

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-2546 V1

WATER RIGHT NUMBER: 43-2546 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALAN J HARPER 2436 E 1850 S MALTA, ID 83342 (208)645-2333
Current Owner	BEVERLY K HARPER 2436 E 1850 S MALTA, ID 83342 (208)645-2333
Original Owner	LOIS ELISON 2048 S 2350 E MALTA, ID 83342 (208)645-2537
Original Owner	LANO ELISON 2048 S 2350 E MALTA, ID 83342 (208)645-2537

Priority Date: 04/17/1962

Basis:	License
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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	1.630 CFS	592.00 AF
	Total Diversion:	1.630 CFS	592.00 AF

Location of Point(s) of Diversion

GROUND WATER CASSIA County	SE1/4SE1/4NE1/4	Sec. 6,	Twp 14S,	Rge 27E, B.M.
GROUND WATER CASSIA County	NW1/4NE1/4SE1/4	Sec. 6,	Twp 14S,	Rge 27E, B.M.
GROUND WATER CASSIA County	L3 (SW1/4NE1/4NW1/4)	Sec. 6,	Twp 14S,	Rge 27E, B.M.

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			
13S	27E	31																	20.0	10.0	30.0
14S	27E	6	10.0	20.0	20.0	38.0												20.0	10.0	118.0	

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 43-2546 V1

Total Acres: 148

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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:

1. Quantity RIGHT NOS. 43-00165A, 43-00168A, 43-00169C 43-00170A, 43-00171A, 43-00172A, 43-00173A, 43-10086, 43-11269, 43-11270, 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A AND 43-04000B ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.498 CFS.
2. Place of Use - Irrigation RIGHT NOS. 43-00165A, 43-00168A, 43-00169C 43-00170A, 43-00171A, 43-00172A, 43-00173A, 43-00178J, 43-10086, 43-11269, 43-11270, 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A AND 43-04000B ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 338 ACRES IN A SINGLE IRRIGATION SEASON.
3. Quantity RIGHT NOS. 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A AND 43-04000B ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.76 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1352 AF.

Comments:



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 21, 2004

ALAN HARPER
BEVERLY HARPER
2436 E 1850 W
MALTA ID 83342

Re: SRBA Claim(s) 43-168A, 43-170A, 43-173A, 43-2295E, 43-2324A,
43-2324B, 43-2546, 43-4000A, 43-4000, 43-10086,
43-10096, 43-11269, 43-11270

Dear Mr. and Mrs. Harper:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership on all the above rights to you except right 43-10096. This right's legal description was not listed on the deed provided; consequently ownership was not changed to you.

The enclosed copies of the computer records of the claims are for your files. Please note the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

RECEIVED

MAR 31 2004

Department of Water Resources

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
43-165A	P.D.	—	43-173A	AJ	—
43-168A	AJ	—	43-178J	P.D.	—
43-169C	P.D.	—	43-2295E		—
43-170A	AJ	—	43-2324A		—
43-171A	P.D.	—	43-2324B		—
43-172A	P.D.	—	43-2546		—
43-4000A	AJ	—	43-10086		—
			43-10096	AJ	43-11270
			43-11269	AJ	43-4000B

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**.

Name and Address of Former Owner/Claimant(s)	<u>Lano A. Elison and Lois Z. Elison</u> <u>2048 South 2350 East</u> <u>Malta, ID 83342</u>
New Owner/Claimant(s)	<u>Alan J. Harper and Beverly K. Harper</u> Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	<u>2436 East 1850 South</u>
City, State and ZIP Code	<u>Malta, ID 83342</u>
New Telephone Number	() _____
Date you acquired the property	<u>March 24, 2004</u>

294659

WARRANTY DEED

THIS INDENTURE, made this 24th day of March, 2004,
 between GAR T. ELISON and MARLA DEAKINS, Personal Representatives of the
 ESTATE OF LOIS Z. ELISON, and LANO A. ELISON, a single man, of 2048 South
 2350 East, Malta, Idaho 83342 ("GRANTOR"), and ALAN J. HARPER and BEVERLY
 K. HARPER, husband and wife, whose address is 2436 East 1850 South, Malta, Idaho
 83342, ("GRANTEE").

WITNESSETH:

The Grantor for and in consideration of the sum of Ten Dollars (\$10.00),
 lawful money of the United States of America, and other good and valuable
 consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby
 acknowledged, has granted, bargained, and sold and by these presents does grant,
 bargain and sell, convey and confirm unto the Grantee, and to the successors and
 assigns of Grantee forever, all of the following described real estate situated in the
 County of Cassia, State of Idaho, attached hereto as Exhibit A and incorporated by
 reference herein.

SUBJECT TO:

- (1) Accruing taxes, levies and assessments.
- (2) Highway Right-of-Way Deed, conditioned in
 Special Warranty Deed as Instrument No.
 209216, Book 62 of Deeds as Instrument No.
 295, Film 2, Records of Cassia County, Idaho.
- (3) Agreements to purchase power with Raft River
 Rural Electric Cooperative, Inc.

RECORDED AT THE REQUEST OF
 LAND TITLE & ESCROW

2004 MAR 24 PM 12 01

FEED. AD. DEPUTY CLERK

CASSIA COUNTY, IDAHO
 LARRY A. MICKELSEN
 RECORDER

(4) Oil, Gas and Mineral Lease with Standard American Company recorded as Instrument No. 73340 on Film 85, records of Cassia County, Idaho.

TOGETHER with all and singular the tenements, water rights, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to said property as well in law as in equity of the Grantor.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises, together with appurtenances unto the Grantee and to the successors and assigns of Grantee forever.

The Grantor shall and will warrant and by these presents will forever defend the said premises in the quiet and peaceable possession of the Grantee, and the successors and assigns of Grantee against all and every person and persons whomsoever lawfully claiming the same, except as aforesaid.

Letters of Administration are recorded in the office of the County Recorder, County of Cassia, State of Idaho, as Instrument No. 293464, on the 12th day of January 2004.

IN WITNESS WHEREOF, the Grantor has executed this Deed the day and year first above written.

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WILLIAMS, SMITH & STONE, LLP
LAWYERS
BURLEY, IDAHO

GRANTOR

ESTATE OF LOIS Z. ELISON

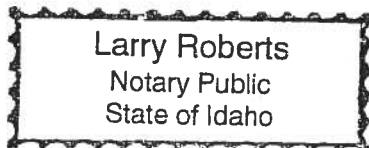
by *Gar T. Elison*
GAR T. ELISON

by *Marla Deakins*
MARLA DEAKINS

Lano A. Elison
LANO A. ELISON

1 STATE OF IDAHO)
2 County of Cassia) ss
3)

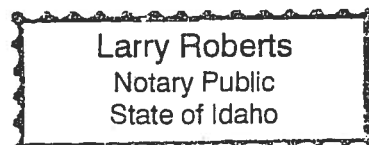
4 On this 24th day of March, in the year 2004, before me, the
5 undersigned, a Notary Public in and for said State, personally appeared **GART T. ELISON**
6 and **MARLA DEAKINS**, known or identified to me to be the persons whose names are
7 subscribed to the within instrument as the Personal Representatives of the Estate of Lois
8 Z. Elison who subscribed their names as Personal Representatives.

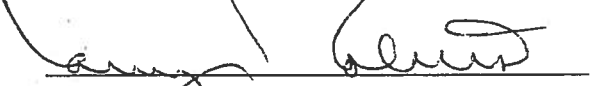
9 
10 Larry Roberts
11 Notary Public
12 State of Idaho


13 Notary Public for Idaho
14 Residing at Burley, ID
15 My Commission Expires: 6-30-09

16 STATE OF IDAHO)
17 County of Cassia) ss
18)

19 On this 24th day of March, in the year 2004, before me, the
20 undersigned, a Notary Public in and for said State, personally appeared **LANO A.**
21 **ELISON**, known or identified to me to be the person whose name is subscribed to the
22 within instrument, and acknowledged to me that he executed the same.

23 
24 Larry Roberts
25 Notary Public
26 State of Idaho


27 Notary Public for Idaho
28 Residing at Burley, ID
29 My Commission Expires: 6-30-09

30 (ElisonLano\HarperWD.wpd)

31 WARRANTY DEED - 4

PARCEL NO. 1:

TOWNSHIP 13 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: $E\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$ and $W\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: $E\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}$ of Lot 2, $W\frac{1}{2}W\frac{1}{2}$ of Lot 1

AND ALSO:

Beginning at the $E\frac{1}{4}$ corner of said Section 6;
Thence West 1980 feet;
Thence South 660 feet;
Thence East 1980 feet;
Thence North to the Point of Beginning.

EXCEPTING THEREFROM that portion deeded for highway purposes.

PARCEL NO. 2:

TOWNSHIP 13 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: $W\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$, Lot 4 and $SE\frac{1}{4}SW\frac{1}{4}$

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: Beginning at the $N\frac{1}{4}$ corner of said Section 6;
Thence West 1320 feet;
Thence South 1322 feet;
Thence East 1980 feet;
Thence North 1322 feet;
Thence West 660 feet to the Point of Beginning. (Also described as the $W\frac{1}{2}$ of
Lot 2 and all of Lot 3)

EXHIBIT A
to Warranty Deed - Elison/Harper

EXCEPTING and reserving to Lano A. Elison a life estate in and to the following described real estate:

Part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, Township 14 South,
Range 27 East Boise Meridian beginning at the SE corner
of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 6:

Thence West 285 feet;

Thence North 165 feet;

Thence East 212 feet;

Thence North 40 feet;

Thence East 73 feet;

Thence South 205 feet to the Point of Beginning.

EXHIBIT A
to Warranty Deed - Elison/Harper

WATER RIGHTS

43-165A
43-168A
43-169C
43-170A
43-171A
43-172A
43-173A
43-178J
43-2295E
43-2324A
43-2324B
43-2546
43-4000A
43-4000B
43-10086
43-10096
43-11269
43-11270

EXHIBIT A
to Warranty Deed - Elison/Harper

EXCEPTING and reserving to Lano A. Elison a life estate in and to the following described real estate:

Part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, Township 14 South,
Range 27 East Boise Meridian beginning at the SE corner
of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 6:

Thence West 285 feet;

Thence North 165 feet;

Thence East 212 feet;

Thence North 40 feet;

Thence East 73 feet;

Thence South 205 feet to the Point of Beginning.

EXHIBIT D
to Contract of Sale - Elison/Harper

35 T1896

T1896

S31 S6
T13 T14
R27 R27

T9348

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62.2

37.8

T9347

T9349

1

52.2

2

25.9

T2021

T8408

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37.8

1 6

6

32.0

1

59.8

S6
T14
R27

31 32
6 5

1895

T8409

T1641

7.5

3
27.3

87.0

T1602

70.1

45.5

T1603

7.3

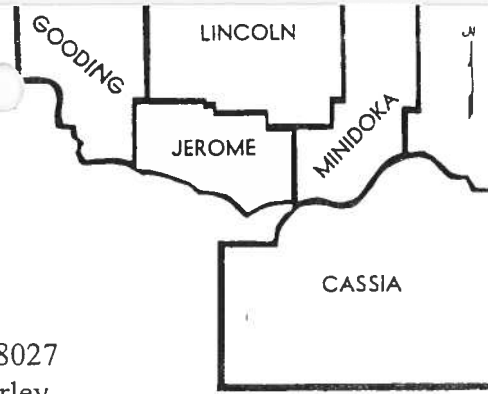
85.4

102.5

6 5

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #38027
OFFICE: Burley

March 30, 2004

Kari Lynn Townsend
ID Dept. of Water Resources
P. O. Box 83720
Boise, ID 83720-0098

RECEIVED
MAY 19 2004
Department of Water Resources
Southern Region

RECEIVED

MAR 31 2004

Department of Water Resources

Dear Karl Lynn:

Enclosed with this letter please find the original executed Notice of Change In Water Right Ownership, a copy of the recorded Warranty Deed, aerial photos and Land Title's check in the amount of \$150.00 for the transfer fee.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,
Land Title and Escrow, Inc.

A handwritten signature in cursive script that reads "Nancy Garrett".

Nancy Garrett
Reconveyance Department

/nrg
enc.

BOX 177, BURLEY, IDAHO 83318
PHONE 878-3524 • FAX 878-4435

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 436-1199

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: A43-02546
Date Received: 4/19/1989
Receipt No: S006905
Received By: Jce

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LANO ELISON 208-645-2537
Address: HC 72 BOX 2176
MALTA, ID 83342
OR
Name: LOIS ELISON 208-645-2537
Address: HC 72 BOX 2176
MALTA, ID 83342

2. Date of Priority: APR 17, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	27E	6	SE	SE	NE		CASSIA
			NW	NE	SE		CASSIA

5. Description of diverting works:
2 WELLS AND PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.630		

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

8. Total consumptive use is 370.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A43-02546

Page 1

Date: 04/19/89

MICROFILMED
MAR 03 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	27E	31	SW	SE		IRR	20.0
			SE	SE		IRR	10.0
					Section Acres		30.0
14S	27E	6	NE	NE		IRR	10.0
			NW	NE		IRR	20.0
			SW	NE		IRR	20.0
			SE	NE		IRR	38.0
			NE	SE		IRR	20.0
			NW	SE		IRR	10.0
					Section Acres		118.0
					Total Acres		148.0

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:

A43-02324A & B, A43-04000A & B, A43-10078

14. Remarks:

TRANS. 2909.

15. Basis of Claim: LICENSE

Water Right Number: 30461

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): Lano Calison Date: 4-19-89

Date: _____

State of Idaho)
County of Twinn Falls) ss.

Subscribed and sworn (or affirmed) before me this 19th day
of April 19 89 Steve Ollendick
Notary Public

Seal

Residing at Twinn Falls
My Commission Expires Dec 7, 1994

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

6E 27E

BURLEY 38 MI.
MAINTAIN IDAHO 771 4 MI



43-02546

MAR 03 1973

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: 43-2546

LOIS ELISON
HC 72 BOX 2176
MALTA ID 83342
Telephone Number: (208) 645-2537

LANO ELISON
HC 72 BOX 2176
MALTA ID 83342
Telephone Number: (208) 645-2537

RECEIVED

JUN 12 2001

Department of Water Resources
Sustainable Development

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: 6-5-01 SIGNATURE: Lana Elison
Please print your name: LANO ELISON

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

11/01/2000

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

RIGHT NUMBER: 43-2546

NAME AND ADDRESS: LANO ELISON
LOIS ELISON
HC 72 BOX 2176
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 1.63 CFS
592 AFY

RIGHT NOS. 43-00165A, 43-00168A, 43-00169C 43-00170A, 43-00171A, 43-00172A, 43-00173A, 43-10086, 43-11269, 43-11270, 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A AND 43-04000B ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.498 CFS.

RIGHT NOS. 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A AND 43-04000B ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.76 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1352 AF.

PRIORITY DATE: 04/17/1962

POINT OF DIVERSION:	T14S R27E S6	SESENE	Within CASSIA County
	T14S R27E S6 LOT 3	SWNENW	Within CASSIA County
	T14S R27E S6	NWNESE	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	1.63 CFS 592.0 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T13S R27E S31	SWSE	20	T13S R27E S31 SESE 10
T14S R27E S6 LOT 1	NENE	10	T14S R27E S6 LOT 2 NWNE 20
T14S R27E S6	SWNE	20	T14S R27E S6 SENE 38
T14S R27E S6	NESE	20	T14S R27E S6 NWSE 10

148 ACRES TOTAL

RIGHT NOS. 43-00165A, 43-00168A, 43-00169C 43-00170A, 43-00171A, 43-00172A, 43-00173A, 43-00178J, 43-10086, 43-11269, 43-11270, 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A AND 43-04000B ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 338 ACRES IN A SINGLE IRRIGATION SEASON.

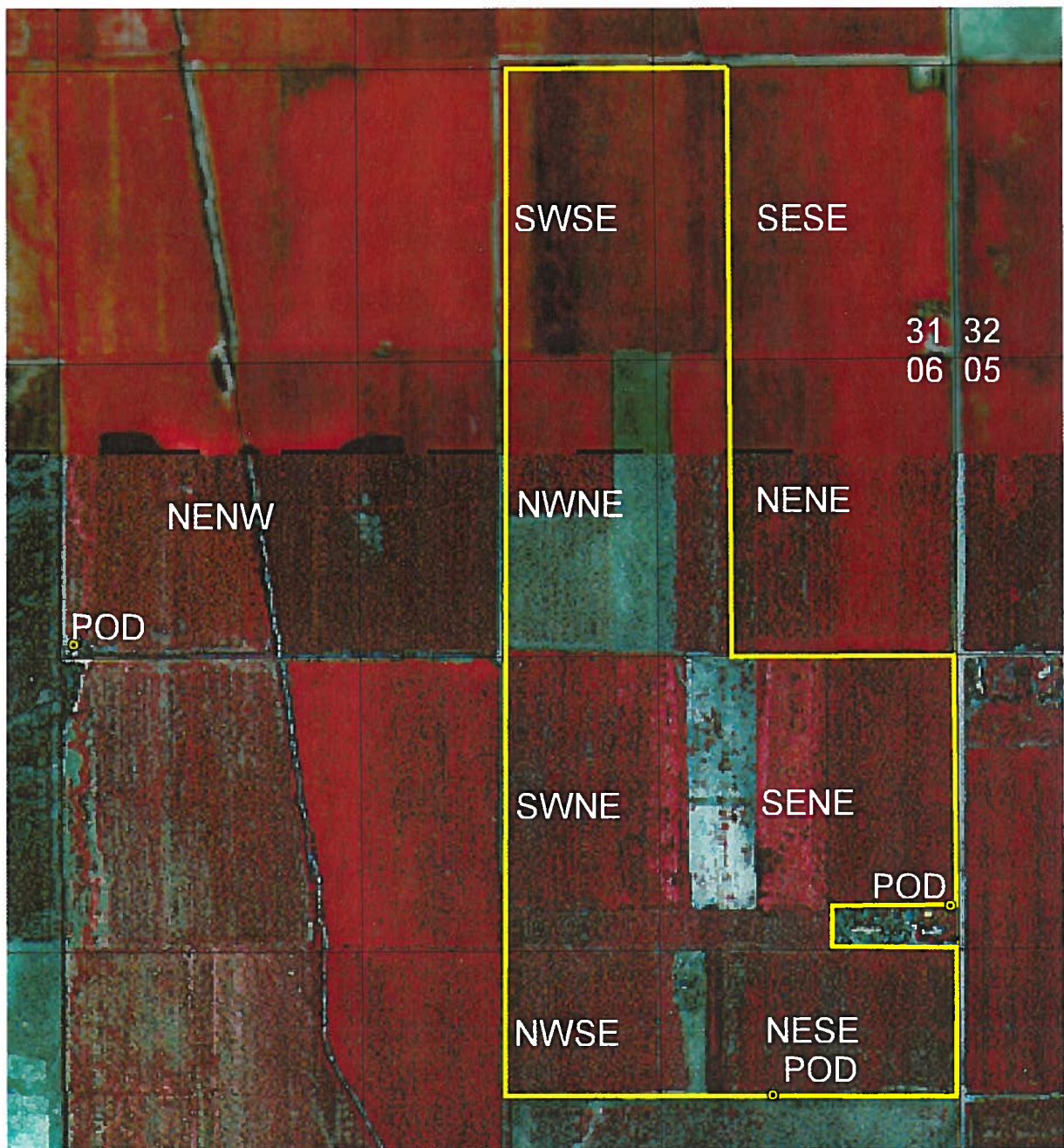
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

43-02546



1000 0 1000 2000 Feet

T13S R27E S31
T14S R27E S06

Map prepared by: Carter Fritschle
Date prepared: 12/21/99
1987-1988 NAPP photography
Idaho Department of Water Resources



Transfer No. 2909Water Right No. 43-2546

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Lano Elison Phone 645-2537Post Office address Malta, ID 83342

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)

b. License No. 43-2546 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Groundwater tributary to _____4. Date of priority 4-17-1962

5. Water is used for the following purposes:

amount 1.63 cfs for Irrigation purposes from Mar 15 to Nov 15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 1.63 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 6
Township 14S Range 27E, B.M., in Cassia County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

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 $\frac{1}{4}$	
<u>14S</u>	<u>27E</u>	<u>6</u>	<u>10</u>	<u>20</u>	<u>20</u>	<u>38</u>									<u>20</u>	<u>10</u>			<u>118</u>
<u>13S</u>	<u>27E</u>	<u>31</u>															<u>20</u>	<u>10</u>	<u>30</u>

Total number of acres to be irrigated 148

9. Describe any other water rights used for the same purpose as described above _____

License 43-2324

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

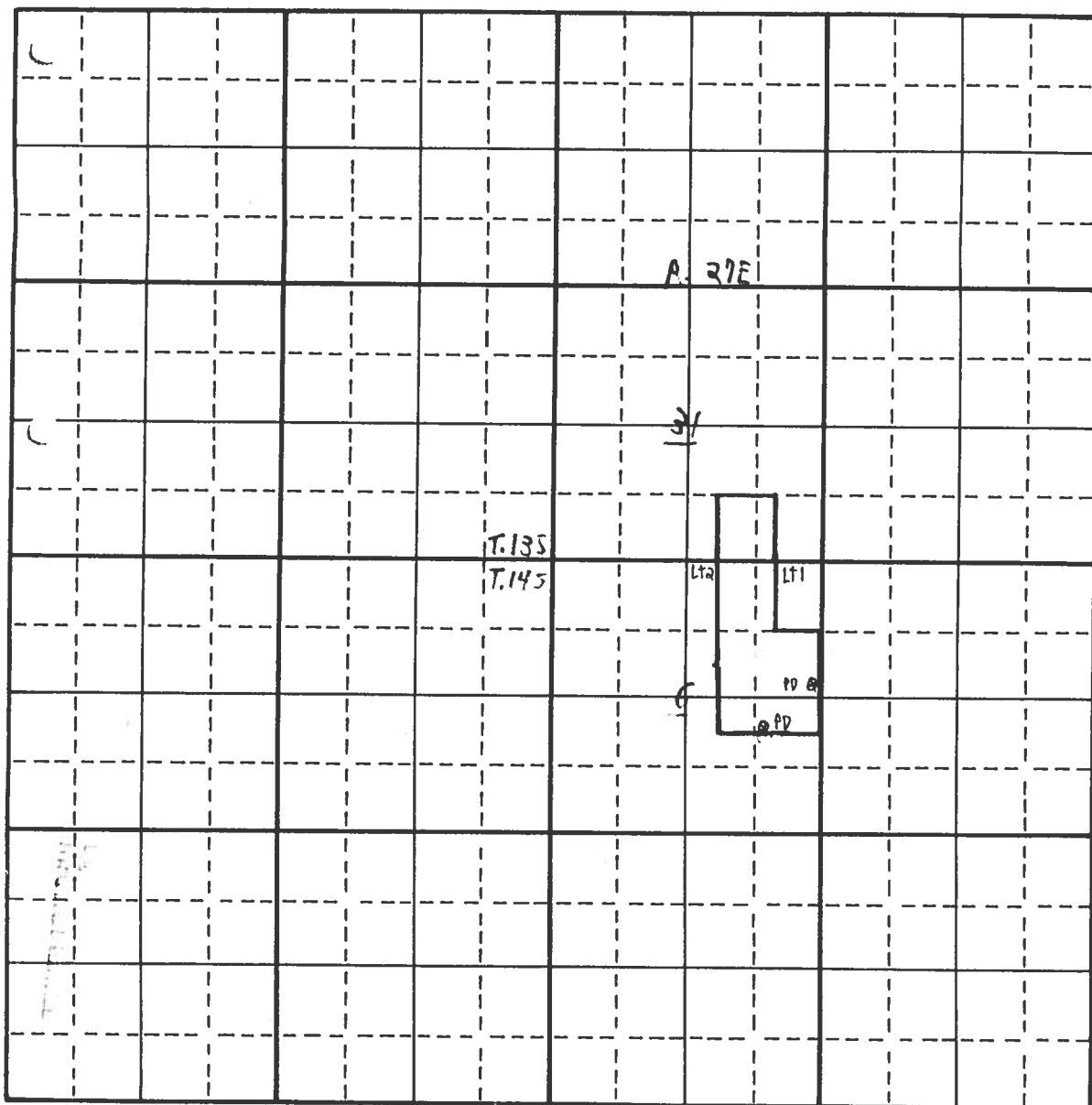
1. General Information
 - a. Amount of water to be diverted 1.63 c.f.s. &/or _____ acre feet
 - b. Description of diverting works Two wells & pumps
 - c. Describe the reasons for the proposed changes Allow water to be pumped from either well for more efficient operation of sprinklers. North well will be mainly used, with south well as backup.
2. Change in point of diversion

Point of diversion SE ¼ NE ¼, Section 6 Township 14S
Range 27E, B.M., Cassia County
Additional points NE ¼ SE ¼ Sec. 6 T. 14S R. 27E
3. Change in place of use No Change
 - a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
 - b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

TWP.	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	

Total number of acres to be irrigated _____

- Describe any other water rights used for the same purpose as described above. _____
43-2324
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Lano Edison
(Signature of Applicant)

Subscribed and sworn to before me this 15 day of June, 19 83.

Loren O. Palmer
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2546 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 21st day of November, 19 83.

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by GO Date 6-15-83 Protest filed by None
Prelim. check by SLF Fee \$50.00
Receipted by GO Date 6-15-83 #30303
Published in South Ida Press Copies of protest forwarded by _____
Pub. dates 6/23 + 6/30/83 Hearing held by _____ Date _____
Watermaster recommendation requested on N/A Recommended for approval denial
_____ rec'd. by ADG Jue DET

CLAIM NUMBER A43-02546DATE _____

TRANSFER NUMBER _____

AGENT _____CLAIMED ACRE TOTAL 148

GIS ACRE TOTAL _____

				NE				NW				SW				SE				
	TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	135	27E	31															20	10	3
GIS	135	27E	31															40	10	
RECOM	135	27E	31																	
CLAIM	145	27E	6	10	20	20	38									20			10	1
GIS	145	27E	6	10	41	20	38									20			9.9	
RECOM	145	27E	6																	
CLAIM																				
GIS																				
RECOM																				

B43-DBPOU.SHP

SHAPE NOS.

43-DBPOD.SHP

NOS. DESCRIPTION

DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT

R PROOF

CVR

MAPS

PHOTOS

MISC

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