

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 83898

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED
FEB 25 2020

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) ALAN J HARPER AND BEVERLY K HARPER

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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 25 2020

DEPT. OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant ALAN J HARPER Phone (208) 645-2333
Mailing Address 1978 S 2350 E, MALTA ID 83342-8645 Email alan8285r@atcnet.net
Name of Applicant BEVERLY K HARPER Phone (208) 645-2333
Mailing Address 1978 S 2350 E, MALTA ID 83342 Email alan8285r@atcnet.net

- NA ☒ 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**.
- NA ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- NA ☒ 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**.
- NA ☒ 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


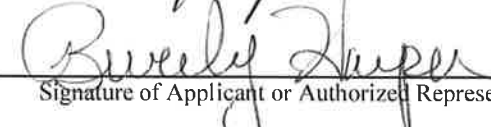
☐ Send original correspondence to the applicant and copies to the representative.

☐ 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.

 Alan Harper owner 2/24/2020
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date
 Beverly Harper - owner 2-24-20
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
	43-2295K	No	No	No	Yes	No	No
	43-2454	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**

Transfer proposes adding an additional POD to two ground water irrigation rights, 43-2454 and 43-2295K.

- 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
43-2454	2.400 cfs	708.0 af	N/A	177.0		N/A	N/A	N/A	N/A
43-2295K	0.970 cfs	560.0 af	140.0	177.0		N/A	N/A	N/A	N/A
COMBINED									
TOTALS	3.370 cfs	708.0 af	N/A	177.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 3.37 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. 43-2454

Current Water Right Owner

ALAN J HARPER
1978 S 2350 E
MALTA, ID 83342-8645

And

BEVERLY K HARPER
1978 S 2350 E
MALTA, ID 83342

Priority Date: 12/31/1956

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	2.400 CFS	708.0 AFA	
Total Diversion			2.400 CFS	708.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER
GROUND WATER

NWNE
SENE

Sec. 7 Twp 14S Rge 27E CASSIA County
Sec. 7 Twp 14S 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	
14S	27E	6												40.0			19.0		59.0
14S	27E	7	39.0	39.0			40.0												118.0

POU Total Acres: 177.0

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

Proposed Water Right No. 43-2295K

Current Water Right Owner

ALAN J HARPER
1978 S 2350 E
MALTA, ID 83342-8645

OR

BEVERLY K HARPER
1978 S 2350 E
MALTA, ID 83342

Priority Date: 3/5/1945

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	0.970 CFS	560.0 AFA	
Total Diversion			0.970 CFS	560.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER
GROUND WATER

NWNE
SENE

Sec. 7 Twp 14S Rge 27E CASSIA County
Sec. 7 Twp 14S 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	
14S	27E	6												40.0			19.0		59.0
14S	27E	7	39.0	39.0			40.0												118.0

Right Acre Limit: 140.0

POU Total Acres: 177.0

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

New well will have measuring device and lockable controlling works.

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

Applicants.

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: DL Evans Bank; US Bank. Statement not required.

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:

NA

- 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:

Raft River Rights 43-12996, 43-12997, 43-12998, 43-12999, 43-13000, 43-13001, 43-13002, and 43-13003
are also used at the same POU.

- 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
PART 2A**

Current Water Right No. 43-2454

Current Water Right Owner

ALAN J HARPER
1978 S 2350 E
MALTA, ID 83342-8645

And

BEVERLY K HARPER
1978 S 2350 E
MALTA, ID 83342

Priority Date: 12/31/1956

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	2.400 CFS	708.0 AFA	
Total Diversion			2.400 CFS	708.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SENW

Sec. 7 Twp 14S 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	
14S	27E	6												40.0			19.0		59.0
14S	27E	7	39.0	39.0			40.0												118.0

POU Total Acres: 177.0

Conditions/Remarks:

1. Rights 43-2454 and 43-2295K when combined shall not exceed a total annual maximum diversion volume of 708 af.
2. Rights 43-2295K, 43-2454, 43-12996, 43-12997, 43-12998, 43-12999, 43-13000, 43-13001 and 43-13002 when combined shall not exceed a total diversion rate of 3.54 cfs.
3. Rights 43-2295K, 43-2454, 43-12996, 43-12997, 43-12998, 43-12999, 43-13000, 43-13001, 43-13002 and 43-13003 when combined shall not exceed the irrigation of 177 acres.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.143.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 43-2295K

Current Water Right Owner

ALAN J HARPER
1978 S 2350 E
MALTA, ID 83342-8645

OR

BEVERLY K HARPER
1978 S 2350 E
MALTA, ID 83342

Priority Date: 3/5/1945

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	0.970 CFS	560.0 AFA	
Total Diversion			0.970 CFS	560.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SENW

Sec. 7 Twp 14S 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	
14S	27E	6												40.0			19.0		59.0
14S	27E	7	39.0	39.0			40.0												118.0

Right Acre Limit: 140.0

POU Total Acres: 177.0

Conditions/Remarks:

1. This right is limited to the irrigation of 140 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2454 and 43-2295K when combined shall not exceed a total annual maximum diversion volume of 708 af.
3. Rights 43-2295K, 43-12996, 43-12997, 43-12998, 43-12999, 43-13000, 43-13001, 43-13002 and 43-13003 when combined shall not exceed the irrigation of 140 acres.
4. Rights 43-2295K, 43-2454, 43-12996, 43-12997, 43-12998, 43-12999, 43-13000, 43-13001 and 43-13002 when combined shall not exceed a total diversion rate of 3.54 cfs.
5. Rights 43-2295K, 43-2454, 43-12996, 43-12997, 43-12998, 43-12999, 43-13000, 43-13001, 43-13002 and 43-13003 when combined shall not exceed the irrigation of 177 acres.
6. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.143.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

8. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

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.

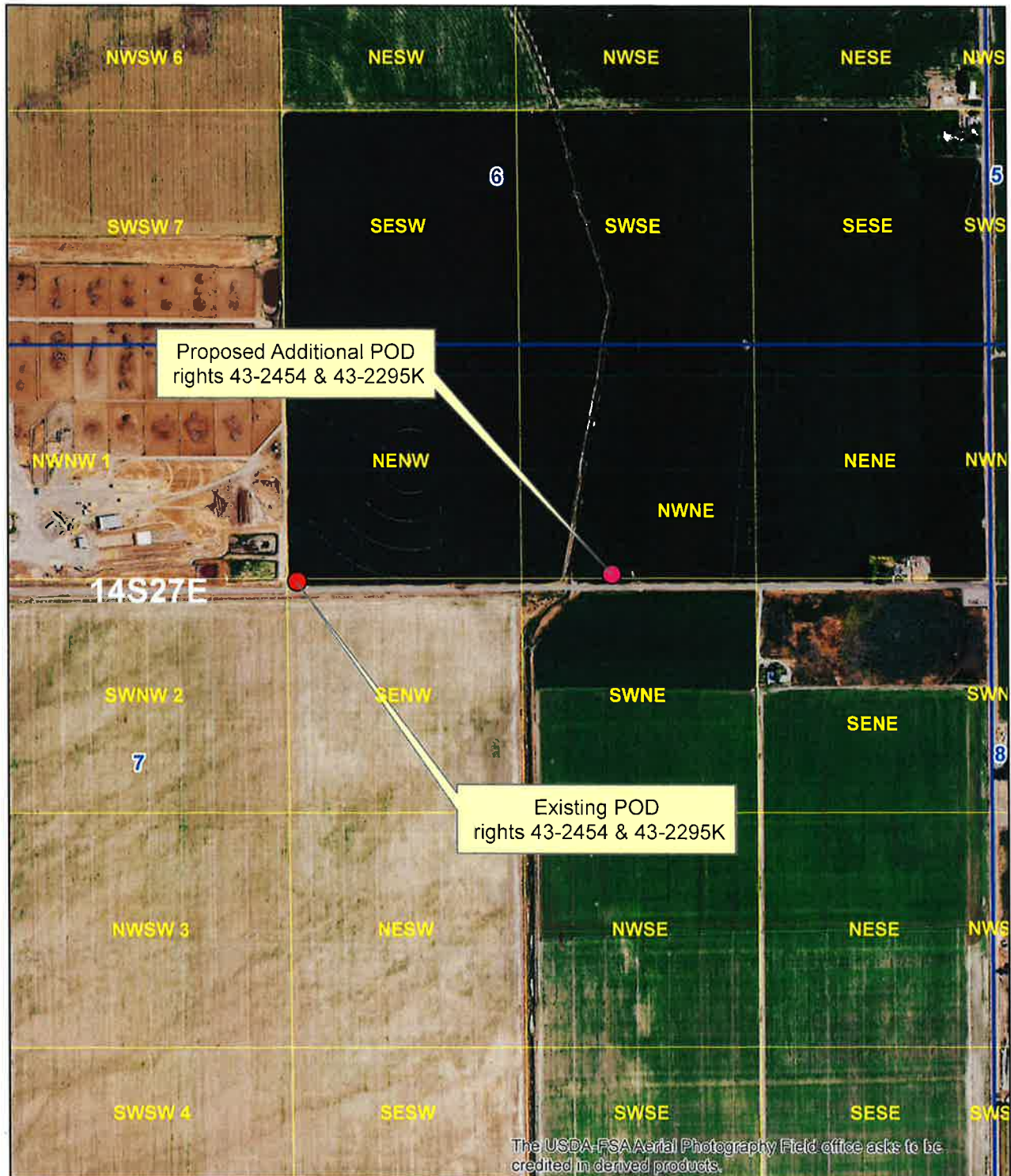
☐

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.:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on its right side, suggesting it's resting on a surface.

Received By	<u> </u>	Date	<u> </u>	Prelim. Check By	<u> </u>	Date	<u> </u>
Fee Paid	<u>\$ 740.00</u>	Date	<u>2/25/20</u>	Received By	<u>SG</u>	Receipt #	<u>5037785</u>
Add'l Fee Paid	<u> </u>	Date	<u> </u>	Received By	<u> </u>	Receipt #	<u> </u>

POL Transfer #83898 - Harper



Legend

- Township/Range
- Sections
- QQ

0 0.075 0.15 0.3 Miles

TRANSFER 83898





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

Brad Little
Governor

Gary Spackman
Director

March 5, 2020

ALAN J HARPER
BEVERLY K HARPER
1978 S 2350 E
MALTA, ID 83342-8645

RE: Transfer No. 83898
Water Right No(s). 43-2295K, 43-2454

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 3/12/2020 and 3/19/2020**. 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 **March 30, 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
Administrative Assistant

c: D L Evans Bank
US Bank, c/o CGB Agri-Financial Services



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

Brad Little
Governor

Gary Spackman
Director

March 5, 2020

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

RE: Transfer No. 83898 (Water Right No(s): 43-2295K & 43-2454)

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
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, March 05, 2020 9:30 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News ad.docx; Times News cover letter.docx

Attached please find **(1)** legal notice being submitted for publication on March 12th & 19th, 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 I
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



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

Brad Little
Governor

Gary Spackman
Director

March 5, 2020

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 83898

Water Right No(s). 43-2295K, 43-2454

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 3/30/2020. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83898**

ALAN J HARPER and BEVERLY K HARPER, 1978 S 2350 E, MALTA, ID 83342-8645; have filed Application No. 83898 for changes to the following water rights within CASSIA County(s): Right No(s). 43-2295K, 43-2454; 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 (POD) to two ground water irrigation rights which are currently authorized to divert 3.37 cfs from one well. The new well will be located approximately 5.7 miles south and 1.4 miles east of Malta. After the transfer, the two ground water rights will be authorized to divert up to 3.37 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 **March 30, 2020**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on March 12th & 19th, 2020

TRANSFER SYNOPSIS

Date: February 25, 2020
To: Transfer #83898 file, Alan and Beverly Harper
From: Jim Bitzenburg
Re: Summary of transfer

Application for transfer proposes to add a point of diversion (POD) to two ground water irrigation rights which are currently authorized to divert 3.37 cfs from one well. The new well will be located approximately 5.7 miles south and 1.4 miles east of Malta. After the transfer, the two ground water rights will be authorized to divert up to 3.37 cfs from two wells.

This transfer will be advertised and comments will be sought from the Watermaster of Water District 143.

The rights involved in the transfer are: 43-2454 (2.4 cfs, 177.0 acres) and 43-2295K (0.97 cfs, 140.0 acres). There are eight Raft River rights appurtenant to the same ground, but they are not included in the transfer, as none of their elements will be changing.

FEE MEMORANDUM

Date: February 25, 2020
To: Alan and Beverly Harper Transfer #83898 File
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

This transfer was filed on February 25, 2020 with the intent to add a point of diversion to two water rights with an additive flow rate of 3.37 cfs. Since the entire flow rate could be diverted from the new well, the fee is based on the 3.37 cfs which equates to a fee of \$740.00. The fee was paid by Alan and Beverly Harper Farms with check #12004 at the time of filing. The IDWR receipt number is S037785.