROLAND ALLEN LAND & LIVESTOCK
1910 OAKLEY AVE
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 8.87 CFS
2318.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 17 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 3645.6 AF. COMBINED RIGHT NOS.: 43-2356B,
43-2441C, 43-4022B, & 43-4023B AND 43-4024D.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 15.78 CFS AND TO A TOTL COMBINED
ANNUAL DIVERSION VOLUME OF 3156 AF. COMBINED RIGHT NOS.:
43-2441C, 43-4022B, 43-4023B AND 43-4024D.

PRIORITY DATE: 03/05/1956

POINT OF DIVERSION: T14S R27E S04 SESESW Within Cassia County
S05 LOT 3 (NENENW)
S09 SESESW
SWSSEW
SESESW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 11-15 8.87 CFS
2318.00 AFY

PLACE OF USE: Irrigation Within Cassia County
T13S R27E S32 SWSW 33.4 SESW 33.4
S33 SWSW 32.8 SESE 33.1
T14S R27E S04 NENW 36.1 NWNW 36.1
SWNW 33.4 SENW 33.4
NESW 33.4 NWSW 33.4
SWSW 33.4 SESW 33.4
S05 NENE 33.1 NWNE 33.1
SWNE 20.0 SENE 20.0
NENW 33.4 NWNW 33.4
S09 NENW 33.4 NWNW 33.4
SWNW 33.4 SENW 33.4
NESW 33.4 NWSW 33.4
SWSW 33.4 SESW 33.4
S33 SESE 32.8
911.4 Acres Total

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 579.5 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 911.4 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-2356B, 43-2441C, 43-4022B, 43-4023B
AND 43-4024D.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 789 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-2441C, 43-4022B, 43-4023B & 43-4024D.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2002 OCT 21 PM 4 37

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 43-02441D

NAME AND ADDRESS: ROLAND ALLEN LAND & LIVESTOCK
1910 OAKLEY AVE
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 0.08 CFS
1.20 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF .32 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 15.7 AF. COMBINED RIGHT NOS.: 43-02441D,
43-4022C, 43-4023C, & 43-4024E.

PRIORITY DATE: 03/05/1956

POINT OF DIVERSION: T14S R27E S04 SWSWSW Within Cassia County
S09 SWSWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.08 CFS
			1.20 AFY

PLACE OF USE: Irrigation from Storage Within Cassia County
T14S R27E S04 SWSW
S09 SWSW

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE FOR WATER RIGHTS 43-2441B, 43-2441C AND 43-2441D was mailed on October 21, 2002, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

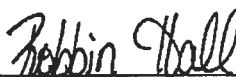
ROLAND ALLEN LAND & LIVESTOCK
1910 OAKLEY AVE
BURLEY, ID 83318

GARY B HARPER
2040 E 850 S
DECLO, ID 83323

ORDER

Page 1 10/21/02

FILE COPY FOR 00296


Deputy Clerk

COPY

2002 JUN 18 PM 1: 57

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) Subcase No: 43-2441A, 43-2441B,
) 43-2441C, 43-2441D

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☒ Change in Ownership

☒ Point of Diversion

☐ Period of Use

☒ Split of Water Right

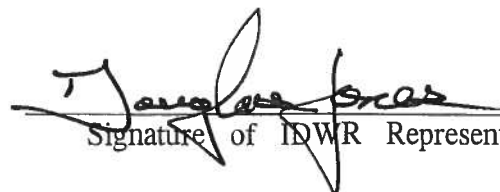
☒ Place of Use

☐ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

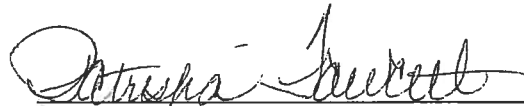
Dated: 6/18/2002


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6/18, 2002, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Roland Allen Land & Livestock
1910 Oakley Ave
Burley ID 83318
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Gary Harper
2040 E 850 S
Declo ID 83323
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

6/13/02

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

RIGHT NUMBER: 43-2441A

SPLIT RIGHT: SEE RIGHT NOS. 43-2441B, 43-2441C and 43-2441D.

06/13/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-2441B
NAME AND ADDRESS: GARY B HARPER
2040 E 850 S
DECLO ID 83323

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.990 CFS
510.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.8 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1025.6 AF. COMBINED RIGHT NOS.: 43-2356A, 43-2441B, 43-4022A, 43-4023A and 43-4024C.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.4 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 680 AF. COMBINED RIGHT NOS.: 43-2441B, 43-4022A, 43-4023A and 43-4024C.

PRIORITY DATE: 03/05/1956

POINT OF
DIVERSION: T11S R27E S31 NWSESE 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	1.990 CFS 510.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T11S R27E S31	NENE	32.3	T11S R27E S31	NWNE	32.3
T11S R27E S31	SWNE	32.3	T11S R27E S31	SENE	32.3
T11S R27E S31	NESE	31.9	T11S R27E S31	NWSE	31.9
T11S R27E S31	SWSE	31.9	T11S R27E S31	SESE	31.5

256.4 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 256.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2356A, 43-2441B, 43-4022A, 43-4023A and 43-4024C.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 170 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2441B, 43-4022A, 43-4023A and 43-4024C.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 127.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

06/13/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

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

06/13/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-2441C

NAME AND ADDRESS: ROLAND ALLEN LAND & LIVESTOCK
1910 OAKLEY AVE
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 8.870 CFS
2,318.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 15.78 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3156 AF. COMBINED RIGHT NOS.: 43-2441C, 43-4022B, 43-4023B and 43-4024D.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 17 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3645.6 AF. COMBINED RIGHT NOS.: 43-2356B, 43-2441C, 43-4022B, 43-4023B and 43-4024D.

PRIORITY DATE: 03/05/1956

POINT OF
DIVERSION: T14S R27E S4 SESESW Within CASSIA County
T14S R27E S5 NENENW Lot 3 Within CASSIA County
T14S R27E S9 SESENW Within CASSIA County
T14S R27E S9 SWSESW Within CASSIA County
T14S R27E S9 SESESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>		<u>QUANTITY</u>
	03/15	11/15	
IRRIGATION			8.870 CFS 2,318.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R27E S32	SWSW	33.4	T13S R27E S32	SESW	33.4
T13S R27E S32	SWSE	33.1	T13S R27E S32	SESE	33.1
T13S R27E S33	SWSW	32.8	T13S R27E S33	SESW	32.8
T14S R27E S04	NENW	36.1	T14S R27E S04	NWNW	36.1
T14S R27E S04	SWNW	33.4	T14S R27E S04	SESW	33.4
T14S R27E S04	NESW	33.4	T14S R27E S04	NWSW	33.4
T14S R27E S04	SWSW	33.4	T14S R27E S04	SESW	33.4
T14S R27E S05	NENE	33.1	T14S R27E S05	NWNE	33.1
T14S R27E S05	SWNE	20.0	T14S R27E S05	SENE	20.0
T14S R27E S05	NENW	33.4	T14S R27E S05	NWNW	33.4
T14S R27E S09	NENW	33.4	T14S R27E S09	NWNW	33.4
T14S R27E S09	SWNW	33.4	T14S R27E S09	SESW	33.4
T14S R27E S09	NESW	33.4	T14S R27E S09	NWSW	33.4
T14S R27E S09	SWSW	33.4	T14S R27E S09	SESW	33.4

911.4 ACRES TOTAL

06/13/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 789 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-2441C, 43-4022B, 43-4023B and 43-4024D.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 911.4 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-2356B, 43-2441C, 43-4022B, 43-4023B and
43-4024D.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 579.5 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE 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

06/13/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-2441D

NAME AND ADDRESS: ROLAND ALLEN LAND & LIVESTOCK
1910 OAKLEY AVE
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS
1.20 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 0.32 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF
15.7 AF. COMBINED RIGHT NOS.: 43-2441D, 43-4022C, 43-4023C and 43-4024E.

PRIORITY DATE: 03/05/1956

POINT OF
DIVERSION: T14S R27E S4 SWSWSW Within CASSIA County
T14S R27E S9 SWSWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.080 CFS 1.20 AFY

PLACE OF USE: DOMESTIC Within CASSIA County

T14S R27E S04	SWSW	T14S R27E S09	SWSW
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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

Domestic use is for 2 homes and does not include lawn, garden, landscape,
or other types of irrigation.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 19, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ROLAND ALLEN LAND & LIVESTOCK
1910 OAKLEY AVE
BURLEY ID 83318

RE: SRBA Claim(s) 43-2356, 43-2441A, 43-4022, 43-4023,
43-4024

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Gary Harper

VERIFIED BY *[Signature]* 6/12/02

06/12/2002

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

RIGHT NUMBER: 43-2441B
NAME AND ADDRESS: GARY B HARPER
2040 E 850 S
DECLO ID 83323

SOURCE: GROUND WATER
QUANTITY: 1.99 CFS
510.0 AFY

TRIBUTARY:

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.8 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1025.6 AF. COMBINED RIGHT NOS.: 43-2356A, 43-2441B, 43-4022A, 43-4023A and 43-4024C.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.4 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 680 AF. COMBINED RIGHT NOS.: 43-2441B, 43-4022A, 43-4023A and 43-4024C.

PRIORITY DATE: 03/05/1956

POINT OF DIVERSION:

T11S R27E S31 NWSESE Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	1.990 CFS 510.00 AFY

PLACE OF USE:

IRRIGATION Within CASSIA County

T11S R27E S31	NENE	32.3	T11S R27E S31	NWNE	32.3
T11S R27E S31	SWNE	32.3	T11S R27E S31	SENE	32.3
T11S R27E S31	NESE	31.9	T11S R27E S31	NWSE	31.9
T11S R27E S31	SWSE	31.9	T11S R27E S31	SESE	31.5

256.4 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 256.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2356A, 43-2441B, 43-4022A, 43-4023A and 43-4024C.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 170 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2441B, 43-4022A, 43-4023A and 43-4024C.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 127.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

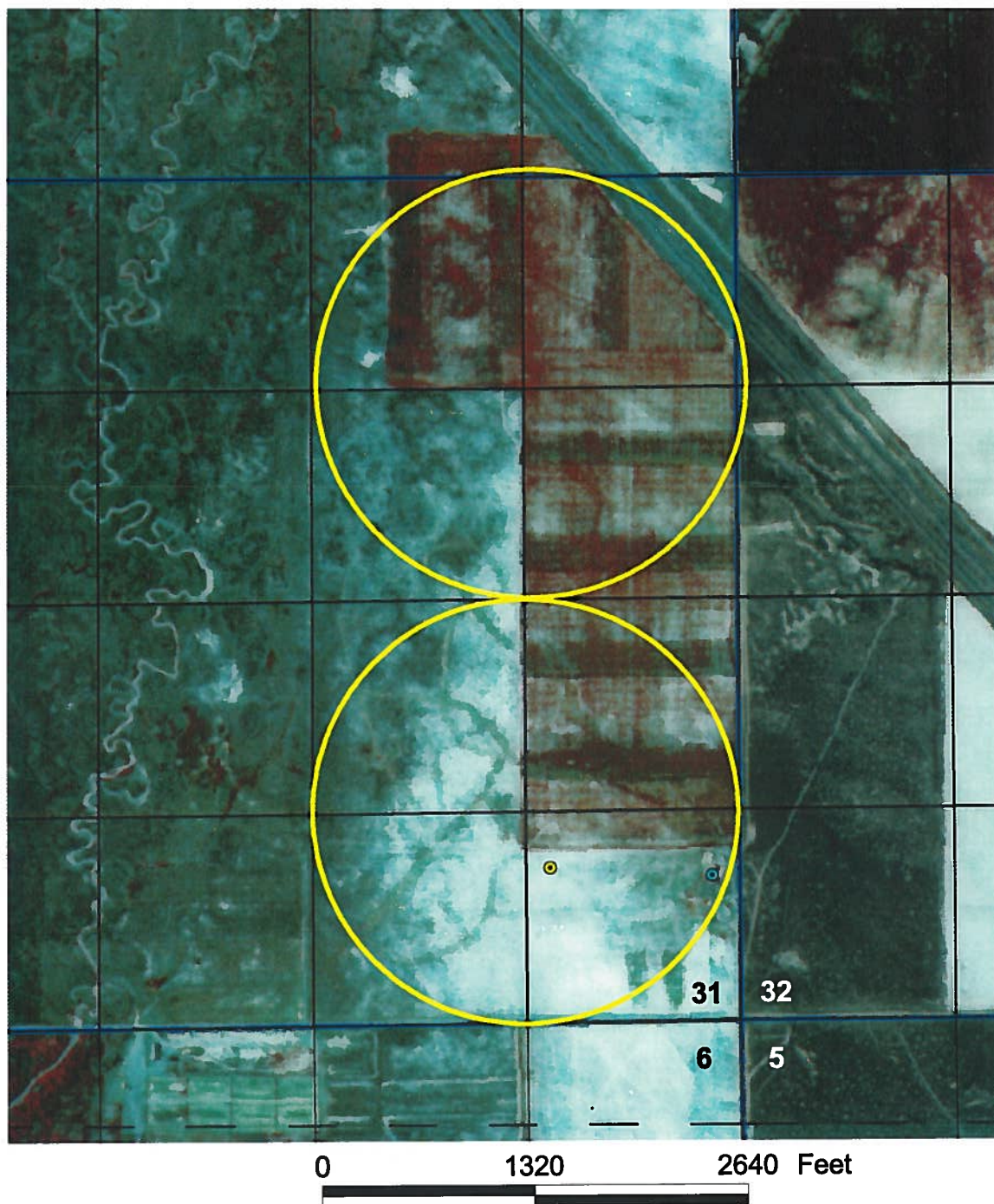
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

Water Right 43-2441B

Idaho Department of Water Resources

43-2356A, 43-2441B, 43-4022A, 43-4023A, & 43-4024C



RECOMMENDED PLACE OF USE
DATA ENTRY ON JUNE 16, 2002
TWP 11S, RNG 27E, SEC. 31



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

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-2441B V1

WATER RIGHT NUMBER: 43-2441B V1

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	ROLAND ALLEN LAND & LIVESTOCK 1910 OAKLEY AVE BURLEY, ID 83318 (208)678-4844
Current Owner	GARY B HARPER 2040 E 850 S DECLO, ID 83323 (208)645-2227

Priority Date: 03/05/1956

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.990 CFS	510.00 AF
	<u>Total Diversion:</u>	1.990 CFS	510.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4SE1/4	Sec. 31, Twp 11S, Rge 27E, B.M.
CASSIA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	27E	31	32.3	32.3	32.3	32.3									31.9	31.9	31.9	31.5	256.4

Total Acres: 256.4

Conditions of Approval:

- C18 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.

Remarks:

- Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 256.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2356A, 43-2441B, 43-4022A, 43-4023A and 43-4024C.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-2441B V1

2. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.8 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1025.6 AF. COMBINED RIGHT NOS.: 43-2356A, 43-2441B, 43-4022A, 43-4023A and 43-4024C.
3. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 170 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2441B, 43-4022A, 43-4023A and 43-4024C.
4. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.4 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 680 AF. COMBINED RIGHT NOS.: 43-2441B, 43-4022A, 43-4023A and 43-4024C.
5. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 127.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. PSKAGGS 6/6/2002 Transferred Right

Comment: This is now a approved transfer, transfer number = 66646

2. Jroberts 6/12/2002 Transfer 66647 Conditions

Comment: WATER RIGHT NO. 43 2441B V1

T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

01Q After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

WB4 The total instantaneous diversion of water from all points of diversion under Rights 43-2356A, 43-2441B, 43-4022A, 43-4023A and 43-4024C shall not exceed 4.80 cfs, nor total combined annual volume of 1025.6 af and the irrigation of 256.4 acres.

GEN Rights 43-2441B, 43-4022A, 43-4023A and 43-4024C when combined shall not exceed a total diversion rate of 3.40 cfs, a total annual maximum diversion volume of 680.0 af at the field headgate, and the irrigation of 170 acres.

W27 This right is limited to the irrigation of 127.5 acres within the place of use described above in a single irrigation season.

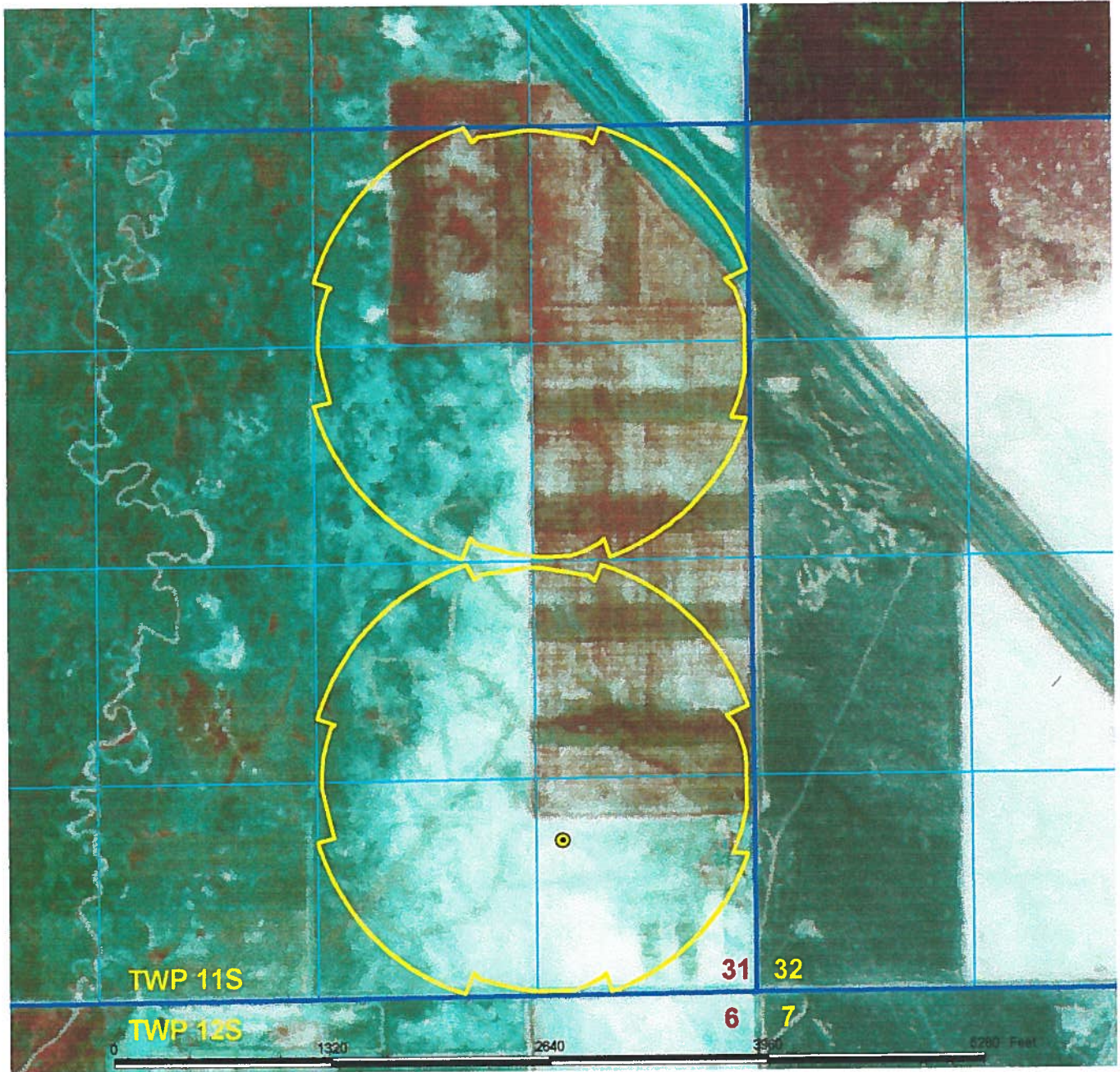
R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

IDAHO DEPARTMENT OF WATER RESOURCES

**T-5224 & T-5225
RECOMMENDED P/U
IDAHOME FARM**



**DATA ENTRY ON MARCH 18 1999
TWP 11S; RNG 27E; SEC 31**



- ⊙ RECOMMENDED POINT OF DIVERSION
- ▭ RECOMMENDED PLACE OF USE
- ▭ SECTION LINES
- ▭ QUARTER QUARTER LINES

**GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66647

RECEIVED

JUN 11 2002

Department of Water Resources
Southern Region

This is to certify that: ROLAND ALLEN LAND & LIVESTOCK
1910 OAKLEY AVE
BURLEY ID 83318
(208)678-4844

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
43-2356A	AJC/License	09/08/1950	1.40 cfs	458.4 af	114.6	114.6	GROUND WATER
43-2441B	AJC/License	03/05/1956	1.99 cfs	510.0 af	127.5	173.0	GROUND WATER
43-4022A	AJC/Statutory Claim	01/01/1953	0.83 cfs	168.0 af	42.0	173.0	GROUND WATER
43-4023A	AJC/Statutory Claim	04/01/1954	0.43 cfs	88.0 af	22.0	173.0	GROUND WATER
43-4024C	AJC/Statutory Claim	04/01/1954	0.27 cfs	131.0 af	173.0	173.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-2356A	NO	YES	YES	NO	NO	NO
43-2441B	NO	YES	YES	NO	NO	NO
43-4022A	NO	YES	YES	NO	NO	NO
43-4023A	NO	YES	YES	NO	NO	NO
43-4024C	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-2356A	43-2356A	1.4 cfs	458.4 af	114.6	256.4		N/A	N/A		N/A
43-2441B	43-2441B	1.99 cfs	510 af	127.5	256.4		N/A	N/A		N/A
43-4022A	43-4022A	0.83 cfs	168 af	42.0	256.4		N/A	N/A		N/A
43-4023A	43-4023A	0.43 cfs	88 af	22.0	256.4		N/A	N/A		N/A
43-4024C	43-4024C	0.27 cfs	131 af	173.0	256.4		N/A	N/A		N/A
TOTALS		4.8 cfs	1025.6 af	256.4	256.4		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 6th day of June, 2002

J. Glen Saylor
Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2356A
As Modified by Transfer No. 66647

In accordance with the approval of Transfer No. 66647, Water Right No. 43-2356A is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 09/08/1950

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.40 CFS	458.4 AF
			1.40 CFS	458.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESE Sec. 31 Twp 11S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
11S	27E	31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			32.3	32.3	32.3	32.3									31.9	31.9	31.9	31.5	256.4

Total Acres: 256.4

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The total instantaneous diversion of water from all points of diversion under Rights 43-2356A, 43-2441B, 43-4022A, 43-4023A and 43-4024C shall not exceed 4.80 cfs, nor total combined annual volume of 1025.6 af and the irrigation of 256.4 acres.
6. Rights 43-2441B, 43-4022A, 43-4023A and 43-4024C when combined shall not exceed a total diversion rate of 3.40 cfs, a total annual maximum diversion volume of 680.0 af at the field headgate, and the irrigation of 170 acres.

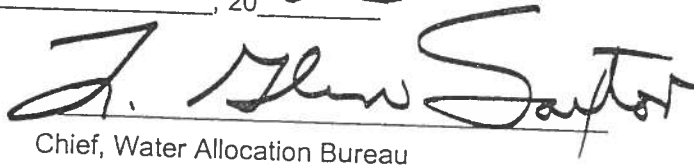
WATER RIGHT NO. 43-2356A
As Modified by Transfer No. 66647

CONDITIONS OF APPROVAL

7. This right is limited to the irrigation of 114.6 acres within the place of use described above in a single irrigation season.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of June, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2441B
As Modified by Transfer No. 66647

In accordance with the approval of Transfer No. 66647, Water Right No. 43-2441B is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 03/05/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	1.99 CFS	510.0 AF
			1.99 CFS	510.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESE Sec. 31 Twp 11S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
11S 27E 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	256.4
	32.3	32.3	32.3	32.3									31.9	31.9	31.9	31.5	

Total Acres: 256.4

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The total instantaneous diversion of water from all points of diversion under Rights 43-2356A, 43-2441B, 43-4022A, 43-4023A and 43-4024C shall not exceed 4.80 cfs, nor total combined annual volume of 1025.6 af and the irrigation of 256.4 acres.
6. Rights 43-2441B, 43-4022A, 43-4023A and 43-4024C when combined shall not exceed a total diversion rate of 3.40 cfs, a total annual maximum diversion volume of 680.0 af at the field headgate, and the irrigation of 170 acres.
7. This right is limited to the irrigation of 127.5 acres within the place of use described above in a single irrigation season.

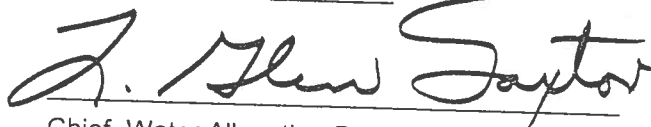
WATER RIGHT NO. 43-2441B
As Modified by Transfer No. 66647

CONDITIONS OF APPROVAL

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of June, 2002



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-4022A
As Modified by Transfer No. 66647

In accordance with the approval of Transfer No. 66647, Water Right No. 43-4022A is now described as follows.

Right Holder: GARY B HARPER
2040 E 850 S
DECLO ID 83323

Priority Date: 01/01/1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.83 CFS	168.0 AF
			0.83 CFS	168.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESE Sec. 31 Twp 11S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
11S 27E 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	256.4
	32.3	32.3	32.3	32.3									31.9	31.9	31.9	31.5	

Total Acres: 256.4

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The total instantaneous diversion of water from all points of diversion under Rights 43-2356A, 43-2441B, 43-4022A, 43-4023A and 43-4024C shall not exceed 4.80 cfs, nor total combined annual volume of 1025.6 af and the irrigation of 256.4 acres.
6. Rights 43-2441B, 43-4022A, 43-4023A and 43-4024C when combined shall not exceed a total diversion rate of 3.40 cfs, a total annual maximum diversion volume of 680.0 af at the field headgate, and the irrigation of 170 acres.
7. This right is limited to the irrigation of 42 acres within the place of use described above in a single irrigation season.

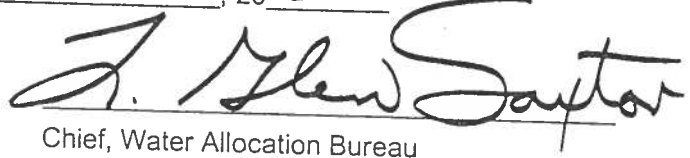
WATER RIGHT NO. 43-4022A
As Modified by Transfer No. 66647

CONDITIONS OF APPROVAL

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of June, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-4023A
As Modified by Transfer No. 66647

In accordance with the approval of Transfer No. 66647, Water Right No. 43-4023A is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 04/01/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.43 CFS	88.0 AF
			0.43 CFS	88.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESE Sec. 31 Twp 11S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	27E	31	32.3	32.3	32.3	32.3									31.9	31.9	31.9	31.5	256.4

Total Acres: 256.4

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The total instantaneous diversion of water from all points of diversion under Rights 43-2356A, 43-2441B, 43-4022A, 43-4023A and 43-4024C shall not exceed 4.80 cfs, nor total combined annual volume of 1025.6 af and the irrigation of 256.4 acres.
6. Rights 43-2441B, 43-4022A, 43-4023A and 43-4024C when combined shall not exceed a total diversion rate of 3.40 cfs, a total annual maximum diversion volume of 680.0 af at the field headgate, and the irrigation of 170 acres.
7. This right is limited to the irrigation of 22 acres within the place of use described above in a single irrigation season.

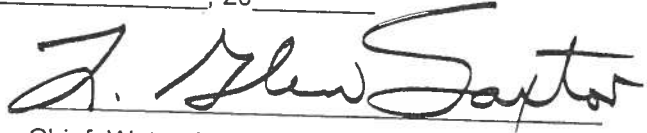
WATER RIGHT NO. 43-4023A
As Modified by Transfer No. 66647

CONDITIONS OF APPROVAL

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of June, 2002



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-4024C
As Modified by Transfer No. 66647

In accordance with the approval of Transfer No. 66647, Water Right No. 43-4024C is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 04/01/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.27 CFS	131.0 AF
			0.27 CFS	131.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESE Sec. 31 Twp 11S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	27E	31	32.3	32.3	32.3	32.3									31.9	31.9	31.9	31.5	256.4

Total Acres: 256.4

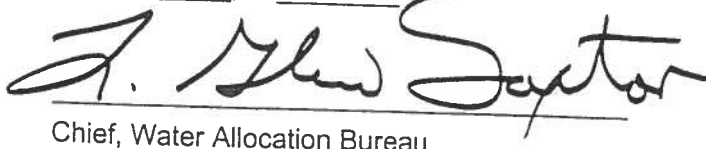
WATER RIGHT NO. 43-4024C
As Modified by Transfer No. 66647

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The total instantaneous diversion of water from all points of diversion under Rights 43-2356A, 43-2441B, 43-4022A, 43-4023A and 43-4024C shall not exceed 4.80 cfs, nor total combined annual volume of 1025.6 af and the irrigation of 256.4 acres.
6. Rights 43-2441B, 43-4022A, 43-4023A and 43-4024C when combined shall not exceed a total diversion rate of 3.40 cfs, a total annual maximum diversion volume of 680.0 af at the field headgate, and the irrigation of 170 acres.
7. This right is limited to the irrigation of 173 acres within the place of use described above in a single irrigation season.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of June, 2002


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66646

This is to certify that: ROLAND ALLEN LAND & LIVESTOCK
1910 OAKLEY AVE
BURLEY ID 83318
(208)678-4844

RECEIVED
JUN 11 2002
Department of Water Resources
Southern Region

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
43-2356	AJC/License	09/08/1950	2.94 cfs	960.0 af		240.0	GROUND WATER
43-4022	AJC/Beneficial Use	04/01/1953	4.64 cfs	928.0 af	232.0	933.0	GROUND WATER
43-4023	AJC/Beneficial Use	04/01/1954	2.40 cfs	480.0 af	120.0	959.0	GROUND WATER
43-4024B	AJC/Beneficial Use	04/01/1954	1.56 cfs	3836.0 af	959.0	959.0	GROUND WATER
43-2441A	AJC/License	03/05/1956	10.90 cfs	2828.0 af	707.0	959.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-2356	YES	NO	YES	YES	NO	NO
43-4022	YES	NO	YES	YES	NO	NO
43-4023	YES	NO	YES	YES	NO	NO
43-4024B	YES	NO	YES	YES	NO	NO
43-2441A	YES	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-2356	43-2356B	1.54 cfs	501.6 af	125.4	911.4	43-2356A	1.4 cfs	458.4 af	114.6	114.6
43-4022	43-4022B	3.73 cfs	760.0 af	190.0	911.4	43-4022A	0.83 cfs	168 af	42.0	173.0
	43-4022C	0.08 cfs	14.5 af		(Stockwater)					
43-4023	43-4023B	1.89 cfs	392.0 af	98.0	911.4	43-4023A	0.43 cfs	88 af	22.0	173.0
	43-4023C	0.08 cfs	14.5 af		(Stockwater)					
43-4024B	43-4024D	1.21 cfs	587.0 af	786.0	911.4	43-4024C	0.27 cfs	131 af	173.0	173.0
	43-4024E	0.08 cfs	14.5 af		(Stockwater)					
43-2441A	43-2441C	8.87 cfs	2318.0 af	579.5	911.4	43-2441B	1.99 cfs	510 af	127.5	173.0
	43-2441D	0.08 cfs	1.2 af		(Domestic)					
TOTALS		17.32cfs	3661.3 af	911.4	911.4		N/A	N/A	N/A	N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66646

Detailed Water Right Description(s) attached

Dated this 6th day of June, 2002
J. Glen Saylor
Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2441B
As Modified by Transfer No. 66646

In accordance with the approval of Transfer No. 66646, Water Right No. 43-2441B is now described as follows.

Right Holder: ROLAND ALLEN LAND & LIVESTOCK
 1910 OAKLEY AVE
 BURLEY ID 83318

Priority Date: 03/05/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	1.99 CFS	510.0 AF
			1.99 CFS	510.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSWSW	Sec. 4	Twp 14S	Rge 27E	CASSIA County
GROUND WATER	SESESW	Sec. 4	Twp 14S	Rge 27E	CASSIA County
GROUND WATER	SESESW	Sec. 4	Twp 14S	Rge 27E	CASSIA County
GROUND WATER	Lot 3 NENENW	Sec. 5	Twp 14S	Rge 27E	CASSIA County
GROUND WATER	SESESW	Sec. 9	Twp 14S	Rge 27E	CASSIA County
GROUND WATER	SWSWSW	Sec. 9	Twp 14S	Rge 27E	CASSIA County
GROUND WATER	SWSESW	Sec. 9	Twp 14S	Rge 27E	CASSIA County
GROUND WATER	SESESW	Sec. 9	Twp 14S	Rge 27E	CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
14S	27E	9	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	173.0
									21.0	24.0	26.0	38.0	37.0	27.0					

Total Acres: 173

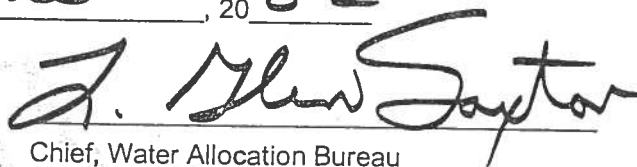
WATER RIGHT NO. 43-2441B
As Modified by Transfer No. 66646

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 127.5 acres within the place of use described above in a single irrigation season.
2. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
3. Rights 43-2441B, 43-4022A, 43-4023A and 43-4024C when combined shall not exceed a total diversion rate of 3.40 cfs, a total annual maximum diversion volume of 680.0 af at the field headgate, and the irrigation of 170 acres.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of June, 2002


Chief, Water Allocation Bureau