

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 43-4092
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	0.23	60

7. Total Quantity Appropriated is:
0.23 C.F.S. and/or 60 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. 43-4092 is limited to the irrigation of 15 acres within the place of use described above in a single irrigation season.

Rights 43-2312A, 43-4092 and 43-10037 when combined shall not exceed a total diversion rate of 5.2 cfs.

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: A43-04092
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	4.000		

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

8. Total consumptive use is 600.0 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	27	SW	NE		IRR	20.0
			SE	NE		IRR	20.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0

Section Acres 200.0

Total Acres 200.0

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:
SEE WR A43-04091.

14. Remarks:
PRIORITY MAY BE EARLIER THAN 1954
TRANS. 2340.
APPROVAL OF TRANSFER DOES NOT VALIDATE THIS CLAIM.
2 P/D'S IN SW,SW,SW SEC. 35
ALL WR ARE PART OF THE SAME SYSTEM.
EXPANSION OF ACRES UNDER THIS CLAIM SHOWN ON WR A43-10037.

15. Basis of Claim: STATUTORY CLAIM

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): Gary 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

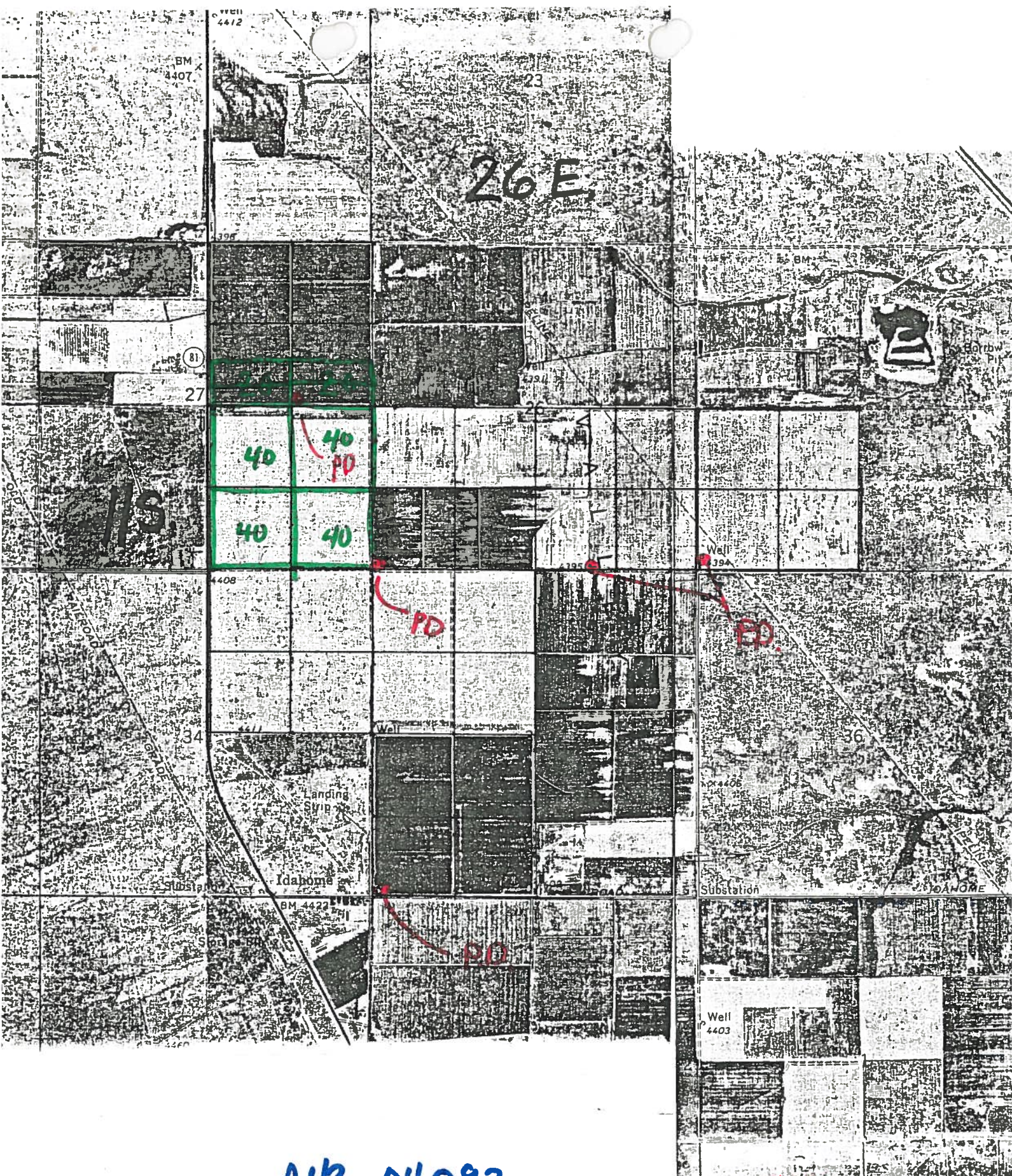
of March 19 89

Steve Cullen
Notary Public

Seal

Residing at Twin Falls

My Commission Expires Dec 7, 1994



A43-04092

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MAR 04 1993



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

A43-04092
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

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MAR 04 1993

RECEIVED

JAN 31 1992

Department of Water Resources
Southern Region Office

GARY HARPER

REA # 809 - WATER ID # A 43-04092

REA # 8065 - Transferred to ID # A 43-10037

- 1- Power bills 1955, 1956
- 2- Purchase of power in '72 from Bob Simplot
- 3- Well log on transfer to A43-10037

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MAR 04 1993

PAGE 25

NAME J. B. Simplot & Herbs

ADDRESS 2010 43

Declo, Idaho

READING DATE

FIRST DATE April 27, 1954

DUE DATE

40 22 (10,000) 21 (10,250)

S. N. 30-315-668
FIRST READING 3559

ACCOUNT NO. 809

DELINQUENT RATING

DATE	METER READING		NET BILL	PENALTY	GROSS BILL	CREDIT OR ARREARS	AMOUNT PAID	DATE PAID	BALANCE
	PRESENT	PREVIOUS							
802	41.11	35.59	55.20	2.76	57.96		55.20	JUN 4	.00
80	45.70	41.11	45.90	2.30	48.20	.42	46.32	JUN 8	.00
80	59.12	45.70	13.42	6.00	127.50		121.52	AUG 5	.00
80	79.28	59.12	20.76	8.28	173.84		165.56	SEP 7	.00
80	89.10	79.28	9.22	4.51	96.81		92.20	NOV 8	.00

Water Department, Declo, Idaho, S. N. 30-315-668, Reading 3510

53810

Return to Billing

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MAR 8 4 1993

RAFT RIVER ELECTRIC COOPERATIVE, INC.

PAGE #3
NAME: STANLEY, Bob
ADDRESS: Route 3, Pecks, Idaho

S. No. 23-889-211
FIRST READING 075

ACCOUNT NO. 809

FIRST DATE: May 11, 1955

DUE DATE

DELINQUENT DATING

LOADING DATE

10.00 (10,000)

DELINQUENT DATE

DATE	METER READING		NET BILL	PENALTY	GROSS BILL	CREDIT OR ARREARS	AMOUNT PAID	DATE PAID	BALANCE
	PRESENT	PREVIOUS							
1	2290	8760	12484	624	13103		12404		000
1	4415	2290	16750	830	17583		16750		000
1	6129	4415	14284	714	14998		14284	MS 15*	000
1	8215	6129	16516	826	17342		16516	SP 14*	000
1	9806	8215	13546	677	14223		13546	MT 14*	000

Meter disconnected May 1, 1955 S. No. 23-889-211 Reading 9806

1955

745.50

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MAY 1 1993

NAME # 3

NAME SUBJECT, Rob

ADDRESS Route 3

Declo, Idaho

READING DATE

40 HP (10,000)

DUE DATE

FIRST DATE APRIL 16, 1956

DELINQUENT DATE

DELINQUENT RATING

S. No. 23-559-211

FIRST READING 1956

ACCOUNT NO 807

DATE	PRESENT	PREVIOUS	KWH USED	NET BILL	PENALTY	GROSS BILL	CREDIT OR AMOUNT	AMOUNT PAID	DATE PAID	BALANCE
------	---------	----------	----------	----------	---------	------------	------------------	-------------	-----------	---------

APR 1	9910	98066	1044	1040	58	10928		1040		0.00
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MAY 1	18491	99106	25914	19486	974	20460		19486		0.00
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JUN 1	5029	84916	25384	19328	561	20189		19328		0.00
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AUG 1	5712	5029	16834	14098	705	14803		14098		0.00
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SEP 1	9512	6712	27904	20794	1040	21834		20794		0.00
-------	------	------	-------	-------	------	-------	--	-------	--	------

OCT 1	10850	9512	7404	7490	375	7865		7490		0.00
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NOV 1	8932	850	26724	20032	1003	21035		20032		0.00
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Water disconnected November 9, 1956 S. No. 23-559-211 Reading 2782

181260
1021.63
320.00
1491.63

MAILED
NOV 14 1956

807 Nived + 8065 put in place at

This is when we
ought the farm
in 72

104430

Service #809

Form C-153-1

Page 1

Retained
made part of 8045

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, Township 11 South, Range 26 East,
of the Boise Meridan. And has a well on the SW 1/4 NW 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 75 HP 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
\$ 320.00 to be paid during any irrigation season, then the Consumer agrees
to pay to the Seller a minimum charge of \$ 320.00 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

8065

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Gary & Susan Haight
Address Stat Route Deolo
Owner's Permit No. _____

7. WATER LEVEL

Static water level 18 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____

2. NATURE OF WORK

☐ New well ☐ Deepened ☒ Replacement
☐ Abandoned (describe method of abandoning) _____

8. WELL TEST DATA

Not tested

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water Yes
	From	To		
70"	0	9	Top Soil	
70"	9	18	Sand on Brown clay	
16"	18	70	Sand and Brown sandy clay	X
16"	71	84	Gray sand clay	X
16"	84	111	Red clay	
16"	111	120	Gray sandy clay hard	X
16"	120	131	Gray sandy clay soft	✓
16"	131	136	Sand	✓
16"	136	185	Consolidated sand with 1/4" to 1/2" soft lumps alternating	✓
16"	185	205	Brown sandy clay	✓
16"	205	206	Sandstone	✓
16"	206	231	Brown sandy clay soft	X
16"	231	243	Brown sandy clay hard	✓
16"	243	259	Consolidated sand	
16"	259	260	Sandstone	
16"	260	271	Consolidated sand	
16"	271	275	Brown clay soft	✓
16"	275	284	Consolidated sand	
16"	284	305	Brown clay & sand alternating	X
16"	305	345	Consolidated sand alternating with 1/4" to 1/2" soft lumps	✓

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
2512 inches	16 inches	2 feet	273 feet
254 inches	14 inches	265 feet	345 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☐ No
How perforated? ☒ Factory ☐ Knife ☐ Torch
Size of perforation 3/16 inches by 3 inches

Number	From	To
8 perforations	18 feet	345 feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 18 Material used in seal: ☐ Cement grout ☒ Puddling clay ☒ Well cuttings
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld
☐ Cemented between strata

Describe access port _____

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MAR 04 1993

10.

Work started _____ finished _____

- ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

- ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other

Thickness	Diameter	From	To
250 inches	16 inches	2 feet	273 feet
260 inches	14 inches	265 feet	345 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☒ Yes ☐ No

How perforated? ☒ Factory ☐ Knife ☐ Torch

Size of perforation 3/16 inches by 3 inches

Number	From	To
8 perforations	18 feet	345 feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 18 Material used in seal: ☐ Cement grout

☐ Puddling clay ☒ Well cuttings

Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing

☒ Overbore to seal depth

Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent

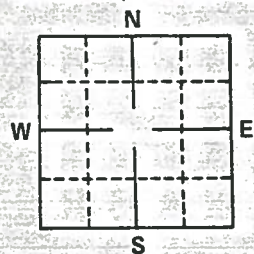
Weld

☐ Cemented between strata

Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County _____

1/4 1/4 Sec. _____, T. _____ N/S, R. _____ E/W.

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water Yes
	From	To		
20"	0	9	Top Soil	
16"	9	18	Sand and Brown clay	
16"	18	70	Sand and Brown sandy clay	X
16"	71	84	Brown sandy clay	X
16"	85	111	Red clay	
16"	111	120	Gray sandy clay hard	
16"	120	131	Gray sandy clay soft	V
16"	131	136	Sand	V
16"	136	185	Cemented sand with 1/2" to 1" soft lumps alternating	Y
16"	185	205	Brown sandy clay	Y
16"	205	206	Sandstone	V
16"	206	231	Brown sandy clay soft	X
16"	231	413	Brown sandy clay hard	Y
16"	413	259	Cemented sand	
16"	259	260	Sandstone	
16"	260	271	Cemented sand	
16"	271	272	Brown clay soft	V
16"	272	291	Cemented sand	
16"	291	305	Brown clay. Is also sand	X
16"	305	345	Is with 1/2" to 1" soft sand interbedded with soft clay	Y

10.

Work started 20 Nov 79 finished 27 Dec 79

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Star Blad Firm No. 297

Address Elle P. Lebo Date 2 Jan 1980

Signed by (Firm Official) _____

and
(Operator) James Wilson

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

MICROFILMED
MAR 04 1993

8/30/01
08/30/2001

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

RIGHT NUMBER: 43-4092
NAME AND ADDRESS: GARY B HARPER
2040 E 850 S
DECLO, ID 83323

SOURCE: GROUND WATER

QUANTITY: 0.23 CFS
60 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.

USE OF THIS RIGHT WITH RIGHT NOS. 43-02312A AND 43-10037 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.2 CFS.

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	3-15 11-15	0.23 CFS 60.00 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 15 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

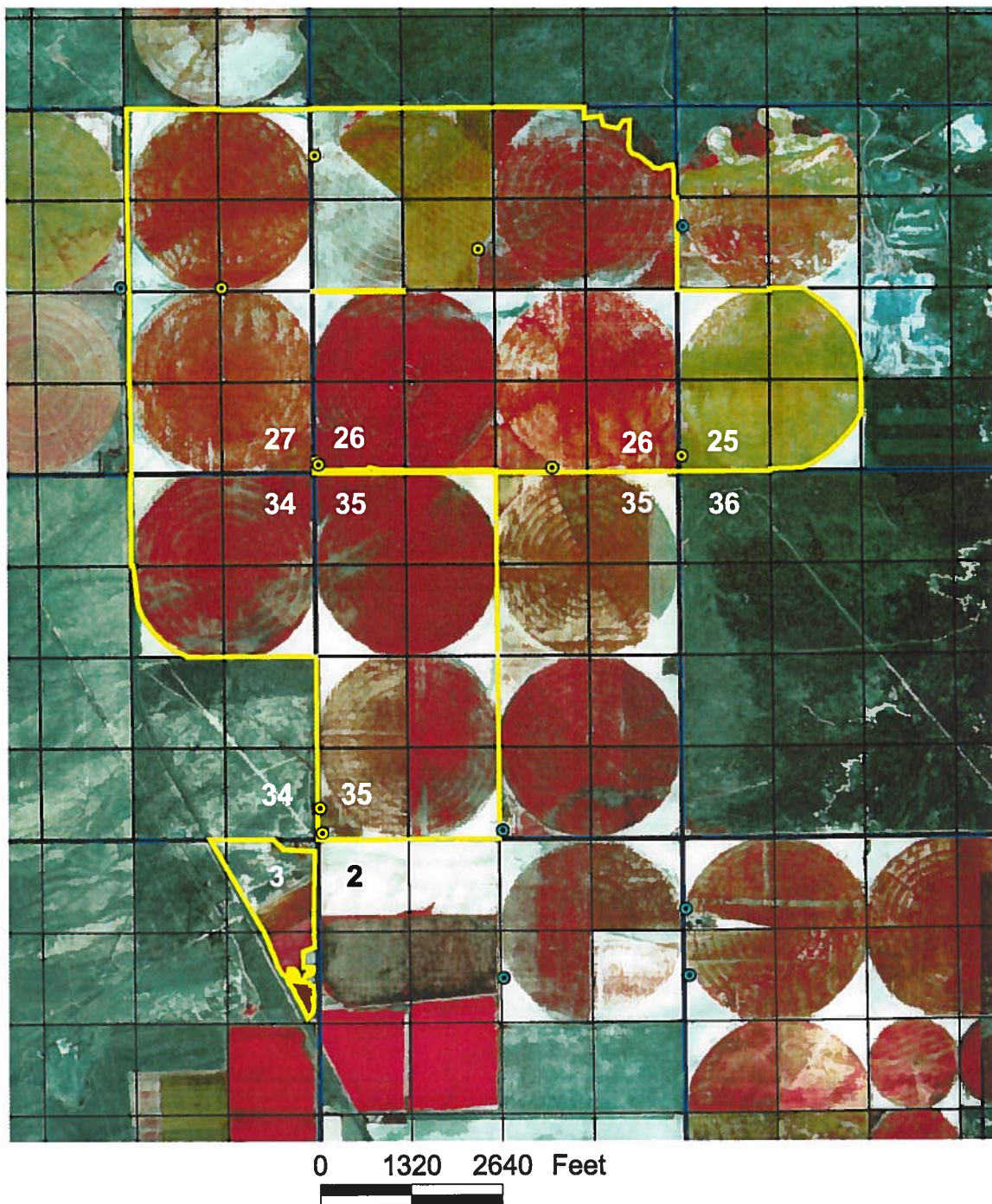
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

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

Southern

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

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

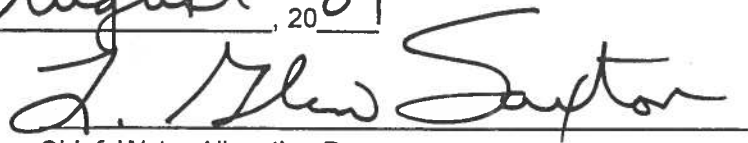
Purpose of Transfer (Changes Proposed)

<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	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

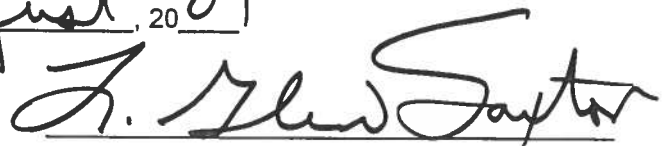
WATER RIGHT NO. 43-2309
As Modified by Transfer No. 66921

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
	L1	L2															

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
	L1	L2															

Total Acres: 1600

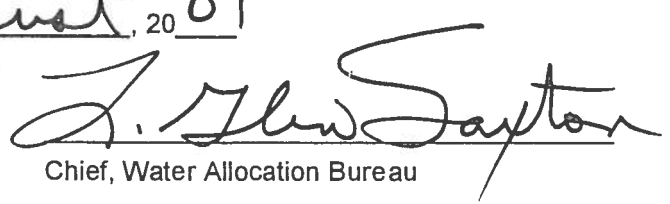
WATER RIGHT NO. 43-2385
As Modified by Transfer No. 66921

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
	L1	L2															

Total Acres: 1600

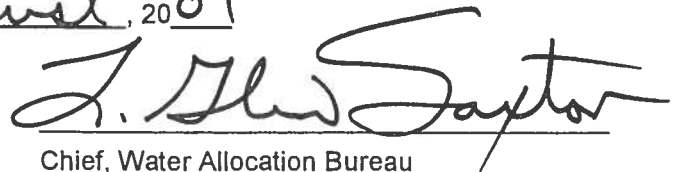
WATER RIGHT NO. 43-2391
As Modified by Transfer No. 66921

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	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

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.

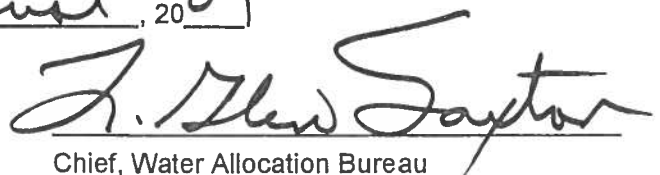
WATER RIGHT NO. 43-2564
As Modified by Transfer No. 66921

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	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

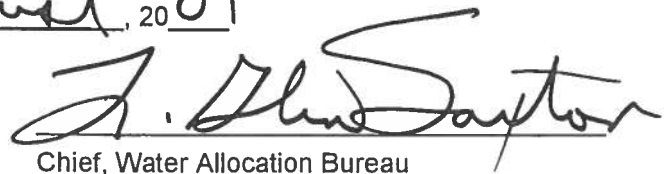
WATER RIGHT NO. 43-4009
As Modified by Transfer No. 66921

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 24th 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
	L 1	L 2															

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

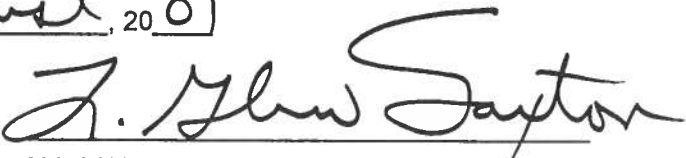
WATER RIGHT NO. 43-4141
As Modified by Transfer No. 66921

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
	L 1	L 2															

Total Acres: 1600

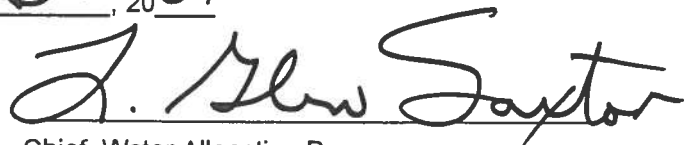
WATER RIGHT NO. 43-10037
As Modified by Transfer No. 66921

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

05/09/2001

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-4092

GARY B HARPER

2040 E 850 S

DECLO ID 83323

Telephone Number: (208)645-2227

RECEIVED

JUN 12 2001

Department of Water Resources
Southern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

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

DATE:

9 June

SIGNATURE:

Gary B. Harper

Please print your name: _____

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: 43-4092

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

SOURCE: GROUND WATER

QUANTITY: 0.23 CFS
60 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.

USE OF THIS RIGHT WITH RIGHT NOS. 43-02312A AND 43-10037 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.2 CFS.

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	0.23 CFS
		60.00 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	SESW	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 15 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.

AJ0749NP
No. R43-04092

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

DATE: 05/08/00
PAGE: 1

VERIFIED BY *[Signature]* 5/9/00

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	0.230 CFS	60.00 AFA
TOTAL DIVERSION:					0.230 CFS	60.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: BENEFICIAL USE

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

Place of use Legal Description for: IRRIGATION

T	R	S	NE			NW			SW			SE			SUM
			NE	SW	SE	NE	SW	SE	NE	SW	SE	NE	SW	SE	
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
11S	26E	25	20	40	40	40	40	40	40	40	40	40	40	40	160.0
11S	26E	26	40	38	38	40	40	40	40	40	40	40	40	40	613.5
11S	26E	27	40	38	38	40	40	40	40	40	40	40	40	40	314.0
11S	26E	34	39	39	38	40	40	40	40	40	40	40	40	40	156.0
11S	26E	35	40	40	40	40	40	40	40	40	40	40	40	40	315.5
12S	26E	3	10	10	40	40	40	40	40	40	40	40	40	40	20.0
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.
USE OF THIS RIGHT WITH RIGHT NOS. 43-02312A AND 43-10037 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.2 CFS.

P00 TWO POINTS OF DIVERSION LOCATED IN T11S, R26E, S35, SWSWSW.

P001 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 1579 ACRES IN A SINGLE IRRIGATION SEASON.

AJ0749NP
No. R43-04092

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

DATE: 05/08/00
PAGE: 2

Remarks:

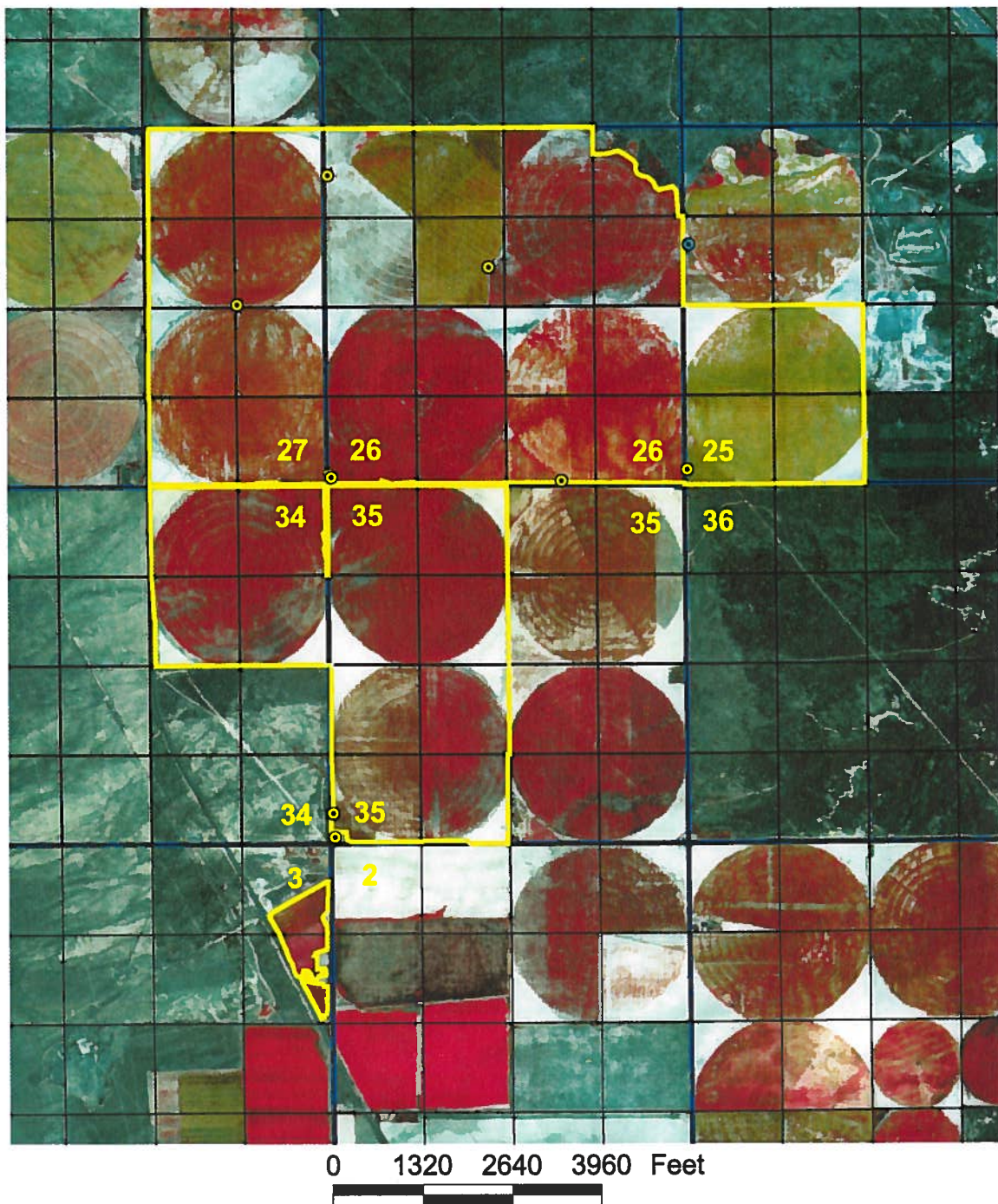
COMBINED RIGHT NOS.: 43-02309, 43-02312A, 43-02385, 43-02391,
43-02564, 43-04009, 43-04091, 43-04092, 43-04141 AND 43-10037.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 15 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: 08/29/1994 Verified Date: 05/08/2000 Objection Filed Date:

Misc: Water District Number: 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 SWSENE 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.

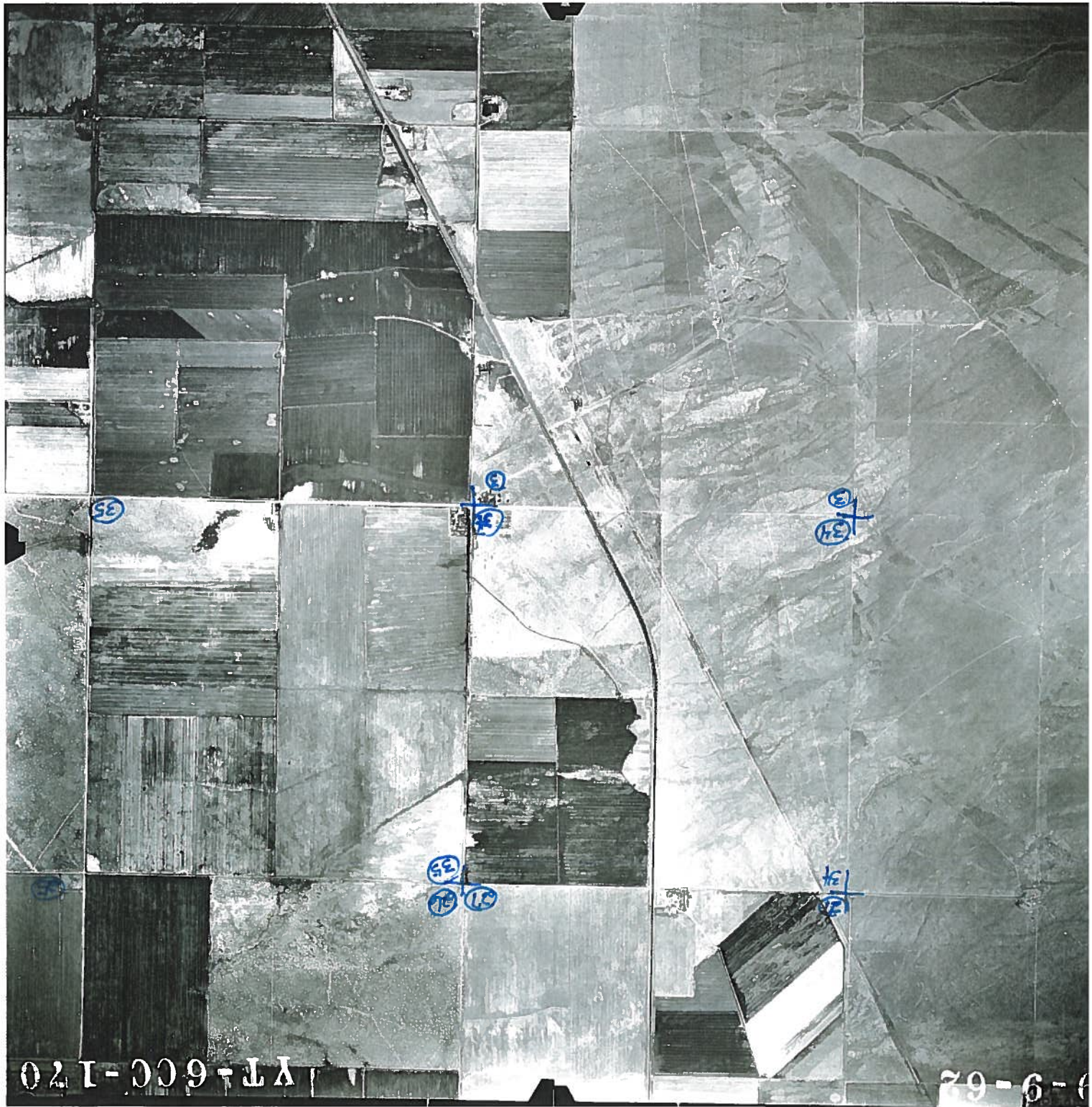
R43-10037 *1.55 cfs - AF 137/1579 ac ppu
(limited to 5.2 cfs when combined with
43-02312A and 43-04092)

9-9-62

YT-6CC-168



↑
Priority
1963 (license)
43-02564



CLAIM NUMBER

A43-04092

DATE

TRANSFER NUMBER

AGENT

CLAIMED ACRE TOTAL

20

GIS ACRE TOTAL

15

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	115	26	E 27			20	20									40	40	40	40
GIS	115	26	E 27			38.5	40.5												
RECOM	115	26	E 27			7	8												
CLAIM																			
GIS						31.5	32.5												
RECOM						43-100	37												
CLAIM																			
GIS																			
RECOM																			

B43-POU.SHP

SHAPE NOS.

B43-POD.SHP

NOS. DESCRIPTION

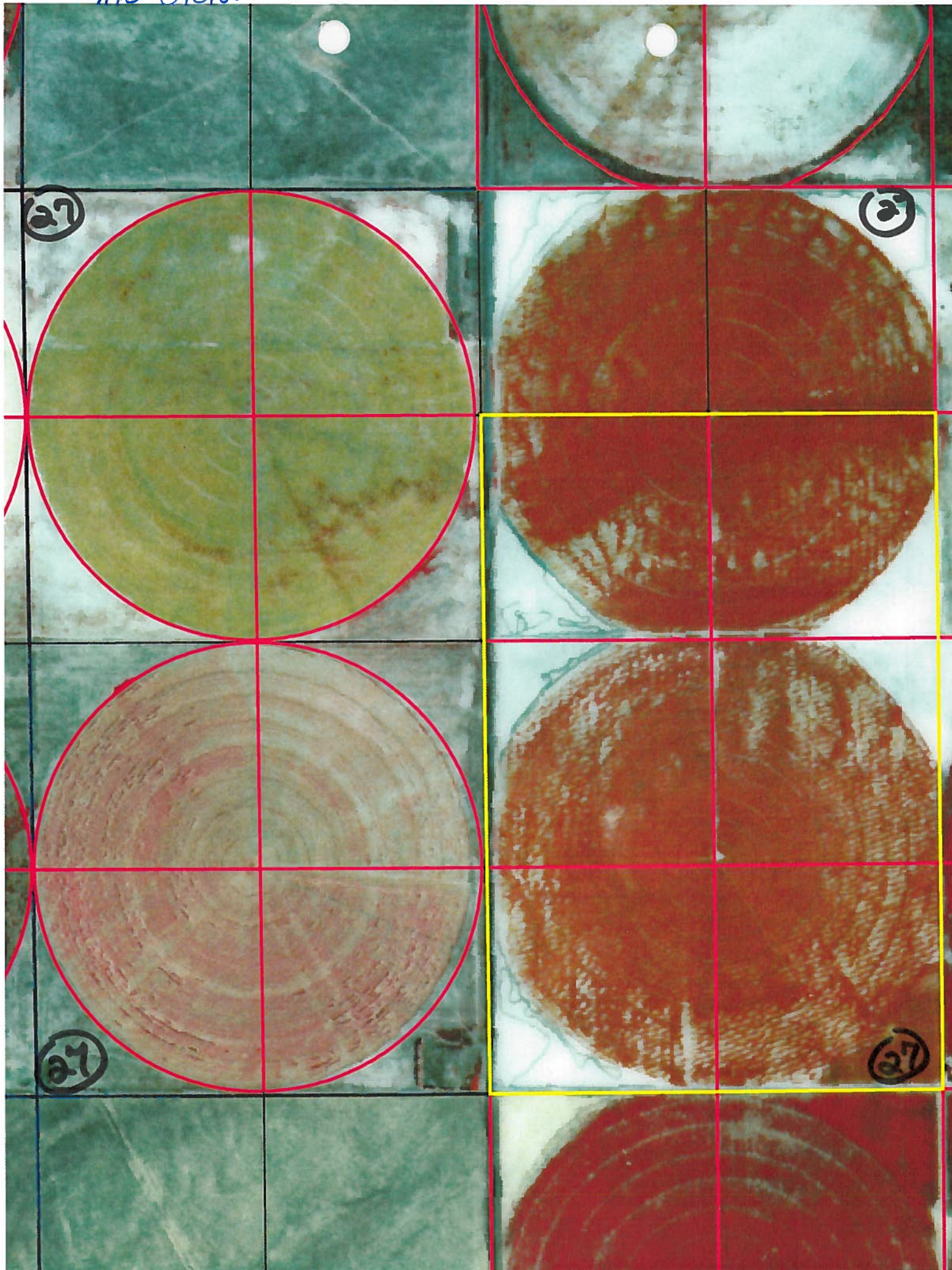
DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT

A43-D4092



Form No. 243
7/78

Claim No. 43-4092

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 (Mailing Address) Telephone No. 645-2227 (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) 1954 - April 1.

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 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:

Quantity	Use	Period of Use From	
		(Mo., Day)	(Mo., Day)
4.0	irrigation	4-1	10-30
	Use		To
	Use		To
	Use		To
	Use		To

(4) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 NW 1/4, Sec. 27 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. well pumping into cement 14 inch pipeline discharging into cement pond 1/2 mile from point of diversion in SE 1/4, Sec. 27. Land was previously flood irrigated. Land is now irrigated by 2 corner pivot sprinklers.

(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.	NE 1/4				NW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11S	26E	27			20	20					40	40	40	40	200

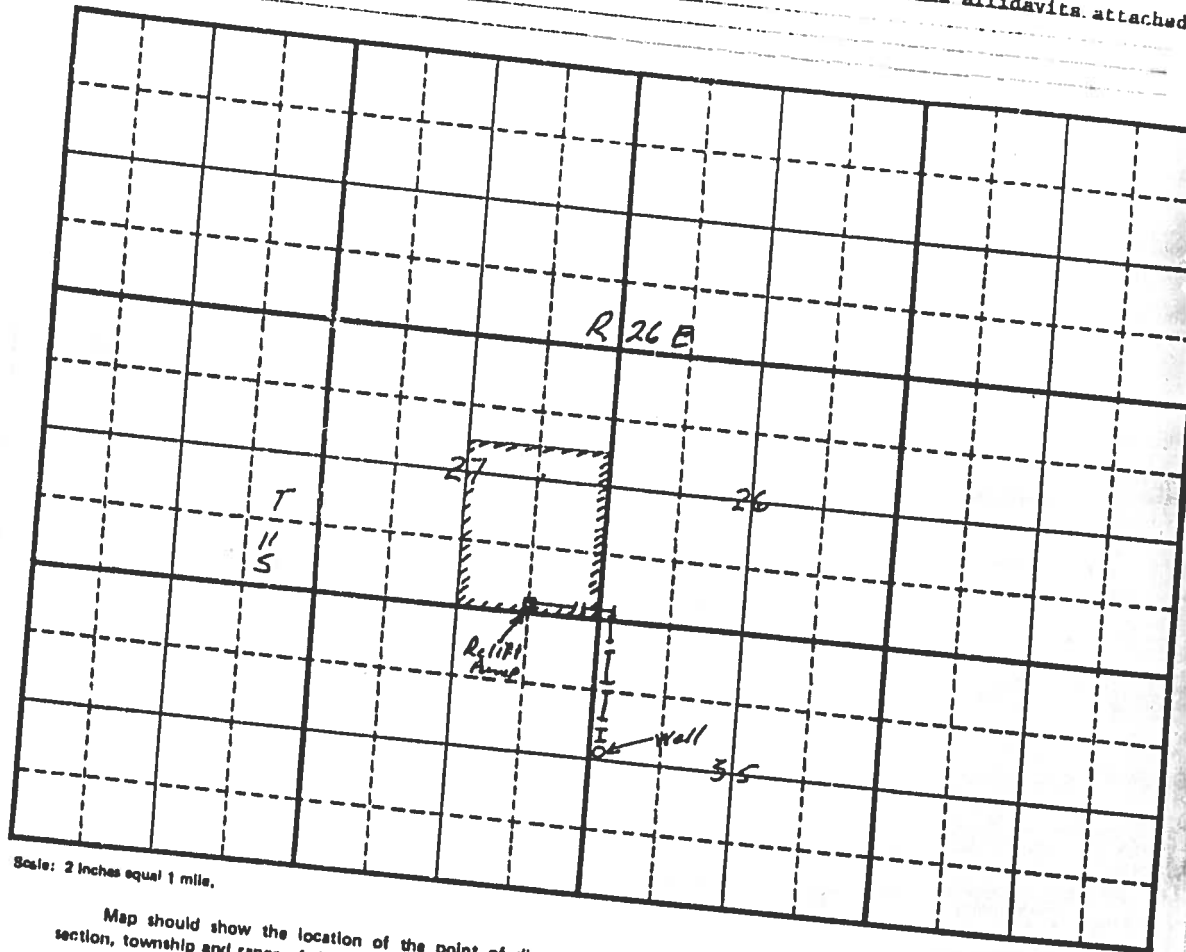
No. of acres 200

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:

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

(8) Remarks REA records of pumping continuously since 1954 - Deeds and affidavits attached



Scale: 2 inches equal 1 mile.

State of Idaho

County of Twin Falls) 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

Gary B. Harper
(Claimant)

19 79

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

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by SL Date 5-2-77
Prelim. check by SL Date 5-2-77
\$20.00 fee received by SL Date 5-2-77
Published in Southwest Date 5-2-77
Dates 5/27 to 6/5/77

Exception filed by:

Forwarded to
claimant by:

Date

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 Grantee s, 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 person s who se names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Residing at
Comm. Expires

Burley

Notary Public
, Idaho

STATE OF IDAHO, COUNTY OF

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

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

Ex-Officio Recorder

By

Fees \$
Mail to:

Deputy.

INSTRUMENT NO.



RAFT RIVER ELECTRIC COOPERATIVE, INC.

Owned

Serve

TA

(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.

Lois Whitaker
Secretary - Cashier

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.

Bob Simpson

Transfer No. 2340Application No. 43-4092

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

APPROVEDName of applicant Gary B. Harper &/or Blaine Harper Phone 645-2227Post office address Star Route, Declo, Idaho 83323**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

a. Decree to

(Name)

in case of

dated _____ in _____ county of _____

(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. 43-4092 on file with the Idaho Department of Water Resources

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

Applicant is present owner and claimant to a water right3. Source of water groundwater tributary to _____4. Date of priority 1954 - April 1,

5. Water is used for the following purposes:

amount 4.0 for irrigation purposes from Apr 1 to Oct. 30

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

(month/day - both dates inclusive)

6. Total amount of water under right: a. 4.0 cubic feet per secondb. _____ &/or
acre feet per annum7. Location of original point of diversion is SW % of NW % of Section 35Township 11S Range 26E, B.M., in Cassia County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>11S</u>	<u>26E</u>	<u>27</u>			<u>20</u>	<u>20</u>									<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>200</u>

Total number of acres to be irrigated 200

D. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

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

3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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

1. Change in point of diversion

- a. Amount of water to be diverted 4.0 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion NE % NE % Section 27 Township 11S
Range 26E, B.M., Cassia County _____
Additional points _____

c. Description of diverting works Well, pump, 2 center pivot sprinklers

d. Describe the reasons for applying for a change in the point(s) of diversion

To replace an old well, concrete pipeline, and relift pump with a single central well

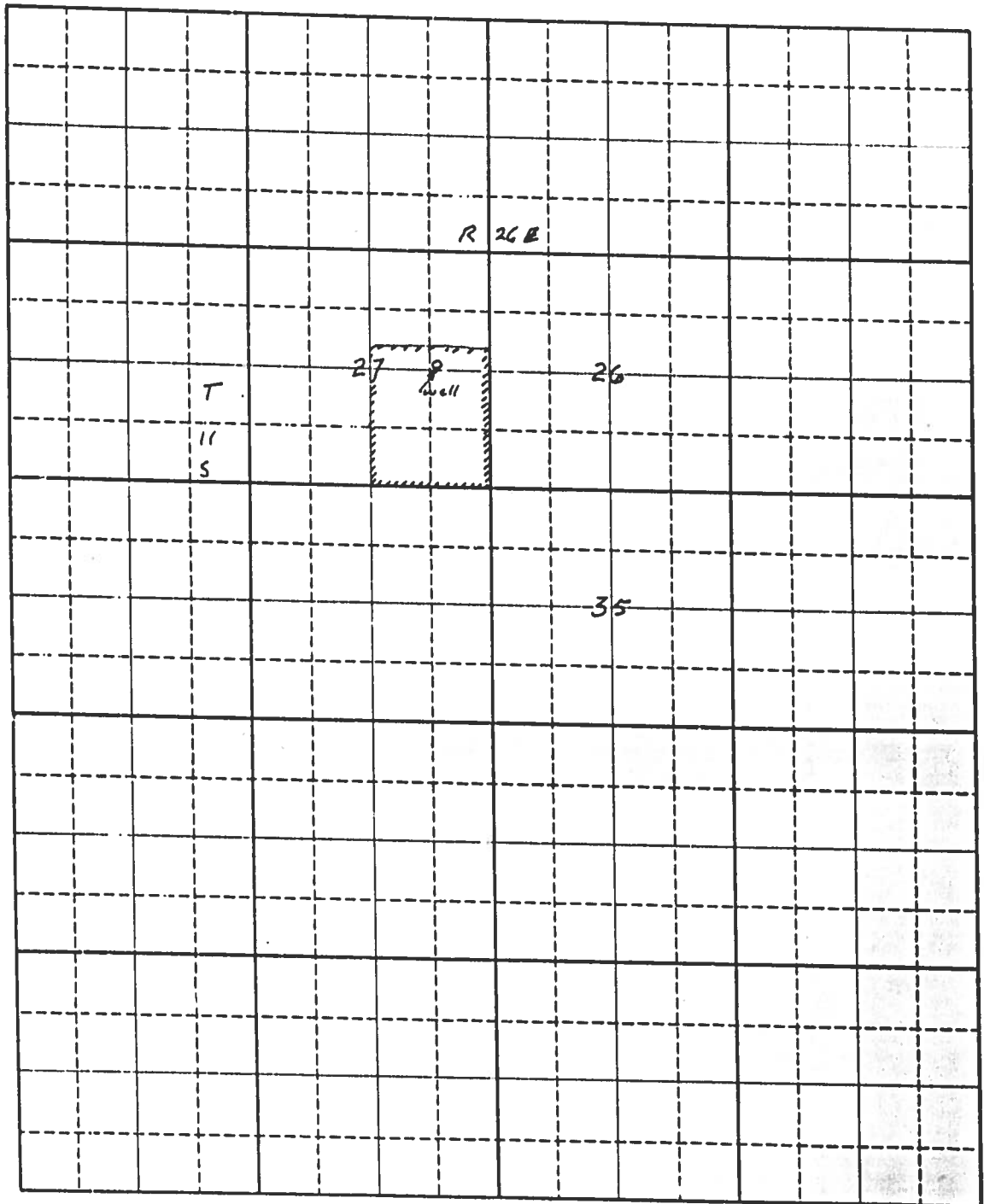
2. Change in place of use NO CHANGE

a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

3. Remarks _____

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

Jay B. Hayden
(Signature of applicant)

Subscribed and sworn to before me this 2nd day of May, 19 79.

Loren O. Holmes
(Notary public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-4092 and said application is hereby approved, subject to the following limitations and conditions:
Approval of this transfer does not validate any information on claim No. 43-4092.

Witness my hand this 28TH day of September, 19 79.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by ZK Date 5-2-79

Protest filed by _____

Prelim. check by ZK Fee 35.00

Received by reception Date 5-2-79 #12775

Published in south side press

Copies of protest forwarded by _____

Pub. dates 5/29 + 6/15/79

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for approval denial

rec'd. _____

by jms

ADJUDICATION CLAIM PROFILE REPORT (REGIONAL)

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	0.230 CFS	60.00 AFA

Stage: BENEFICIAL USE

S25	SMSWSM		CASSIA County
S26	SMSWSM	SESENM	CASSIA County
S27	SMSENE		CASSIA County
S35	SMSWSM	SESEWS	CASSIA County

Place of use Legal Description for: IRRIGATION

[illegible]

POU County: CASSIA

Other Rights: SEE REMARKS

Conditions of Approval:

- 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.

USE OF THIS RIGHT WITH RIGHT NOS. 43-02312A AND 43-10037 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.2 CFS.

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

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1579 ACRES IN A SINGLE IRRIGATION SEASON.

Remarks:

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 15 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

13:15:45
04/06/00
12

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-04092

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	4.000 CFS	23
					3-15 11-15	60A
					TOTAL DIVERSION:	4.000 CFS
					CONSUMPTIVE USE:	600.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

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

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
11S	26E	27			20		20						40		40	200.0
															TOTAL ACRES	200.0

POU County: CASSIA

Other Rights: SEE WR A43-04091.

Conditions of Approval:

Remarks: GEN PRIORITY MAY BE EARLIER THAN 1954
TRANS. 2340.
APPROVAL OF TRANSFER DOES NOT VALIDATE THIS CLAIM.
2 P/D'S IN SW,SW,SW SEC. 35
ALL WR ARE PART OF THE SAME SYSTEM.
EXPANSION OF ACRES UNDER THIS CLAIM SHOWN ON WR A43-10037.

Dates: Exam Made Date: 8/29/94 Verified Date: 05/21/1986 Objection Filed Date:

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

Remarks:
"QNT" E27, E28
"POA" F22 (SWSWSW Sec.
"POU" E14, K06 (15 Ac

5.2 ÷ 335 Ac × 15 Ac = 0.23 cfs
(43-02312A) ↑
320
+15
335
* limited to 5.2 cfs when combined
with 43-02312 A & 43-10037

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:15:18
04/06/00

PAGE: 2
QUICKLOOK INFORMATION

11
CLAIM NUMBER: A43-04092

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	-							
POINT OF DIV	-							
SOURCE	-							
PLACE OF USE	-							
DIV. AMOUNT CFS/VOLUME	-							
CONSUMPTIVE USE	-							
PURPOSES OF USE	-							
PERIOD OF USE	-							
BASIS OF CLAIM	-							
REMARKS	-							

BARCODE UPDATED
WHOM/DATE

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