

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 43-4091
Date Received: 5/15/1989
Receipt No: S007109
Received By:

AMENDED

AMENDED

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: 04/01/1954

3. Source: GROUNDWATER

Trib. to: N/A

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11S	26E	26	SE SW SE	CASSIA	
11S	26E	35	SW SW SW	CASSIA	
11S	26E	25	SW SW SW	CASSIA	
11S	26E	26	SW SW SW	CASSIA	
11S	26E	26	SW NW NW	CASSIA	
11S	26E	27	SW SE NE	CASSIA	
11S	26E	26	SE SE NW	CASSIA	
11S	26E	35	SW SW SW	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	2.8	622

7. Total Quantity Appropriated is:
2.8 C.F.S. and/or 622 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	26E	25	NE	SW		IRRIGATION	33
			NW	SW		IRRIGATION	39
			SW	SW		IRRIGATION	40
			SE	SW		IRRIGATION	33
Section Acres							145
11S	26E	26	NE	NE		IRRIGATION	24
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
			NE	NW		IRRIGATION	40
			NW	NW		IRRIGATION	40
			SW	NW		IRRIGATION	40
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	39
			SW	SW		IRRIGATION	38
			SE	SW		IRRIGATION	39
			NE	SE		IRRIGATION	40
			NW	SE		IRRIGATION	40
			SW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	40
Section Acres							620
11S	26E	27	NE	NE		IRRIGATION	40
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
			NE	SE		IRRIGATION	40
			NW	SE		IRRIGATION	40
			SW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	40
Section Acres							320
11S	26E	34	NE	NE		IRRIGATION	40
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	33
			SE	NE		IRRIGATION	40
Section Acres							153
11S	26E	35	NE	NW		IRRIGATION	40
			NW	NW		IRRIGATION	40
			SW	NW		IRRIGATION	40
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	40
			SW	SW		IRRIGATION	40
			SE	SW		IRRIGATION	40
Section Acres							320
12S	26E	3	NE	NE	1	IRRIGATION	31

NW	NE	2	IRRIGATION	1
SE	NE		IRRIGATION	10
			Section Acres	42
			Total Acres	1600

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Water right no. 43-4091 is limited to the irrigation of 155.5 acres within the place of use described above in a single irrigation season.

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.

Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.

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.

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.

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.

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.

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.

CLAIM AMENDED PER APPROVED TRANSFER #66921.

15. Basis of Claim: Statutory Claim

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: A43-04091
Date Received: 3/15/1989
Receipt No: 5007109
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY B. HARPER 208-645-2227
Address: STAR ROUTE BOX 16
DECLO, ID 83323

2. Date of Priority: APR 01, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	26E	25	SW	SW	SW		CASSIA
		26	SW	SW	SW		CASSIA
			SE	SW	SE		CASSIA
		27	SW	SE	NE		CASSIA
		35	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	04/01	10/30	3.200		

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

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	26E	35	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
					Section Acres		160.0
					Total Acres		160.0

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:
A43-10037, A43-02309, A43-02564, A43-04141, A43-04092, 4009

14. Remarks:
PRIORITY MAY BE EARLIER THAN 1954
ALL WATER RIGHTS ARE PART OF THE SAME SYSTEM.
2 P/D'S IN SW, SW SEC. 35.
THIS IS THE REFERENCE RIGHT FOR ALL OTHER WR LISTED.

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
MAR 04 1993

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): Jerry B. Harper Date: 15 Mar 89

Date: _____

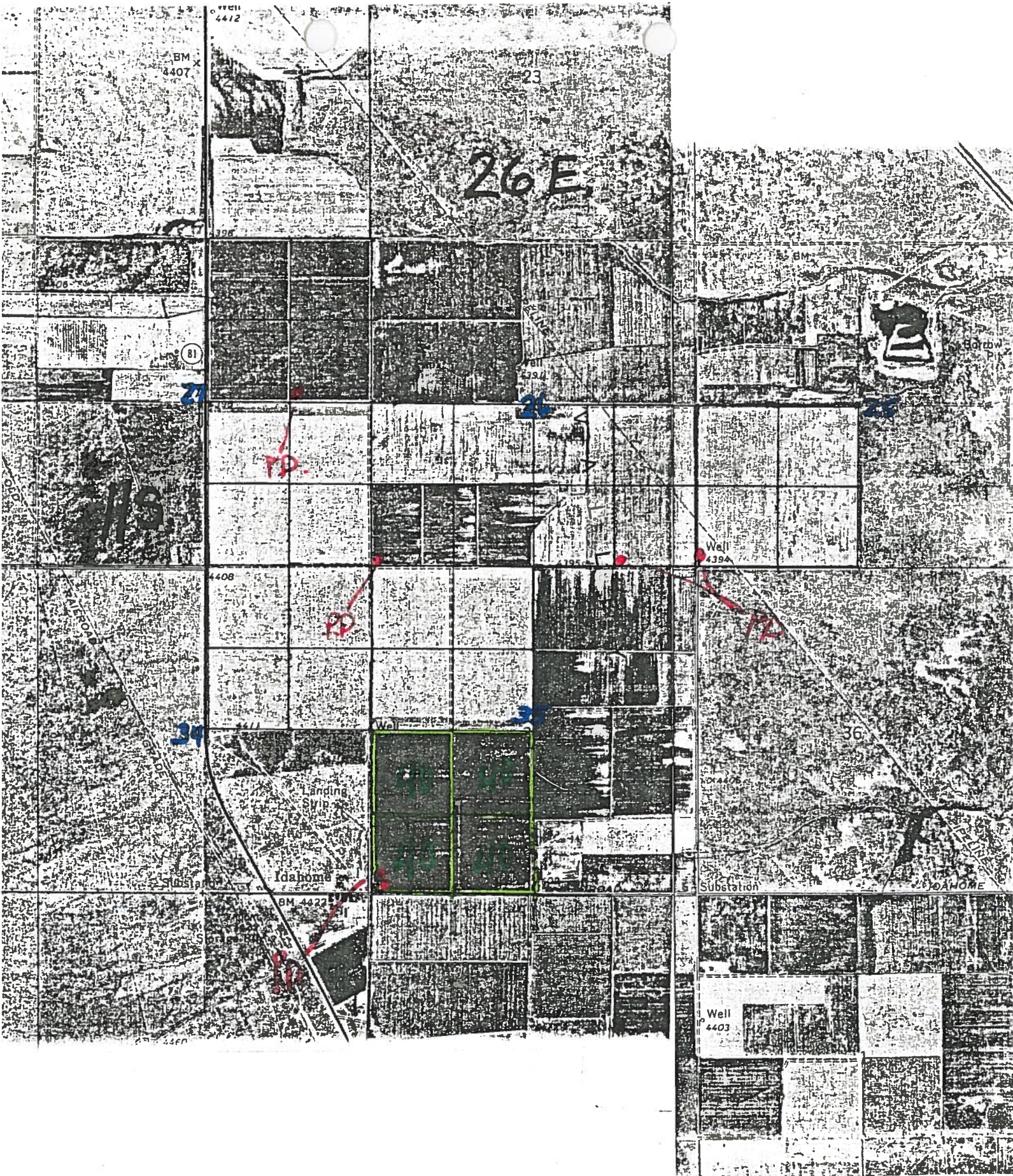
State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of March 19 89

Steve Chell
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994



MICROFILMED

MAR 04 1993

A43 - 04091



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

A43-04091
GARY B. HARPER
STAR ROUTE BOX 16

DECLD

ID 83323

RE: Evidence of Priority

RESPONSE DEADLINE
FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED
MAR 04 1993

GARY HARPER

REA # 807

ID # A 43 - 04091

RECEIVED

JAN 31 1992

Department of Water Resources
Southern Region Office

- 1- Well Log on 2nd drilling
- 2- Contract when we bought farm
- 3- REA Pump bills on this service 1950, 51, 55, 56

MICROFILMED

MAR 04 1993

S. No. 20-255-835

ACCOUNT NO.

FIRST READING 5120

N E SUPERIOR, Bob (Pump #2)

FIRST DATE April 21, 1951

ADDRESS Declo, Idaho

DELINQUENT RATING

DUPLICATE DATE

30 HP 175.00

DELINQUENT DATE

METER READING

DATE	PRESENT	PREVIOUS	OWN READ	NET BILL	PENALTY	GROSS BILL	CREDIT OR ARREARS	AMOUNT PAID	DATE PAID	BALANCE
1-20	6111	5120	991H	89.46	4.47	93.93H		59.46	JUN 12	00H
4-20	6064	6111	19.53H	147.10	7.36	154.46H		147.18	JUL 16	00H
7-20	5746	6064	16.82H	130.98	6.55	137.47H		130.98	AUG 14	00H
10-20	10609	5746	86.37H	81.78	4.09	85.87H		81.73	SEP 15	00H
1-20	1532	6090	9.43H	88.98	4.45	93.43H		88.33	OCT 15	60H
								6.00	NOV 7	00H

Water disconnected November 1, 1951 S. No. 28-255-835 Reading 1592

MICROFILMED
MAR 04 1993

NAME: **Simplot, Bob (Penny #2)**
ADDRESS: **Declo, Idaho**
READING DATE:

S. No. **28-255-835**
FIRST READING: **0000**
FIRST DATE: **April 23, 1950**
DUE DATE:

ACCOUNT NO.
DELINQUENT RATE:

DATE	METER READING		NET BILL	PENALTY	GROSS BILL	CREDIT OR ARREARS	AMOUNT PAID	DATE PAID	BALANCE
	PRESENT	PREVIOUS							
JUN 20	98		9.70	49	10.29		10.29	JUN 19	.00
JUL 20	1971	98	142.33	712	149.50		142.38	JUL 12	.00
AUG 20	3304	1971	109.95	530	115.48		109.98	AUG 12	.00
SEP 20	4849	3304	8.70	434	91.04		86.70	SEP 13	.00
OCT 20	4679	4849	43.00	215	45.15		43.00	OCT 9	.00
NOV 20	4679	4679	10		10		10	NOV 22	.00
DEC 20	4120	4679			55.90		44.00	DEC 14	.00

meter disconnected November 2, 1950 S. No. 28-255-835 Reading 0.00

MICROFILMED
SEP 24 1993

MAY RIVER ELECTRIC COOPERATIVE, INC.

ACCOUNT NO.

FIRST READING 6909

NAME H. PLOT, Bob

ADDRESS

7018, 13

FIRST DATE

APRIL 26, 1955

READING DATE

APR 26, 1955

DUE DATE

DELINQUENT DATE

DELINQUENT RATING

DATE	METER READING		KWH USED	NET BILL	PENALTY	GROSS BILL	CREDIT OR ARREARS	AMOUNT PAID	DATE PAID	BALANCE
	PRESENT	PREVIOUS								
1	7469	69120	557H	58.70	2.79	58.49H		55.70C	11	00H
1	8504	74690	1035H	92.10	4.60	96.70H		88.10C	15	00H
1	10274	85040	1770H	136.200	6.81	143.01H		136.20C	15	00H
1	15030	2740	1229H	103.740	8.190	108.93H		103.74C	14	00H
1	29240	15020	1421H	118.260	5.760	124.02H		115.26C	14	00H
1	29240	29240	0	0.00	0.00	0.00H		0.00C	12	00H

Meter disconnected Nov. 1, 1955. S. No. 28-253-538 Reading 6962

60500

MICROFILMED
MAR 8 1980

PUMP # 2

NAME SIMPLY, BOB
Route 3
ADDRESS Declo, Idaho

FIRST DATE April 16, 1956

READING DATE 30 BR (7,500)

METER READING X 10
PREVIOUS
PRESENT

DATE	PREVIOUS	PRESENT	NET BILL	PENALTY	GROSS BILL	CREDIT OR ARREARS	AMOUNT PAID	DATE PAID	BALANCE
1	29620	3446	4840	242	50820		48400	10	000
1	34460	4437	6946	447	93920		69460	10	000
1	44370	5438	8958	449	94370		89580	10	000
1 156	5435	6101	5660	333	61630		56600	10	000
1 156	6101	7144	9258	463	97210		92580	10	000
1 156	7144	7696	5520	276	57960		55200	10	000
1 156	7696	8502	8050	392	82990		76350	10	000

Meter disconnected November 6, 1956 S. No. 28-255-835 Reading 8502

55400
52048
240
76048

ACCOUNT NO 807

DELINQUENT RATING

DELINQUENT DATE

HAS 180' of Pump
807
2nd time drilled

RECEIVED

APR 25 1987

43-2309

REPORT OF WELL DRILLER
State of Idaho

Department of Reclamation

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name Bob Simp ot

Address Star Route # 3

Deolo, Idaho

Owner's Permit No. 44

NATURE OF WORK (check): Replacement well ☒

New well ☐ Deepened ☐ Abandoned ☐

Water is to be used for:

METHOD OF CONSTRUCTION: Irrigation
Rotary ☒ Cable ☐

Dug ☐ Other ☐

CASING SCHEDULE: Threaded ☐ Welded ☒

16" "Diam. from 0 ft. to 245 ft.

12 3/4" "Diam. from 235 ft. to 385 ft.

"Diam. from 385 ft. to 415 ft.

"Diam. from 415 ft. to 445 ft.

Thickness of casing: Material:

Steel ☐ concrete ☐ wood ☐ other ☐

(explain)

PERFORATED? Yes ☒ No ☐ Type of
perforator used:

Size of perforations: 3/16" by 2"

600 perforations from 135 ft. to 235 ft.

540 perforations from 245 ft. to 335 ft.

120 perforations from 245 ft. to 275 ft.

perforations from 275 ft. to 315 ft.

WAS SCREEN INSTALLED? Yes ☐ No ☒

Manufacturer's name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

CONSTRUCTION: Well gravel packed? Yes ☒

No. ☐ size of gravel Gravel

placed from 135 ft. to 245 ft. Surface seal

provided? 135 ☐ No ☒ To what depth?

ft. Material used in seal: Gravel packed,

Back filled with cuttings.

Did any strata contain unusable water? Yes ☐

No. ☒ Type of water:

Depth of strata ft. Method of sealing

strata off:

Surface casing used? Yes ☐ No ☐

Cemented in place? Yes ☐ No ☒

Locate well in section

Size of drilled hole 16" and 12" Total
depth of well 1100 Standing water
level below ground 76ft. Temp.
Fahr. * Test delivery: 1,260 gpm
or cfs Pump? ☒ Bail ☐
Size of pump and motor used to make test:

Length of time of test: Hrs. Min.
Drawdown: ft. Artesian pressure: ft.
above land surface Give flow cfs
or gpm. Shutoff pressure:
Controlled by: Valve ☐ Cap ☐ Plug ☐
No control ☐ Does well leak around casing
Yes ☐ No ☒

DEPTH		MATERIAL	WATER YES O
FROM	TO		
FEET	FEET		
0	40	Sandy clay	
40	50	Sand, gravel, water	
50	70	Clay	
70	80	Gravel	
80	110	Clay	
110	120	Gravel an clay	
120	140	Sand an clay	
140	155	Gravel an water	
155	165	Gravel an clay	
165	185	Sand an coarse gravel	
185	190	Clay an sand	
190	200	Gravel an sand	
200	230	Gravel	
230	240	Clay an gravel	
240	242	Sand	
242	270	Gravel, small amount of clay	
270	290	Clay an gravel, hard	
290	300	Softer, gravel an clay	
300	320	Clay an sand	
320	325	Sand an gravel	
325	335	Hard, cemented	
335	340	Yellow clay an gravel	
340	350	Sand an heaving	
350	355	Yellow clay an gravel	
355	380	Softer, more gravel	
380	380	Clay an gravel	
380	400	Clay	
400	420	Grey clay	
420	430	Blue clay	
430	435	Blue clay an gravel	
435	442	Blue clay	
442	445	Blue clay an gravel	
445	455	Blue clay	
455	460	Grey clay, little soft gravel	
460	480	Grey clay	
480	500	Grey clay, an gravel, drilled	
500	520	Very little gravel	
520	540	Blue clay (over)	

REPROFILMED
MAR 04 1993

AGREEMENT FOR PURCHASE OF POWER

THIS AGREEMENT, Made this 1st day of April, 1972, between
the Raft River Rural Electric Cooperative, Inc., hereinafter called the Seller, and
Blaine Harper hereinafter called the Consumer.

WITNESSETH, WHEREAS the Consumer is the owner of the following described
real estate in the County of Cassia, State of Idaho
particularly described as follows, to-wit: W 1/2 Section 35

Section 35, Township 11 South, Range 26 East,
of the Boise Meridian. And has a well on the SW 1/4 SW 1/4
of Section 35 of the said real estate and desires to irrigate the irrigable
portion of said real estate by pumping water from such well or wells.

NOW, THEREFORE, THE SELLER agrees to sell and deliver to the Consumer on
the above described real estate, electrical energy up to 100 HP + 2 Pivots KVA, and the
Consumer agrees to purchase from the Seller all electrical energy used for pumping
water from the well or wells upon said premises for irrigation purposes during the
irrigation season of each year for a period of not less than eight (8) years from
the date of this contract.

1. Service Characteristics

The electrical energy to be furnished under this contract shall be alter-
nating current, three (3) phase, sixty cycle, 480 volts.

2. Payment

The Consumer shall pay to the Seller for the electrical energy furnished
at the rates and upon the terms and conditions set forth in Schedule C which
is hereto attached and by reference made a part of this contract,

In the event that the Consumer uses no electrical energy upon the said
premises or the amount of electrical energy used by the Consumer during any irrigation
season at the purchase price or prices shown on Schedule C shall not equal
\$ 240.00 to be paid during any irrigation season, then the Consumer agrees
to pay to the Seller a minimum charge of \$ 240.00 for the irrigation season
of any year during the life of this contract. The said minimum charge to be paid on
or before the 1st of November of the year in which no electrical energy is used for
pumping water for irrigation purposes or the amount used did not equal said minimum
charge.

Bills for electrical energy furnished under this contract shall be paid by
the Consumer to the Seller at its office at Malta, Idaho, monthly within fifteen days

after the bill is mailed to the Consumer. If the Consumer shall fail to pay any such bill within such fifteen day period, ~~the Seller may discontinue the service hereunder, by giving to the Consumer ten days notice in writing of its intention so to do.~~

3. The Consumer agrees that if at any time the rate under which the Seller purchases electrical energy at wholesale is modified, the Seller may make a corresponding modification in the rates for electrical energy furnished hereunder. If the rate to the Consumer be increased by such modification, the Consumer shall have the right to cancel this contract unless the Seller shall elect to furnish the electrical energy at the rates specified in Schedule C hereinbefore referred to.

4. Continuity of Service

The Seller shall use reasonable diligence to provide a constant and uninterrupted supply of electrical energy. But if such supply shall fail, or be interrupted, or become defective, through the act of God, public enemy, by accident, strikes, labor troubles or the burning out of any transformer, generator, or other electrical equipment or for any other cause beyond the reasonable control of the Seller, the Seller shall not be liable to the Consumer for any damage that he may sustain by reason of such interruption in service.

5. Membership

The Consumer shall become a member of the Seller, shall pay the membership fee and be bound by the provisions of the Articles of Incorporation and provisions of the By-laws of the Seller and by such rules and regulations, as may from time to time be adopted by the Seller.

6. Term

This agreement shall become effective on the date of its execution and shall remain in effect for a period of eight (8) years and thereafter until terminated by either party giving to the other four (4) month's notice in writing of its or his desire to terminate the same.

7. This contract shall be and constitute a covenant running with the above described real estate and shall be binding upon and enure to the benefit of the successors, assigns or legal representatives of the respective parties hereto. Any assignee, grantee or successor in interest of the Consumer shall be required to comply with the terms and conditions of this contract and make the payments as specified and provided herein, not theretofore made by the Consumer.

IN WITNESS WHEREOF, The Seller has caused its Corporate name to be hereunto subscribed by its manager, and the Consumer has hereunto set his hand and seal and executed these presents in triplicate the day and year first above written.

104431

RECORDED AT THE REQUEST OF

Raft River Rural Electric

FILM 114

JAN 24 4 56 PM '78

CASSIA COUNTY, IDAHO
FRANK B. KEARNS
RECORDER

FEE 3.00 DEPUTY ok

Blaine T Harper
(Consumer)

By _____
RAFT RIVER RURAL ELECTRIC COOPERATIVE, INC.

By Golden F Gardiner
(Manager)

STATE OF IDAHO)
County of Cassia) ss

On this 19 day of January, 1978, before me, the undersigned,
a Notary Public in and for said State, personally appeared _____
Golden F. Gardiner, known to me to be the Manager of the Raft River
Rural Electric Cooperative, Inc., the corporation whose name is subscribed
to the within instrument, and acknowledge to me that such corporation
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
seal, the day and year in this certificate first above written.

[Signature]
Notary Public for the State of Idaho,
residing at Malta, Idaho.
My Commission Expires Life term

STATE OF IDAHO)
County of Cassia) ss

On this 1st day of January, 1978, before me, the under-
signed, a Notary Public in and for said State, personally appeared _____
Blaine Harper, known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that he executed
the same.

IN WITNESS WHEREOF, I Have hereunto set my hand and affixed my official
seal the day and year in this certificate first above written.

[Signature]
My Commission Expires life term

8/30/01
08/30/2001

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

RIGHT NUMBER: 43-4091

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

SOURCE: GROUND WATER

QUANTITY: 2.8 CFS
622 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 23.07 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 5680 AF. COMBINED RIGHT NOS.: 43-
02309, 43-02312A, 43-02385, 43-02391, 43-02564, 43-04009, 43-
04091, 43-04092, 43-04141 AND 43-10037.

PRIORITY DATE: 04/01/1954

POINT OF DIVERSION:	T11S R26E S25	SWSWSW	Within CASSIA County
	T11S R26E S26	SWNWNW	Within CASSIA County
	T11S R26E S26	SESENW	Within CASSIA County
	T11S R26E S26	SWSWSW	Within CASSIA County
	T11S R26E S26	SESWSE	Within CASSIA County
	T11S R26E S27	SWSENE	Within CASSIA County
	T11S R26E S35	SWSWSW	Within CASSIA County
	T11S R26E S35	SWSWSW	Within CASSIA County

TWO POINTS OF DIVERSION LOCATED IN T11S, R26E, S35, SWSWSW.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	2.80 CFS 622.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T11S R26E S25	NESW	33	T11S R26E S25	NWSW	39
T11S R26E S25	SWSW	40	T11S R26E S25	SESW	33
T11S R26E S26	NENE	24	T11S R26E S26	NWNE	40
T11S R26E S26	SWNE	40	T11S R26E S26	SENE	40
T11S R26E S26	NENW	40	T11S R26E S26	NWNW	40
T11S R26E S26	SWNW	40	T11S R26E S26	SENW	40
T11S R26E S26	NESW	40	T11S R26E S26	NWSW	39
T11S R26E S26	SWSW	38	T11S R26E S26	SESW	39
T11S R26E S26	NESE	40	T11S R26E S26	NWSE	40
T11S R26E S26	SWSE	40	T11S R26E S26	SESE	40
T11S R26E S27	NENE	40	T11S R26E S27	NWNE	40
T11S R26E S27	SWNE	40	T11S R26E S27	SENE	40
T11S R26E S27	NESE	40	T11S R26E S27	NWSE	40
T11S R26E S27	SWSE	40	T11S R26E S27	SESE	40
T11S R26E S34	NENE	40	T11S R26E S34	NWNE	40
T11S R26E S34	SWNE	33	T11S R26E S34	SENE	40
T11S R26E S35	NENW	40	T11S R26E S35	NWNW	40
T11S R26E S35	SWNW	40	T11S R26E S35	SENW	40
T11S R26E S35	NESW	40	T11S R26E S35	NWSW	40
T11S R26E S35	SWSW	40	T11S R26E S35	SESW	40
T12S R26E S3	NENE	31	T12S R26E S3	NWNE	1
T12S R26E S3	SENE	10			

1600 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1579 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02309, 43-02312A, 43-02385, 43-02391, 43-02564, 43-04009, 43-04091, 43-04092, 43-04141 AND 43-10037.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 155.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

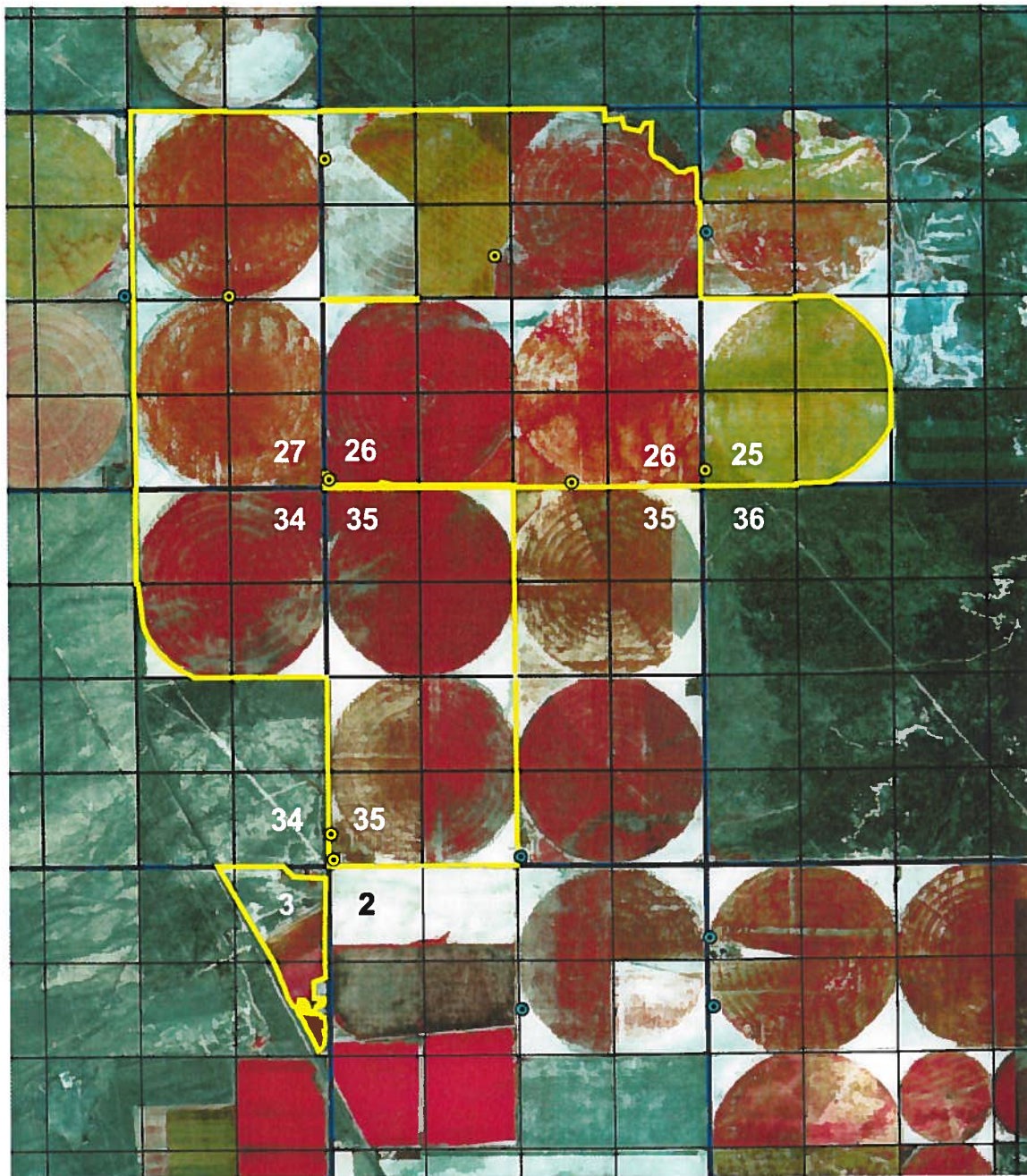
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT NO. 43-10037 IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION 42-1416B, IDAHO CODE.

Idaho Department of Water Resources

43-2309, 43-2312A, 43-2385, 43-2391, 43-2564,
43-4009, 43-4091, 43-4092, 43-4141 & 43-10037



RECOMMENDED PLACE OF USE
DATA ENTRY ON AUG. 31, 2001
TWP 11S, RNG 26E, SEC. 25, 26, 27, 34, & 35
TWP 12S, RNG 26E, SEC. 3

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66921

Southern
RECEIVED
SEP 04 2001
Department of Water Resources

This is to certify that: GARY B HARPER
2040 E 850 S
DECLO ID 83323
(208)645-2227

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>
43-2309	AJC/License	05/01/1948	2.30 cfs	640.0 af	1,579.0	1,579.0	GROUND WATER
43-2312A	AJC/License	06/19/1948	5.20 cfs	1280.0 af	1,579.0	1,579.0	GROUND WATER
43-2385	AJC/License	01/20/1953	3.20 cfs	640.0 af	1,579.0	1,579.0	GROUND WATER
43-2391	AJC/License	04/18/1953	2.80 cfs	560.0 af	1,579.0	1,579.0	GROUND WATER
43-2564	AJC/License	06/09/1963	2.20 cfs	840.0 af	1,579.0	1,579.0	GROUND WATER
43-4009	AJC/Beneficial Use	05/15/1953	2.00 cfs	624.0 af	1,579.0	1,579.0	GROUND WATER
43-4091	AJC/Beneficial Use	04/01/1954	2.80 cfs	622.0 af	1,579.0	1,579.0	GROUND WATER
43-4092	AJC/Beneficial Use	04/01/1954	0.23 cfs	60.0 af	1,579.0	1,579.0	GROUND WATER
43-4141	AJC/Beneficial Use	04/03/1954	2.67 cfs	414.0 af	1,579.0	1,579.0	GROUND WATER
43-10037	AJC/Beneficial Use	06/30/1985	1.55 cfs		1,579.0	1,579.0	GROUND WATER

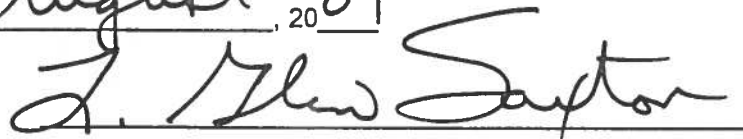
Purpose of Transfer (Changes Proposed)

<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>
43-2309	NO	NO	YES	YES	NO	NO
43-2312A	NO	NO	YES	YES	NO	NO
43-2385	NO	NO	YES	YES	NO	NO
43-2391	NO	NO	YES	YES	NO	NO
43-2564	NO	NO	YES	YES	NO	NO
43-4009	NO	NO	YES	YES	NO	NO
43-4091	NO	NO	YES	YES	NO	NO
43-4092	NO	NO	YES	YES	NO	NO
43-4141	NO	NO	YES	YES	NO	NO
43-10037	NO	NO	YES	YES	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
43-2309	43-2309	2.3 cfs	640 af	160.0	1,600.0		N/A	N/A	N/A	N/A
43-2312A	43-2312A	5.2 cfs	1280 af	320.0	1,600.0		N/A	N/A	N/A	N/A
43-2385	43-2385	3.2 cfs	640 af	160.0	1,600.0		N/A	N/A	N/A	N/A
43-2391	43-2391	2.8 cfs	560 af	140.0	1,600.0		N/A	N/A	N/A	N/A
43-2564	43-2564	2.2 cfs	840 af	210.0	1,600.0		N/A	N/A	N/A	N/A
43-4009	43-4009	2 cfs	624 af	156.0	1,600.0		N/A	N/A	N/A	N/A
43-4091	43-4091	2.8 cfs	622 af	155.5	1,600.0		N/A	N/A	N/A	N/A
43-4092	43-4092	0.23 cfs	60 af	15.0	1,600.0		N/A	N/A	N/A	N/A
43-4141	43-4141	2.67 cfs	414 af	263.5	1,600.0		N/A	N/A	N/A	N/A
43-10037	43-10037	1.55 cfs		137.0	1,600.0		N/A	N/A	N/A	N/A
TOTALS		23.07 cfs	5680 af	1579.0	1600.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 24th day of August, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2309
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-2309 is now described as follows.

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

Priority Date: 05/01/1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.30 CFS	640.0 AF
			2.30 CFS	640.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENE	Sec. 26	Twp 11S	Rge 26E	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 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L1	L2															

Total Acres: 1600

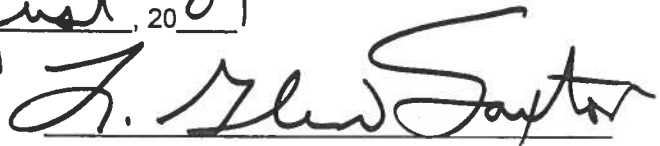
WATER RIGHT NO. 43-2309
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-2309 is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
2. 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.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
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. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
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 24th day of August, 2001



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2312A
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-2312A is now described as follows.

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

Priority Date: 06/19/1948

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	5.20 CFS	1,280.0 AF
			5.20 CFS	1,280.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENE	Sec. 26	Twp 11S	Rge 26E	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	26E	25									33.0	39.0	40.0	33.0					145.0
11S	26E	26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S	26E	27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S	26E	34	40.0	40.0	33.0	40.0													153.0
11S	26E	35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S	26E	3	31.0	1.0		10.0													42.0
			L 1	L 2															

Total Acres: 1600

WATER RIGHT NO. 43-2312A
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-2312A is limited to the irrigation of 320 acres within the place of use described above in a single irrigation season.
2. Rights 43-2312A, 43-4092 and 43-10037 when combined shall not exceed a total diversion rate of 5.2 cfs.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
4. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
5. 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.
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
11. 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 24th day of August, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2385
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-2385 is now described as follows.

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

Priority Date: 01/20/1953

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	3.20 CFS	640.0 AF
			3.20 CFS	640.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26	Twp 11S	Rge 26E	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	26E	25									33.0	39.0	40.0	33.0					145.0
11S	26E	26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S	26E	27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S	26E	34	40.0	40.0	33.0	40.0													153.0
11S	26E	35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S	26E	3	31.0	1.0		10.0													42.0
			L 1	L 2															

Total Acres: 1600

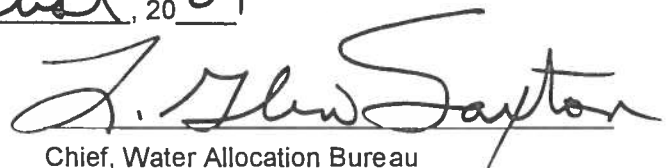
WATER RIGHT NO. 43-2385
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-2385 is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
2. 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.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
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. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
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 24th day of August, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2391
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-2391 is now described as follows.

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

Priority Date: 04/18/1953

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	2.80 CFS	560.0 AF
			2.80 CFS	560.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENE	Sec. 26	Twp 11S	Rge 26E	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 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L 1	L 2															

Total Acres: 1600

WATER RIGHT NO. 43-2391
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-2391 is limited to the irrigation of 140 acres within the place of use described above in a single irrigation season.
2. 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.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
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. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
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 24th day of August, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2564
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-2564 is now described as follows.

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

Priority Date: 06/09/1963

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.20 CFS	840.0 AF
			2.20 CFS	840.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26	Twp 11S	Rge 26E	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 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L 1	L 2															

Total Acres: 1600

CONDITIONS OF APPROVAL

1. Water right no. 43-2564 is limited to the irrigation of 210 acres within the place of use described above in a single irrigation season.
2. 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.

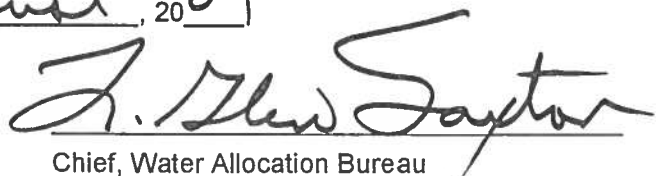
WATER RIGHT NO. 43-2564
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
5. 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.
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
11. 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 24th day of August, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-4009
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-4009 is now described as follows.

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

Priority Date: 05/15/1953

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.00 CFS	624.0 AF
			2.00 CFS	624.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26	Twp 11S	Rge 26E	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	26E	25									33.0	39.0	40.0	33.0					145.0
11S	26E	26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S	26E	27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S	26E	34	40.0	40.0	33.0	40.0													153.0
11S	26E	35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S	26E	3	31.0	1.0		10.0													42.0
			L1	L2															

Total Acres: 1600

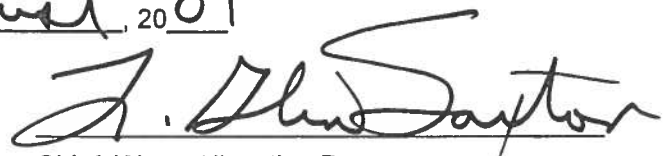
WATER RIGHT NO. 43-4009
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-4009 is limited to the irrigation of 156 acres within the place of use described above in a single irrigation season.
2. 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.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
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. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
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 21st day of August, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-4091
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-4091 is now described as follows.

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

Priority Date: 04/01/1954

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.80 CFS	622.0 AF
			2.80 CFS	622.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26	Twp 11S	Rge 26E	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	26E	25									33.0	39.0	40.0	33.0					145.0
11S	26E	26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S	26E	27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S	26E	34	40.0	40.0	33.0	40.0													153.0
11S	26E	35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S	26E	3	31.0	1.0		10.0													42.0
			L1	L2															

Total Acres: 1600

WATER RIGHT NO. 43-4091
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-4091 is limited to the irrigation of 155.5 acres within the place of use described above in a single irrigation season.
2. 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.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
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. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
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 24th day of August, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-4092
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-4092 is now described as follows.

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

Priority Date: 04/01/1954

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.23 CFS	60.0 AF
			0.23 CFS	60.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	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 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L 1	L 2															

Total Acres: 1600

WATER RIGHT NO. 43-4092
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-4092 is limited to the irrigation of 15 acres within the place of use described above in a single irrigation season.
2. Rights 43-2312A, 43-4092 and 43-10037 when combined shall not exceed a total diversion rate of 5.2 cfs.
3. 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.
4. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
5. 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.
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
11. 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 24th day of August, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-4141
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-4141 is now described as follows.

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

Priority Date: 04/03/1954

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	2.67 CFS	414.0 AF
			2.67 CFS	414.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26	Twp 11S	Rge 26E	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	26E	25									33.0	39.0	40.0	33.0					145.0
11S	26E	26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S	26E	27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S	26E	34	40.0	40.0	33.0	40.0													153.0
11S	26E	35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S	26E	3	31.0	1.0		10.0													42.0
			L1	L2															

Total Acres: 1600

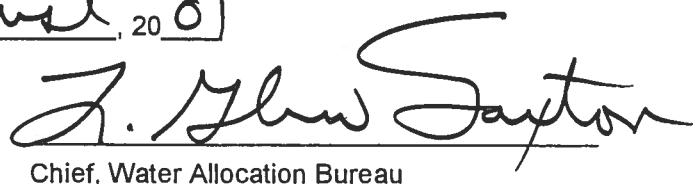
WATER RIGHT NO. 43-4141
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-4141 is limited to the irrigation of 263.5 acres within the place of use described above in a single irrigation season.
2. 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.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
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. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
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 24th day of August, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-10037
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-10037 is now described as follows.

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

Priority Date: 03/15/1970

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	1.55 CFS
			1.55 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26	Twp 11S	Rge 26E	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 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L1	L2															

Total Acres: 1600

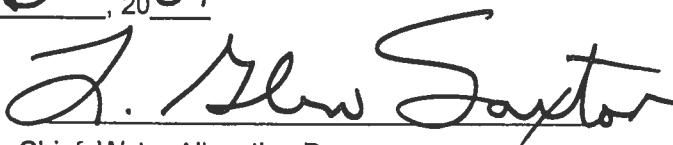
WATER RIGHT NO. 43-10037
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-10037 is limited to the irrigation of 137 acres within the place of use described above in a single irrigation season.
2. Rights 43-2312A, 43-4092 and 43-10037 when combined shall not exceed a total diversion rate of 5.2 cfs.
3. 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.
4. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
5. 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.
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
11. 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 24th day of August, 2001


Chief, Water Allocation Bureau

**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: 43-4091

GARY B HARPER

2040 E 850 S

DECLO ID 83323

Telephone Number: (208) 645-2227

RECEIVED
JUN 12 2001
Department of Water Resources
Bozeman, Montana

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: 9 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

01/19/2001

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

RIGHT NUMBER: 43-4091

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

SOURCE: GROUND WATER

QUANTITY: 2.8 CFS
622 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 23.07 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 5680 AF. COMBINED RIGHT NOS.: 43-
02309, 43-02312A, 43-02385, 43-02391, 43-02564, 43-04009, 43-
04091, 43-04092, 43-04141 AND 43-10037.

PRIORITY DATE: 04/01/1954

POINT OF DIVERSION:	T11S R26E S25	SWSWSW	Within CASSIA County
	T11S R26E S26	SWNWNW	Within CASSIA County
	T11S R26E S26	SESENW	Within CASSIA County
	T11S R26E S26	SWSWSW	Within CASSIA County
	T11S R26E S26	SESWSE	Within CASSIA County
	T11S R26E S27	SWSENE	Within CASSIA County
	T11S R26E S35	SWSWSW	Within CASSIA County

TWO POINTS OF DIVERSION LOCATED IN T11S, R26E, S35, SWSWSW.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	2.80 CFS 622.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T11S R26E S25	NESW	40	T11S R26E S25	NWSW	40
T11S R26E S25	SWSW	40	T11S R26E S25	SESW	40
T11S R26E S26	NENE	20	T11S R26E S26	NWNE	40
T11S R26E S26	SWNE	40	T11S R26E S26	SENE	40
T11S R26E S26	NENW	40	T11S R26E S26	NWNW	40
T11S R26E S26	SWNW	40	T11S R26E S26	SENW	40
T11S R26E S26	NESW	40	T11S R26E S26	NWSW	39
T11S R26E S26	SWSW	38	T11S R26E S26	SESW	39
T11S R26E S26	NESE	40	T11S R26E S26	NWSE	40
T11S R26E S26	SWSE	38.5	T11S R26E S26	SESE	39
T11S R26E S27	NENE	40.5	T11S R26E S27	NWNE	38
T11S R26E S27	SWNE	38.5	T11S R26E S27	SENE	40.5
T11S R26E S27	NESE	40.5	T11S R26E S27	NWSE	39
T11S R26E S27	SWSE	38	T11S R26E S27	SESE	39

T11S R26E S34	NENE	39	T11S R26E S34	NWNE	39
T11S R26E S34	SWNE	38	T11S R26E S34	SENE	40
T11S R26E S35	NENW	40	T11S R26E S35	NWNW	40
T11S R26E S35	SWNW	40	T11S R26E S35	SENE	40
T11S R26E S35	NESW	40	T11S R26E S35	NWSW	39
T11S R26E S35	SWSW	38	T11S R26E S35	SENE	38.5
T12S R26E S3	NENE	10	T12S R26E S3	SENE	10

1579 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1579 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02309, 43-02312A, 43-02385, 43-02391, 43-02564, 43-04009, 43-04091, 43-04092, 43-04141 AND 43-10037.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 155.5 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 - Beneficial Use

RIGHT NO. 43-10037 IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION 42-1416B, IDAHO CODE.

VERIFIED BY: 5/18/2003

AJ0749NP
No. R43-04091

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/08/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARY B HARPER	04/01/1954	IRRIGATION	03-15 11-15	2.800 CFS	622.00 AFA
TOTAL DIVERSION:					2.800 CFS	622.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:	T11S R26E S25 S26 S27 S35	SWSWSW SWSWSW SWSWSW SWSWSW	SESESW SESESW SESESW SESESW	SWSWSW SWSWSW SWSWSW SWSWSW	SESESW SESESW SESESW SESESW	CASSIA County CASSIA County CASSIA County CASSIA County
------------------------	------------------------------------	--------------------------------------	--------------------------------------	--------------------------------------	--------------------------------------	--

Place of use Legal Description for: IRRIGATION													
T	R	S	NE	ENE	NENE	SENE	ENE	ENE	ENE	ENE	ENE	ENE	ENE
11S	26E	25	20	40	40	40	40	40	40	40	40	40	40
11S	26E	26	40	38	38	40	40	40	40	40	40	40	40
11S	26E	27	40	38	38	40	40	40	40	40	40	40	40
11S	26E	34	39	39	38	40	40	40	40	40	40	40	40
11S	26E	35	10	10	40	40	40	40	40	40	40	40	40
12S	26E	3	10	10	40	40	40	40	40	40	40	40	40
TOTAL ACRES													1579.0

POU County: CASSIA

Other Rights: SEE REMARKS

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: GNT

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 23.07 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 5680 AF. COMBINED RIGHT NOS.: 43-02309,
43-02312A, 43-02385, 43-02391, 43-02564, 43-04009, 43-04091,
43-04092, 43-04141 AND 43-10037.

POD TWO POINTS OF DIVERSION LOCATED IN T11S, R26E, S35, SWSWSW.

POU1

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 1579 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-02309, 43-02312A, 43-02385, 43-02391,
43-02564, 43-04009, 43-04091, 43-04092, 43-04141 AND 43-10037.

J91

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/08/00
PAGE: 2

Remarks:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 155.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: 08/29/1994

Verified Date: 05/08/2000

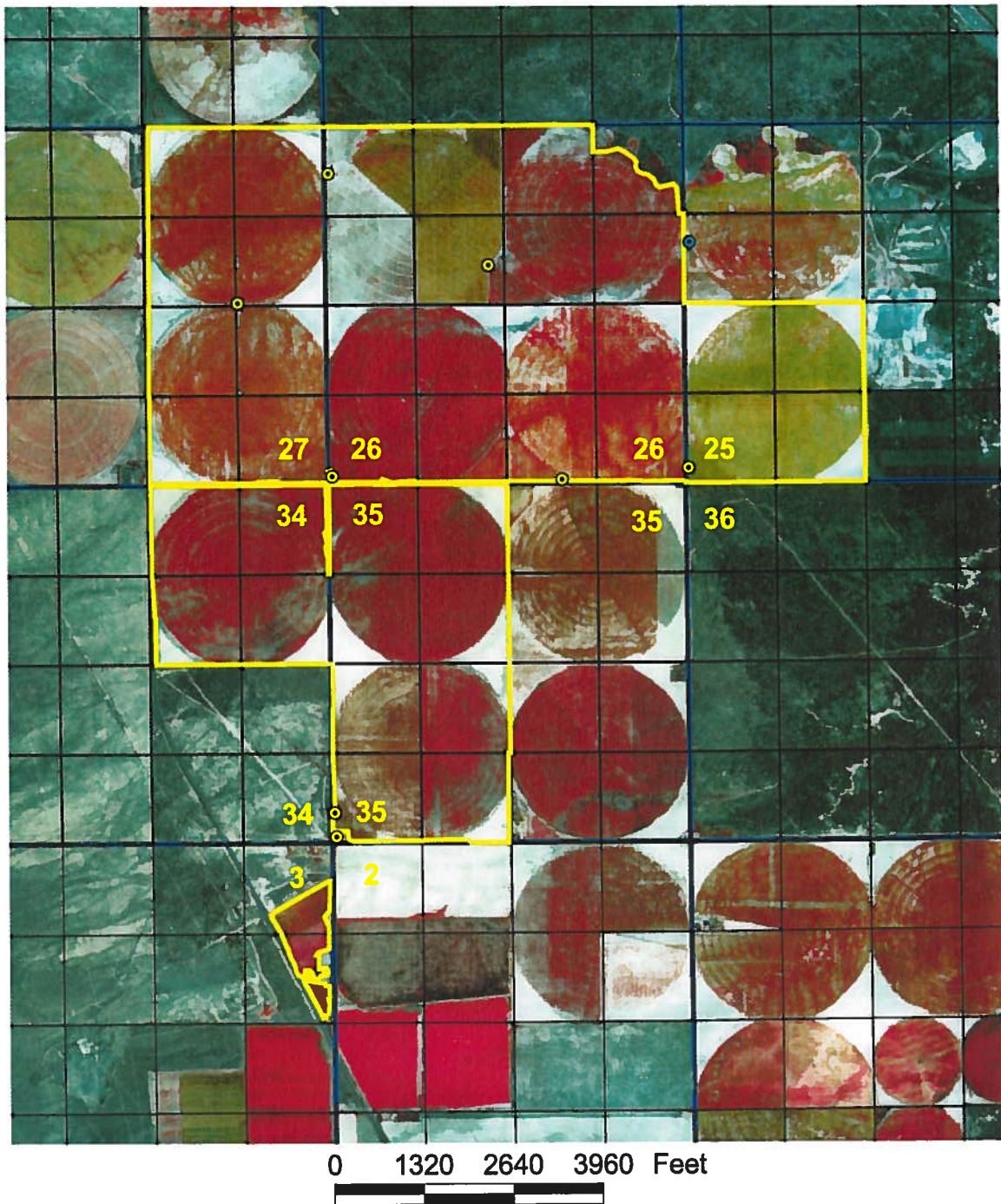
Misc: Water District Number:

Objection filed Date:

Field Inspection Flag:
Presumption Flag:

Idaho Department of Water Resources

43-02309, 43-02312A, 43-02385, 43-02391,
43-02564, 4304009, 43-04091, 43-04092,
43-04141 and 43-10037



RECOMMENDED PLACE OF USE
DATA ENTRY ON APR. 27, 2000
TWP 11S, RNG 26E, SEC. 25, 26, 27, 34, & 35
TWP 12S, RNG 26E, SEC. 3

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

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

Memorandum

To: Transfer #5501

CC: A43-02309, A43-02312A, A43-02385, A43-A43-02391, A43-04009,
A43-04091, A43-04092, A43-04141, A43-02564, and A43-10037

From: Jeanie Robertson

Date: 05/08/00

Re: Recommendations

These claims were claimed on individual tracts as licensed or developed, but the wells have since been tied together and are now operating under one system. I reviewed them separately, according to priority date, but recommended in a PPU of 1579 acres with eight wells.

I recommend a total of 23.07 cfs in a permissible place of use of 1579 acres, with a total combined annual volume of 5680 AF.

A43-02309 5/1/48 2.3 cfs 160 acres

PoD was a well in the SWSWSW of Section 35. The field exam was done 5/11/49 and the well measured at 2.3 cfs. (Harper refers to this well as #1A.) Another well was noted at the time, also in the SWSWSW of Section 35 and was measured at 2.7 cfs. (Harper refers to this as well #1.) The notes said it was associated with Permit 19616, which was never completed to the license process. (*I believe this well was later claimed under A43-04091)

R43-02309 2.3 cfs 640 AF 160/1579 ac ppu

A43-02312A 6/19/48 3.35 cfs 160 acres

PoDs were two wells, one in the SWSWSW of Section 25 (Harper refers to as #3A) and the other in the NWNWSW of Section 35, [not shown on system map today, transferred to another well in the SWNE of Section 27 – see transfer #2340 approved 5/2/1979.] (Harper refers to as #4.) They were each licensed for 160 acres and 2.6 cfs. Mistakes were made on the WR database after an approved transfer was done on a portion of this right, resulting in a reduction of the wrong portion of the right and the acres in the SW ¼ of Section 27 being deleted. The water right DB has since been corrected showing 43-02312A for 5.2 cfs and 320 acres.

R43-02312A 5.2 cfs 1280 AF 320/1579 ac ppu

A43-04092 4/1/1954 4cfs 200 acres

This claim was for the same 160 acres in the SE ¼ of Section 27 that were mistakenly deleted from 43-02312A and 40 additional acres in the NE ¼ of Section 27. The PoD was the same well previously licensed under part of 43-02312A for 2.6 cfs, originally in the NWNWSW of Section 35 and later transferred to another well in the SWSW of Section 27 - see transfer # 2340 approved 5/2/1979. (Harper refers to as #4) According to 1963 aerial photos, approximately 15 acres in the NE ¼ of Section appear irrigated, not the 40 as claimed. I can recommend additional volume for these acres, but no additional flow rate as the system from that well was measured at 2.6 cfs during a field exam done in July of 1954.

R43-04092 0.23 cfs* 60 AF 15/1579 ac ppu
(*limited to 5.2 cfs when combined with
43-02312A and 43-10037)

A43-02385 1/20/1953 3.2 cfs 160 acres

PoD was well in SWNWNW of Section 26 and measured at 3.2 cfs. (Harper refers to as #5)

R43-02385 3.2 cfs 640 AF 160/1579 ac ppu

A43-02391 4/18/1953 2.8 cfs 140 acres

PoD was well in SESENW of Section 26 and measured at 2.8 cfs. (Harper refers to as #6) More than 20 acres in the NENE ¼ of Section 26 may be irrigated, but only 20 were licensed and claimed.

R43-02391 2.8 cfs 560 AF 140/1579 ac ppu

A43-04009 5/15/1953 3.2 cfs 160 acres

PoD was originally for a well in the SWNE of Section 34. Information in the file states that there was a 30 hp motor in 1953 which was changed to a 60 hp in 1961. A theoretical calculation shows that a 30 hp will deliver 2 cfs and a 60 hp will deliver 3.2 cfs. For the 1953 priority date, I recommend 2 cfs on 156 acres.

R43-04009 2 cfs 624 AF 156/1579 ac ppu

A43-04091 4/1/1954 3.2 cfs 160 acres

PoD was the other well in the SWSWSW of Section 35 and measured during the field exam done for 43-02309 as 135 in. or 2.7 cfs. (Harper refers to this as #1) I recommend 155.5 irrigated acres.

R43-04091 2.7 cfs 622 AF 155.5/1579 ac ppu

A43-04141 4/3/1954 2.72 cfs 266 acres

PoD is a well in the SWSE of Section 26 and there is good evidence in the file that power was purchased in 1954 from Raft River Rural Electric Company. (Harper refers to this as #3) I measured the well at about 2.67 cfs during a field exam in late August of 1994. This claim is supplemental to 160 acres in the SW ¼ of Section 25 (part of 43-02312A) and .6 cfs could be used to bring those up to .02 cfs/acre. It also includes 103.5 acres in the SE ¼ of Section 26 and 2.07 cfs would be required at .02 cfs/ac for a total of 2.67 cfs.

May 8, 2000

R43-04141 2.67 cfs 414 AF 263.5/1579 ac ppu

A43-02564 6/9/1963 2.2 cfs 210 acres

PoD was a well in the SWSWSW ¼ of Section 26. (Harper refers to this as #2)

R43-02564 2.2 cfs 840 AF 210/1579 ac ppu

A43-10037 3/15/1970 4 cfs 140 acres

This is an Expansion claim in a Critical Groundwater Area and can be recommended under 42-1416b with a priority date of 6/30/1985 with no additional diversion rate or volume. I believe it is an expansion of 43-02312A and will recommend as such. I found 137 acres irrigated in this area.

R43-10037 *1.55 cfs - AF 137/1579 ac ppu
(limited to 5.2 cfs when combined with
43-02312A and 43-04092)

CLAIM NUMBER

A43-04091

DATE

TRANSFER NUMBER

AGENT

CLAIMED ACRE TOTAL

160

GIS ACRE TOTAL

155.5

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	11S	26E	35									40	40	40	40					160
GIS	11S	26E	35									40	39	37.7	38.5					
RECOM	11S	26E	35									40	39	38	38.5					155.5
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B43-POU.SHP

SHAPE NOS.

B43-POD.SHP

NOS. DESCRIPTION

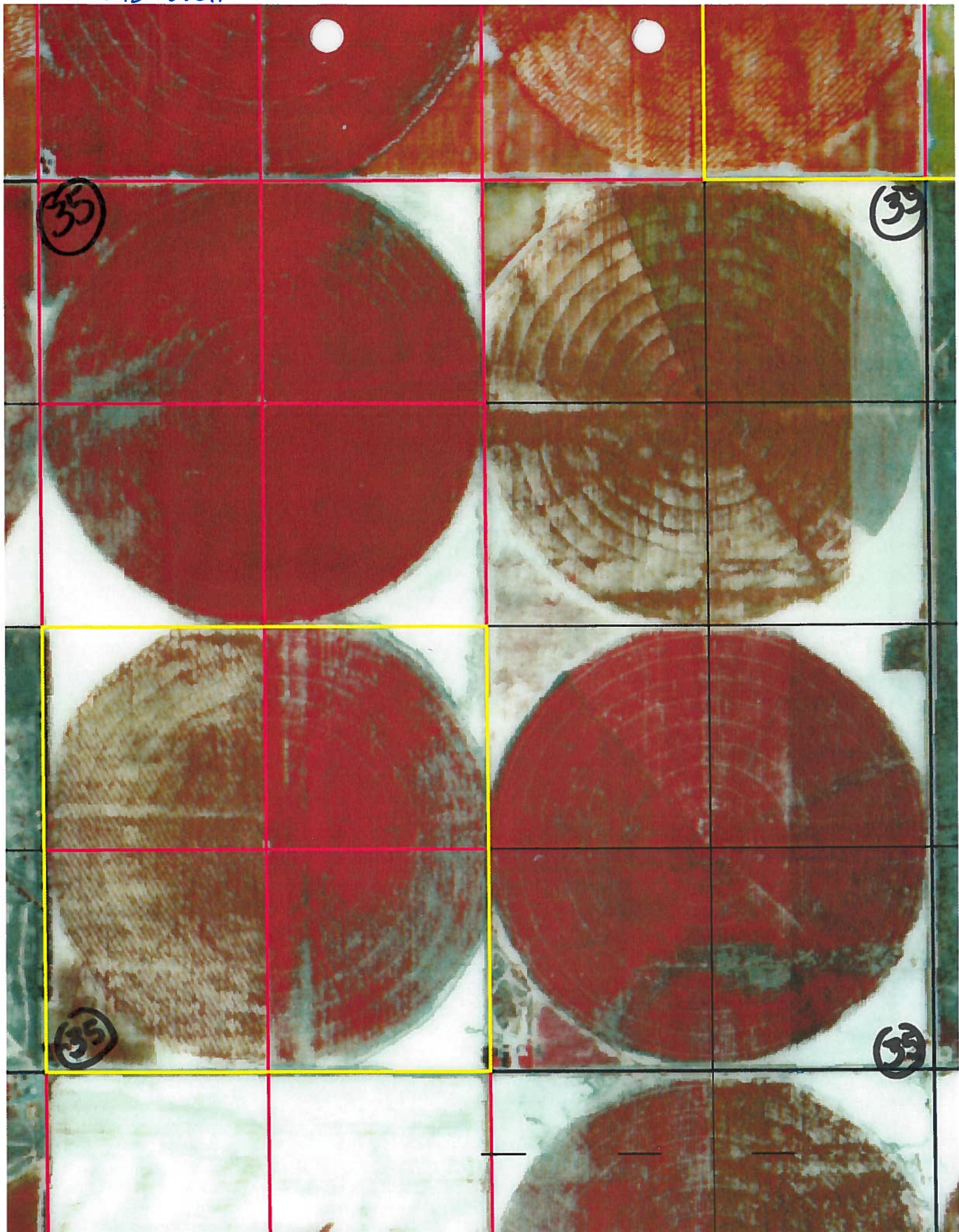
DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT

1143-04041



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Gary B. Harper
(Name of Claimant)
Star Route, Declo, Idaho 83323 Telephone No. 645-2227
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) Prior to April 1, 1954
1954 - See remarks
A claim is not acceptable on a ground water source with a priority later than March 25, 1983 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Groundwater tributary to _____
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive) (Mo., Day)		(Mo., Day)
Quantity	<u>3.2</u>	Use	<u>irrigation</u>	Period of Use From	<u>4-1</u>	To	<u>10-30</u>
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
(4)		TOTAL QUANTITY USED.					

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 SW 1/4, Sec. 35 Twp. 11S Rge. 26E B.M., County of Cassia
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 100 HP pump + 100 Booster Pump; pumping into 12 inch steel pipeline. This change was made in March, 1978. Land was previously flood irrigated and is now irrigated by a corner pivot sprinkler system.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NEX				NWK				SWK				SEK				TOTAL
			NEX	NWK	SWK	SEK	NEX	NWK	SWK	SEK	NEX	NWK	SWK	SEK	NEX	NWK	SWK	SEK	
11S	26E	35									40	40	40	40					160

No. of acres 160

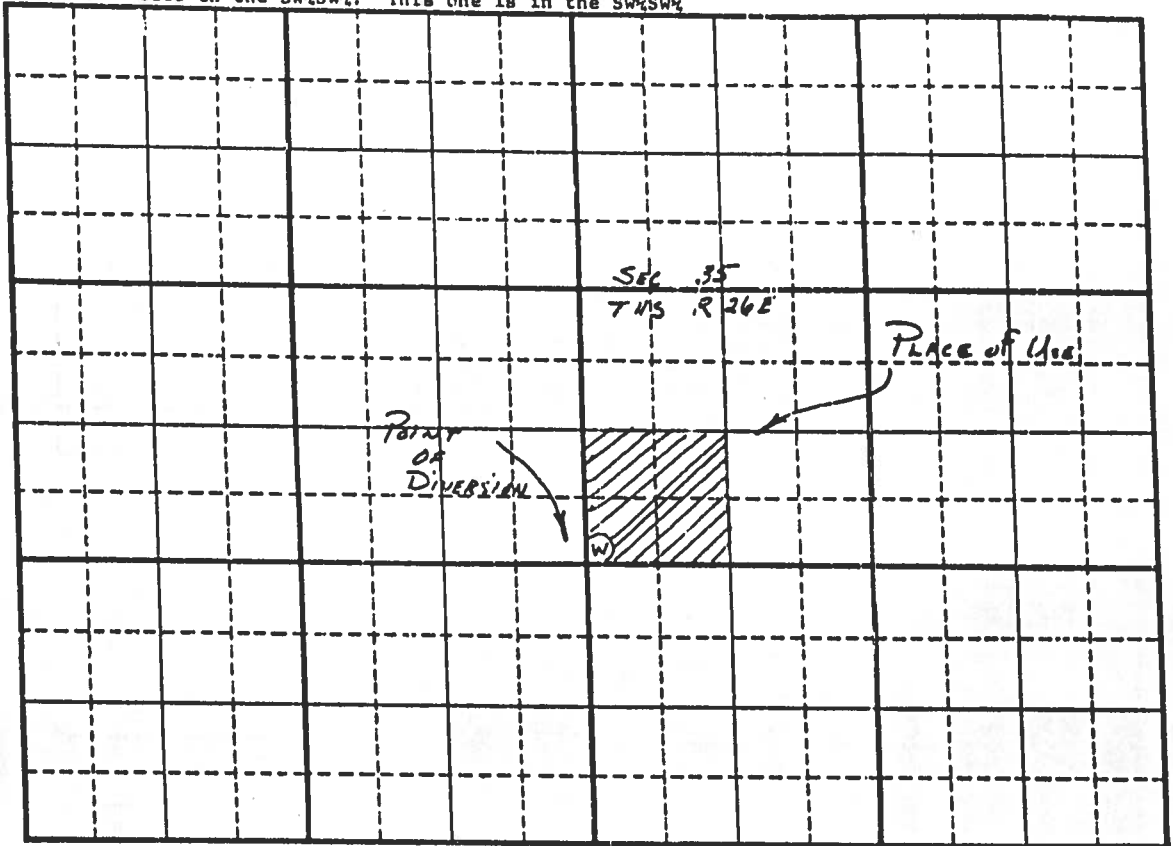
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

If you are claiming water as a member of an organization, list name of organization: Harper Farms
X Blaine Harper, Elba, Idaho 638-5558

(8) Remarks This is one of the first wells in the Raft River Valley. We took REA records back to 1954 for convenience for them and verified they have been pumping continuously since that time and probably before. Deeds and affidavits attached.

There are 2 wells in the SW $\frac{1}{4}$ SW $\frac{1}{4}$. This one is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Cassia) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 2 day of May, 1979.

Jerry B. Harper
(Claimant)

Loren O. Halmer
Notary Public
Residing at Twin Falls, Idaho 83301

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by AK Date 5-2-79 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by AK Date 5-2-79 claimant by: _____
\$20.00 fee received by AK Date 5-2-79 #0775 _____
Published in valley idaho press _____
Dates 5/2 & 5/5/79 _____

March 1, 1979

TO WHOM IT MAY CONCERN

Concerning Pumps listed in Blaine Harper name:

Service No. 807 located on the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35; Township 11 S;
Range 26 East of the Boise Meridan. This irrigation pump has been
pumping for irrigation every year since 1954.

Service No. 309 located on the SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35; Township 11S;
Range 26 East of the Boise Meridan. This irrigation pump has been
pumping for irrigation every year since 1954.

L. S. Siple



RAFT RIVER ELECTRIC COOPERATIVE, INC.

Owned By Those We Serve

*MALTA

(208) 645-2211

March 1, 1979

TO WHOM IT MAY CONCERN

Concerning Pumps listed in Blaine Harper name:

Service No. 807 located on the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35; Township 11 S;
Range 26 East of the Boise Meridan. This irrigation pump has been
pumping for irrigation every year since 1954.

Service No. 809 located on the SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35; Township 11S;
Range 26 East of the Boise Meridan. This irrigation pump has been
pumping for irrigation every year since 1954.

Lair Whitaker
Secretary - Cashier

WARRANTY DEED

For Value Received

ROBERT L. SIMPLOT AND JANET I. SIMPLOT, HUSBAND AND WIFE,
the grantors, do hereby grant, bargain, sell and convey unto

BLAINE HARPER AND MARVA HARPER, HUSBAND AND WIFE,
the grantees, the following described premises, to-wit:

Township 11 South, Range 26 East, Boise Meridian

Section 27: E $\frac{1}{4}$

Section 35: W $\frac{1}{4}$

ALL IN CASSIA COUNTY, STATE OF IDAHO

All of Blocks 32, 33, 34, 35, 36, 37, 49, 50, 51, 52 and 57, all
in the IDAHOME TOWNSITE, as the same is platted in the official
plat thereof, now of record in the office of the County Recorder
of the County of Cassia, State of Idaho.

4 4

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantees that they are the owners in fee simple of said premises; that said
premises are free from all incumbrances except as above described.

and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: December 11, 1972

Robert L. Simplot
Janet I. Simplot

STATE OF IDAHO, COUNTY OF CASSIA
On this day of December, 19 72
before me, a notary public in and for said State, personally
appeared
ROBERT L. SIMPLOT AND JANET I.
SIMPLOT, HUSBAND AND WIFE,

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
Comm. Expires
Notary Public
Idaho

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at minutes past o'clock m.,
this day of
19 , in my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

By Deputy.
Fees \$
Mail to:

INSTRUMENT NO.

AJ0749NP
No. R43-04091

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/27/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARY B HARPER	04/01/1954	IRRIGATION	03-15 11-15	2.800 CFS	622.00 AFA
TOTAL DIVERSION:					2.800 CFS	622.00 AFA

Water Source: GROUNDWATER
Tributary to:
Stage: BENEFICIAL USE

Points(s) of Diversion:	T11S R26E S25 S26 S27 S35	SHSMW SHMNMW SHSENE SHSMW	SESENMW SHSMW SESEUSE CASSIA County CASSIA County CASSIA County
-------------------------	------------------------------------	------------------------------------	--

Place of use Legal Description for: IRRIGATION														
NE			NW			SW			SE					
T	R	S	NE	SE	SW	NE	SE	SW	NE	SE	SW	NE	SE	SW
11S	26E	25	NE	SE	SW	NE	SE	SW	NE	SE	SW	NE	SE	SW
11S	26E	25	NE	SE	SW	NE	SE	SW	NE	SE	SW	NE	SE	SW
11S	26E	26	NE	SE	SW	NE	SE	SW	NE	SE	SW	NE	SE	SW
11S	26E	27	NE	SE	SW	NE	SE	SW	NE	SE	SW	NE	SE	SW
11S	26E	34	NE	SE	SW	NE	SE	SW	NE	SE	SW	NE	SE	SW
11S	26E	35	NE	SE	SW	NE	SE	SW	NE	SE	SW	NE	SE	SW
12S	26E	3	NE	SE	SW	NE	SE	SW	NE	SE	SW	NE	SE	SW
TOTAL ACRES														1579.0

POU County: CASSIA

Other Rights: SEE REMARKS

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: QNT

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 23.07 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 5680 AF. COMBINED RIGHT NOS.: 43-02309,
43-02312A, 43-02385, 43-02391, 43-02564, 43-04009, 43-04091,
43-04092, 43-04141 AND 43-10037.

POD TWO POINTS OF DIVERSION LOCATED IN T11S, R26E, S35, SHSMW.

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 1579 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-02309, 43-02312A, 43-02385, 43-02391,
43-02564, 43-04009, 43-04091, 43-04092, 43-04141 AND 43-10037.

AJ0749NP
No. R43-04091

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/27/00
PAGE: 2

Remarks: THIS RIGHT IS LIMITED TO THE IRRIGATION OF 155.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: 08/29/1994 Verified Date: Objection Filed Date:

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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04/06/00
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PROFILE REPORT

CLAIM NUMBER: A43-04091

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARY B HARPER	04/01/1954	IRRIGATION	~~04-01-10-30~~ 3-15 11-15	3.200 CFS	
TOTAL DIVERSION:					3.200 CFS	
~~CONSUMPTIVE USE:~~					2.8	~~480.00 AFA~~

622 AF

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion:	T11S R26E S25	SWSWSW		CASSIA County
	S26	SWSWSW	SESWSE	CASSIA County
	S27	SWSENE		CASSIA County
	S35	SWSWSW (2)		CASSIA County

8 pod's

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		SUM
11S	26E	35	:				:				:				:	160.0
TOTAL ACRES																160.0

POU County: CASSIA

Other Rights: ~~A43-10037, A43-02309, A43-02564, A43-04141, A43-04092, 4009~~

Remarks: GEN PRIORITY MAY BE EARLIER THAN 1954
ALL WATER RIGHTS ARE PART OF THE SAME SYSTEM.
2 P/D'S IN SW,SW,SW SEC. 35.
THIS IS THE REFERENCE RIGHT FOR ALL OTHER WR LISTED.

copy to comments

Dates: Exam Made Date: 8/29/94 Verified Date: 01/28/1986 Objection Filed Date:

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

Remarks:
"QNT" E27
"POD" F22 (SWSWSW Sec. 35)
"POU" E14, R26 (155.5A)

155.5A
(1579 PPU)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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04/06/00

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QUICKLOOK INFORMATION

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CLAIM NUMBER: A43-04091

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

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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04/06/00

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GENERAL INFORMATION

68
CLAIM NUMBER: A43-04091

LAST: HARPER FIRST: GARY B
ADDRESS: STAR ROUTE BOX 16
CITY: DECLO STATE: ID ZIP: 83323
PHONE NUMBER: 208-645-2227

OWNER CODE: C

FIELD EXAM REQUIRED? FIELD
EXAMINER
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE Y Y() N()

CLAIM REMARKS: GEN PRIORITY MAY BE EARLIER THAN 1954
ALL WATER RIGHTS ARE PART OF THE SAME SYSTEM.
2 P/D'S IN SW,SW,SW SEC. 35.
THIS IS THE REFERENCE RIGHT FOR ALL OTHER WR LISTED.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: PHONE NUMBER: () -

DATE OF FIELD EXAM: / / APPOINTMENT MADE: Y() N() TIME: : A() P()

ACCOMPANIED BY: PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A43-04091 PRIORITY DATE: 04-01-1954 STAGE: S

B. WR RECORD: # 43-04091 PRIORITY DATE: 04-01-1954 STAGE: S

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N()

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y() N()

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A() Y() N()

FIELD EXAM COMPLETED N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE N/A() Y() N()

LICENSE ISSUED N/A() Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A() Y() N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y() N()

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

____ - ____ - ____

REVIEWED BY _____

DATE _____

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
							FLAG			
A43-04091	11S	26E	25	SW	SW	SW		CASSIA		
A43-04091	11S	26E	26	SW	SW	SW		CASSIA		
A43-04091	11S	26E	26	SE	SW	SE		CASSIA		
A43-04091	11S	26E	27	SW	SE	NE		CASSIA		
A43-04091	11S	26E	35	SW	SW	SW		CASSIA		

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

A43-02309 NONE

A43-02312A

A43-02564

A43-04009

A43-04092

A43-04141

A43-10037

*** 16 WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
							FLAG			
43-04091	11S	26E	35	SW	SW			CASSIA		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

43-02309

A43-02309

NONE

T43-02309

A43-02564

T43-02312A

A43-04009

T43-02385

A43-04092

T43-02391

A43-04141

T43-02564

A43-10037

T43-04009

T43-04091

T43-04092

T43-04141

T43-10037

SOURCE: GROUNDWATER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	POD			LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
			1/4	1/4	1/4					
11S	26E	25	SW	SW	SW			CASSIA		
11S	26E	26	SW	SW	SW			CASSIA		
11S	26E	26	SE	SW	SE			CASSIA		
11S	26E	27	SW	SE	NE			CASSIA		
11S	26E	35	SW	SW	SW			CASSIA		

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: DATE:

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A43-04091

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	26E	35	NE	SW		HARPER, GARY B	A43-04091 / 40.0	43-04091 / 40.0	41.0		
			NE	SW		HARPER, GARY B.		T43-02385 / 40.0			
			NE	SW		HARPER, GARY B.		T43-02391 / 40.0			
			NE	SW		HARPER, GARY B.		T43-02564 / 40.0			
			NE	SW		HARPER, GARY B.		T43-04009 / 40.0			
			NE	SW		HARPER, GARY B.		T43-04091 / 40.0			
			NE	SW		HARPER, GARY B.		T43-04092 / 40.0			
			NE	SW		HARPER, GARY B.		T43-04141 / 40.0			
			NE	SW		HARPER, GARY B.		T43-10037 / 40.0			
			NE	SW		HARPER, GARY B.		T43-02309 / 40.0			
			NE	SW		HARPER, GARY B.		T43-02312A / 40.0			
11S	26E	35	NW	SW		HARPER, GARY B	A43-04091 / 40.0	43-04091 / 40.0	40.0		40.0
			NW	SW		HARPER, GARY B.		T43-02385 / 40.0			
			NW	SW		HARPER, GARY B.		T43-02391 / 40.0			
			NW	SW		HARPER, GARY B.		T43-02564 / 40.0			
			NW	SW		HARPER, GARY B.		T43-04009 / 40.0			
			NW	SW		HARPER, GARY B.		T43-04091 / 40.0			
			NW	SW		HARPER, GARY B.		T43-04092 / 40.0			
			NW	SW		HARPER, GARY B.		T43-04141 / 40.0			
			NW	SW		HARPER, GARY B.		T43-10037 / 40.0			
			NW	SW		HARPER, GARY B.		T43-02309 / 40.0			
			NW	SW		HARPER, GARY B.		T43-02312A / 40.0			
11S	26E	35	SW	SW		HARPER, GARY B	A43-04091 / 40.0	43-04091 / 40.0	42.0		
			SW	SW		HARPER, GARY B.		T43-02385 / 40.0			
			SW	SW		HARPER, GARY B.		T43-02391 / 40.0			
			SW	SW		HARPER, GARY B.		T43-02564 / 40.0			
			SW	SW		HARPER, GARY B.		T43-04009 / 40.0			
			SW	SW		HARPER, GARY B.		T43-04091 / 40.0			
			SW	SW		HARPER, GARY B.		T43-04092 / 40.0			
			SW	SW		HARPER, GARY B.		T43-04141 / 40.0			
			SW	SW		HARPER, GARY B.		T43-10037 / 40.0			
			SW	SW		HARPER, GARY B.		T43-02309 / 40.0			
			SW	SW		HARPER, GARY B.		T43-02312A / 40.0			
11S	26E	35	SE	SW		HARPER, GARY B	A43-04091 / 40.0	43-04091 / 40.0	41.0		
			SE	SW		HARPER, GARY B.		T43-02385 / 40.0			
			SE	SW		HARPER, GARY B.		T43-02391 / 40.0			
			SE	SW		HARPER, GARY B.		T43-02564 / 40.0			
			SE	SW		HARPER, GARY B.		T43-04009 / 40.0			
			SE	SW		HARPER, GARY B.		T43-04091 / 40.0			
			SE	SW		HARPER, GARY B.		T43-04092 / 40.0			
			SE	SW		HARPER, GARY B.		T43-04141 / 40.0			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SE	SW		HARPER, GARY B.		T43-10037 / 40.0			
			SE	SW		HARPER, GARY B.		T43-02309 / 40.0			
			SE	SW		HARPER, GARY B.		T43-02312A / 40.0			

ADDITIONAL POU FOUND

TOTAL ACRES	A43-04091	160.00	160.00	164.00
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POU COUNTY: CASSIA

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED? Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A43-10037, A43-02309, A43-02564, A43-04141, A43-04092, 4009

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y() N()

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES: _____

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A(____)

REVIEWED BY: _____ DATE: _____

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A43-04091 IRRIGATION	FROM 04-01 TO 10-30	3.200 CFS	
TOTAL DIVERSION RATE/VOLUME		3.200 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
43-04091 IRRIGATION	FROM 04-01 TO 10-30	3.200 CFS	
TOTAL DIVERSION RATE/VOLUME		3.200 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

NOTES: _____

AJ CLAIM TOTAL DIVERSION RATE: 3.200 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 3.200 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS)
REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE
OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM
IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ 480.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

[illegible]

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	04-01	10-30	3.200	_____	_____	_____	480.0	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT			3.200	_____	_____	_____	480.0	_____

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 43-04091

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	3.200	_____	

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A43-04091	3.200	-		43-04091	3.200
TOTAL CFS		3.200				3.200

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE	FIELD EXAMINER
Y	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

R PROOF

CVR

MAPS

PHOTOS

MISC

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