

JUL 24 2020

DEPT OF WATER RESOURCES  
SOUTHERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 84244

**MINIMUM REQUIREMENTS CHECKLIST**  
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Name of Applicant(s) HARPER VALLEY LAND LLC

**Check whether each item below is attached (Yes) or not applicable (N/A) for the proposed transfer.**Yes N/A \*Means the item is always required and must be included with the application.

- ☒ \* Completed Application for Transfer of Water Right form, Part 1.
- ☒ \* Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ \* Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
- ☒ \* Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ \* Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

**Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.**

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☒ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ \* #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☐ #9 Other. Please describe: \_\_\_\_\_

JUL 24 2020

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESDEPT OF WATER RESOURCES  
SOUTHERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1Name of Applicant HARPER VALLEY LAND LLCPhone 208-670-0582Mailing Address 2045 E 850 S, DECLO ID 83323Email dharper8520@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative \_\_\_\_\_

Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_

Email \_\_\_\_\_

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☐ Send original correspondence to the applicant and copies to the representative.☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Harper Valley Land LLC by Darin Harper Harper Valley Land, LLC 7-22-2020  
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

## A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	43-2356A	No	No	No	Yes	No	No
	43-2441B	No	No	No	Yes	No	No
	43-4022A	No	No	No	Yes	No	No
	43-4023A	No	No	No	Yes	No	No
	43-4024C	No	No	No	Yes	No	No

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

Application proposes adding a point of diversion to a group of five irrigation ground water rights, so each right will have two authorized PODs after the transfer. Additionally, the 10 acre tract designation for the PODs will be dropped from each right, so that they will be described down to the 40 acre tract.

**B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.**

1. Detailed Water Right Description(s) Attached labeled Part 1.

**Summary of Water Rights After the Approved Change**

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-4024C	0.270 cfs	131.0 af	173.0	256.4		N/A	N/A	N/A	N/A
43-2356A	1.400 cfs	458.4 af	114.6	256.4		N/A	N/A	N/A	N/A
43-4023A	0.430 cfs	88.0 af	22.0	256.4		N/A	N/A	N/A	N/A
43-4022A	0.830 cfs	168.0 af	42.0	256.4		N/A	N/A	N/A	N/A
43-2441B	1.990 cfs	510.0 af	127.5	256.4		N/A	N/A	N/A	N/A

**COMBINED  
TOTALS**

4.800 cfs	1,025.6 af	256.4	256.4	N/A	N/A	N/A	N/A
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2. Total amount of water proposed to be transferred or changed 4.8 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No.** 43-4024C

Current Water Right Owner  
HARPER VALLEY LAND  
LLC  
2045 E 850 S  
DECILO, ID 83323

Priority Date: 4/1/1954

Origin: Water Right

Basis: Decreed

Status Active

**Source:** GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.270 CFS	131.0 AFA	
Total Diversion			0.270 CFS	131.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSE	Sec. 31 Twp 11S Rge 27E CASSIA County
GROUND WATER	SWSE	Sec. 31 Twp 11S Rge 27E CASSIA County

**Place of Use:** IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	27E	31	27.0	30.0	35.0	38.0									36.4	32.5	31.5	26.0	256.4

Right Acre Limit: 173.0

POU Total Acres: 256.4

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No.** 43-2356A

Current Water Right Owner

HARPER VALLEY LAND  
LLC  
2045 E 850 S  
DECLO, ID 83323

Priority Date: 9/8/1950

Origin: Water Right

Basis: Decreed

Status Active

**Source:** GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.400 CFS	458.4 AFA	
Total Diversion			1.400 CFS	458.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSE	Sec. 31 Twp 11S Rge 27E CASSIA County
GROUND WATER	SWSE	Sec. 31 Twp 11S Rge 27E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	27E	31	27.0	30.0	35.0	38.0									36.4	32.5	31.5	26.0	256.4

Right Acre Limit: 114.6

POU Total Acres: 256.4

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No.** 43-4023A

Current Water Right Owner

HARPER VALLEY LAND  
LLC  
2045 E 850 S  
DECLO, ID 83323

Priority Date: 4/1/1954

Origin: Water Right

Basis: Decreed

Status Active

**Source:** GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.430 CFS	88.0 AFA	
Total Diversion			0.430 CFS	88.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSE	Sec. 31 Twp 11S Rge 27E CASSIA County
GROUND WATER	SWSE	Sec. 31 Twp 11S Rge 27E CASSIA County

**Place of Use:** IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	27E	31	27.0	30.0	35.0	38.0									36.4	32.5	31.5	26.0	256.4

Right Acre Limit: 22.0

POU Total Acres: 256.4

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No.** 43-4022A

Current Water Right Owner  
HARPER VALLEY LAND  
LLC  
2045 E 850 S  
DECLO, ID 83323

Priority Date: 1/1/1953

Origin: Water Right

Basis: Decreed

Status Active

**Source:** GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.830 CFS	168.0 AFA	
Total Diversion			0.830 CFS	168.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSE	Sec. 31 Twp 11S Rge 27E CASSIA County
GROUND WATER	SWSE	Sec. 31 Twp 11S Rge 27E CASSIA County

**Place of Use:** IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	27E	31	27.0	30.0	35.0	38.0									36.4	32.5	31.5	26.0	256.4

Right Acre Limit: 42.0

POU Total Acres: 256.4



**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No. 43-2441B**

Current Water Right Owner  
HARPER VALLEY LAND  
LLC  
2045 E 850 S  
DECLO, ID 83323

Priority Date: 3/5/1956

Origin: Water Right

Basis: Decreed

Status Active

**Source: GROUND WATER**

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.990 CFS	510.0 AFA	
Total Diversion			1.990 CFS	510.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSE	Sec. 31 Twp 11S Rge 27E CASSIA County
GROUND WATER	SWSE	Sec. 31 Twp 11S Rge 27E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	27E	31	27.0	30.0	35.0	38.0									36.4	32.5	31.5	26.0	256.4

Right Acre Limit: 127.5

POU Total Acres: 256.4



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future

Currently one well with measuring device, mainlines that connect to three pivots. Panel is capable of putting a locking device on main disconnect if it should be required.

- b. Who owns the property at the point(s) of diversion

Harper Valley Land, LLC

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

No, ☐ If Yes, ☒

Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

No effect on the land other than increasing water availability to a sustainable amount.

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

No change in the use of any other water rights.

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

☐  
☐  
☐  
☐

☒  
☒  
☒  
☒

undergone a period of five or more consecutive years of non-use,  
currently leased to the Water Supply Bank,  
currently used in a mitigation plan limiting the use of water under the right, or  
currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.





IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.





IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.  
If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.
- ☐

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

*No supplemental rights have been used.*

FOR DEPARTMENT USE ONLY

Transfer Contains 19 pages and 1 attachments.

Received By DM Date 7-24-2020 Prelim. Check By \_\_\_\_\_ Date \_\_\_\_\_

Fee Paid \$820- Date 7-24-2020 Received By DM Receipt # 5038044

Add'l Fee Paid \_\_\_\_\_ Date \_\_\_\_\_ Received By \_\_\_\_\_ Receipt # \_\_\_\_\_

G & S Land LLC  
196 N. 840 E.  
Declo, ID 83323  
July 23, 2020

RECEIVED

JUL 24 2020

DEPT OF WATER RESOURCES  
SOUTHERN REGION

Idaho Department of Water Resources  
650 Addison Ave. West Suite 500  
Twin Falls, ID 83301

To Whom it may concern:

As the lien holder on the property owned by Harper Valley Land, I have no objection to adding a point of diversion as proposed in Water Right transfer number 84244.

Thank you,

G & S Land LLC

Gary B. Harper

Handwritten signature of Gary B. Harper in cursive script, written over a horizontal line.

Susan Harper

Handwritten signature of Susan Harper in cursive script, written over a horizontal line.

TRANSFER 84244

Attachment #6



0003610103

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0003610103

Date Filed: 8/29/2019 7:45:42 PM

## Entity Name and Mailing Address:

**HARPER VALLEY LAND, LLC**

The file number of this entity on the records of the Idaho Secretary of State is: 0000140967

Address 2045 E 850 S  
DECLO, ID 83323-5083

## Entity Details:

Entity Status Active-Existing

This entity is organized under the laws of: IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W42979

## The registered agent on record is:

Registered Agent DARIN HARPER  
Registered Agent  
Physical Address  
2045 EAST 850 SOUTH  
DECLO, ID 83323  
Mailing Address

## Limited Liability Company Managers and Members

Name	Title	Address
DARIN HARPER	Manager	2045 EAST 850 SOUTH DECLO, ID 83323
TAYNA HARPER	Member	2045 EAST 850 SOUTH DECLO, ID 83323
JONATHAN T HARPER	Member	2040 EAST 850 SOUTH DECLO, ID 83323
ALEXANDRIA HARPER	Member	2040 EAST 850 SOUTH DECLO, ID 83323
ASHLEY HARPER	Member	2053 EAST 800 SOUTH DECLO, ID 83323
NOLAN G HARPER	Member	2053 EAST 800 SOUTH DECLO, ID 83323

The annual report must be signed by an authorized signer of the entity.

*Darin Harper*

Sign Here

*08/29/2019*

Date

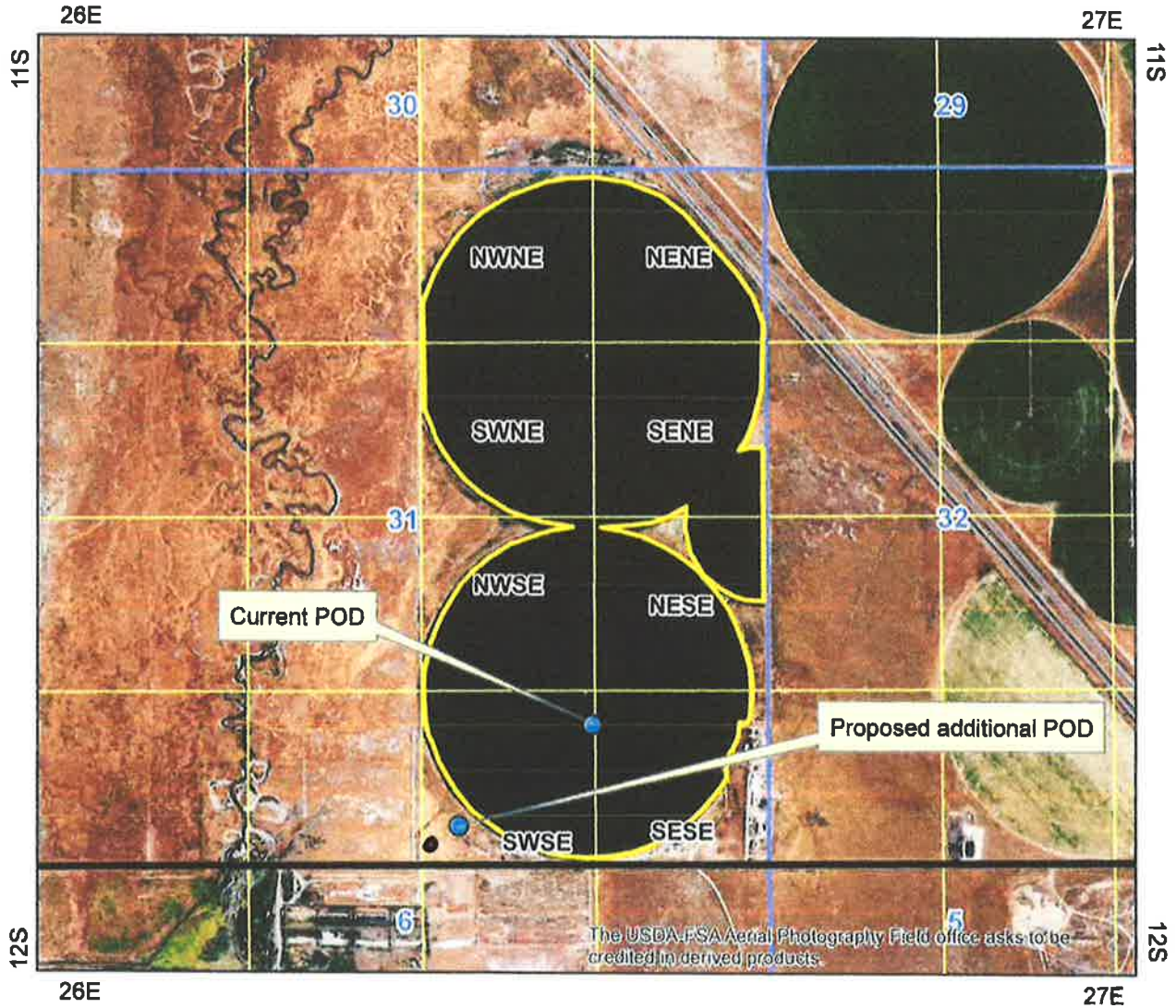
Signer's Title: Manager

B0336-1779 08/29/2019 7:45 PM Received by ID Secretary of State Lawrence Denney



State of Idaho  
Department of Water Resources

**Transfer #84244**  
**Harper Valley Land, LLC**



- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.15 0.3 0.6 Miles



**TRANSFER 84244**





State of Idaho

## DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

July 30, 2020

HARPER VALLEY LAND LLC  
2045 E 850 S  
DECLO, ID 83323

RE: Transfer No. 84244

Water Right No(s). 43-2356A, 43-2441B, 43-4022A, 43-4023A, 43-4024C

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 8/6/2020 and 8/13/2020**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **August 24, 2020**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

*Denise Maline*

Denise Maline  
Administrative Assistant 1



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

July 30, 2020

WATER DISTRICT 143  
NATHAN ERICKSON  
650 ADDISON AVE W STE 500  
TWIN FALLS, ID 83301-5858

RE: Application for Transfer No. 84244 (Harper Valley Land LLC)

Dear Nathan:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:  
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

*Denise Maline*

Denise Maline  
Administrative Assistant 1

Enclosure(s)

**Maline, Denise**

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**From:** Maline, Denise  
**Sent:** Thursday, July 30, 2020 8:48 AM  
**To:** Times News  
**Subject:** LEGAL NOTICE  
**Attachments:** Times News cover letter.docx; Times News ad.docx

Attached please find (1) legal notice being submitted for publication on August 6<sup>th</sup> & 13<sup>th</sup>, 2020. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline  
Administrative Assistant  
Idaho Dept of Water Resources, Southern Region  
650 Addison Ave W, Ste 500  
Twin Falls, ID 83301  
(208) 293-9908  
[denise.maline@idwr.idaho.gov](mailto:denise.maline@idwr.idaho.gov)



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

July 30, 2020

**LEGAL NOTICE DEPARTMENT**

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 84244

Water Right No(s). 43-2356A, 43-2441B, 43-4022A, 43-4023A, 43-4024C

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before August 24, 2020. Your cooperation is appreciated.

Sincerely,

*Denise Maline*

Denise Maline

Administrative Assistant 1

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 84244**

HARPER VALLEY LAND LLC, 2045 E 850 S, DECLO, ID 83323 has filed Application No. 84244 for changes to the following water rights within CASSIA County(s): Right No(s). 43-2356A, 43-2441B, 43-4022A, 43-4023A, 43-4024C; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to add a point of diversion to a group of five ground water irrigation rights with a combined flow rate of 4.8 cfs. The new well will be located approximately 7.5 miles north and 1.4 miles east of Malta. After the transfer, the five ground water rights will be authorized to divert up to 4.8 cfs from two wells.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **August 24, 2020**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director  
Published on August 6<sup>th</sup> & 13<sup>th</sup>, 2020

## TRANSFER SYNOPSIS

**Date:** July 28, 2020  
**To:** Transfer 84244, Harper Valley Land, LLC file  
**From:** Jim Bitzenburg  
**Re:** Summary of transfer

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Application for transfer proposes to add a point of diversion to a group of five ground water irrigation rights with a combined flow rate of 4.8 cfs. The new well will be located approximately 7.5 miles north and 1.4 miles east of Malta. After the transfer, the five ground water rights will be authorized to divert up to 4.8 cfs from two wells.

The applicant also requests to drop the 10 acre (QQQ) description from the PODs on all five rights.

The transfer will be advertised because it proposes adding a ground water POD in the Raft River Critical Ground Water Area, and since it is located in Water District 143, watermaster comments will be solicited.

The rights involved in the transfer include: 43-2356A (1.4 cfs, 114.6 acres, 458.4 AF), 43-2441B (1.99 cfs, 127.5 acres, 510.0 AF), 43-4022A (0.83 cfs, 42.0 acres, 168.0 AF), 43-4023A (0.43 cfs, 22.0 acres, 88.0 AF), and 43-4024C (0.27 cfs, 173.0 acres, 131.0 AF).

## FEE MEMORANDUM

**Date:** July 28, 2020  
**To:** Harper Valley Land, LLC Transfer #84244 File  
**From:** Jim Bitzenburg  
**Re:** Receipting/disposition of fees paid

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This transfer was filed on July 24, 2020 and its purpose is to add a second point of diversion (well) to five ground water irrigation rights with a combined diversion rate of 4.8 cfs. Since this entire rate could be diverted from the new well, the fee from the transfer fee schedule is \$820.00 which was paid by Harper Family Partnership; Darin or Nolan Harper, with check #5608 at the time of filing. The IDWR receipt number is S038044.