

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: A43-10791
Date Received: 5/26/1989
Receipt No: S007349
Received By: _____

~~XXXXXXXXXX~~ NOTICE OF CLAIM TO A WATER RIGHT ~~XXXXXXXXXX~~
~~XXXXXXXXXX~~ ACQUIRED UNDER STATE LAW ~~XXXXXXXXXX~~

1. Name: ALAN J HARPER 208-645-2333
Address: 2436 E PIERCE LN
MALTA ID 83342
AND/OR
Name: BEVERLY K HARPER 208-645-2333
Address: 2436 E PIERCE LN
MALTA ID 83342

2. Date of Priority: APR 1, 1871

3. Source: RAFT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	27E	7	NW	SW	NE		CASSIA

5. Description of diverting works:
DAMS AND DITCHES TO SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.071		

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

8. Total consumptive use is 435.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DECREED FOR IRRIGATION BUT PRIMARY USE IS STOCKWATER.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	27E	31	SE	SE		IRR	30.0
Section Acres							30.0
14S	27E	6	NE	NE		IRR	30.0
			NE	SE		IRR	17.0
			NW	SE		IRR	10.0
			SW	SE		IRR	20.0
			SE	SE		IRR	38.0
Section Acres							115.0
Total Acres							145.0

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 REMARKS.

14. Remarks:

TRANS. 2505 & 665.

THIS CLAIM IS A COMBINATION OF A PORTION OF EACH OF THESE WR'S 43-00164 FOR 1.78" & 43-00175 FOR 1.78".

CALCULATIONS FOR THESE PORTIONS, CLAIMANT DIVIDED THE ORIGINAL TOTAL DECREE CFS BY 21. (21 PLACES MADE UP THE MALTA LAND AND IRRIGATION CO.) CLAIMANT HAS 1 1/2 PORTIONS.

OWNERSHIP CHANGE 12/31/91 BY JG.

CHANGED ADDRESS AS PER REQUEST RECEIVED 12/18/98. CT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.

Decree Plaintiff

JOBE ADAMS, ET. AL.

vs Decree Defendant



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

December 21, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ALAN J HARPER
BEVERLY K HARPER
2436 E PIERCE LN
MALTA ID 83342

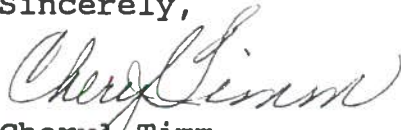
RE: Snake River Basin Adjudication (SRBA)
Notice of Claims No. A43-00165B, 00168B, 00169D, 00172B,
00173B, 02295F, 02331B, 02561, 10788, 10791, 10378,
10379, 10380, 02295G, 02527
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in Address on the water right claim(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,



Cheryl Timm
Records Clerk, SRBA

Enclosures



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

RECEIVED

DEC 18 1998

PHILIP E BATT
GOVERNOR

Department of Water Resources KARL J DREHER
Southern Region DIRECTOR

CHANGE IN ADDRESS

☐ Water Right Number(s): 43-00165B, 00168B, 00169D, ~~00170B~~, 00172B,

00173B, ~~00178B~~, 02295F, 02331B, 02561, 10788,

10791, 10378, 10379, 10380, 02295G, 02527

☐ Old Mailing Address:

Alan J. Harper

HC-72 Box 2074

Malta, ID 83342

☐ New Mailing Address:

Alan J. Harper

2436 E. Pierce Ln

Malta, ID 83342

☐ New Telephone Number: () -

☐ Signature of Claimant(s):

Date: 12-18-98

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: 12/18/98 By: CJ

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

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: **A43-10791**
Date Received: 5/26/1989
Receipt No: S007349
Received By: _____

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

1. Name: ALAN J. HARPER 208-645-2333
Address: HC 72 BOX 2074
MALTA ID 83342
AND/OR
Name: BEVERLY K. HARPER 208-645-2333
Address: HC 72 BOX 2074
MALTA ID 83342

2. Date of Priority: APR 1, 1871

3. Source: RAFT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	27E	7	NW	SW	NE		CASSIA

5. Description of diverting works:
DAMS AND DITCHES TO SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.071		

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

8. Total consumptive use is 435.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DECREE FOR IRRIGATION BUT PRIMARY USE IS STOCKWATER.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	27E	31	SE		SE		IRR	30.0
							Section Acres	30.0
14S	27E	6	NE		NE		IRR	30.0
			NE		SE		IRR	17.0
			NW		SE		IRR	10.0
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			SE		SE		IRR	38.0
							Section Acres	115.0
							Total Acres	145.0

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 REMARKS.

14. Remarks:

TRANS. 2505 & 665.

THIS CLAIM IS A COMBINATION OF A PORTION OF EACH OF THESE WR'S
43-00164 FOR 1.78" & 43-00175 FOR 1.78".

CALCULATIONS FOR THESE PORTIONS, CLAIMANT DIVIDED THE ORIGINAL
TOTAL DECREE CFS BY 21. (21 PLACES MADE UP THE MALTA LAND AND
IRRIGATION CO.) CLAIMANT HAS 1 1/2 PORTIONS.

OWNERSHIP CHANGE 12/31/91 BY JG.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS, ET. AL.
vs Decree 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/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 _____



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

31-Dec-1991 16:21

NANCY GARRETT
ESCROW DEPARTMENT
LAND TITLE AND ESCROW INC.
BOX 177
BURLEY ID 83318

Re: Ownership Change for Adjudication Claim No.(s): A43-02561/
A43-02295F/A43-00165B/A43-00173B/(A43-00164A) A43-10791/(A43-00166A)
A43-10788/A43-00172B/A43-00169D/A43-00168B - Elmo Elison and
Louise M. Elison

Dear Ms. Garrett:

Pursuant to the notification that you are representing the new claimants on the above-referenced Adjudication Claim(s), the Department has changed the record(s) of the current owner as you requested. Please note that A43-00164A was renumbered to A43-10791; A43-A00166A renumbered A43-10788. I am enclosing copies of the computerized claim(s).

Please review the record(s) and should you have any questions, please feel free to call this office.

Sincerely,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures

MICROFILMED

MAR 05 1993

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: **A43-10791**
Date Received: 5/26/1989
Receipt No: S007349
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ELMO ELISON
Address: HC 72 BOX 2180
MALTA ID

208-645-2544

83342

OR

Name: LOUISE ELISON
Address: HC 72 BOX 2180
MALTA ID

208-645-2544

83342

2. Date of Priority: APR 1, 1871

3. Source: RAFT RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
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5. Description of diverting works:
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6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.071		

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

A.F.A.

8. Total consumptive use is 435.0 Acre Feet Per Annum.

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							Section Acres	30.0
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			NE		SE		IRR	17.0
			NW		SE		IRR	10.0
			SW		SE		IRR	20.0
			SE		SE		IRR	38.0
							Section Acres	115.0
							Total Acres	145.0

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 REMARKS.

14. Remarks:

TRANS. 2505 & 665.

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TOTAL DECREE CFS BY 21. (21 PLACES MADE UP THE MALTA LAND AND
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15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS, ET. AL.
vs Decree Defendant

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: ¹⁰⁷⁹¹ A43-00164A
Date Received: 5/24/1989
Receipt No: 5007349
Received By: ADW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELMO ELISON 208-645-2544
Address: HC 72 BOX 2180
MALTA, ID 83342
OR
Name: LOUISE ELISON 208-645-2544
Address: HC 72 BOX 2180
MALTA, ID 83342

2. Date of Priority: APR 01, 1871

3. Source: RAFT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
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5. Description of diverting works:
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Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.071		

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

8. Total consumptive use is 435.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DECREED FOR IRRIGATION BUT PRIMARY USE IS STOCKWATER.

A43-00164A
¹⁰⁷⁹¹

Page 1

Date: 05/26/89

MICROFILMED
MAR 05 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	27E	31	SE		SE		IRR	30.0
							Section Acres	30.0
14S	27E	6	NE		NE		IRR	30.0
			NE		SE		IRR	17.0
			NW		SE		IRR	10.0
			SW		SE		IRR	20.0
			SE		SE		IRR	38.0
							Section Acres	115.0
							Total Acres	145.0

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43-00164 FOR 1.78" & 43-00175 FOR 1.78".

CALCULATIONS FOR THESE PORTIONS, CLAIMANT DIVIDED THE ORIGINAL
TOTAL DECREE CFS BY 21. (21 PLACES MADE UP THE MALTA LAND AND
IRRIGATION CO.) CLAIMANT HAS 1 1/2 PORTIONS.

****SEE REF. RT. A43-00165B FOR OTHER WR*****

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.

Decree Plaintiff

vs

JOBE ADAMS, ET. AL.

Decree Defendant

A43-00164A

10791

Page

2

Date: 05/26/89

MICROFILME

MAR 05 1993

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Elmo Gibson Date: 5-26-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of May 19 89

Al D. Wente
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/94

145

26E 27E

1



PM

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Well
46/9

247

19

24
A-13-00164 A

MICROFILMED

20-5
MAR 1955

1

COPY

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

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

JUL 24 1991

DATE OF CLOSING: July 19, 1991Department of Water Resources
Southern Region Office

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

If you have additional legal descriptions, please attach separate sheet.

See attached Exhibit "A" 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)
A 43-02561, A 43-02295F, A 43-00165B, A 43-00173B, A 43-00164A, A 43-10791
- [] Water Right Number(s) A 43-00166A, A 43-00172B, A 43-00169D, A 43-00168B
Assigned by IDWR: _____

- [] Name and Address of Former Owner/Claimant(s)(Seller): Elmo Elison and Louise M. Elison

HC-72 Box 2180Malta, Idaho 83342

- [] New Owner/Claimant (Purchaser):

Alan J. Harper and Beverly K. Harper

- [] New Mailing Address:

HC-72 Box 2074Malta, Idaho 83342

- [] New Telephone Number:

(208) 645-2333

- [] 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)

Alan J. HarperDate 7-19-91Beverly K. HarperDate 7-19-91

- [] Signature of Former Owner/Claimant(s):

Elmo ElisonDate 7-19-91Louise M. ElisonDate 7-19-91

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12/31/91 By: LC

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date: 12/31/91 By: LC

Claim Numbers of Split, if any:

MICROFILM

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

MAR 11 5 1993

EXHIBIT "A"

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

Section 31: E½SE½ SAVE AND EXCEPTING THEREFROM THE following
described tract:

Beginning at the Southeast corner of said Section
31; thence West along the South Section line for
50.0 feet; thence North 3.0 feet to THE TRUE
POINT OF BEGINNING;
Thence West 167 feet;
Thence North 1189 feet;
Thence East 167 feet;
Thence South 1189 feet to THE TRUE POINT OF
BEGINNING.

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

Section 31: E½W½SE½SE½

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

Section 6: E½ of Lot 1; E½SW½SE½; SE½SE½; E½W½ of Lot 1

Beginning at a point 660 feet South of the East
quarter corner of said Section 6;
Thence West 1980 feet;
Thence South 660 feet;
Thence East 1980 feet;
Thence North to The Point of Beginning.

SAVE AND EXCEPTING THEREFROM THE following
described tracts:

TRACT NO. 1:

Beginning at a point 660 feet South of the East
quarter corner of said Section 6, which point
shall be known as THE TRUE POINT OF BEGINNING;
Thence South along the East boundary of said
Section 6, a distance of 912 feet;
Thence West parallel to the South boundary of said
Section 6, a distance of 470 feet;
Thence North parallel to the East boundary of said
Section 6, a distance of 266 feet;
Thence East parallel to the South boundary of said
Section 6, a distance of 180 feet;
Thence North parallel to the East boundary of said
Section 6, a distance of 646 feet;
Thence East parallel to the South boundary of said
Section 6, a distance of 290 feet to THE TRUE
POINT OF BEGINNING.

TRACT NO. 2:

Beginning at a point 1980 feet West and 1320 feet
South of the East quarter corner of said Section
6;
Thence East 50 feet;
Thence North 50 feet;
Thence West 50 feet;
Thence South 50 feet to The Point of Beginning.

MICROFILME

MAR 05 1993

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

1

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

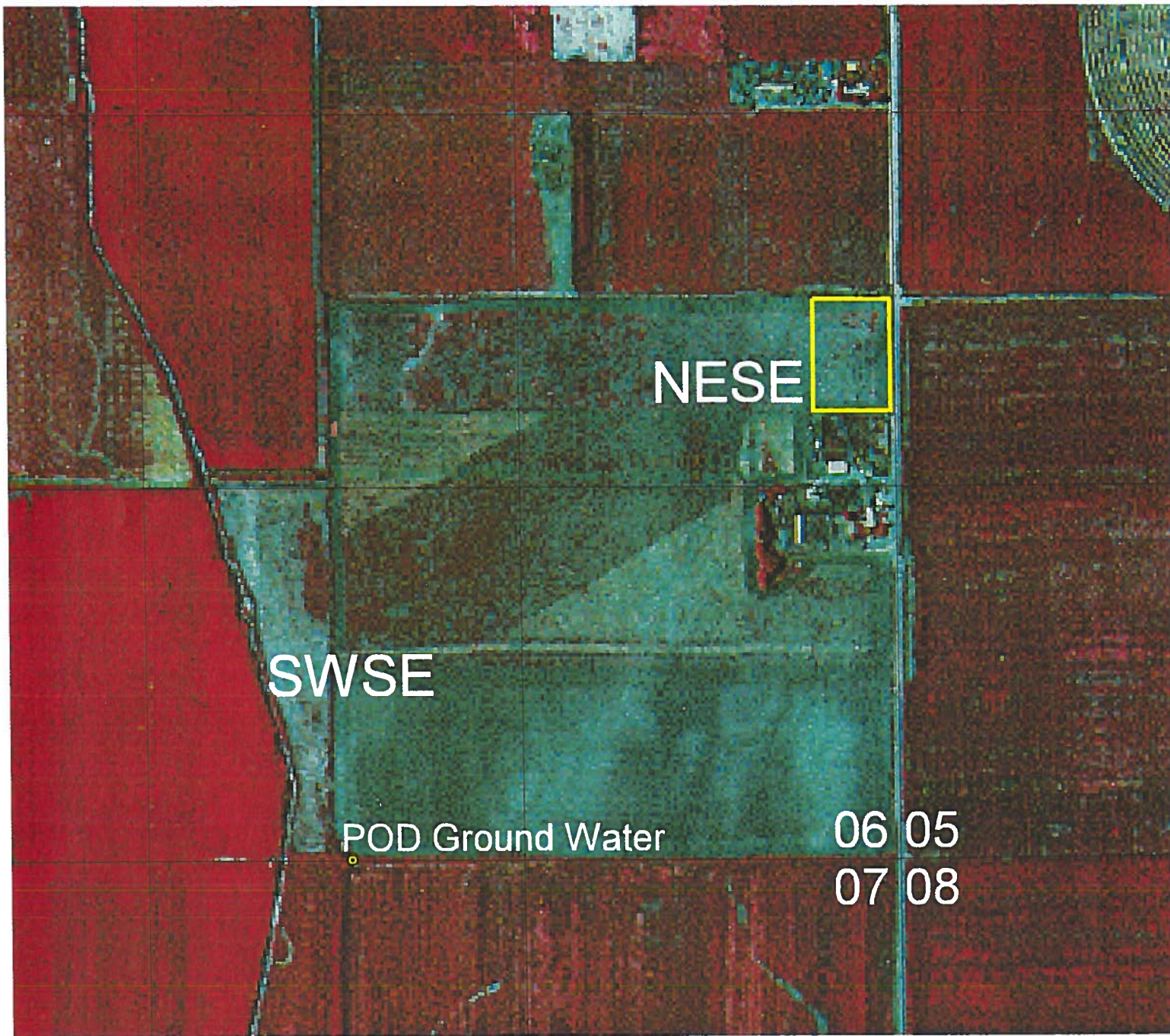
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 43-11265.

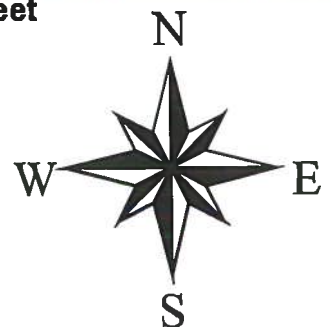
43-13079, 43-13081, 43-13083, 43-13085,
43-13087, 43-13089, 43-13091, 43-13093,
43-13095, 43-13097, 43-13099 and 43-13101



400 0 400 800 1200 Feet

T14S R27E S06

Map prepared by: Carter Fritschle
Date prepared: 07/30/01
1987-1988 NAPP photography
Idaho Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-13078 V1

WATER RIGHT NUMBER: 43-13078 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ELMO ELISON 2076 S 2350 E MALTA, ID 83342 (208)645-2544
Current Owner	BEVERLY K HARPER 2436 E PIERCE LN MALTA, ID 83342 (208)645-2333
Original Owner	LOUISE ELISON 2076 S 2350 E MALTA, ID 83342 (208)645-2544
Current Owner	ALAN J HARPER 2436 E PIERCE LN MALTA, ID 83342 (208)645-2333

Priority Date: 04/01/1871

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
RAFT RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/30 to 07/01	0.035 CFS	
<u>Total Diversion:</u>		0.035 CFS	

Location of Point(s) of Diversion

RAFT RIVER	NW1/4SW1/4NE1/4	Sec. 7,	Twp 14S,	Rge 27E, B.M.
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	
13S	27E	31																25.0	25.0
14S	27E	6	30.0												16.0	11.0	21.0	37.0	115.0
			L 1																

Total Acres: 140

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-13078 V1

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Quantity RIGHT NOS. 43-13078, 43-13080, 43-13082, 43-13084, 43-13086, 43-13088, 43-13090, 43-13092, 43-13094, 43-13098 AND 43-13100 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.86 CFS.
2. Place of Use - Irrigation RIGHT NOS. 43-13078, 43-13080, 43-13082, 43-13084, 43-13086, 43-13092 AND 43-13096 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 87.5 ACRES IN A SINGLE IRRIGATION SEASON.
3. Place of Use - Irrigation RIGHT NOS. 43-13078, 43-13080, 43-13082, 43-13084, 43-13086, 43-13088, 43-13090, 43-13092, 43-13094, 43-13096, 43-13098 AND 43-13100 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 140 ACRES IN A SINGLE IRRIGATION SEASON.
4. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 87.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 43-11265.

Comments:

1. CFRITSCH 7/9/2001 Split
Comment: Split from 43-11265 by change of ownership.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Split into 43-13078 & 43-13079

01/24/2001

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

RIGHT NUMBER: 43-11265

NAME AND ADDRESS: ALAN J HARPER
BEVERLY K HARPER
2436 E PIERCE LN
MALTA, ID 83342

SOURCE: RAFT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.036 CFS

RIGHT NOS. 43-02295F, 43-02561, 43-00165B, 43-00168B, 43-00169D, 43-00170B, 43-00172B, 43-00173B, 43-10788, 43-11265 AND 43-11266 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.09 CFS.

PRIORITY DATE: 04/01/1871

POINT OF DIVERSION: T14S R27E S7

NWSNE

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-30 07-01

QUANTITY
0.04 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T13S R27E S31	SESE	25	T14S R27E S6	LOT 1	NENE	30
T14S R27E S6	NESE	20	T14S R27E S6		NWSE	11
T14S R27E S6	SWSE	21	T14S R27E S6		SESE	37

144 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RIGHT NOS. 43-00165B, 43-00168B, 43-00172B, 43-00178C, 43-10788, 43-11265 AND 43-11266 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 90 ACRES IN A SINGLE IRRIGATION SEASON.

RIGHT NOS. 43-02295F, 43-02561, 43-00165B, 43-00168B, 43-00169D, 43-00170B, 43-00172B, 43-00173B, 43-00178C, 43-10788, 43-11265 AND 43-11266 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 144 ACRES IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

DATE: 12/18/98
PAGE: 1

Stage: DECREED

CASSIA County

"DO NOT FILM"



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

26-Nov-1991

R. KEITH HIGGINSON
Director

ELMO ELISON
LOUISE ELISON
HC 72 BOX 2180
MALTA ID 83342

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A43-00164A
Identification Number Change

Dear Mr. & Mrs. Elison:

The Identification Number of your Notice of Claim to a Water Right has been changed from A43-00164A to A43-10791. The change in numbers has been done to better reflect the fact that your Notice of Claim combined Decreed rights 43-00164 with 43-00175. This change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new Identification Number. Refer to this Identification Number in any future inquiries or correspondence.

Please do not hesitate to contact this office, if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads 'Jeanie'.

Jeanie Robertson
Records Clerk

Enclosure:
Copy of Claim A43-10791

MICROFILME

MAR 05 1993

Old (D) Number -

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Tested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	-
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DUE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		

MICROFILMED
MAR 05 1993

Water Right Number - A43-10791

Prefix Translation:

ADJUDICATION CLAIM

Old (D) Number -

*** C - CURRENT OWNER ***

ELISON

ELMO

1 - HC 72 BOX 2180
2 -
3 -
City- MALTA
Phone - 208-645-2544
1 - HC 72 BOX 2180
2 -
3 -

State- ID Zip- 83342

ELISON

LOUISE

City- MALTA
Phone - 208-645-2544

State- ID Zip- 83342

Priority Date - - - +
04/01/1871

Region - - - +
17 SOUTHERN

Stage - - - +
D - DECREED

Status - - - +

Source - - - - - +
RAFT RIVER

Tributary - - - - - +
SNAKE RIVER

Twn Rng Sec Tract Lot RFlg County Point of Diversion
14S 27E 7 NW SW NE (31) CASSIA

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 01/01 12/31 0.071

Total Div. Rate - - + - - Total Div. Volume - - +
0.071

Total Consumptive Use - - + - - KW Usage - - +
435.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
13S	27E	31	SE SE		30.0	01	IRRIGATION	(31) CASSIA	
14S	27E	6	NE NE		30.0	01	IRRIGATION	(31) CASSIA	
14S	27E	6	NE SE		17.0	01	IRRIGATION	(31) CASSIA	
14S	27E	6	NW SE		10.0	01	IRRIGATION	(31) CASSIA	
14S	27E	6	SW SE		20.0	01	IRRIGATION	(31) CASSIA	
14S	27E	6	SE SE		38.0	01	IRRIGATION	(31) CASSIA	

Total Acres: 145.0

- - - Diversion Means - DAMS AND DITCHES TO SPRINKLERS.
- - - Non-Irrigation Use - DECREED FOR IRRIGATION BUT PRIMARY USE IS STOCKWATER.
- - - Other Rights for Same Use - SEE REMARKS.

MICROFILMED
MAR 05 1993

Prefix Translation: ADJUDICATION CLAIM

TRANS. 2505 & 665.

THIS CLAIM IS A COMBINATION OF A PORTION OF EACH OF THESE WRS 43-00164 FOR 1.78" & 43-00175 FOR 1.78". CALCULATIONS FOR THESE PORTIONS, CLAIMANT DIVIDED THE ORIGINAL TOTAL DECREE CFS BY 21. (21 PLACES MADE UP THE MALTA LAND AND IRRIGATION CO.) CLAIMANT HAS 1 1/2 PORTIONS.

4300164
4300175

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

**Decree Plaintiff
AHO LAND CO.**

+ - - - Decree Defendant
JOBE ADAMS, ET. AL.

+ - Decree Date
10/18/1928

- - -Comments- -
No Comments Found

11/26/91 BAUMHOFF

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	- 05/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Received Number	- 500770	Judicial District	-

Receipt Number	- 5007347	Material District	- S
POU Ownership Flag	- Y	Federal/State Indicator	- D
Name Connector	- OR	Presumption Flag	-
		Notice of Error Flag	-

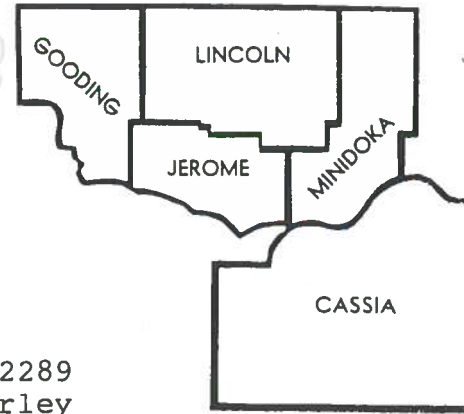
Civil Case Number	-	39576
Old Case Number	-	
Old Judicial District	-	
Temporary Right	-	P
Water District	-	
Federal/State Indicator	-	S
Presumption Flag	-	D
Notice of Error Flag	-	

MICROFILMED

MAR 05 1962

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #22289
OFFICE: Burley

July 23, 1991

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

RECEIVED

JUL 24 1991

Department of Water Resources
Southern Region Office

Dear Clerk:

Enclosed please find an original executed New Property Owner Notice of Change executed by Alan J. Harper and Beverly K. Harper and Elmo Elison and Louise M. Elison.

Please receipt for the enclosed copy and return to Land Title and Escrow.

Should you have any questions concerning this letter, please do not hesitate to contact this office.

Very truly yours,
LAND TITLE AND ESCROW, INC.

Nancy Garrett

Nancy Garrett
Escrow Department

/nrg
enc.

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

BOX 349, JEROME, IDAHO 83338
PHONE 324-4842 - FAX 324-8961

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

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

MICROFILM

MAR 05 1993

SD-33	Last Name: ELISON				STATE	
S	O					
E	W	Water	Priority		Total	Use
L	N	Right No.	Date	Source	Diversion	Code Des
-	-	-	-	-	-	-
ELISON						
LOIS	C	A43-00172A	04/01/1879	RAFT RIVER	0.381	01 IRR
ELMO	C	A43-00172B	04/01/1879	RAFT RIVER	0.229	01 IRR
LOUISE	C	A43-00178C	12/12/1911	RAFT RIVER	3.000	01 IRR
LANO	C	A43-10086	04/01/1871	RAFT RIVER	1.260	01 IRR
LOIS	C	A43-10086	04/01/1871	RAFT RIVER	1.260	01 IRR
ELMO	O	A43-00164A	04/01/1871	RAFT RIVER	0.071	01 IRR
				RENUMBERED		
				SPLIT RIGHT		
				COMBINED RI		
LOUISE	O	A43-00164A	04/01/1871	RAFT RIVER	0.071	01 IRR
				RENUMBERED		
				SPLIT RIGHT		
				COMBINED RI		
LOUISE	O	A43-00166A	04/01/1871	RAFT RIVER	0.758	01 IRR
				RENUMBERED		

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILME

MAR 05 1993

SD-36	Township: 13S	Range: 27E	Section: 31	Tract:	Lot:
S	L	STATE	O	S	Max # Records 116
E	O	Water	W	T	Priority Use
L	Tract T	Right No.	N	AC	Date Code Desc
SESE	A43-00164A	ELISON, ELMO	O	30	04/01/1871 01 IRR
		ELISON, LOUISE	O		
		RENUMBERED CLAIM	C		
		SPLIT RIGHT	C		
		COMBINED RIGHT	C		
SESE	A43-10791	ELISON, ELMO	C	30	D 04/01/1871 01 IRR
		ELISON, LOUISE	C		
SESE	A43-00170A	ELISON, LANO	C	10	D 04/01/1881 01 IRR
		ELISON, LOIS	C		

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILM
MAR 05 1991

SD-36	Township: 14S	Range: 27E	Section: 6	Tract:	Lot:
S	L	STATE	O	S	Max # Records 186
E	O	Water	W	T	Priority Use
L	Tract T	Right No.	N	AC	Date Code Desc
NENE		A43-00164A	O	30	04/01/1871 01 IRR
		ELISON, ELMO	O		
		ELISON, LOUISE	O		
		RENUMBERED CLAIM	C		
		SPLIT RIGHT	C		
		COMBINED RIGHT	C		
NENE		A43-10791	C	30 D	04/01/1871 01 IRR
		ELISON, ELMO	C		
		ELISON, LOUISE	C		
NENE	1	A43-10078	C	10 J	04/01/1987 01 IRR
		ELISON, LANO	C		
		ELISON, LOIS	C		
NWNE		A43-00168A	C	40 D	04/01/1879 01 IRR
		ELISON, LANO	C		
		ELISON, LOIS	C		
NWNE		A43-02324B	C	20 L	03/31/1950 01 IRR
		ELISON, LANO	C		
		ELISON, LOIS	C		43 DOME
NWNE		A43-02324B	C	L	03/31/1950 01 IRR
		ELISON, LANO	C		
		ELISON, LOIS	C		43 DOME
NWNE		A43-02546	C	20 L	04/17/1962 01 IRR
		ELISON, LANO	C		

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILM

MAR 05 1993

SD-36	Township: 14S	Range: 27E	Section: 6	Tract:	Lot:
S	L	STATE	O	S	Max # Records 180
E	O	Water	W	T	Priority
L	Tract T	Right No.	N	AC	G
		Name			
		Last, First			Date
					Code
					Desc
---	---	-----	---	---	-----
---	NENE	A43-00173B	ELISON, LOUISE	C	30 D 04/01/1882 01 IRR
---	NENE	A43-00178C	ELISON, ELMO	C	30 D 12/12/1911 01 IRR
---	NENE	A43-10086	ELISON, LOUISE	C	10 D 04/01/1871 01 IRR
---	NENE	A43-00168B	ELISON, LANO	C	10 D 04/01/1871 01 IRR
---	NENE	A43-00168B	ELISON, LOIS	C	30 D 04/01/1879 01 IRR
---	NENE	A43-02561	ELISON, ELMO	C	30 D 04/01/1879 01 IRR
---	NENE	A43-02561	ELISON, LOUISE	C	30 J 02/13/1956 01 IRR
---	NENE	A43-00166A	ELISON, ELMO	C	30 04/01/1871 01 IRR
---	NENE	A43-00166A	ELISON, LOUISE	O	30 04/01/1871 01 IRR
---	NENE	A43-10788	RENUMBERED CLAIM	O	30 04/01/1871 01 IRR
---	NENE	A43-10788	ELISON, ELMO	C	30 D 04/01/1871 01 IRR
---	NENE	A43-00170A	ELISON, LOUISE	C	30 D 04/01/1871 01 IRR
---	NENE	A43-00170A	ELISON, LANO	C	10 D 04/01/1881 01 IRR

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILM

MAR 05 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

R. KEITH HIGGINSON
Director

31-Dec-1991 14:46

ALAN J. HARPER
BEVERLY K. HARPER
HC-72 BOX 2074
MALTA ID 83342

Re: Ownership Change for Adjudication Claim NO.(S):
A43-02561/A43-02295F/A43-00165B/A43-00173B/(A43-00164A)
A43-10791/(A43-00166A)A43-10788/A43-00172B/A43-00169D
A43-00168B - ELMO ELISON AND LOUISE M. ELISON

Greetings New Applicant(s):

Pursuant to the notification that you presently own the property in which the above-referenced Adjudication Claim(s) is appurtenant, the Department has changed the record of the current owners as you requested. Two of the above listed claims have had a number change. Please find enclosed a copy of the computer record of the claim(s) noting the change in Claimant(s).

Please review the records and if you have any corrections or questions, please free to call me at 736-3033 or write to my attention.

Sincerely,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures

MICROFILM

DEC 11 1993

Water Right Number - A43-00164A Prefix Translation: ADJUDICATION CLAIM Old (D) Number -
 + - - - - Last Name - - - - + + - First Name - - - - + - - - - - Address - - - - - +
 *** C - CURRENT OWNER ***
 RENUMBERED CLAIM

1 -
 2 -
 3 -
 City- N
 Phone - 208-000-0000
 State- ID Zip- 0
 SPLIT RIGHT

1 -
 2 -
 3 -
 City- N
 Phone - 208-000-0000
 State- ID Zip- 0
 COMBINED RIGHT

*** O - ORIGINAL OWNER ***
 ELISON ELMO
 1 - HC 72 BOX 2180
 2 -
 3 -
 City- MALTA
 Phone - 208-645-2544
 State- ID Zip- 83342

ELISON LOUISE
 1 - HC 72 BOX 2180
 2 -
 3 -
 City- MALTA
 Phone - 208-645-2544
 State- ID Zip- 83342

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
 04/01/1871 17 SOUTHERN 2 - SEE REMARKS
 + - - - - Source - - - - + + - - - - Tributary - - - - - +
 RAFT RIVER
 RENUMBERED CLAIM
 SPLIT RIGHT
 COMBINED RIGHT
 SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
 Twn Rng Sec Tract Lot Rflg County
 14S 27E 7 NW SW NE (31) CASSIA
 Code Description Period From Period To Water Use Diversion Rate Diversion Volume
 01 - IRRIGATION 01/01 12/31 0.071

MICROFILME

MAR 05 1993

Water right number - A43-00164A

Prefix Translation: ADJUDICATION CLAIM

+ - Total Div. Rate - + - Total Div. Volume - +
0.071+ - Total Consumptive Use - + - KW Usage - +
435.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
13S	27E	31	SE SE		30.0		01	IRRIGATION	(31) CASSIA
14S	27E	6	NE NE		30.0		01	IRRIGATION	(31) CASSIA
14S	27E	6	NE SE		17.0		01	IRRIGATION	(31) CASSIA
14S	27E	6	NW SE		10.0		01	IRRIGATION	(31) CASSIA
14S	27E	6	SW SE		20.0		01	IRRIGATION	(31) CASSIA
14S	27E	6	SE SE		38.0		01	IRRIGATION	(31) CASSIA

Total Acres: 145.0

+ - - Diversion Means - DAMS AND DITCHES TO SPRINKLERS.

+ - - Non-Irrigation Use - DECREED FOR IRRIGATION BUT PRIMARY USE IS STOCKWATER.

+ - - Other Rights for Same Use - SEE REMARKS.

REMARKS
TRANS. 2505 & 665.
THIS CLAIM IS A COMBINATION OF A PORTION OF EACH OF THESE WR'S
43-00164 FOR 1.78" & 43-00175 FOR 1.78".
CALCULATIONS FOR THESE PORTIONS, CLAIMANT DIVIDED THE ORIGINAL
TOTAL DECREE CFS BY 21. (21 PLACES MADE UP THE MALTA LAND AND
IRRIGATION CO.) CLAIMANT HAS 1 1/2 PORTIONS.*****RENUMBERED CLAIM *****
BECAUSE THIS CLAIM COMBINED TWO SPLITS OF TWO DIFFERENT DECREES
IT HAS BEEN RENUMBERED TO : A43-10791 ALB 11-26-91

OWNERSHIP CHANGE 12/31/91 BY JG. WILL CHANGE A43-10791.

+ - - - - - No Old Water Right Numbers Found - - - - - Old Water Right Numbers - - - - - +

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.+ - - - - - Decree Plaintiff - - - - - +
ALBION-IDAHO LAND CO. JOBE ADAMS, ET. AL. Decree Date - +
10/18/1928+ - - - - - Comments - - - - - +
No Comments Found+ - - - - - Audit Fields - - - - - +
12/31/91 GIVENS

MICROFILME

MAR 05 1993

Water right number - A43-00164A

Prefix Translation: ADJUDICATION CLAIM

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +	
Court Report Filing	- 00/00/0000
Objection Filed Date	- 00/00/0000
Response Filed Date	- 00/00/0000
Claim Received Date	- 05/26/1989
Field Inspection Made	- 00/00/0000
Field Inspection Flag	- 00/00/0000
Verified Date	- 00/00/0000
Last Amended Date	- 00/00/0000
Receipt Number	- X777777
POU Ownership Flag	- Y
Name Connector	- OR
Civil Case Number	- 39576
Old Case Number	-
Old Judicial District	-
Temporary Right	- P
Water District	-
Federal/State Indicator	- S
Presumption Flag	- D
Notice of Error Flag	-

MICROFILME
MAR 0 5 1993