

188
50
#238

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: A36-07025
Date Received: 1/26/1990
Receipt No: 5011069
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLYDE G. HARPER 208-438-5862
Address: RT. 2 BOX 2642
PAUL, ID 83347

Name: VONDA M. HARPER 208-438-5862
Address: RT. 2 BOX 2642
PAUL, ID 83347

2. Date of Priority: NOV 21, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	21E	32		SE	SW		JEROME
09S	21E	5		SW	NE		JEROME

5. Description of diverting works:
PUMP, PIPES, SPRINKLER & DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.880		752.00

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

8. Total consumptive use is 564.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A36-07025

Page 1

Date: 01/26/90

MICROFILMED
FEB 02 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	21E	32	SW	SW		IRR	17.0
			SE	SW		IRR	9.0
						Section Acres	26.0
09S	21E	5	NW	NW	4	IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	8.0
			NE	SW		IRR	36.0
			NW	SW		IRR	38.0
						Section Acres	162.0
						Total Acres	188.0

11. Place of use in counties: JEROME

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

13. Other Water Rights Used:
A36-02385

14. Remarks:
THE MAX. COMBINED RATE OF DIV. UNDER THIS RT. & RT. 36-2385
SHALL NOT EXCEED 3.12 CFS.

15. Basis of Claim: LICENSE
Water Right Number: 41548

MICROFILMED
FEB 02 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): Clyde L. Harper Date: 1/26/90
Date:

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 26 day

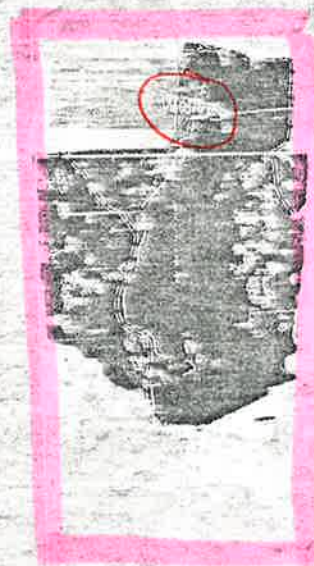
of Jan 19 90

Lon White
Notary Public

Seal

Residing at TF

My Commission Expires 5/94



MICROFILMED
FEB 02 1993

Water Right Number - 36-07025

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 41548

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HARPER

CLYDE G.

1 - RT. 2 BOX 161

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone -

HARPER

VONDA M.

1 - RT. 2 BOX 161

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
11/21/1966 17 L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
08S 21E 32 SE SW (53) JEROME
09S 21E 5 SW NE (53) JEROME+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.880 752.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.880 752.00 3.120+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 21E 32 SW SW 17.0 01 IRRIGATION (53) JEROME
08S 21E 32 SE SW 9.0 01 IRRIGATION (53) JEROME
09S 21E 5 NW NW 4 40.0 01 IRRIGATION (53) JEROME
09S 21E 5 SW NW 40.0 01 IRRIGATION (53) JEROME
09S 21E 5 SE NW 8.0 01 IRRIGATION (53) JEROME
09S 21E 5 NE SW 36.0 01 IRRIGATION (53) JEROME
09S 21E 5 NW SW 38.0 01 IRRIGATION (53) JEROME

Total Acres: 188.0

+ - - Diversion Means - PUMP, PIPES, SPRINKLER & DITCHES.

+ - - Non-Irrigation Use -

Proof Due Date	-	05/01/1978	Field Exam Made	-	07/27/1983	Field Exam Fee	-	
Approved/Denied	-	05/03/1968	Protested Date	-	00/00/0000	Swan Falls	-	Z
Proof Made Date	-	05/01/1978	Hearing Date	-	00/00/0000	Temporary Right	-	P
Start Work Date	-	00/00/0000	Verified Date	-	12/30/1986	DLE/Carey Act	-	D
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-	
Licensed Date	-	10/31/1986	Appl Received	-	00/00/0000	Transfer/Amended	-	
Decree Date	-	00/00/0000						

WATER RIGHT LICENSE

License of Water Right No. 36-7025

- Priority November 21, 1966 Amount 1.88 cfs
- Harper & Yonda M. Harper

THIS IS TO CERTIFY, that Paul, Idaho Clyde G. Harper & Yonda M. Harper Priority November 21, 1966 Amount 1.88 cfs
of No. 36-7025, has complied with the terms and conditions of Permit
and has submitted proof to the Department of Water Resources on November 21, 1966
that he has applied water to a beneficial use; an examination on May 1, 1978
capacity for the diversion of _____

No. 36-7025, Harper & Yonda M. Harper, has complied with the terms and conditions of Permit
and has submitted proof to the Department of Water Resources on November 21, 1966
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 3.12 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use
<u>Irrigation</u>	

Beneficial Use Irrigation from March 15 to November 15 at 1.83 Rate of Diversion Annual Volume 752.0 acre feet

from _____ to _____ at _____ cfs and _____

from _____ to _____ at _____ cfs and _____

(both dates inclusive)

Subject, however, to the condition that _____ cfs and _____

Subject, however, to the condition that no more than 1.88 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 752.0 acre feet per year, said waters to be diverted within the SE 1/4 Section 32, Twp 8S., Rge 21E in the County of Jerome

Description and location of place of use:

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

RECEIVED
APR 26 1973
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR EXTENSION OF TIME

State of Idaho)
County of Jerome)

Permit No. 36-7025

Clyde G. & Vonda M. Harper of Rt 2, Box 161, Paul, Idaho
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder, of Permit to appropriate the Public Waters of the State of Idaho No. 36-7025.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before May 1, 1973.

That he has heretofore performed the following work described under said permit:
(SE 1/4, Sec. 32, T. 8 S., R. 21 E., B.M.) 340' well with 10" casing with 250HP

turbine pump. 10" mainline to 160 acre center pivot sprinkler system and 5"
mainline to 80 acres with lateral sprinkler lines

Costing \$ 40,800

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Desert entry was not allowed until 3 years after the application was filed. The applicant therefore has not had the maximum allowable time to complete the works.

Wherefore, he asks that the Department of Water Administration extend the time for the completion of obligations under said permit to May 1, 1978.

Vonda M. Harper Clyde G. Harper
(signature)

Subscribed and sworn before me this 26th day of April, 1973.

seal

Walter W. Higgs
(notary public)

My commission expires 5/14/74

ACTION OF THE DEPARTMENT OF WATER ADMINISTRATION

I, R. Keith Higginson, Director of the Idaho Department of Water Administration,
State of Idaho, hereby approve the above application for extension of time for Permit No.
36-7025 to May 1, 1978.

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Clyde G. & Vonda M. Harper, Route 2; Box 161,
Paul, Idaho, have ~~has~~ received an approved Permit No.
36-7025 issued by the Idaho Department of Water Administration auth-
orizing the diversion ~~storage~~ of 9.6 cubic feet per second ~~surface~~
~~permanence~~ of water from a ground water source.
The priority to be established under this permit is November 21, 1966,
and the permit was approved May 3, 1968.

Water is to be diverted by wells and pumps
from a point within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, Twp. 9 S, Rge. 21 E, B.M. and
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, Twp. 8 S, Rge. 21 E, B.M., Jerome County,
to be used for irrigation and domestic purposes
in the E $\frac{1}{2}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 5, Twp. 9 S, Rge. 21 E, B.M.

Proof of the application of the water to beneficial use ~~was~~ ~~submitted~~
submitted to the Department on ~~xxxxxxx~~ . Any protest
against the issuance of the license for the above referenced permit should
be filed with the Idaho Dept. of Water Administration, Statehouse, Boise,
Idaho, 83707, within ten (10) days of the last date of publication of this
notice ~~no person shall be entitled to the right of the water to be used for any purpose~~
~~except as provided in the license or as provided in the rules and regulations of the department~~

R. KEITH HIGGINSON

Director

Published in the North Side News, at Jerome, Idaho,
on and .

APPROVED

NEER

into the public waters of the State of
D

and conditions

shall be submitted on or

ring device of a type approved

Reclamation Engineer

R 2/E

T
8
5

or

T
9
5



P.P.

NOT FOUND

W.P.P.

MICROFILMED

FEB 20 1983



These lands irrigated formerly well but not owned by Mr. Harper. Mr. Harper does not want these lands licensed.

250 H.P. Motor

Cryer Duster P. No. 1111

14 1/4 mile line

Lic 36-2385
 Lands irrigated 310 acres
 Additional lands recommended to be licensed 188 acres

MICROFILMED

FEB 02 1993

7/91

"SIKES" ACT
 BLM LAND
 No Water Right
 7/11/95

RECEIVED

DEC 02 1999

Department of Water Resources
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576) NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS
Water Rights 36-02385 and 36-07025

IDWR has completed the following Administrative Proceeding:

- ☒ Change of Address
☐ Substitution of Party
☐ I.C. 42-222 Transfer

CHANGE OF ADDRESS

Name of Claimant: CLYDE G HARPER
New Address: 353 S CRESTVIEW RD
PAUL ID 83347
Phone: (208) 438-5862

Claimant's Water Rights: 36-02385 and 36-07025

The Claimant has filed Objections or Responses to the following water rights:

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
8/11/1999

36-02385 AND 36-07025

PAGE 1

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED:

10/06/99



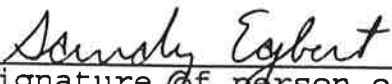
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11-1-99 I mailed the original
and copies of this form to the following persons, postage prepaid
and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Each party in the subcase, or attorney of record:

CLYDE G HARPER
VONDA M HARPER
353 S CRESTVIEW RD
PAUL ID 83347
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-30-1999
PAGE: A-25

RIGHT NUMBER: 36-07025

NAME & ADDRESS: CLYDE G HARPER
VONDA M HARPER
353 S CRESTVIEW RD
PAUL ID 83347

SOURCE: GROUNDWATER

QUANTITY: 1.88 CFS

RIGHTS 36-07025 AND 36-02385 ARE LIMITED TO A COMBINED
DIVERSION RATE OF 3.12 CFS, A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 1240 AF.

PRIORITY DATE: 11/21/1966

POINT OF DIVERSION: T08S R21E S32 SWSSEW Within JEROME County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	03-15 11-15	1.88 CFS

PLACE OF USE:	IRRIGATION	Within JEROME County
	T08S R21E S32	SWSW 37
	T09S R21E S05	Lot 3 (NENW)40
		Lot 4 (NWNW)40
		NESW 36
		SESW 39
		NWSW 38
		SWNW 40
		SENEW 40
	310 ACRES TOTAL	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 188 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON
AND WHEN COMBINED WITH RIGHT 36-02385 IS LIMITED TO 310 ACRES.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
RIGHTS 36-02385 AND 36-07025 ARE DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0898
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

AUG 09 1999

August 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CLYDE G HARPER
VONDA M HARPER
353 S CRESTVIEW RD
PAUL ID 83347

RE: Snake River Basin Adjudication (SRBA)
Water Rights #36-02385, 36-07025 & 36-13877

Dear Water Right Holders:

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by August 16, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.

Clyde Harper

438 5862

IDAHO DEPARTMENT OF WATER RESOURCES

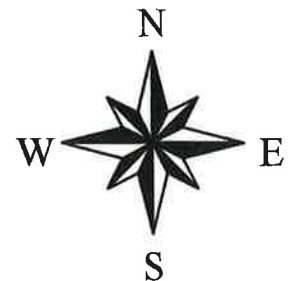
36-02385 & 36-07025

CLYDE HARPER



660 0 660 1320 Feet

TNS 8S, RNG 21E, SEC 32
TNS 9S, RNG 21E, SEC 5



-  A & B IRRIGATION DISTRICT PLACE OF USE
-  A & B IRRIGATION DISTRICT BOUNDARY
-  RECOMMENDED POINT OF DIVERSION
-  RECOMMENDED PLACE OF USE
-  SECTION LINES
-  QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY NOVEMBER 1997
BY JEANIE ROBERTSON



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

*make
a layout
for this*

August 20, 1997

Clyde Harper
349 N 1650 W
Paul, ID
83347

RE: Irrigation Of SE 1/4 Sec. 5 T. 9S R. 21E

Dear Mr. Harper;

It has come to our attention that you are irrigating the above-referenced land under the Sikes Act in cooperation with the Bureau of Land Management. While you irrigate the west half of Sec. 5 under Water Licenses 36-02385 and 36-07025, I find no record of water rights or claims on the BLM land. According to the Shoshone office of the BLM, you have been irrigating this property since 1977. They also told me that you have agreed to continue irrigating the land through 2001.

Irrigation without water rights is illegal under Idaho law, however, and it is our responsibility to stop this practice when it is discovered. You have the option of filing an expansion claim in the Snake River Basin Adjudication. If the claim is accepted and eventually decreed, it will allow you to continue irrigating the BLM ground as long as your licensed flow rate is not exceeded. The BLM told me that they have no plans to file a claim on this ground, even though they want such claims to be put in their name once filed by the irrigator. If you do choose to file a claim on this ground, please contact the SRBA staff at our Twin Falls office for assistance.

If you do have a water right for the BLM land that has not been properly recorded, please identify this right so that our records can be corrected. Otherwise, you should cease irrigation of this land until a water right is obtained. You can also obtain an existing groundwater right and transfer it to this ground on an acre-for-acre basis. If you wish to go the transfer route, I can assist you with the paperwork if you so desire.

Please contact me on this matter by September 4. Please note that



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

illegal water diversion carries a fine of up to \$100. per day under Sec. 42-352 of the Idaho Code for every day that a cease-and-desist order is violated. This letter is not an order, but rather an attempt to obtain your cooperation in this matter.

Regards,

James E. Stanton
Sr. Water Resource Agent

cc: Joe Russell, Shoshone BLM Office
Allen Merritt, IDWR -

TO: Allen, Jeannie

DATE: August 28, 1997

FROM: Jim Stanton

SUBJECT: Possible Illegal Diversion, Clyde Harper

436-06//

Today I spoke with Jeff Harper (son of Clyde) on this matter. He told me that the subject ground (SE 1/4 Sec. 5 T. 9S R. 21E) is irrigated with wastewater from the A & B Irrigation District. This land is just west of the A & B system, and apparently there is a drain ditch at the very west end of A & B that Mr. Harper pumps out of to run a pivot on BLM land. Jeff said that the right to use this water was decreed in a court case about 10 years ago, but we never received a copy of the case. Jeff will try to get us a letter explaining the situation, plus a copy of the decree. This may be enough to establish a water right, and may even take it out of the purview of the SRBA. Once we get the case, the legal staff will probably need to study it to see if an SRBA claim is needed to maintain the right.

Based on the above, I see no reason to issue a cease-and-desist order at this time. Even if the 1987? court case is not a sufficient basis for a water right, it should be easy enough to approve a water permit for this use. BLM records show the use started in 1977, so we should be able to grandfather in a permit despite the moratorium. This use actually helps A & B reduce its reliance on injection wells to get rid of its wastewater, so they support this use (according to Jeff).

cc: Joe Russell, Shoshone BLM office, PO Box 2B 83352

TO: Allen, Jeannie

DATE: August 28, 1997

FROM: Jim Stanton

SUBJECT: Possible Illegal Diversion, Clyde Harper

As a follow-up to my memo of earlier today, I spoke to Dan Temple of the A & B Irrigation District (he actually called me). He told me that the drain that Mr. Harper pumps out of is within the District, but the place of use is outside the District. A & B claims ownership of this water, and would protest any filings on it by other parties. The District sells permits for the use of the water, and Mr. Harper has a permit for 200 acres from them. Their attorney is out of town until September 8, and they will have more information once he returns. I told Mr. Temple that we would not take further action until we receive their full response. I'm not sure if they can legally issue permits to the use of water on land outside their system, so it will be interesting to see how this thing finally comes out. It is likely that other, as-yet undiscovered, water users will also be affected by this. I guess Mr. Harper will be a test case.

R PROOF

CVR

MAPS

PHOTOS

MISC



MICROFILMED

FEB 02 1993

VERIFIED BY See

Water Right Number - R36-07025

Prefix Translation: RESEARCH

Old (D) Number - 41548

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

HARPER

CLYDE G

1 - RT 2 BOX 2642

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-5862

HARPER

VONDA M

1 - RT 2 BOX 2642

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-5862

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
11/21/1966 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +

Twn	Rng	Sec	Tract	Lot	RFlg	County
08S	21E	32	SW SE SW		(53)	JEROME

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15		1.880	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.880 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	21E	32	SW SW		37.0	01	IRRIGATION	(53) JEROME
08S	21E	32	SE SW		39.0	01	IRRIGATION	(53) JEROME
09S	21E	5	NE NW	3	40.0	01	IRRIGATION	(53) JEROME
09S	21E	5	NW NW	4	40.0	01	IRRIGATION	(53) JEROME
09S	21E	5	SW NW		40.0	01	IRRIGATION	(53) JEROME
09S	21E	5	SE NW		40.0	01	IRRIGATION	(53) JEROME
09S	21E	5	NE SW		36.0	01	IRRIGATION	(53) JEROME
09S	21E	5	NW SW		38.0	01	IRRIGATION	(53) JEROME

Total Acres: 310.0

+ - - Diversion Means - PUMP, MAINLINE, SPRINKLER & DITCHES.

+ - - Non-Irrigation Use -

MICROFILMED
FEB 02 1993

Water right number - R36-07025

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - 36-02385

+ - - - - - Remarks - - - - - +
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 188 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-02385 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF
THESE RIGHTS IS LIMITED TO 3.12 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1240 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 930 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.

+ - - - - Old Water Right Numbers - - - - - +
3607025

+ - - - - Conditions of Approval - - - - - +
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT
- TO IDAHO CODE 42-1416A.
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

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

+ - - - - Comments - - - - - +
Date: 12/02/1991 User Id: CLELLAND Subject: COPIED FROM REMARKS
THE MAX. COMBINED RATE OF DIV. UNDER THIS RT. & RT. 36-2385 SHALL NOT EXCEED 3.12 CFS.

+ - - Audit Fields - - +
12/02/91 CLELLAND

VERIFIED BY

+ - - - - 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	- 12/02/1991	Old Judicial District	-
Claim Received Date	- 01/26/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S011069	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	-

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:10:43
12/06/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07025

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE, SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			<i>NOB</i> 02/08/91			<i>sw</i> 12-2-91	<i>sw</i> 12-2-91	
POINT OF DIV	<i>Y</i>		7-11-91	<i>N</i>	1,4,5,6			
SOURCE				<i>N</i>				
PLACE OF USE	<i>Y</i>			<i>N</i>	1,4,5,6			
DIV. AMOUNT CFS/VOLUME				<i>N</i>	6.			
CONSUMPTIVE USE				<i>N</i>	6			
PURPOSES				<i>N</i>				
PERIOD OF USE				<i>N</i>				
BASIS OF CLAIM				<i>N</i>				
REMARKS	<i>Y</i>			<i>N</i>	6			

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MICROFILMED
FEB 02 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:10:45
12/06/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07025

LAST: HARPER
ADDRESS: RT. 2 BOX 2642
CITY: PAUL
PHONE NUMBER: 208-438-5862

FIRST: CLYDE G.
STATE: ID ZIP: 83347

OWNER CODE: C

LAST: HARPER
ADDRESS: RT. 2 BOX 2642
CITY: PAUL
PHONE NUMBER: 208-438-5862

FIRST: VONDA M.
STATE: ID ZIP: 83347

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
✓

CLAIM REMARKS: THE MAX. COMBINED RATE OF DIV. UNDER THIS RT. & RT. 36-2385
SHALL NOT EXCEED 3.12 CFS.

MICROFILMED
FEB 02 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 02/08/91

APPOINTMENT MADE: Y(____) N(✓)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

Ortho Quad BB26 (Hazelton NE 7 1/2') c. 1976

MICROFILMED
FEB 02 1993

A. AJ CLAIM: # A36-07025 PRIORITY DATE: 11-21-1966 STAGE: L
B. WR RECORD: # 36-07025 PRIORITY DATE: 11-21-1966 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS:

MICROFILMED
FEB 02 1993

=====

RECOMMENDED PRIORITY DATE:
11-21-1966

REVIEWED BY *N. P. Brown*

DATE 02/08/91

=====

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07025	09S	21E	5	?	SW	NE		JEROME
A36-07025	08S	21E	32	SW	SE	SW		JEROME

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-02385 NONE

WR RECORDS IN SAME 40 ACRE TRACT
36-02385

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-07025	09S	21E	5	?	SW	NE		JEROME
36-07025	08S	21E	32	SW	SE	SW		JEROME

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A36-02385 NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
	Y	N	Y	X
	N		N	

REMARKS:

POD in Section 5 is not defined in claim or on other maps available. Section 32 POD is shown on Ortho Quad as described in SW 1/4, SE 1/4, SW 1/4.

* per field exam by Norm Brown - POD in Sec. 5 not found

see 2-2-91

MICROFILMED
FEB 02 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4 1/4 LOT COUNTY

~~9S 21E 5~~
~~8S 21E 32~~
~~SW~~ Same
Same

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: N. D. Brown

DATE: 02/08/91

Delete S. 5 POD

12-2-91 sc

C03

MICROFILMED
FEB 02 1993

A. ROOT WATER RIGHT NUMBERS: A36-07025

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES	
09S	21E	5	NW	NW	4	HARPER , CLYDE G.	A36-07025 /40.0	36-07025 /40.0	42.0	40	40	
09S	21E	5	SW	NW		HARPER , CLYDE G.	A36-07025 /40.0	36-07025 /40.0	40.0	40	40.0	
09S	21E	5	SE	NW		HARPER , CLYDE G. HARPER , CLYDE G.	A36-07025 / 8.0 A36-02385 /32.0	36-07025 / 8.0 36-02385 /32.0	41.0	40	8	
09S	21E	5	NE	SW		HARPER , CLYDE G.	A36-07025 /36.0	36-07025 /36.0	36.0	36	36.0	
09S	21E	5	NW	SW		HARPER , CLYDE G.	A36-07025 /38.0	36-07025 /38.0	35.0	36	36	
08S	21E	32	SW	SW		HARPER , CLYDE G. HARPER , CLYDE G.	A36-07025 /17.0 A36-02385 /20.0	36-07025 /17.0 36-02385 /20.0	42.0	17	17	
08S	21E	32	SE	SW		HARPER , CLYDE G. HARPER , CLYDE G.	A36-07025 / 9.0 A36-02385 /30.0	36-07025 / 9.0 36-02385 /30.0	39.0	9	9	
TOTAL ACRES							A36-07025	188.00	188.00	275.00	185	188

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(X) N(✓)
IF YES SEE ATTACHED SHEET:

Note: PIVOT HAS NO WATER RT.

See A36-02385

C. FIELD EXAM REQUIRED?

Pivot was irrigated in NAPP photo

DUE TO POU DISCREPANCY? (Y/N)

DATABASE Y FIELD EXAMINER N

→ NENW 5.5 (LOT 3)

40

40

P.P.U. TOTAL 310

PRESUMPTION FLAG:

REMARKS:

Irrigated acreages as shown on both claims conform to NAPP 1987 aerial photography record. (#371-25 dated 7-13-87)

Both WRs are combined in one system to irrigate the described P.P.U. of 310 Acres.

RECOMMENDATIONS:

TOTAL ACRES:

188 / 310 P.P.U.

REVIEWED BY:

J. P. Brown

DATE:

02/08/91

12-2-91

See

Rev P.P.U.

40

40

40

36

38

37

39

270

40

40

40

40

40

40

40

40

40

40

40

40

40

40

40

40

40

40

40

40

A. AJ CLAIMED USES:

A36-07025 PURPOSES
IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.880 CFS 752.00 AF/A
1.880 CFS

B. WR RECORDED USES:

36-07025 PURPOSES
IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.880 CFS 752.00 AF/A
1.880 CFS 752.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE FIELD
EXAMINER
N N
N N
N N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N(☐) Explain in remarks, below.

REMARKS:

Period of use standard is 3-15 to 11-15 irrig year.

MICROFILMED
FEB 02 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.880 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.880 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
Y N

MICROFILMED
FEB 02 1993

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☐) IF YES COMPLETE OVERLAP REVIEW.

✓ DONTE

OTHER RIGHTS LISTED IN CLAIM: A36-02385

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-07025	GROUNDWATER	HARPER , CLYDE G.	1.880	0.010		
A36-02385	GROUNDWATER	HARPER , CLYDE G.	2.160	0.017		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

4.04

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 188 x 0.02 CFS/ACRE = 3.76 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 564.0 AF/A

ACRES 188 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =
TOTAL CONSUMPTIVE USE 564 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 188 x DIVERSION VOL. AF/A FOR AREA 4 =
TOTAL DIVERSION VOLUME 752 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

This right when combined with #02385 shall not exceed
combined licensed rates of 4.04 CFS or Consumptive use of 930 AFA.
and or total Diversion volume of 1240 AFA Ann.

A36-07025 irrigated acres = 188

A36-02385 " " = 122

Total " " = $310 \times 3 = 930$ AFA Cons. Use
1240 AF Volume

$310 \times 3 = 930$ AF
 $\times 4 = 1240$ AF

well capacity = 3.12 cfs

1b. CALCULATIONS
limited by well cap. 3.12 cfs

MICROFILMED
FEB 02 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER 1.880 ✓	DATABASE EXAMINER ~~752.00~~ ✓	DATABASE EXAMINER ~~564.0~~ ✓
TOTAL FOR THIS RIGHT		1.880 1.88	Ø	~~564.0~~ Ø
REVIEWED BY: <u>Y. P. B.</u>		DATE: <u>02/08/91</u>		

CROFILMED
FEB 02 1993

K06
E07
E01

C03
C05

See 12-2-91

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07025

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.880

EXAMINER
N/A

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-07025	1.880	-		36-07025	1.880
TOTAL CFS		1.880				1.880

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

Steve Callahan 12-2-91

MICROFILMED
FEB 02 1993

A36-02385 and
 CLAIM A36-07025 INIT SW
 T. R. S. Q/Q
 P/D 8S 21E 32 SWSESW
 PHOTO BB26 (SE)
 DT.&ID. 1976

MICROFILMED
 FEB 02 1993



T8S

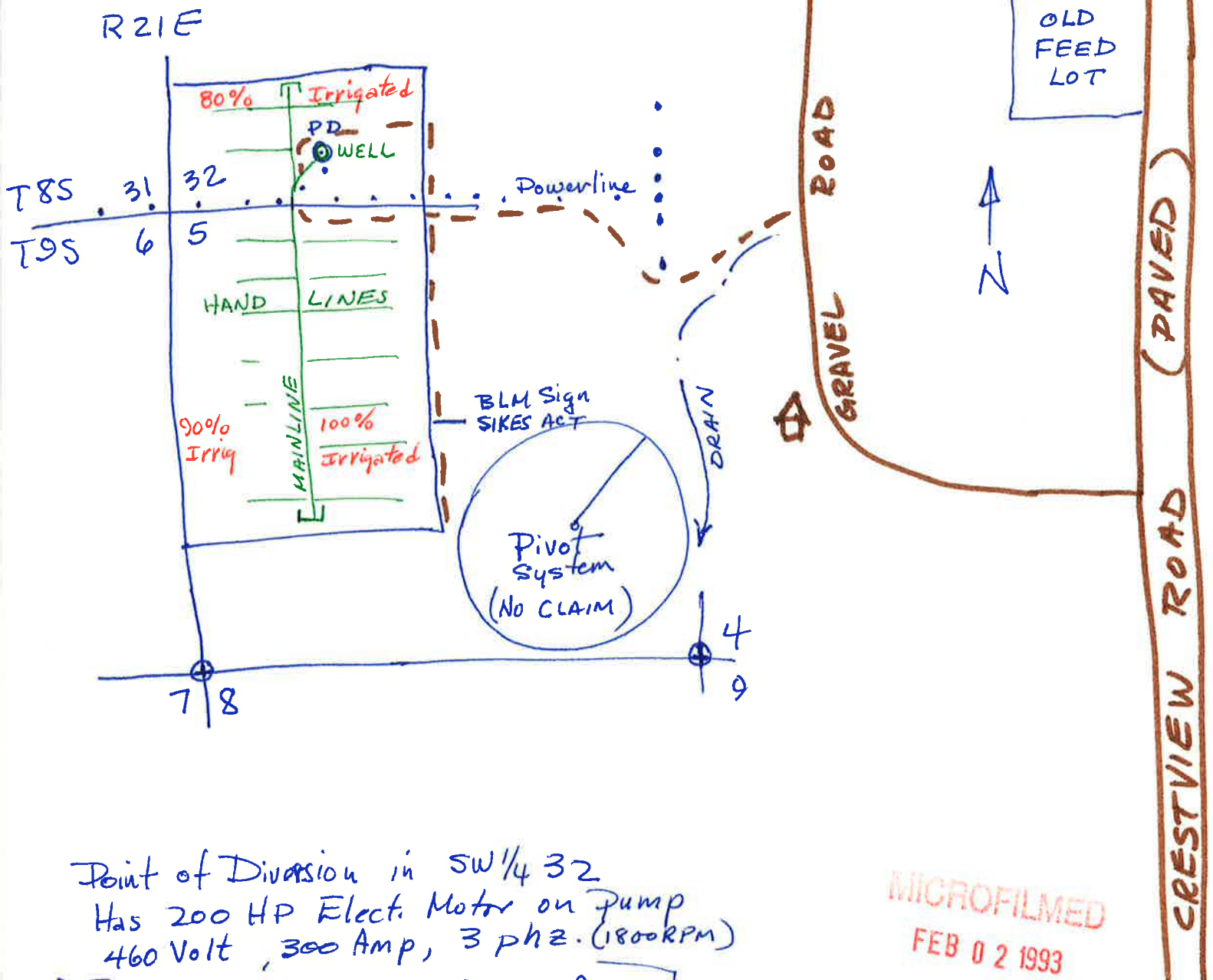
T9S

R20 E

R21 E

Clyde Harper claims "SKETCH"

A36-02385 and 07025



Point of Diversion in SW 1/4 32
Has 200 HP Elect. Motor on Pump
460 Volt, 300 Amp, 3 phz. (1800RPM)

[No other P.D. was found for
lands owned by Harpers.]

MICROFILMED
FEB 02 1993

BASED ON FIELD EXAM
OF 7/11/91 MOPG



Clyde Harper

A36 # - 02385
H36 # - 07025

32

2385 = 20 7025 = 17 37✓	2385 = 30 7025 = 9 39✓
07025 = 40	2385 = 40 ac
07025 = 40	02385 = 32 07025 = 8 Total 40
07025 = 38	07025 = 36

POB
SW SE SW
200 HP Motor

S32 = { 37
39

POB ?
⊙

S S

{ 40
40
40
40
38
36

Total = 310 Acres
X .02
6.20 cfs

5

NPB
02/08/91

Claimed Acres

CFS Comp

A36-02385 = 122 acres
11-07025 = 188 "
Total = 310

122 X .02 = 2.44 cfs Claimed
188 X .02 = 3.76 cfs "

1" pure Total = 6.20 cfs

2.16
1.88
4.04 Total Claimed

MICROFILMED
FEB 02 1993

24

25

11

ODD

KEY TO HOUSE NUMBERS

R211E

SANDERS

H&S FARMS

WOLTERS

Butte

MAY

H&S FARMS

MURPHY

SCHENK

KNIEP

MAXFIELD

PHILLIPS

BROWN

THACKER

SCHAEFFER

MAY

GOOLD

SCHENK

LARSEN

HANAMI

PHILLIPS

WHISTLER

ROOST
POTATO

H&S FARMS

MURPHY

BYWATER

TOMIN

AGAI

HANSEN FARMS

IDA WOOD FARMS

HARPER

SCHENK

CARNEY

LEGALT

SOHM

WEBSTER

WOODWARD

CARNEY

TORIX

WINDY HILL RANCH

STEPP

SCHAEFFER

TUCKNESS

MURPHY

HARPER

KELISEK

BW

BW

MICROFILMED
FEB 02 1993