

Split into 43-13080 & 43-13081

01/24/2001

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

RIGHT NUMBER: 43-11266

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

NWSWNE

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

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

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.

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

RIGHT NOS. 43-02295F, 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.

07/30/2001

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

RIGHT NUMBER: 43-13080

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

SOURCE: RAFT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.035 CFS

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.

PRIORITY DATE: 04/01/1871

POINT OF DIVERSION: T14S R27E S7 NWSWNE 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	0.04 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T13S R27E S31	SESE	25	T14S R27E S6	LOT 1	NENE 30
T14S R27E S6	NESE	16	T14S R27E S6		NWSE 11
T14S R27E S6	SWSE	21	T14S R27E S6		SESE 37

140 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 87.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

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.

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.

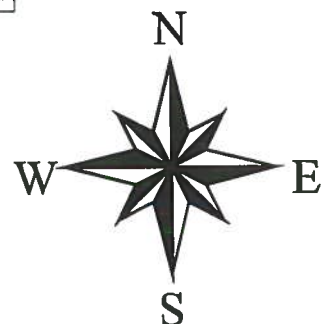
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 43-11266.

**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**



800 0 800 1600 2400 Feet

**T13S R27E S31
T14S R27E S06**



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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 14, 2000

ELMO ELISON
LOUISE ELISON
HC 72 BOX 2180
MALTA, ID 83342

RE: Snake River Basin Adjudication (SRBA) Claim Nos. 43-00165B, 43-00168B, 43-00169D,
43-00170B, 43-00172B, 43-00173B, 43-00178C, 43-02295F, 43-02561, 43-10788 and 43-10791

Dear Claimants:

I am reviewing the Notices of Claim to a Water Right that you filed in 1989 for the irrigation of land in Township 13 South, Range 27 East, Section 31 and Township 14 South, Range 27 East, Section 6 (the claim numbers are referenced above.) In 1991 Idaho Department of Water Resources (IDWR) received a change of ownership for most, if not all of these rights, indicating you had sold the place of use for the water rights to Alan and Beverly Harper. However, there is some confusion with the claim numbers that are listed on the change of ownership, because some numbers listed do not have a corresponding claim, and some of the identification numbers for the claims you filed are not listed on the change of ownership.

Therefore, I am requesting confirmation that the property you conveyed in 1991 to the Harpers included all of the irrigation rights that were claimed for these lands.

Please contact me at (208) 327-7939 or you may leave a message for me by calling the Adjudication Hotline at 1 (800) 451-4129.

Sincerely,

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

RECEIVED

DEC 08 2000

Department of Water Resources

St. George, Ut

12-4-2000

Dept. of Water Resources

Dear Mr. Fritschle;

I recieved your letter of Nov. 14, 00 and am writing concerning the questions you ask.

We come to St. George for the winters and so I have no records or documents here to try and go over the water rights you have ~~inquired~~ inquired about. All of my papers, documents, contracts & etc., also Alan & Beverly Harper, are some 600 miles from here. Would it be alright with you if you set this matter aside until April 1st, when we come back to Idaho, and then I could get with Alan and go over everything and see where the mistakes are.

- 2 -

I'm sorry there is a mix-up
and will be glad to get
it straightened out, and hope
it can be put on hold until
April when I come home and
can have access to the documents
I'll need to clear the matter.

Thanking you, I remain.

Sincerely

Edmo Edison

448 E. Telegraph
Washington, Utah

84780

Cherokee Springs RV
55