

10/18/2000

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

RIGHT NUMBER: 43-11235

NAME AND ADDRESS: D JAY HARPER
JEANETTE W HARPER
1926 S 2350 E
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 1.38 CFS

RIGHT NOS. 43-00171B, 43-00173D, 43-00177F, 43-02295H, 43-02330, 43-02528, 43-04166 AND 43-11235 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.24 CFS.

RIGHT NOS. 43-02295H, 43-02330, 43-02528, 43-04166 AND 43-11235 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.93 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 940 AF.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION:	T13S R27E S31	SENENW	Within CASSIA County
	T13S R27E S31	SWNESE	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	1.38 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T13S R27E S31	NENE	40	T13S R27E S31	NWNE	40
T13S R27E S31	NENW	39	T13S R27E S31	SENE	37
T13S R27E S31	SWNE	10	T13S R27E S31	SENE	38
T13S R27E S31	NESE	40	T13S R27E S31	NWSE	20
T13S R27E S31 LOT 1	NWNW	50	T13S R27E S31 LOT 2	SNNW	48

362 ACRES TOTAL

RIGHT NOS. 43-00171B, 43-00173D, 43-00177F, 43-00178F, 43-02295H, 43-02330, 43-02528, 43-04166 AND 43-11235 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 362 ACRES IN A SINGLE IRRIGATION SEASON.

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

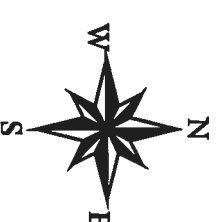
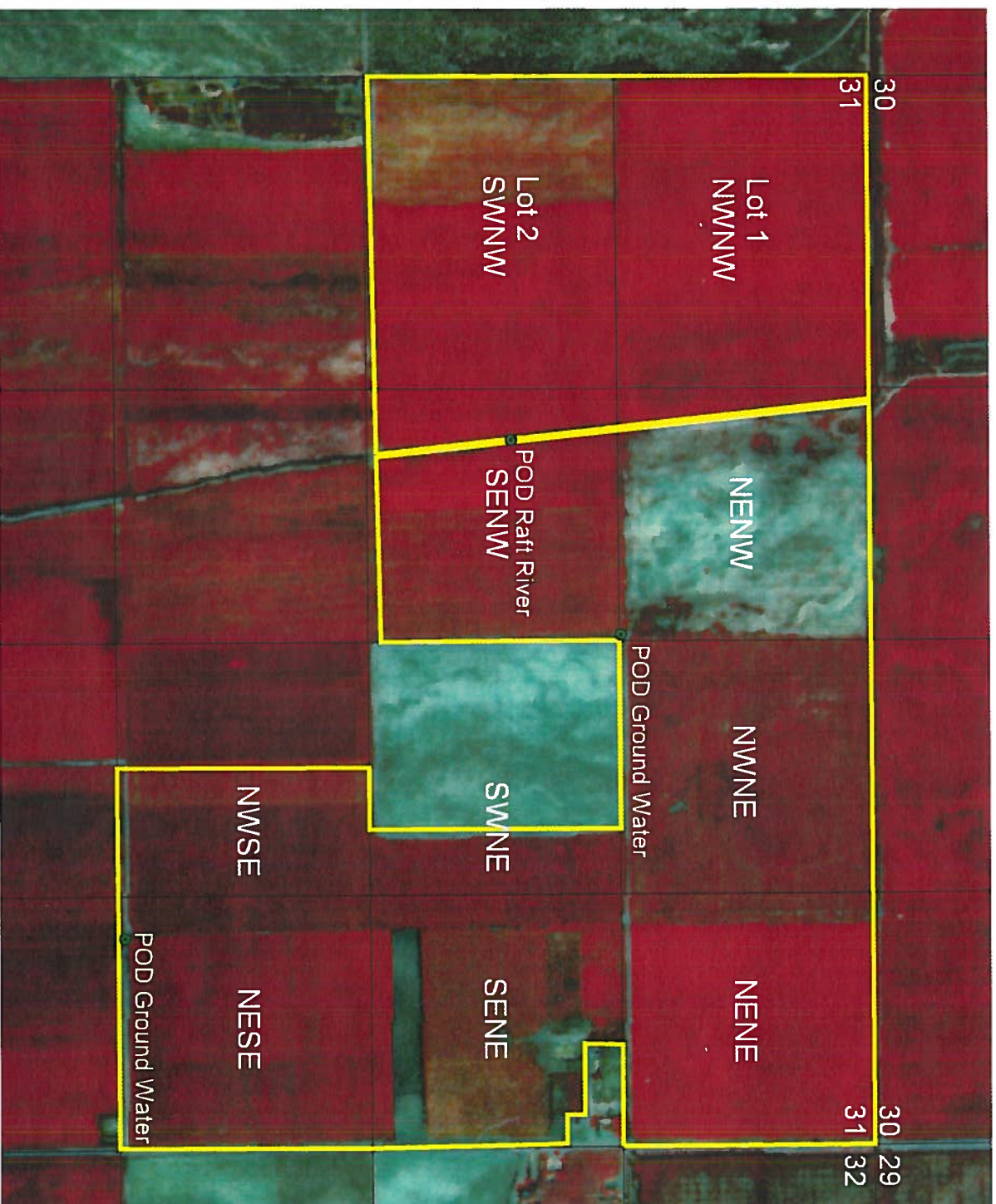
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-02295H, 43-02330, 43-02528 AND 43-04166 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 127 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

43-001101, 43-001102, 43-001103, 43-001104, 43-001105,
43-02330, 43-02528, 43-04166 & 43-11235



T13S R27E S31



Map prepared by: Carter Fritschle
 Date prepared: 06/18/01
 1987-1988 NAPP photography
 Idaho Department of Water Resources

D. Jay Harper

Field exam conducted 5-18-00

CH

Ground Water rights

* 1945	43-02295H	60 acres (K06)	0.43 cfs	²⁰ 24
1948	43-02330	40 acres (K06)	0.80 cfs	¹⁶ 16
1961	43-02528	110 acres (K06)	2.20 cfs	⁴⁷ 446
1959	43-04166	<u>25</u> acres (K06)	<u>0.50</u> cfs	<u>100</u>
		235 acres	3.93 cfs	940

* Uses same POD as licensed for 43-02528. Therefore 31 AF added to 43-02528 Div

$$3.93 \text{ cfs} \div 362 \text{ acres} = 0.01086 \text{ cfs/ac.}$$

$$\begin{array}{rcl} & - 235 \text{ acres} & \\ 43-11235 & 127 \text{ acres (K09)} & \times 1.27 \text{ ac} \\ & & 1.38 \text{ cfs} \end{array}$$

$$235 \text{ ac} \times 4 \text{ af/ac.} = 940 \text{ AF}$$

43-02295H, 43-02330, 43-02528, 43-04166 and 43-11235 limited to 3.93 cfs, 940 AF and 362 acres.

$$362 \text{ ac} \times 0.02 \text{ cfs/ac} = 7.24 \text{ cfs}$$

43-11235 is an expansion of 127 acres (K09)

	Surface water rights	Claimed	Allowable	Claimed acres
1883	43-00171B	10.03	4.73	260
1882	43-00173D	6.40	0.61	60
1909	43-00177F	21.60	1.40	70
1911	43-00178F	48.80	4.00	220 ^{Modified}

Use of 43-00171B, 43-00173D, 43-00177F, 43-02295H, 43-02330, 43-02528, 43-04166 and 43-11235 limited to a total combined diversion rate of 7.24 cfs



Transfer pending to add 2 add'l Jay Harper wells to A43-02562B. Until transferred 2562B is separate from remainder of farm.

Expansion claim A43-11235 Filed. Replaces 43-07218 & includes land in N $\frac{1}{2}$ E NE not covered under 43-04166.

43-04166 was examined for historical flow rate by Scott King for Cindy Bird.

SDE claim info updated. Shape & acreage are not in agreement by Zaas, but rec'n will be as PPU with other GW rights.

Office discussion w/ J. Way H

8/8/00 J. Jones

System sketch map

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 43-11235
Date Received: 8/8/00
Receipt No:
Received By:

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

1. Name of Claimant(s)

Name: JEANETTE W HARPER Phone: (208)645-2533

Address: 1926 S 2350 E
MALTA ID USA 83342

Name: D JAY HARPER Phone: (208)645-2533

Address: 1926 S 2350 E
MALTA ID USA 83342

2. Date of Priority: 06/30/1985

3. Source: GROUND WATER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
13S	27E	31	NE NW		CASSIA
13S	27E	31	NE SE		CASSIA

5. Description of diverting works:

TWO WELLS (ONE WITH 100 HP, ONE WITH 75 HP) DELIVERING WATER INTO INTERCONNECTED MAIN LINES

TWO WELLS (ONE WITH 100 HP, ONE WITH 75 HP) DELIVERING WATER INTO INTERCONNECTED MAIN LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or) A.F.A
IRRIGATION	03/15	11/15	2.13

7. Total Quantity Appropriated is:
2.13 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13S	27E	31	NE NE		IRRIGATION	20
			NE NW		IRRIGATION	35
			NW NW		IRRIGATION	50
			NW SW		IRRIGATION	49
			NW SE		IRRIGATION	37
Section Acres						191
Total Acres						191

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

THIS IS AN EXPANSION CLAIM OF LICENSES 43-02330, 43-02528, 43-02295H, AND BENEFICIAL USE RIGHT 43-04166.

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

of _____ 20__

Notary Public

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

RECEIVED

AUG - 8 2000

Department of Water Resources
Southern Region

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

CIVIL CASE NUMBER: 39576

Ident. Number

A43-11235

Date Received

8/8/2000

Receipt Number

5023304

Please type or print clearly

1. Name of Claimant (s) D. Jay^{and}or Jeanette W. Harper Phone (208) 645-2533

Mailing Address 1926 S 2350E Maite, Idaho Zip 83342

2. Date of Priority (Only one (1) per claim) 6/30/1985

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

4. a. Location of existing point of diversion is: Township 135 Range 27E Section 31,
_____ 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Cassia

Additional points of diversion if any: T135 R27E S31 NESE

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.

2 Wells (one 100HP, one 75HP) delivering into interconnected
Main Lines

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 2.13 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.13 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is N/A 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	
135	27E	31	20	35			50	49	37										191

Total number of acres irrigated 191

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 ☒ 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.
1 or None (☒)

14. Remarks: This is an Expansion Claim of Licenses
43-02330, 43-2528, and 43-2295H; and Beneficial Use
Right 43-04166

Last Name Harper Ident No. A43-11235

Copies: White -State, Yellow-Claimant

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

Decree _____

If applicable provide IDWR Water Right Number _____

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) D. Jay Harper Date Aug. 8, 2000

Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 8th day of August 2000

SEAL

Notary Public T. Douglas Jones

Residing at Buhl ID

My Commission Expires 8/8/2001

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

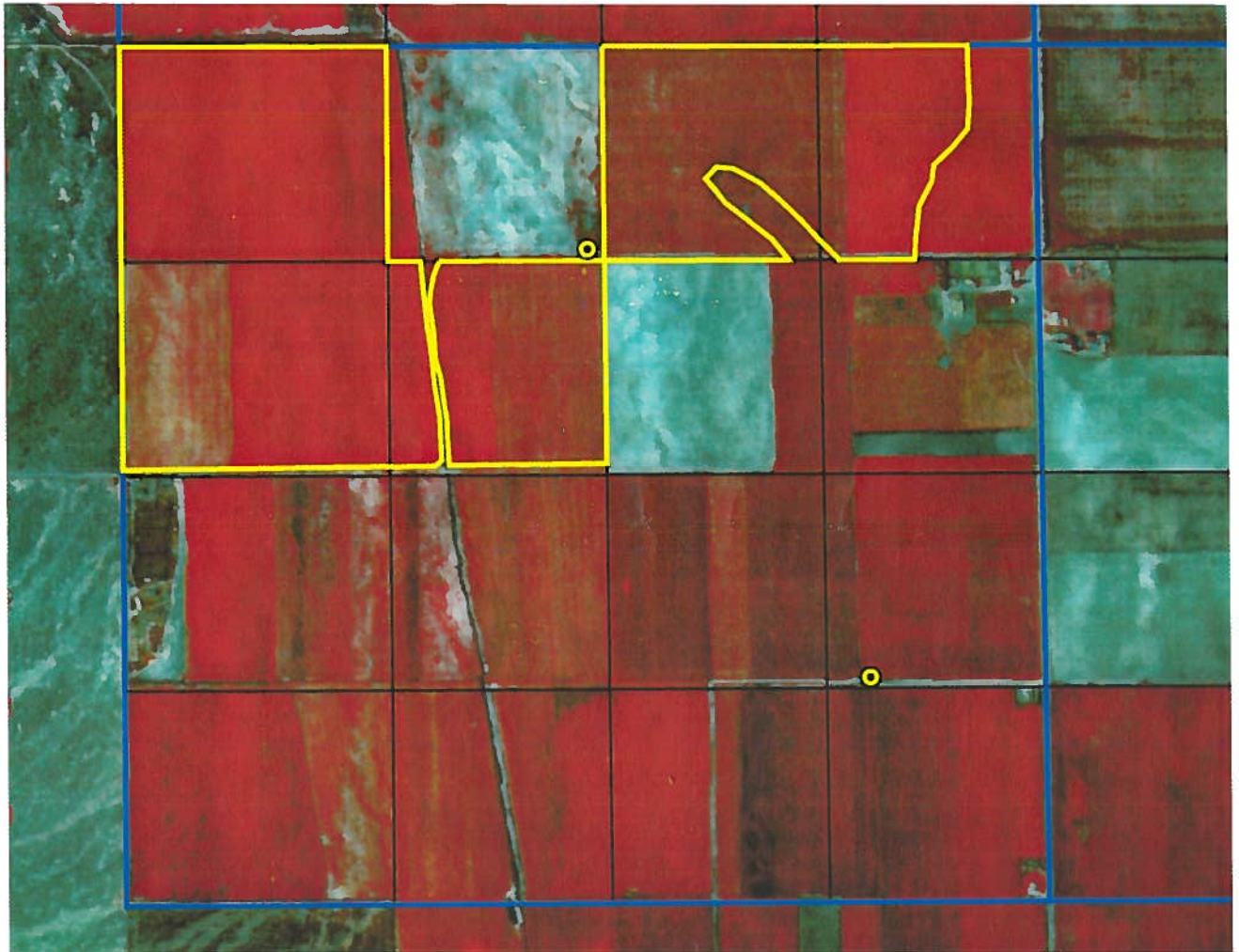
Date _____

Last Name Harper Ident. Number A43-11235

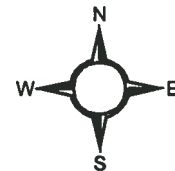
Copies White-State, Yellow-Claimant

IDAHO DEPARTMENT OF WATER RESOURCES

D JAY HARPER
A43-11235



T13S R27E S31



1320 0 1320 2640 3960 Feet

-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  40 ACRE TRACT LINES

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP BASE PHOTOGRAPH
DATA ENTERED BY: DOUGLAS JONES
DATE: 8/2000