

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: A43-10632
Date Received: 6/12/1989
Receipt No: W003184
Received By: _____

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

1. Name: GARY B HARPER 208-645-2227
Address: HC 66 BOX 16
DECLO ID 83323

Name: SUSAN HARPER 208-645-2227
Address: HC 66 BOX 16
DECLO ID 83323

2. Date of Priority: MAR 15, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12S	26E	1	SW	SW	SW		CASSIA
		12	SW	SW	SW		CASSIA

5. Description of diverting works:
2 WELLS, 2-100 HP PUMPS, 2-75 HP BOOSTERS, PIVOT, WHEEL LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.320		

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

8. Total consumptive use is 324.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
12S	26E	1	NE		SW		IRR	5.0
			NW		SW		IRR	5.0
			SW		SW		IRR	5.0
			SE		SW		IRR	5.0
							Section Acres	20.0
		12	NE		NW		IRR	4.0
			NW		NW		IRR	7.0
			SW		NW		IRR	8.0
			SE		NW		IRR	6.0
			NE		SW		IRR	11.0
			NW		SW		IRR	6.0
			SW		SW		IRR	7.0
			SE		SW		IRR	39.0
							Section Acres	88.0
							Total Acres	108.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A43-02383 & A43-02313B

14. Remarks:

THIS CLAIM IS AN EXPANSION OF WR'S A43-02313B & A43-02383.
PRESENT P/U OCCURRED IN 1979 WHEN SYSTEM CONVERTED TO PIVOT
IRRIGATION. NO TRANSFER PROCEEDINGS WERE PROCESSED WITH THE IDWR
ALL LAND ALWAYS OWNED BY CLAIMANT.

(THE ABOVE REMARKS LISTED ON OTHER CLAIMS)

WATER IS SPREAD FROM 3.2 CFS UNDER LICENSE 43-2313B AND FROM
3.12 CFS UNDER LICENSE 43-2383.

DWR NOTE

AMOUNT OF WATER DIVERTED UNDER THIS CLAIM TAKEN FROM THE ABOVE
REMARKS GIVEN ON THE CLAIM. THIS IS FOR AN EXAPNSION IN P/U
ACRES AND NO INCREASE IN WATER DIVERTED.

OWNERSHIP CHANGE 10/27/94 BY JG TO GARY B & SUSAN HARPER.

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

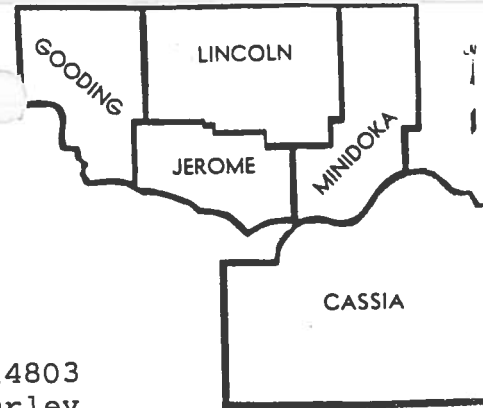
Seal

Residing at _____

My Commission Expires _____

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #24803
OFFICE: Burley

February 28, 1994

Idaho Dept. of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

RECEIVED

MAR - 1 1994

Department of Water Resources
Southern Region Office

Dear Secretary:

Enclosed please find an original executed Notice of Change of Water Right Ownership on Gary B. Haper and Susan Harper on property located in Cassia County, Idaho.

Would you please record this Notice of Change and return a receipted copy to this office.

Thank you.

Very truly yours,
LAND TITLE AND ESCROW, INC.

Nancy Garrett

Nancy Garrett
Reconveyance Department

/nrg
enc.

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 1199



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type
(see instructions on back of page)

MAR - 1 1994

Department of Water Resources
Southern Region Office

DATE OF CLOSING: Feb. 22, 1994

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.
See attached for legal description

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) _____ A43-10632 has same name as
Assigned by IDWR: A43-02313B and A43-02383 Place of Use _____
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Kobe Brothers
- ☐ New Owner/Claimant (Purchaser): Gary B. Harper and Susan Harper
- ☐ New Mailing Address: HC 66 Box 16
Declo, Idaho 83323
- ☐ New Telephone Number: (208) 645 - 2227
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: recorded Warranty Deed
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s) Gary B. Harper Date 2-24-94
Susan Harper Date 2-24-94
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10/27/94 By: SG

Further Action Needed: 4:00 PM 1st time

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

R P A S W E D

229367

WARRANTY DEED

MAR - 1 1994

Department of Water Resources
Southern Region Office

FOR VALUE RECEIVED, Edward Kobe and Norma S. Kobe, husband and wife, Victor Kobe and Nancy C. Kobe, husband and wife, and John T. Kobe and Maxine Kobe, husband and wife, Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Gary B. Harper and Susan Harper, husband and wife, Address: HC 66 Box 16, Declo, Idaho 83323 hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

TOWNSHIP 12 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 1: NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$

Section 11: E $\frac{1}{2}$ SE $\frac{1}{4}$, EXCEPT that portion deeded to the State of Idaho for highway purposes.

Section 12: W $\frac{1}{2}$

TOGETHER WITH all water and water rights, ditch and ditch rights, used thereon or appurtenant thereto, including but not limited to water rights under State of Idaho Adjudication No. A43-02383, A43-02313B and A43-10632.

SUBJECT TO:

Taxes for 1994 and subsequent years.

Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative and Kobe Brothers - Malta Farm, Victor R. Kobe, Ed R. Kobe and John T. Kobe, dated May 28, 1985 and recorded June 13, 1985 as Instrument No. 170268 on Film No. 173, records of Cassia County, Idaho.

Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative and Malta Farm, Kobe Bros. - Victor R. Kobe, Ed R. Kobe and John T. Kobe, dated May 29, 1985 and recorded June 13, 1985 as Instrument No. 170269 on Film No. 173, records of Cassia County, Idaho.

Agreement by and between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative, and Kobe Farms (Malta Farm) and Ed Kobe, dated May 2, 1986 and recorded May 15, 1986 as Instrument No. 178407 on Film No. 180, records of Cassia County, Idaho.

Agreement by and between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative, and Kobe Farms (Malta Farm) and Ed Kobe, dated May 2, 1986 and recorded May 15, 1986 as Instrument No. 178408 on Film No. 180, records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warranty and defend the same from all lawful claims whatsoever.

Dated: February 23, 1994

-Continued-

TOWNSHIP 12 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 1: NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$

Section 11: E $\frac{1}{2}$ SE $\frac{1}{4}$, except that portion deeded to the State
of Idaho for highway purposes.

Section 12: W $\frac{1}{2}$

RECEIVED

MAR - 1 1994

Department of Water Resources
Southern Region Office

REG-WE

MAR - 1 1994

Edward Kobe
Edward Kobe

Norma S. Kobe
Norma S. Kobe
Department of Water Resources
Southern Region Office

Victor Kobe
Victor Kobe

Nancy C. Kobe
Nancy C. Kobe

John T. Kobe
John T. Kobe

Maxine Kobe
Maxine Kobe

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 23rd day of February, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Edward Kobe and Norma S. Kobe, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Kay Lamberson
Notary Public
Residing at: Boise, Idaho
My Commission expires: Sept. 20, 1998



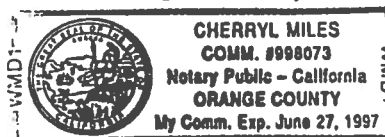
STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 23rd day of February, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Victor Kobe and Nancy C. Kobe, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Kay Lamberson
Notary Public
Residing at: Boise, Idaho
My Commission expires: Sept. 20, 1998



STATE OF CALIFORNIA)
) ss.
COUNTY OF Orange)



On this 24 day of February, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared John T. Kobe and Maxine Kobe, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Cheryl Miles
Notary Public
Residing at: Boise, Idaho
My Commission expires: Sept. 20, 1998



REQUEST OF
LAND TITLE & ESCROW
253

MAR FEB 24 P 1:44

229367

DAVID COUNTY CLERK
DARRELL H. ROSKELLEY
RECORDER

FEE \$600 DEPUTY LM
LAND TITLE & ESCROW

Water Right Number - R43-10632 Prefix Translation: RESEARCH Old (D) Number -

*** C - CURRENT OWNER ***
HARPER GARY B 1 - HC 66 BOX 16
2 -
3 -
City- DECLO
Phone - 208-645-2227 State- ID Zip- 83323
1 - HC 66 BOX 16

HARPER SUSAN 1 - P.O. BOX 3386 T.A.
2 -
3 -
City- DECLO
Phone - 208-645-2227 State- ID Zip- 83323

*** O - ORIGINAL OWNER ***
KOBÉ BROTHERS 1 - P.O. BOX 3386 T.A.
2 -
3 -
City- SPOKANE
Phone - 509-624-5365 State- WA Zip- 99220

Priority Date - + Region - + Stage - + Status - +
03/15/1972 17 SOUTHERN J - BENEFICIAL USE

Source - + Tributary - +
GROUNDWATER

Point of Diversion - +
Twn Rng Sec Tract Lot Rflg County
12S 26E 1 SW SW SW (31) CASSIA
12 SW SW SW (31) CASSIA

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 6.320

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
6.320 324.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
12S	26E	1	NE SW		5.0	01	IRRIGATION	(31) CASSIA	
12S	26E	1	NW SW		5.0	01	IRRIGATION	(31) CASSIA	
12S	26E	1	SE SW		5.0	01	IRRIGATION	(31) CASSIA	
12S	26E	1	SW SW		5.0	01	IRRIGATION	(31) CASSIA	
12S	26E	1	NE NW		4.0	01	IRRIGATION	(31) CASSIA	
12S	26E	1	NW NW		7.0	01	IRRIGATION	(31) CASSIA	
12S	26E	1	SE NW		8.0	01	IRRIGATION	(31) CASSIA	
12S	26E	1	SW NW		6.0	01	IRRIGATION	(31) CASSIA	
12S	26E	1	NE SW		11.0	01	IRRIGATION	(31) CASSIA	

Water right number - R43-10632 Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
12S	26E	12	NW SW		6.0		01	IRRIGATION	(31) CASSIA
12S	26E	12	SW SW		7.0		01	IRRIGATION	(31) CASSIA
12S	26E	12	SE SW		39.0		01	IRRIGATION	(31) CASSIA

Total Acres: 108.0

- - - Diversion Means - 2 WELLS, 2-100 HP PUMPS, 2-75 HP BOOSTERS, PIVOT, WHEEL LINES

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - A43-02383 & A43-02313B

- - - Remarks - No Remarks found.

- - - A4302313B
A4302383 - Old Water Right Numbers -

- - - Conditions of Approval - No Conditions of Approval found.

- - - Decree Plaintiff - Decree Defendant - Decree Date - 00/00/0000

- - - Comments -
Date: 10/27/1994 User Id: JGIVENS Subject: COPIED FROM REMARKS
THIS CLAIM IS AN EXPANSION OF WR'S A43-02313B & A43-02383. PRESENT P/U OCCURRED IN 1979 WHEN SYSTEM CONVERTED TO PIVOT
IRRIGATION. NO TRANSFER PROCEEDINGS WERE PROCESSED WITH THE IDWR ALL LAND ALWAYS OWNED BY CLAIMANT.
(THE ABOVE REMARKS LISTED ON OTHER CLAIMS)
WATER IS SPREAD FROM 3.2 CFS UNDER LICENSE 43-2313B AND FROM 3.12 CFS UNDER LICENSE 43-2383.
DWR NOTE AMOUNT OF WATER DIVERTED UNDER THIS CLAIM TAKEN FROM THE ABOVE
REMARKS GIVEN ON THE CLAIM. THIS IS FOR AN EXPANSION IN P/U ACRES AND NO INCREASE IN WATER DIVERTED.
***** OWNERSHIP CHANGE 10/27/94 BY JG TO GARY B. & SUSAN HARPER.
Date: 10/27/1994 User Id: JGIVENS Subject: OWNERSHIP CHANGE NEW OWNERS GARY B. & SUSAN HARPER. COPY OF WARRANTY DEED
CHANGE OF OWNERSHIP RECEIVED 3/1/94 FORMER OWNERS KOBE BROTHERS SUBMITTED WITH FORM FROM TITLE CO.

- - - Audit Fields - - -
10/27/94 JGIVENS

- - - Adjudication Rights Dates and Flags Area - - -
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 06/12/1989 Last Amended Date - 00/00/0000 Temporary Right - T

Water right number - R43-10632 Prefix Translation: RESEARCH

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Receipt Number	-	Water District	-
POU Ownership Flag	- Y	Federal/State Indicator	- S
Name Connector	-	Presumption Flag	- E
		Notice of Error Flag	-



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 27, 1994

GARY B HARPER
SUSAN HARPER
HC 66 BOX 16
DECLO ID 83323

RE: Change of Ownership Adjudication Claim(s) No. A43-02313B,
A43-02383 & A43-10632 in the Name of Kobe Brothers

Dear Claimant(s):

Pursuant to notification that you presently own the property in which the above-referenced Adjudication Claim is appurtenant, the Department has changed the record of the current owner as you requested.

Adjudication Claim No. A43-10632 I changed also. The name was the same and the place of use was within the same lands as A43-02313B & A43-02383.

Please review the record(s) and if you have any corrections or questions, feel free to call me at this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Technical Records Specialist

/JG

Enclosures:

c.c. Larry Roberts - Land Title - Burley

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: A43-10632

Date Received: 2/23/1990

Receipt No: W003184

Received By: _____

DATA ENTERED BY SCC

DATE 2/23/90

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KOBE BROTHERS
Address: P.O. BOX 3386 T.A.
SPOKANE, WA 99220 509-624-5365

2. Date of Priority: MAR 15, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12S	26E	1	SW	SW	SW		CASSIA
		12	SW	SW	SW		CASSIA

5. Description of diverting works:
2 WELLS, 2-100 HP PUMPS, 2-75 HP BOOSTERS, PIVOT, WHEEL LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.320		

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

8. Total consumptive use is 324.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
12S	26E	1	NE	SW		IRR	5.0
			NW	SW		IRR	5.0
			SW	SW		IRR	5.0

A43-10632

Page 1

Date: 02/23/90

MICROFILM

MAR 05 1990

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	26E	1	SE	SW		IRR	5.0
						Section Acres	20.0
		12	NE	NW		IRR	4.0
			NW	NW		IRR	7.0
			SW	NW		IRR	8.0
			SE	NW		IRR	6.0
			NE	SW		IRR	11.0
			NW	SW		IRR	6.0
			SW	SW		IRR	7.0
			SE	SW		IRR	39.0
						Section Acres	88.0
						Total Acres	108.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A43-02383 & A43-02313B

14. Remarks:

THIS CLAIM IS AN EXPANSION OF WR'S A43-02313B & A43-02383.
PRESENT P/U OCCURRED IN 1979 WHEN SYSTEM CONVERTED TO PIVOT
IRRIGATION. NO TRANSFER PROCEEDINGS WERE PROCESSED WITH THE IDWR
ALL LAND ALWAYS OWNED BY CLAIMANT.
(THE ABOVE REMARKS LISTED ON OTHER CLAIMS)
|
WATER IS SPREAD FROM 3.2 CFS UNDER LICENSE 43-2313B AND FROM
3.12 CFS UNDER LICENSE 43-2383.
DWR NOTE
AMOUNT OF WATER DIVERTED UNDER THIS CLAIM TAKEN FROM THE ABOVE
REMARKS GIVEN ON THE CLAIM. THIS IS FOR AN EXAPNSION IN P/U
ACRES AND NO INCREASE IN WATER DIVERTED.

15. Basis of Claim: BENEFICIAL USE

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A43-10632
Date Received _____
Receipt Number W003184

RECEIVED
JUN 12 1989

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

FEB 20 1990

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Kobe Brothers Phone (509) 624-5365
Mailing Address P.O. Box 3386 T.A., Spokane, Wash. Zip 99220

2. Date of Priority (Only one (1) per claim) March 15, 1972

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 12S Range 26E Section 1,
1/4 of SW 1/4 of SW 1/4, Govt. Lot, B.M., County of Cassia,

Additional points of diversion if any: SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Water spread from water under
Licenses 43-2313 and 43-2383. Water applied with handlines and end gun
of pivots and pivots.

MICROFIL

MAR 05 19

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount See remarks or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) See remarks (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 324 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
12S	26E	1									5	5	5	5					20
12S	26E	12					4	7	8	6	11	6	7	39					88

Total number of acres irrigated 108

11. In which county (ies) are lands listed above as place of use located? Cassia

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: Water is spread from 3.2 cfs under License 43-2313 and from 3.12 cfs under License 43-2383.

Last Name Kobe Ident No. _____

Copies: White - State, Yellow - Adjoining
MICROFILM
MAR 25 1993

T416
T8215
3
8.2

4
6.3

5
1.9
6
33.8
7
1.5

well

2
1.68
11
12

1416
T8216
7.5

127.0

10
6.4

DD-18, DD-20

S-1, 12

T-12

R-26

3
7.7

133.6

5
5.8

T416
T8217

DD-20

S-11

T-12

R-26

6
6.5

well
1
77.2
11
2
8
25.8

9
128.5

110
7.4

965
T1558
14
13

2
6.9

44.8

MICHOPIUM

Ident. No.

Kobe

Last Name

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License X Permit _____
Decree _____

If applicable provide IDWR Water Right Number 43-2313 and 43-2383

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Managing Partner

of _____ Kobe Brothers _____, that I have signed the foregoing
Organization

document in the space below as _____ Managing Partner _____ of _____ Kobe Brothers
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent ✓ Edward R. Kobe, Mgr.

Title and Organization _____ Kobe Brothers _____ Date 6/8/89

State of Idaho/or _____)
County of Minidoka) SS.

Subscribed and sworn (or affirmed) before me this 9th day of June 19 89

SEAL

Notary Public Roger D. Ling

Residing at Rupert, Idaho

My Commission Expires 10/30/94

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, Roger D. Ling will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Roger D. Ling

Address P.O. Box 396, Rupert, Idaho 83350

Date June 9, 1989

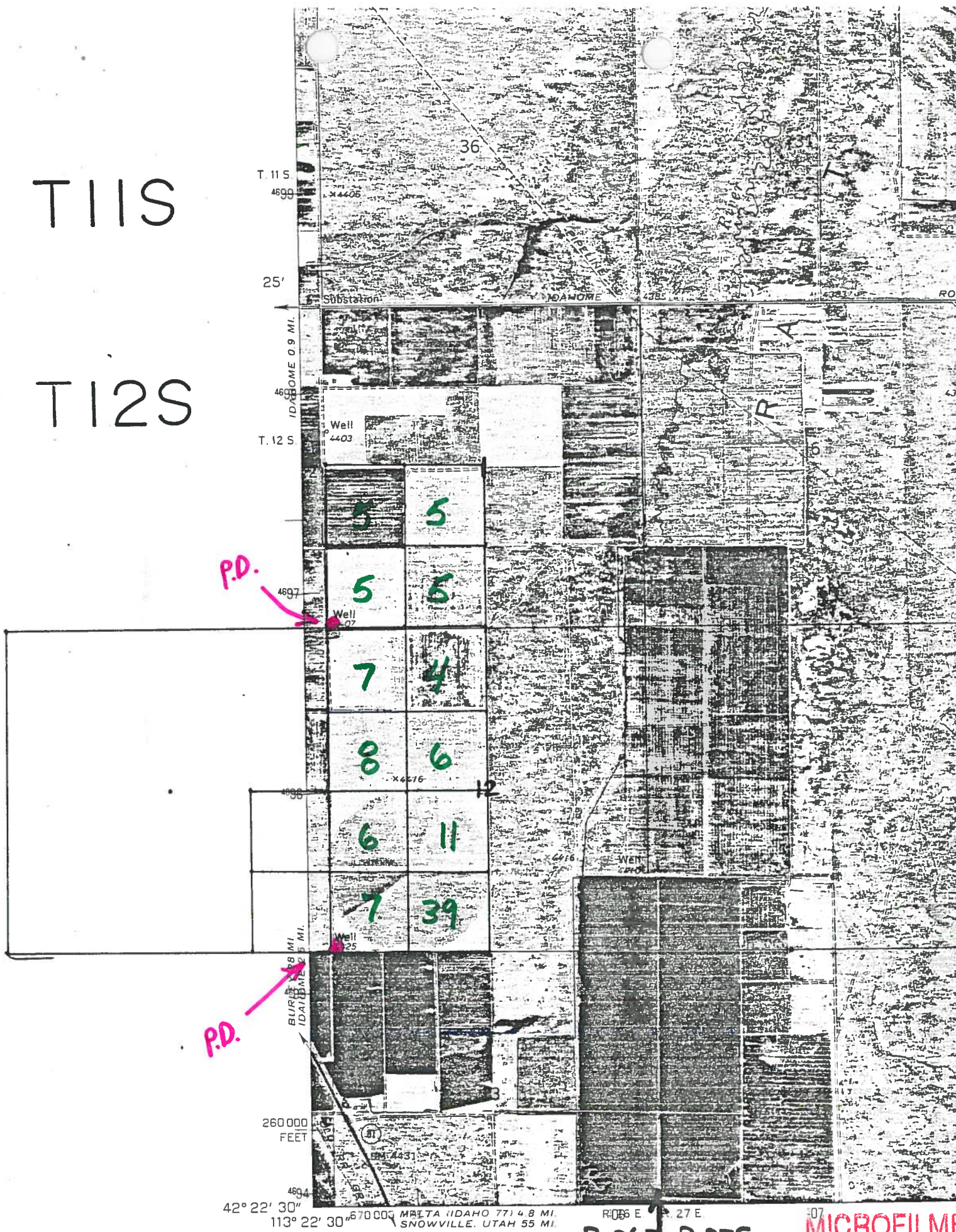
Last Name Kobe Ident. Number _____

MICROFILME
MAR 05 1993

Copies White-State, Yellow-Claimant

TIIS

T12S



42° 22' 30" 113° 22' 30" 260 000 FEET

Produced by the Geological Survey in cooperation with the Soil Conservation Service

Orthophotograph prepared from 1:78 000-scale aerial photographs taken August 20, 1976

R. 26 E. R. 27 E.

MICROFILME

MAR 05 1993

A43-10632



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Feb. 23, 1990

Re: A43-02313B
A43-02383
A43-10632

KOBE BROTHERS
P O BOX 3386 TA
SPOKANE WA 99220

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of you claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILM

MAR 05 1990



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

A43-10632
KOBÉ BROTHERS
P.O. BOX 3386 T.A.

SPOKANE

WA 99220

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

MICROFILM

MAR 05 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 21, 2001

GARY HARPER
2040 E 850 S
DECLO ID 83323

Re: 43-10037 & 43-10632

Dear Mr. Harper,

I am in receipt of your Notice of Error replies for the above two rights. These two rights are **Expansion Claims in a Critical Groundwater Area per Idaho Code 42-1416b** and as such are **allowed no additional diversion rate or volume**. I have enclosed a copy of this section of the code for your review.

You also mentioned a transfer was pending on some of the rights. I found Transfer 5501 is still in process and when it is approved, any changes it makes will automatically be reflected in the recommendation or decree of the rights involved.

If you have any further questions, feel free to give me a call at the office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie', written over a horizontal line.

Jeanie Robertson
Sr. Water Resource Agent

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: 43-10632

GARY B HARPER
2040 E 850 S
DECLO ID 83323
Telephone Number: (208)645-2227

SUSAN C HARPER
2040 E 850 S
DECLO ID 83323
Telephone Number: (208)654-2227

RECEIVED

JUN 12 2001

Department of Water Resources
Bozeman, Montana

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

That this expounded right is not part of the total CFS for this 544 ac.

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

I would like to see 43-10632 be added to the 5.82 CF. To give this a total of 7.25 CFS

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

It seems that this approved water right should be added to the 43-2313C + 432383

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

DATE: 27 May 01 SIGNATURE: Gary B. Harper
Please print your name: GARY B. HARPER

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

VERIFIED BY *[Signature]* 1/31/01

01/31/2001

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

RIGHT NUMBER: 43-10632
NAME AND ADDRESS: GARY B HARPER
SUSAN HARPER
HC 66 BOX 16
DECLO, ID 83323

SOURCE: GROUND WATER

QUANTITY: 1.43 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 5.82 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1640 AF. COMBINED RIGHT NOS.: 43-
02313C, 43-02383, & 43-10632.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION: T12S R26E S1 SWSWSW Within CASSIA County
T12S R26E S12 SWSWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	1.43 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County							
T12S R26E S11	NESE	40	T12S R26E S11	SESE	37		
T12S R26E S1	NESW	40	T12S R26E S1	NWSW	33		
T12S R26E S1	SWSW	40	T12S R26E S1	SESW	40		
T12S R26E S12	NENW	40	T12S R26E S12	NWNW	40		
T12S R26E S12	SWNW	40	T12S R26E S12	SENW	40		
T12S R26E S12	NESW	40	T12S R26E S12	NWSW	40		
T12S R26E S12	SWSW	39	T12S R26E S12	SESW	35		

544 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 134 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 544 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-02313C, 43-02383, & 43-10632.

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

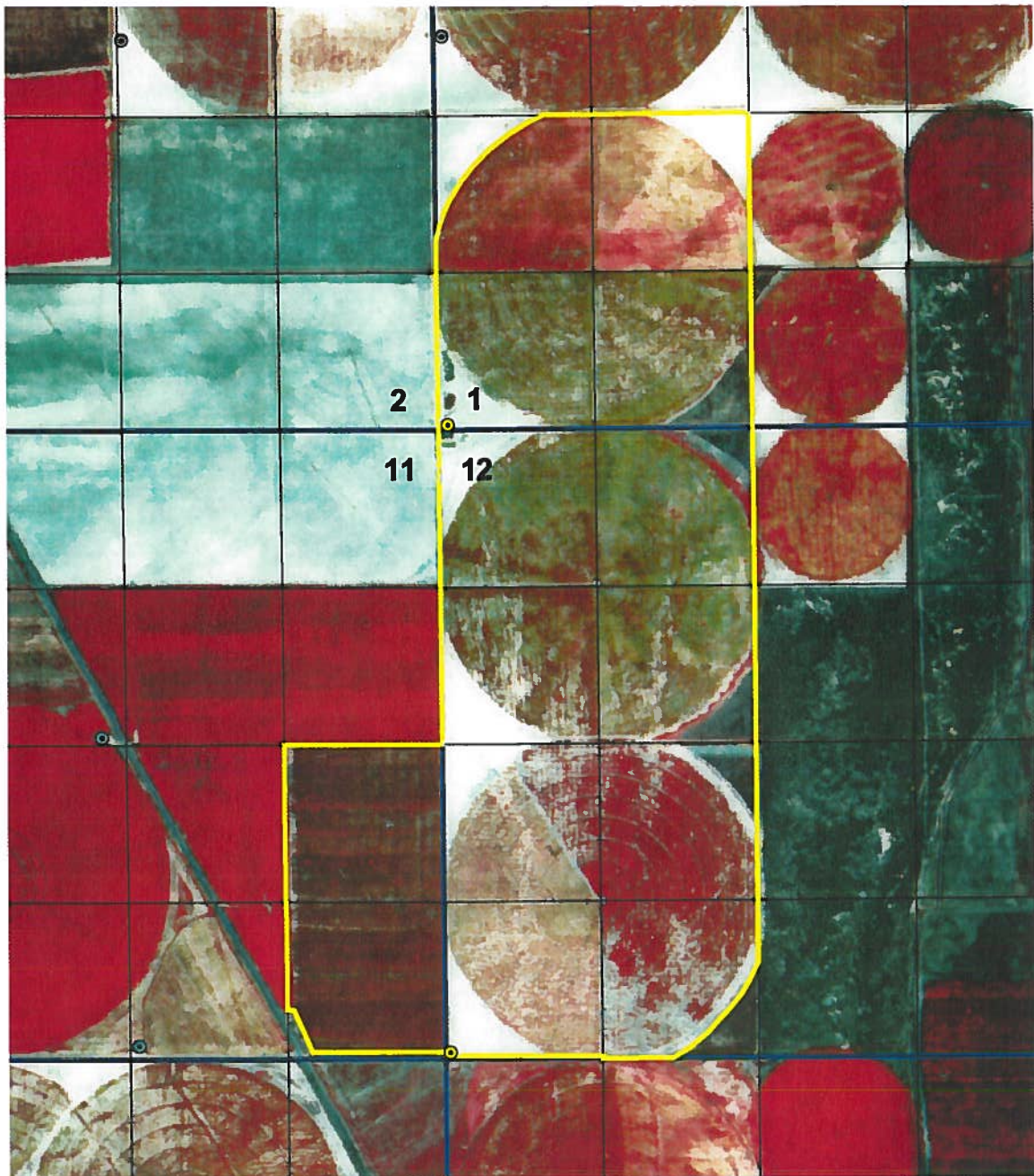
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-02313C & 43-02383 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

43-02313C, 43-02383, & 43-10632



0 1320 2640 Feet



RECOMMENDED PLACE OF USE
DATA ENTRY ON JAN. 31, 2001
TWP 12S, RNG 26E, SEC. 1, 11, & 12

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:57:09
01/30/01
27

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-10632

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARY B HARPER	03/15/1972	IRRIGATION	03-15 11-15	6.320 CFS	
C	SUSAN HARPER	6/30/1985				
TOTAL DIVERSION:					6.320 CFS	
~~CONSUMPTIVE USE:~~					1.43 cfs	~~324.00 AFA~~

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T12S R26E S01 SWSWSW
S12 SWSWSW

CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE				
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: SUM			
12S	26E	1	:								:					05	05	05	05	:	20.0			
12S	26E	12	:								:	04	07	08	06	:	11	06	07	39	:	88.0		
TOTAL ACRES																				108.0				

POU County: CASSIA

Other Rights: A43-02383 & A43-02313B

Remarks: GEN THIS CLAIM IS AN EXPANSION OF WR'S A43-02313B & A43-02383.
PRESENT P/U OCCURRED IN 1979 WHEN SYSTEM CONVERTED TO PIVOT
IRRIGATION. NO TRANSFER PROCEEDINGS WERE PROCESSED WITH THE IDWR
ALL LAND ALWAYS OWNED BY CLAIMANT.
(THE ABOVE REMARKS LISTED ON OTHER CLAIMS)

WATER IS SPREAD FROM 3.2 CFS UNDER LICENSE 43-2313B AND FROM
3.12 CFS UNDER LICENSE 43-2383.

DWR NOTE

AMOUNT OF WATER DIVERTED UNDER THIS CLAIM TAKEN FROM THE ABOVE
REMARKS GIVEN ON THE CLAIM. THIS IS FOR AN EXAPNSION IN P/U
ACRES AND NO INCREASE IN WATER DIVERTED.

OWNERSHIP CHANGE 10/27/94 BY JG TO GARY B & SUSAN HARPER.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag: E

$$\text{div. rate} = 5.82 \div 544 \times 134 = 1.43 \text{ cfs}$$

134/544 ppu

Cond. Code C18
Remarks: K06 134Ac
POU E14 544Ac
QNT E27 5.82
(410 ac. x 4) → 16401
GEN K04
app. clae

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:56:29
01/30/01

PAGE: 2
QUICKLOOK INFORMATION

26
CLAIM NUMBER: A43-10632

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

BARCODE UPDATED
WHOM/DATE

CLAIM NUMBER

DATE _____

TRANSFER NUMBER

AGENT

CLAIMED ACRE TOTAL

GIS ACRE TOTAL

CLAIM

GIS

RECOM

CLAIM

GIS

RECOM

CLAIM

GIS

RECOM

SHAPE NOS.

NOS.	DESCRIPTION
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B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT

Idaho Department of Water Resources
Adjudication Bureau

December 6, 1999

A4310632
HARPER SUSAN
12S26E12SWSWSW

RECEIVED
DEC 23 1999

Data Submission for Estimating Well Pumping Capacity

Department of Water Resources

This form is for documenting historic flow rate from a well based on available information including: flow measurements, pump curves or specifications, system characteristics such as motor horsepower, depth to water, discharge pressure, and irrigation system characteristics. The department is attempting to quantify the maximum rate of flow diverted and put to beneficial use in the years prior to November 1987.

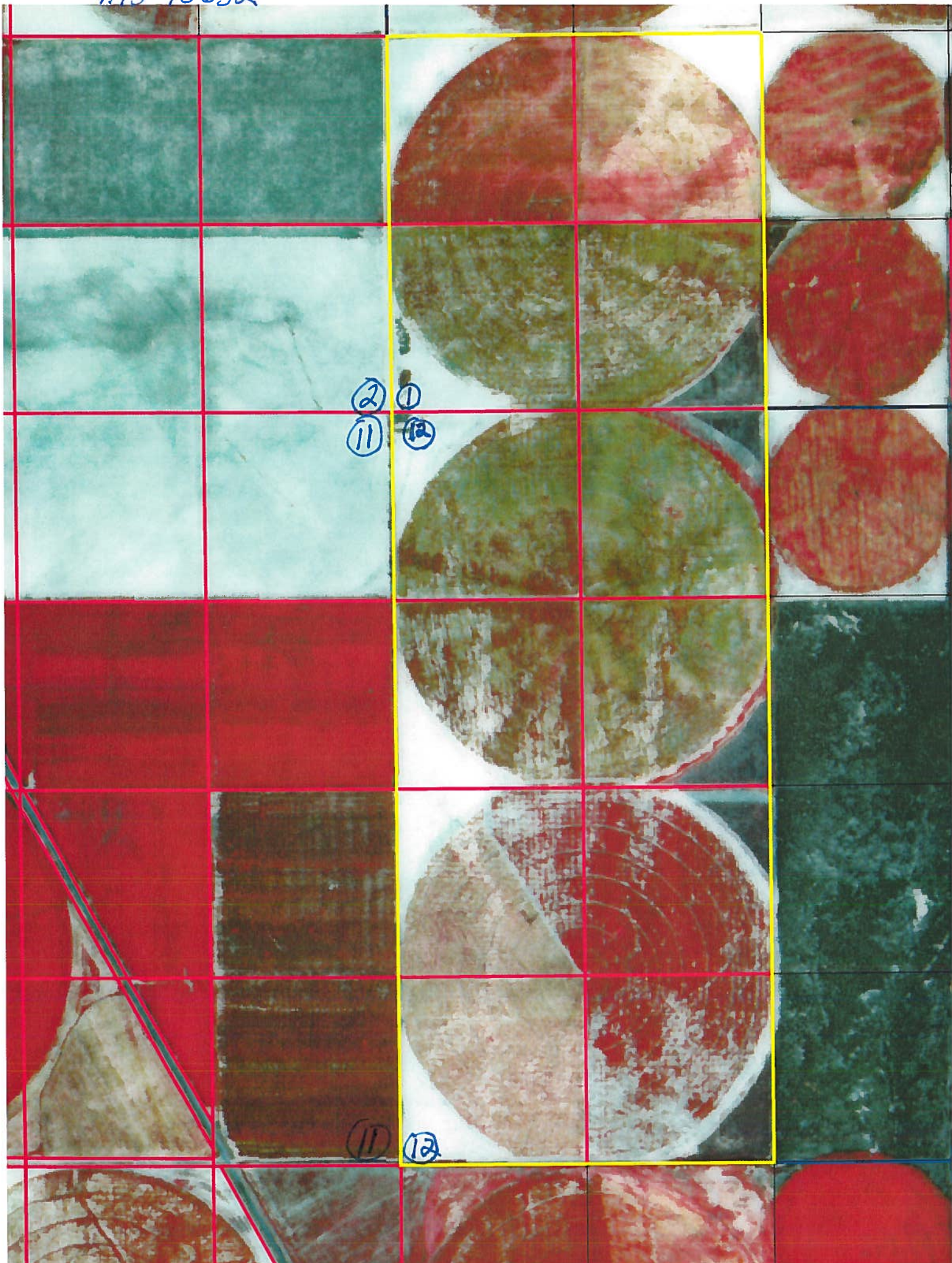
If you have any questions regarding this data request, please contact either Scott King (208) 327-7897 or Cindy Bird (208) 327-5450. You may also dial the adjudication hotline (1-800-451-4129) and ask for Scott or Cindy. If you prefer to discuss these questions with us instead of completing the form, your call is welcomed. We can also be contacted by e-mail at sking@idwr.state.id.us and cbird@idwr.state.id.us

1) Rate of Flow measurements: _____ (cfs or gpm)

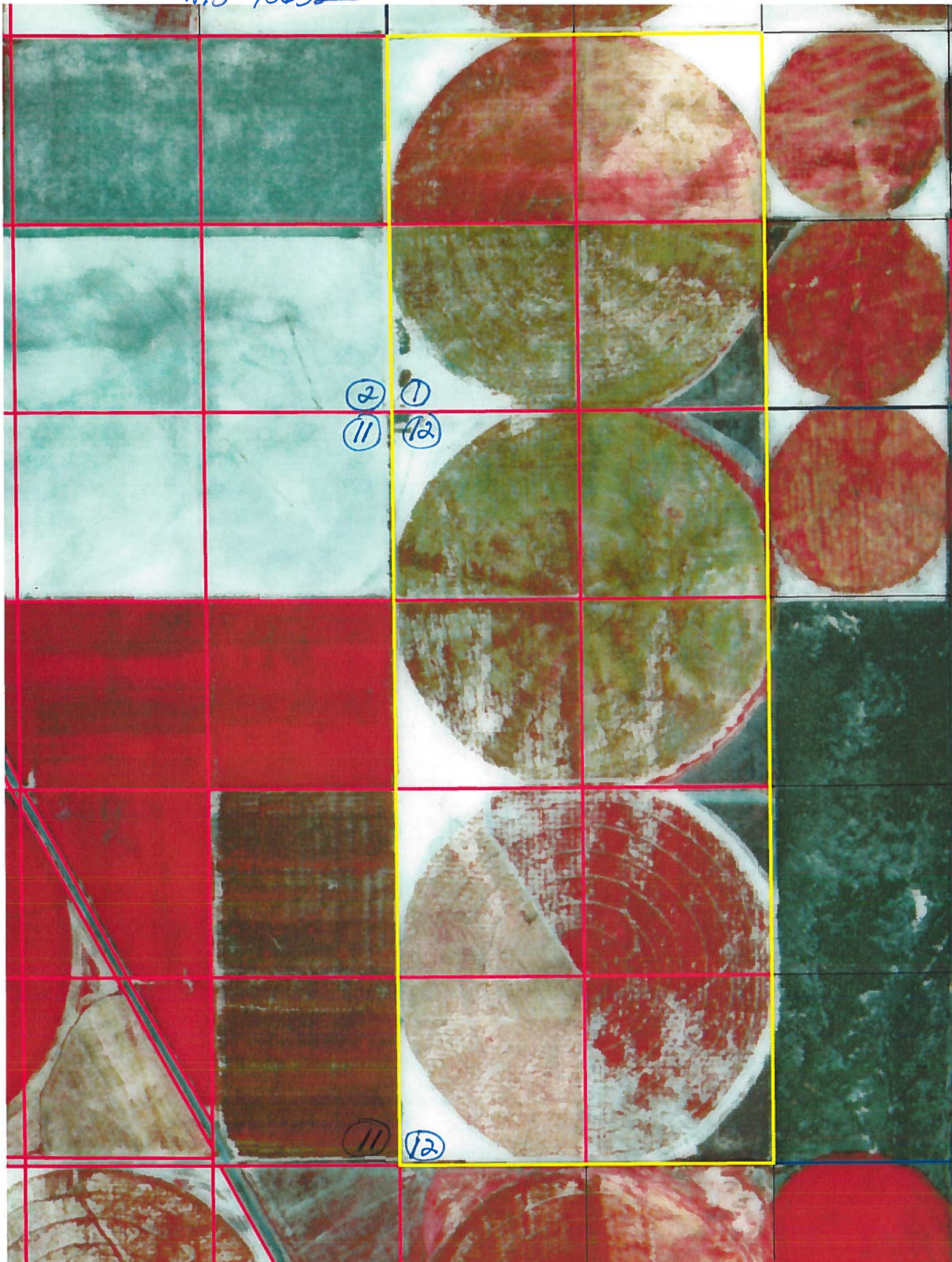
Please give approximate date, person or entity performing measurement, description of measuring device and any other applicable data. Examples may include measurements made as part of an energy efficiency survey, which are often provided as a service through your electric utility.

2) Pump characteristic curves or specifications: Please include copy of pump curve, or state designed pumping capacity, rated flow and head, and approximate year of pump installation. Other helpful items may include the pump manufacturer, model number, and number of stages.

A43-10632



A43-10632



R PROOF

CVR

MAPS

PHOTOS

MISC

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