

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82508**

This is to certify that: **HARPER VALLEY LAND LLC**
2045 E 850 S
DECLO, ID 83323

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
43-10037	WR/DECREED	6/30/1985	1.550 cfs	N/A	137.0	1579.0	GROUND WATER
43-2309	WR/DECREED	5/1/1948	2.300 cfs	640.0 af	160.0	1579.0	GROUND WATER
43-2312A	WR/DECREED	6/19/1948	5.200 cfs	1280.0 af	320.0	1579.0	GROUND WATER
43-2385	WR/DECREED	1/20/1953	3.200 cfs	640.0 af	160.0	1579.0	GROUND WATER
43-2391	WR/DECREED	4/18/1953	2.800 cfs	560.0 af	140.0	1579.0	GROUND WATER
43-2564	WR/DECREED	6/9/1963	2.200 cfs	840.0 af	210.0	1579.0	GROUND WATER
43-4009	WR/DECREED	5/15/1953	2.000 cfs	624.0 af	156.0	1579.0	GROUND WATER
43-4091	WR/DECREED	4/1/1954	2.800 cfs	622.0 af	155.5	1579.0	GROUND WATER
43-4092	WR/DECREED	4/1/1954	0.230 cfs	60.0 af	15.0	1579.0	GROUND WATER
43-4141	WR/DECREED	4/3/1954	2.670 cfs	414.0 af	263.5	1579.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-10037	NO	YES	YES	NO	NO	NO
43-2309	NO	YES	YES	NO	NO	NO
43-2312A	NO	YES	YES	NO	NO	NO
43-2385	NO	YES	YES	NO	NO	NO
43-2391	NO	YES	YES	NO	NO	NO
43-2564	NO	YES	YES	NO	NO	NO
43-4009	NO	YES	YES	NO	NO	NO
43-4091	NO	YES	YES	NO	NO	NO
43-4092	NO	YES	YES	NO	NO	NO
43-4141	NO	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-10037	43-10037	1.550 cfs	N/A	137.0	1609.1	N/A	N/A	N/A	N/A	N/A
43-2309	43-2309	2.300 cfs	640.0 af	160.0	1609.1	N/A	N/A	N/A	N/A	N/A
43-2312A	43-2312A	5.200 cfs	1280.0 af	320.0	1609.1	N/A	N/A	N/A	N/A	N/A
43-2385	43-2385	3.200 cfs	640.0 af	160.0	1609.1	N/A	N/A	N/A	N/A	N/A
43-2391	43-2391	2.800 cfs	560.0 af	140.0	1609.1	N/A	N/A	N/A	N/A	N/A

Transfer No. 82508

SUPPORT DATA

IN FILE # 43-2309

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

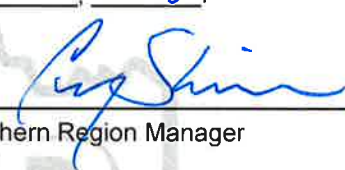
**TRANSFER OF WATER RIGHT
TRANSFER NO. 82508**

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-2564	43-2564	2.200 cfs	840.0 af	210.0	1609.1	N/A	N/A	N/A	N/A	N/A
43-4009	43-4009	2.000 cfs	624.0 af	156.0	1609.1	N/A	N/A	N/A	N/A	N/A
43-4091	43-4091	2.800 cfs	622.0 af	155.5	1609.1	N/A	N/A	N/A	N/A	N/A
43-4092	43-4092	0.230 cfs	60.0 af	15.0	1609.1	N/A	N/A	N/A	N/A	N/A
43-4141	43-4141	2.670 cfs	414.0 af	263.5	1609.1	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		23.070 cfs	5680.0 af	1579.0	1609.1		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 9th day of October, 2018.



Southern Region Manager

WATER RIGHT NO. 43-2312A
As Modified by Transfer No. 82508

In accordance with the approval of Transfer No. 82508, Water Right No. 43-2312A is now described as follows:

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

Priority Date: 6/19/1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	5.200 cfs	1280.0 af
			5.200 cfs	1280.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 25 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSE	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 27 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SESW	Sec 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 35 Twp 11S Rge 26E	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	26E	25									34.0	40.0	40.0	34.0					148.0
11S	26E	26	32.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	632.0
11S	26E	27	40.0	37.0	38.0	41.0									40.0	38.0	39.0	40.0	313.0
11S	26E	34	40.0	39.0	33.0	40.0													152.0
11S	26E	35		5.7			40.0	40.0	40.0	40.0	40.0	39.0	36.0	40.0					320.7
12S	26E	3	30.0	0.4		13.0													43.4
			L 1	L 2															

Right Acre Limit: 320.0

POU Total Acres: 1609.1

CONDITIONS OF APPROVAL

1. The point of diversion located in the SESW, S35, T11S, R26E is limited to a maximum diversion rate of 4.00 cfs.
2. This right is limited to the irrigation of 320.0 acres within the authorized place of use in a single irrigation season.

Transfer No. 82508

WATER RIGHT NO. 43-2312A
As Modified by Transfer No. 82508

CONDITIONS OF APPROVAL

3. Rights 43-2312A, 43-4092, and 43-10037 when combined shall not exceed a total diversion rate of 5.20 cfs.
4. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs, a total annual maximum diversion volume of 5680.0 af at the field headgate, and the irrigation of 1579.0 acres.
5. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 are limited to the irrigation of a specific 1579.0 acres within the 1609.1 acre place of use authorized by this right in a single irrigation season. The specific 1579.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1579.0 acres to be irrigated within the 1609.1 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
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(s).
8. 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.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. This right does not grant any right-of-way or easement across the land of another.
11. Right No. 43-10037 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-2309**As Modified by Transfer No. 82508**

In accordance with the approval of Transfer No. 82508, Water Right No. 43-2309 is now described as follows:

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

Priority Date: 5/1/1948

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

2,300 cfs

2,300 cfs

Diversion Volume

640.0 af

640.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 25 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSE	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 27 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SESW	Sec 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 35 Twp 11S Rge 26E	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	26E	25									34.0	40.0	40.0	34.0					148.0
11S	26E	26	32.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	632.0
11S	26E	27	40.0	37.0	38.0	41.0									40.0	38.0	39.0	40.0	313.0
11S	26E	34	40.0	39.0	33.0	40.0													152.0
11S	26E	35		5.7			40.0	40.0	40.0	40.0	40.0	39.0	36.0	40.0					320.7
12S	26E	3	30.0	0.4		13.0													43.4
			L 1	L 2															

Right Acre Limit: 160.0

POU Total Acres: 1609.1

CONDITIONS OF APPROVAL

1. The point of diversion located in the SESW, S35, T11S, R26E is limited to a maximum diversion rate of 4.00 cfs.
2. This right is limited to the irrigation of 160.0 acres within the authorized place of use in a single irrigation season.

Transfer No. 82508

WATER RIGHT NO. 43-2309
As Modified by Transfer No. 82508

CONDITIONS OF APPROVAL

3. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs, a total annual maximum diversion volume of 5680.0 af at the field headgate, and the irrigation of 1579.0 acres.
4. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 are limited to the irrigation of a specific 1579.0 acres within the 1609.1 acre place of use authorized by this right in a single irrigation season. The specific 1579.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1579.0 acres to be irrigated within the 1609.1 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. 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.
6. 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(s).
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. This right does not grant any right-of-way or easement across the land of another.
10. Right No. 43-10037 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-2385**As Modified by Transfer No. 82508**

In accordance with the approval of Transfer No. 82508, Water Right No. 43-2385 is now described as follows:

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

Priority Date: 1/20/1953

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

3.200 cfs

3.200 cfs

Diversion Volume

640.0 af

640.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 25 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSE	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 27 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SESW	Sec 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 35 Twp 11S Rge 26E	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	26E	25									34.0	40.0	40.0	34.0					148.0
11S	26E	26	32.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	632.0
11S	26E	27	40.0	37.0	38.0	41.0									40.0	38.0	39.0	40.0	313.0
11S	26E	34	40.0	39.0	33.0	40.0													152.0
11S	26E	35		5.7			40.0	40.0	40.0	40.0	40.0	39.0	36.0	40.0					320.7
12S	26E	3	30.0	0.4		13.0													43.4
			L 1	L 2															

Right Acre Limit: 160.0

POU Total Acres: 1609.1

CONDITIONS OF APPROVAL

1. The point of diversion located in the SESW, S35, T11S, R26E is limited to a maximum diversion rate of 4.00 cfs.
2. This right is limited to the irrigation of 160.0 acres within the authorized place of use in a single irrigation season.

Transfer No. 82508

WATER RIGHT NO. 43-2385
As Modified by Transfer No. 82508

CONDITIONS OF APPROVAL

3. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs, a total annual maximum diversion volume of 5680.0 af at the field headgate, and the irrigation of 1579.0 acres.
4. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 are limited to the irrigation of a specific 1579.0 acres within the 1609.1 acre place of use authorized by this right in a single irrigation season. The specific 1579.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1579.0 acres to be irrigated within the 1609.1 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. 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.
6. 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(s).
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. This right does not grant any right-of-way or easement across the land of another.
10. Right No. 43-10037 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-2391**As Modified by Transfer No. 82508**

In accordance with the approval of Transfer No. 82508, Water Right No. 43-2391 is now described as follows:

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

Priority Date: 4/18/1953

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate2.800 cfs
2.800 cfs**Diversion Volume**560.0 af
560.0 af**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER	SWSW	Sec 25 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSE	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 27 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SESW	Sec 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 35 Twp 11S Rge 26E	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	26E	25									34.0	40.0	40.0	34.0					148.0
11S	26E	26	32.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	632.0
11S	26E	27	40.0	37.0	38.0	41.0									40.0	38.0	39.0	40.0	313.0
11S	26E	34	40.0	39.0	33.0	40.0													152.0
11S	26E	35		5.7			40.0	40.0	40.0	40.0	40.0	39.0	36.0	40.0					320.7
12S	26E	3	30.0	0.4		13.0													43.4
			L 1	L 2															

Right Acre Limit: 140.0

POU Total Acres: 1609.1

CONDITIONS OF APPROVAL

1. The point of diversion located in the SESW, S35, T11S, R26E is limited to a maximum diversion rate of 4.00 cfs.
2. This right is limited to the irrigation of 140.0 acres within the authorized place of use in a single irrigation season.

Transfer No. 82508

WATER RIGHT NO. 43-2391
As Modified by Transfer No. 82508

CONDITIONS OF APPROVAL

3. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs, a total annual maximum diversion volume of 5680.0 af at the field headgate, and the irrigation of 1579.0 acres.
4. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 are limited to the irrigation of a specific 1579.0 acres within the 1609.1 acre place of use authorized by this right in a single irrigation season. The specific 1579.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1579.0 acres to be irrigated within the 1609.1 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. 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.
6. 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(s).
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. This right does not grant any right-of-way or easement across the land of another.
10. Right No. 43-10037 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-2564**As Modified by Transfer No. 82508**

In accordance with the approval of Transfer No. 82508, Water Right No. 43-2564 is now described as follows:

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

Priority Date: 6/9/1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	2.200 cfs	840.0 af
			2.200 cfs	840.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 25 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSE	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 27 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SESW	Sec 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 35 Twp 11S Rge 26E	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	26E	25									34.0	40.0	40.0	34.0					148.0
11S	26E	26	32.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	632.0
11S	26E	27	40.0	37.0	38.0	41.0									40.0	38.0	39.0	40.0	313.0
11S	26E	34	40.0	39.0	33.0	40.0													152.0
11S	26E	35		5.7			40.0	40.0	40.0	40.0	40.0	39.0	36.0	40.0					320.7
12S	26E	3	30.0	0.4		13.0													43.4
			L 1	L 2															

Right Acre Limit: 210.0
POU Total Acres: 1609.1

CONDITIONS OF APPROVAL

1. The point of diversion located in the SESW, S35, T11S, R26E is limited to a maximum diversion rate of 4.00 cfs.
2. This right is limited to the irrigation of 210.0 acres within the authorized place of use in a single irrigation season.

Transfer No. 82508

WATER RIGHT NO. 43-2564
As Modified by Transfer No. 82508

CONDITIONS OF APPROVAL

3. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs, a total annual maximum diversion volume of 5680.0 af at the field headgate, and the irrigation of 1579.0 acres.
4. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 are limited to the irrigation of a specific 1579.0 acres within the 1609.1 acre place of use authorized by this right in a single irrigation season. The specific 1579.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1579.0 acres to be irrigated within the 1609.1 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. 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.
6. 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(s).
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. This right does not grant any right-of-way or easement across the land of another.
10. Right No. 43-10037 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
11. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/28/2002.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-4009**As Modified by Transfer No. 82508**

In accordance with the approval of Transfer No. 82508, Water Right No. 43-4009 is now described as follows:

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

Priority Date: 5/15/1953

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

2.000 cfs

2.000 cfs

Diversion Volume

624.0 af

624.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 25 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSE	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 27 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SESW	Sec 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 35 Twp 11S Rge 26E	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	26E	25									34.0	40.0	40.0	34.0					148.0
11S	26E	26	32.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	632.0
11S	26E	27	40.0	37.0	38.0	41.0									40.0	38.0	39.0	40.0	313.0
11S	26E	34	40.0	39.0	33.0	40.0													152.0
11S	26E	35		5.7			40.0	40.0	40.0	40.0	40.0	39.0	36.0	40.0					320.7
12S	26E	3	30.0	0.4		13.0													43.4
			L 1	L 2															

Right Acre Limit: 156.0

POU Total Acres: 1609.1

CONDITIONS OF APPROVAL

1. The point of diversion located in the SESW, S35, T11S, R26E is limited to a maximum diversion rate of 4.00 cfs.
2. This right is limited to the irrigation of 156.0 acres within the authorized place of use in a single irrigation season.

Transfer No. 82508

WATER RIGHT NO. 43-4009
As Modified by Transfer No. 82508

CONDITIONS OF APPROVAL

3. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs, a total annual maximum diversion volume of 5680.0 af at the field headgate, and the irrigation of 1579.0 acres.
4. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 are limited to the irrigation of a specific 1579.0 acres within the 1609.1 acre place of use authorized by this right in a single irrigation season. The specific 1579.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1579.0 acres to be irrigated within the 1609.1 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. 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.
6. 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(s).
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. This right does not grant any right-of-way or easement across the land of another.
10. Right No. 43-10037 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-4091**As Modified by Transfer No. 82508**

In accordance with the approval of Transfer No. 82508, Water Right No. 43-4091 is now described as follows:

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

Priority Date: 4/1/1954

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

2.800 cfs

2.800 cfs

Diversion Volume

622.0 af

622.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 25 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSE	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 27 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SESW	Sec 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 35 Twp 11S Rge 26E	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	26E	25									34.0	40.0	40.0	34.0					148.0
11S	26E	26	32.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	632.0
11S	26E	27	40.0	37.0	38.0	41.0									40.0	38.0	39.0	40.0	313.0
11S	26E	34	40.0	39.0	33.0	40.0													152.0
11S	26E	35		5.7			40.0	40.0	40.0	40.0	40.0	39.0	36.0	40.0					320.7
12S	26E	3	30.0	0.4		13.0													43.4
			L 1	L 2															

Right Acre Limit: 155.5

POU Total Acres: 1609.1

CONDITIONS OF APPROVAL

1. The point of diversion located in the SESW, S35, T11S, R26E is limited to a maximum diversion rate of 4.00 cfs.
2. This right is limited to the irrigation of 155.5 acres within the authorized place of use in a single irrigation season.

Transfer No. 82508

WATER RIGHT NO. 43-4091
As Modified by Transfer No. 82508

CONDITIONS OF APPROVAL

3. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs, a total annual maximum diversion volume of 5680.0 af at the field headgate, and the irrigation of 1579.0 acres.
4. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 are limited to the irrigation of a specific 1579.0 acres within the 1609.1 acre place of use authorized by this right in a single irrigation season. The specific 1579.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1579.0 acres to be irrigated within the 1609.1 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. 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.
6. 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(s).
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. This right does not grant any right-of-way or easement across the land of another.
10. Right No. 43-10037 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-4092**As Modified by Transfer No. 82508**

In accordance with the approval of Transfer No. 82508, Water Right No. 43-4092 is now described as follows:

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

Priority Date: 4/1/1954

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

3/15

To

to 11/15

Diversion Rate

0.230 cfs

0.230 cfs

Diversion Volume

60.0 af

60.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 25 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSE	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 27 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SESW	Sec 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 35 Twp 11S Rge 26E	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	26E	25									34.0	40.0	40.0	34.0					148.0
11S	26E	26	32.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	632.0
11S	26E	27	40.0	37.0	38.0	41.0									40.0	38.0	39.0	40.0	313.0
11S	26E	34	40.0	39.0	33.0	40.0													152.0
11S	26E	35		5.7			40.0	40.0	40.0	40.0	40.0	39.0	36.0	40.0					320.7
12S	26E	3	30.0	0.4		13.0													43.4
			L 1	L 2															

Right Acre Limit: 15.0

POU Total Acres: 1609.1

CONDITIONS OF APPROVAL

1. The point of diversion located in the SESW, S35, T11S, R26E is limited to a maximum diversion rate of 4.00 cfs.
2. This right is limited to the irrigation of 15.0 acres within the authorized place of use in a single irrigation season.

Transfer No. 82508

WATER RIGHT NO. 43-4092
As Modified by Transfer No. 82508

CONDITIONS OF APPROVAL

3. Rights 43-2312A, 43-4092, and 43-10037 when combined shall not exceed a total diversion rate of 5.20 cfs.
4. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs, a total annual maximum diversion volume of 5680.0 af at the field headgate, and the irrigation of 1579.0 acres.
5. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 are limited to the irrigation of a specific 1579.0 acres within the 1609.1 acre place of use authorized by this right in a single irrigation season. The specific 1579.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1579.0 acres to be irrigated within the 1609.1 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
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(s).
8. 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.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. This right does not grant any right-of-way or easement across the land of another.
11. Right No. 43-10037 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-4141**As Modified by Transfer No. 82508**

In accordance with the approval of Transfer No. 82508, Water Right No. 43-4141 is now described as follows:

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

Priority Date: 4/3/1954

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

2.670 cfs

2.670 cfs

Diversion Volume

414.0 af

414.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 25 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSE	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 27 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SESW	Sec 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 35 Twp 11S Rge 26E	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	26E	25									34.0	40.0	40.0	34.0					148.0
11S	26E	26	32.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	632.0
11S	26E	27	40.0	37.0	38.0	41.0									40.0	38.0	39.0	40.0	313.0
11S	26E	34	40.0	39.0	33.0	40.0													152.0
11S	26E	35		5.7			40.0	40.0	40.0	40.0	40.0	39.0	36.0	40.0					320.7
12S	26E	3	30.0	0.4		13.0													43.4
			L 1	L 2															

Right Acre Limit: 263.5

POU Total Acres: 1609.1

CONDITIONS OF APPROVAL

1. The point of diversion located in the SESW, S35, T11S, R26E is limited to a maximum diversion rate of 4.00 cfs.
2. This right is limited to the irrigation of 263.5 acres within the authorized place of use in a single irrigation season.

Transfer No. 82508

WATER RIGHT NO. 43-4141
As Modified by Transfer No. 82508

CONDITIONS OF APPROVAL

3. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs, a total annual maximum diversion volume of 5680.0 af at the field headgate, and the irrigation of 1579.0 acres.
4. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 are limited to the irrigation of a specific 1579.0 acres within the 1609.1 acre place of use authorized by this right in a single irrigation season. The specific 1579.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1579.0 acres to be irrigated within the 1609.1 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. 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.
6. 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(s).
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. This right does not grant any right-of-way or easement across the land of another.
10. Right No. 43-10037 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-10037**As Modified by Transfer No. 82508**

In accordance with the approval of Transfer No. 82508, Water Right No. 43-10037 is now described as follows:

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

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

1.550 cfs

1.550 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 25 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSE	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 27 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SESW	Sec 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSW	Sec 35 Twp 11S Rge 26E	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	26E	25									34.0	40.0	40.0	34.0					148.0
11S	26E	26	32.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	632.0
11S	26E	27	40.0	37.0	38.0	41.0									40.0	38.0	39.0	40.0	313.0
11S	26E	34	40.0	39.0	33.0	40.0													152.0
11S	26E	35		5.7			40.0	40.0	40.0	40.0	40.0	39.0	36.0	40.0					320.7
12S	26E	3	30.0	0.4		13.0													43.4
			L 1	L 2															

Right Acre Limit: 137.0

POU Total Acres: 1609.1

CONDITIONS OF APPROVAL

1. The point of diversion located in the SESW, S35, T11S, R26E is limited to a maximum diversion rate of 4.00 cfs.
2. This right is limited to the irrigation of 137.0 acres within the authorized place of use in a single irrigation season.

Transfer No. 82508

WATER RIGHT NO. 43-10037
As Modified by Transfer No. 82508

CONDITIONS OF APPROVAL

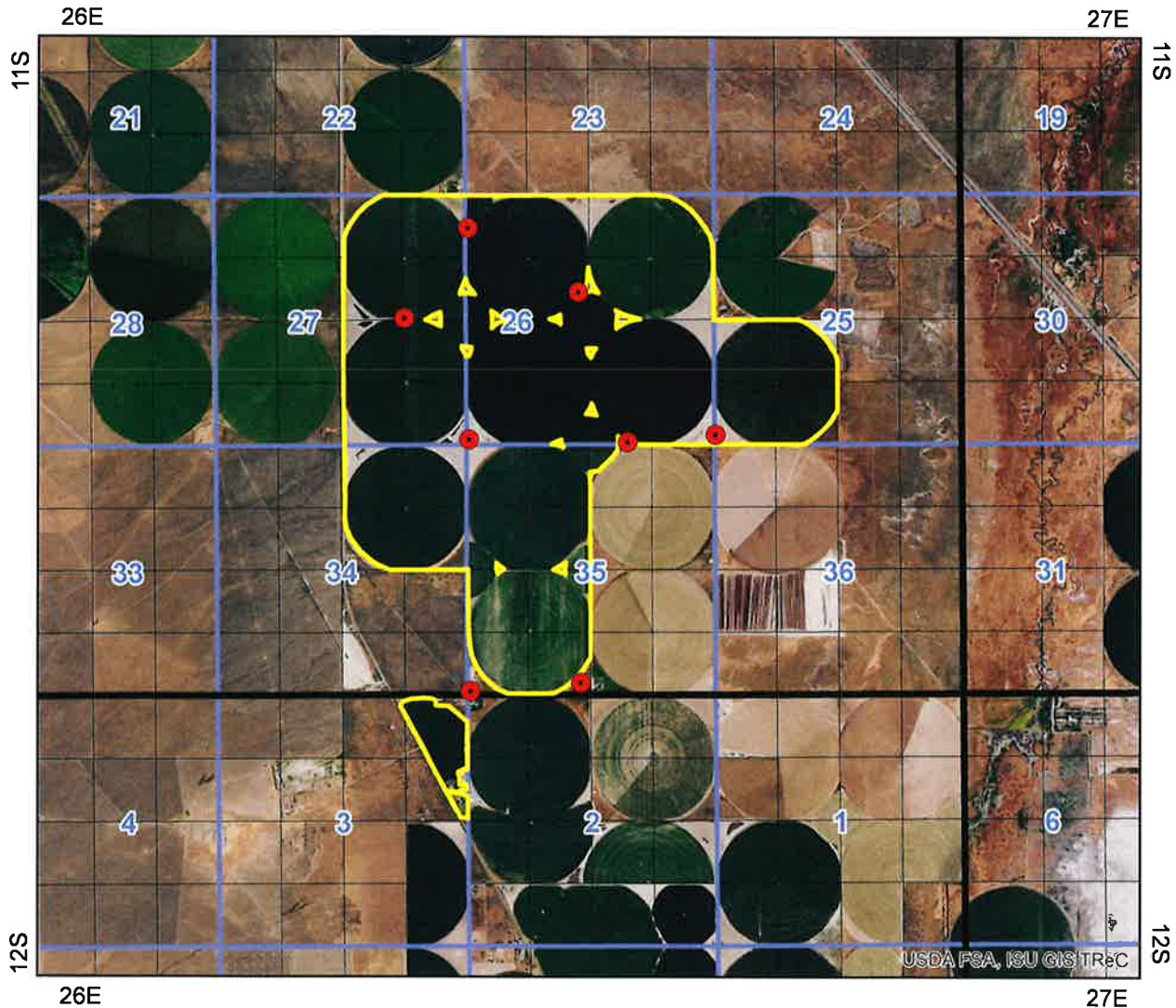
3. Rights 43-2312A, 43-4092, and 43-10037 when combined shall not exceed a total diversion rate of 5.20 cfs.
4. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs, a total annual maximum diversion volume of 5680.0 af at the field headgate, and the irrigation of 1579.0 acres.
5. Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037 are limited to the irrigation of a specific 1579.0 acres within the 1609.1 acre place of use authorized by this right in a single irrigation season. The specific 1579.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1579.0 acres to be irrigated within the 1609.1 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
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(s).
8. 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.
9. This right is an expansion of Right Nos. 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, and 43-4141 pursuant to Section 42-1416B, Idaho Code.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

Attachment to Transfer # 82508

Rights 43-2312A, 43-2309, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, and 43-10037

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.45 0.9 1.8 Miles





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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 10, 2018

HARPER VALLEY LAND LLC
2045 E 850 S
DECLO ID 83323

Re: Transfer No: 82508

Water Right No(s): 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009,
43-4091, 43-4092, 43-4141, 43-10037

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

A handwritten signature in cursive script, appearing to read "Corey Skinner".

Corey Skinner
Southern Regional Manager

Enclosure

cc:

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

CERTIFICATE OF SERVICE

I hereby certify that on October 10, 2018 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 82508

Water Right No(s): 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009,
43-4091, 43-4092, 43-4141, 43-10037

HARPER VALLEY LAND LLC
2045 E 850 S
DECLO ID 83323

WATER DISTRICT 143 *via e-mail*
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858



Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: September 17, 2018
To: Transfer 82508 File
From: Jim Bitzenburg
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to change the location of one of eight points of diversion for a 4.00 cfs portion of ten ground water irrigation rights (23.07 cfs, 1579.0 acres) from its current position approximately 7.7 miles north and 1.2 miles west of Malta. That well will be abandoned and a new well will be drilled approximately 7.6 miles north and 0.8 mile west of Malta. The transfer also proposes to modify the current 1600.0 acre permissible place of use (PPU) located approximately 7.0 to 9.5 miles north and 0.3 mile east to 1.7 miles west of Malta. Currently 1579.0 acres are irrigated within a 1600.00 acre PPU. After the transfer, 1579.0 acres will be irrigated within a 1609.1 acre PPU in order to reflect current irrigation practices.

Because the water rights are located within the Raft River Critical Ground Water Management Area, and a point of diversion is being changed, the application was advertised. No protests were received.

The transfer is located within Water District 143, so watermaster comments were solicited. The watermaster did not object to the transfer.

- **Authority to File:**
The Department's database indicates that the water rights involved are owned by the applicant, Harper Valley Land, LLC and the application was signed by Darin Harper, who is the manager of Harper Valley Land, LLC. The latest Annual Report form on file with the Idaho Secretary of State was placed in the file.
- **Water Right Validity:**
The water rights involved have all been decreed in the SRBA. Aerial imagery appears to indicate that forfeiture may not be an issue.
- **Injury to Other Water Rights:**
None anticipated or foreseen. The new well is located less than 0.5 mile from the well it is replacing.
- **Enlargement of Use:**
None anticipated. The irrigated acreage will not increase.
- **Local Public Interest:**
No issues anticipated. Transfer was advertised.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated
- **Effect of the Agricultural Base of the Area:**
None Anticipated

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Transfer No: 82508
Water Right No: 43-2309, etc.
Applicant Name: HARPER VALLEY LAND LLC

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application
- b) ☐ I do not oppose approval of this application under the following terms:
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☐ Additional comment:

Dated: September 17, 2018

Water District 143



Nathan Erickson, Watermaster

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

GINNIE GUNKEL, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES

650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

ORDER NUMBER 72585

Ginnie Gunkel

(Legals Clerk)

STATE OF IDAHO)

.SS

COUNTY OF TWIN FALLS)

On this 23 day of August in the year of 2018 before me, a Notary Public, personally appeared before me Ginnie Gunkel known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Miriam King

Notary Public FOR Idaho

Residing at: Twin Falls, Idaho

My Commission expires: 5.10.22

PUBLISHED ON: 08/16/2018, 08/23/2018

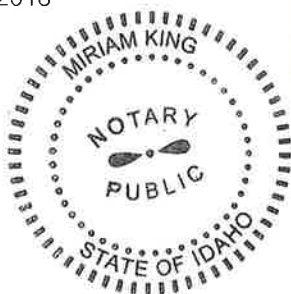
TOTAL AD COST: 337.83

FILED ON: 8/23/2018

** Dates should be:
01/01 to 12/31
06/18/2018

✓ OK DM 9-4-2018

(no need to re-publish)



RECEIVED

AUG 30 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-17131

L & S LAND HOLDINGS LLC

2930 S 2300 E

WENDELL, ID 83355

Point of Diversion SESW S30 T07S R16E GOODING County

Source GROUND WATER Tributary

Use: DOMESTIC 0101 to 12% 0.08 CFS

Total Diversion: 0.08 CFS **

Date Filed: 6/18/2018

Place Of Use: DOMESTIC

T07S R16E S30 SESW

T07S R16E S31 NENW

Application for permit proposes to divert up to 0.08 cfs from an existing well for domestic use associated with three homes. The place of use and point of diversion are located approximately 3.9 miles east and 0.5 mile north of the intersection of Main and Idaho Streets in Wendell.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 82508

HARPER VALLEY LAND LLC, 2045 E 850 S, DECLO, ID 83323; has filed Application No. 82508 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10037, 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the location of one of eight points of diversion for a 4.00 cfs portion of ten ground water irrigation rights (23.07 cfs, 1579.0 acres) from its current position approximately 7.7 miles north and 1.2 miles west of Malta. That well will be abandoned and a new well will be drilled approximately 7.6 miles north and 0.8 mile west of Malta. The transfer also proposes to modify the current 1600.0 acre permissible place of use (PPU) located approximately 7.0 to 9.5 miles north and 0.3 mile east to 1.7 miles west of Malta. Currently 1579.0 acres are irrigated within a 1600.00 acre PPU. After the transfer, 1579.0 acres will be irrigated within a 1609.1 acre PPU in order to reflect current irrigation practices.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 82494

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355; has filed Application No. 82494 for changes to the following water rights within GOODING County(s): Right No(s). 36-8135. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the nature of use, place of use (POU), and point of diversion (POD) of domestic stockwater right 36-8135 (0.06 cfs, 43.4 AF) which is currently appurtenant to a feedlot and three homes located approximately 3.9 to 4.4 miles east and 0.5 to 0.7 mile north of the intersection of Main and Idaho Streets in Wendell. The proposed place of use is a dairy located approximately 3.0 to 3.5 miles east and 0.5 to 1.5 miles north of Wendell. The current POD is located approximately 4.0 miles east and 0.6 miles north of Wendell, while the proposed POD is an existing well located approximately 3.5 miles east and 0.9 miles north of Wendell. The application proposes to retain the stockwater use and add commercial use (a misting system) to the right, while relinquishing the domestic use.



NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 82082

✓ WESTERN MORTGAGE & REALTY CO, PO BOX 3110, PASCO, WA 99301; has filed Application No. 82082 for changes to the following water rights within BLAINE, MINIDOKA County(s): Right No(s). 36-10515, 36-10850A, 36-10863A, 36-10863B, 36-15217, 36-15264A, 36-15264B, 36-16042, 36-16309, 36-16473, 36-16816, 36-2069, 36-2090B, 36-2092, 36-2097, 36-2259, 36-2433, 36-2434, 36-2435, 36-2582A, 36-2582B, 36-2618, 36-7209, 36-7246A, 36-7246B, 36-7356C, 36-7627, 36-8227. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes creating a 7,037.5 acre permissible place of use (PPU) on a farm located approximately 10.0 to 16.7 miles east and 7.6 to 13.2 miles north of Rupert for 25 rights totaling 62.97 cfs and 4,953.5 acres currently diverted from 17 wells on the farm. The application also proposes moving a 0.46 cfs and 59 acre portion of an additional right from a farm located approximately 9.7 to 10.1 miles east and 10.0 to 10.6 miles north to the 17 wells and proposed PPU. In addition, a portion of two water rights totaling 1.15 cfs and 96 acres are also proposed to be moved from a farm located 16.5 to 17.0 miles east and 8.1 to 8.7 miles north to the 17 wells and proposed PPU. In total the 28 rights will allow for the diversion of 64.58 cfs from 17 wells for the irrigation of 5,108.5 acres within the 7,037.5 acre PPU. Published in the Idaho Mountain Express on August 15th & 22nd, 2018 and August 16th & 23rd, 2018.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights & proposed transfer, please see www.idwr.idaho.gov/ppsr/veryNewTransfers/veryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/waterManagement/waterRights/NewListings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. 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 September 4, 2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on August 16 & 23, 2018

→ Should read:
...and Times News
on August 16 & 23,
2018.

✓ ok sm 9-4-2018

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 72585

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	337.83
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	337.83
Fax			
Section	Legals	Start/End Dates	08/16/2018 - 08/23/2018
SubSection		Insertions	2
Category	50 Legal	Size	226
Ad Key	72585-1	Salesperson(s)	Ruby Aufderheide
Keywords	Transfer Nos 82508,82494,82082	Taken By	Debi Perkins
Notes			

Ad Proof The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-17131
L & S LAND HOLDINGS LLC
2930 S 2300 E
WENDELL, ID 83355
Point of Diversion SESW S30 T07S R16E GOODING County
Source GROUND WATER Tributary
Use: DOMESTIC 0101 to 12%1 0.08 CFS
Total Diversion: 0.08 CFS
Date Filed: 6%8%018
Place Of Use: DOMESTIC
T07S R16E S30 SESW
T07S R16E S31 NENW
Application for permit proposes to divert up to 0.08 cfs from an existing well for domestic use associated with three homes. The place of use and point of diversion are located approximately 3.9 miles east and 0.5 mile north of the intersection of Main and Idaho Streets in Wendell.

see note on affidavit

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 82508

HARPER VALLEY LAND LLC, 2045 E 850 S, DECLO, ID 83323; has filed Application No. 82508 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10037, 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the location of one of eight points of diversion for a 4.00 cfs portion of ten ground water irrigation rights (23.07 cfs, 1579.0 acres) from its current position approximately 7.7 miles north and 1.2 miles west of Malta. That well will be abandoned and a new well will be drilled approximately 7.6 miles north and 0.8 mile west of Malta. The transfer also proposes to modify the current 1600.0 acre permissible place of use (PPU) located approximately 7.0 to 9.5 miles north and 0.3 mile east to 1.7 miles west of Malta. Currently 1579.0 acres are irrigated within a 1600.00 acre PPU. After the transfer, 1579.0 acres will be irrigated within a 1609.1 acre PPU in order to reflect current irrigation practices.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 82494

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355; has filed Application No. 82494 for changes to the following water rights within GOODING County(s): Right No(s). 36-8135. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to

**Proof of legal notice *revised*
received from Times News
8/15/2018 (2 pages)**

✓ OK AM 8/15/2018

E-mail sent to
newspaper.

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 72585

change the nature of use, place of use (POU), and point of diversion (POD) of domestic stockwater water right 36-8135 (0.06 cfs, 43.4 AF) which is currently appurtenant to a feedlot and three homes located approximately 3.9 to 4.4 miles east and 0.5 to 0.7 mile north of the intersection of Main and Idaho Streets in Wendell. The proposed place of use is a dairy located approximately 3.0 to 3.5 miles east and 0.5 to 1.5 miles north of Wendell. The current POD is located approximately 4.0 miles east and 0.6 miles north of Wendell, while the proposed POD is an existing well located approximately 3.5 miles east and 0.9 miles north of Wendell. The application proposes to retain the stockwater use and add commercial use (a misting system) to the right, while relinquishing the domestic use.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 82082

WESTERN MORTGAGE & REALTY CO, PO BOX 3110, PASCO, WA 99301; has filed Application No. 82082 for changes to the following water rights within BLAINE, MINIDOKA County(s): Right No(s). 36-10515, 36-10850A, 36-10863A, 36-10863B, 36-15217, 36-15264A, 36-15264B, 36-16042, 36-16309, 36-16473, 36-16816, 36-2069, 36-2090B, 36-2092, 36-2097, 36-2259, 36-2433, 36-2434, 36-2435, 36-2582A, 36-2582B, 36-2618, 36-7209, 36-7246A, 36-7246B, 36-7356C, 36-7627, 36-8227. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes creating a 7,037.5 acre permissible place of use (PPU) on a farm located approximately 10.0 to 16.7 miles east and 7.6 to 13.2 miles north of Rupert for 25 rights totaling 62.97 cfs and 4,953.5 acres currently diverted from 17 wells on the farm. The application also proposes moving a 0.46 cfs and 59 acre portion of an additional right from a farm located approximately 9.7 to 10.1 miles east and 10.0 to 10.6 miles north to the 17 wells and proposed PPU. In addition, a portion of two water rights totaling 1.15 cfs and 96 acres are also proposed to be moved from a farm located 16.5 to 17.0 miles east and 8.1 to 8.7 miles north to the 17 wells and proposed PPU. In total the 28 rights will allow for the diversion of 64.58 cfs from 17 wells for the irrigation of 5,108.5 acres within the 7,037.5 acre PPU. Published in the Idaho Mountain Express on August 15th & 22nd, 2018 and August 16th & 23rd, 2018. Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights & proposed transfer, please see www.idwr.idaho.gov/ppsr/veryNewTransfers/veryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/aterManagementaterRights#NewListings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. 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 September 4, 2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on August 16 & 23, 2018

see note on affidavit

✓ *sm 8/15/2018*

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 72585

Publication

Times News

Contact

ID DEPARTMENT OF WATER RESOURCES

Address 1

650 ADDISON AVE W, STE 500

Address 2

City St Zip

TWIN FALLS ID 83301

Phone

2087363033

Fax

Section

Legals

SubSection

Category

50 Legal

Ad Key

72585-1

Keywords

Transfer Nos 82508,82494,82082

Notes

Ad Proof

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-17131

L & S LAND HOLDINGS LLC

2930 S 2300 E

WENDELL, ID 83355

Point of Diversion SESW S30 T07S R16E GOODING County

Source GROUND WATER Tributary

Use: DOMESTIC 0101 to 12% 1 0.08 CFS

Total Diversion: 0.08 CFS

Date Filed: 6/8/018

Place Of Use: DOMESTIC

T07S R16E S30 SESW

T07S R16E S31 NENW

Application for permit proposes to divert up to 0.08 cfs from an existing well for domestic use associated with three homes. The place of use and point of diversion are located approximately 3.9 miles east and 0.5 mile north of the intersection of Main and Idaho Streets in Wendell.

82508

HARPER VALLEY LAND LLC, 2045 E 850 S, DECLO, ID 83323; has filed Application No. 82508 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10037, 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the location of one of eight points of diversion for a 4.00 cfs portion of ten ground water irrigation rights (23.07 cfs, 1579.0 acres) from its current position approximately 7.7 miles north and 1.2 miles west of Malta. That well will be abandoned and a new well will be drilled approximately 7.6 miles north and 0.8 mile west of Malta. The transfer also proposes to modify the current 1600.0 acre permissible place of use (PPU) located approximately 7.0 to 9.5 miles north and 0.3 mile east to 1.7 miles west of Malta. Currently 1579.0 acres are irrigated within a 1600.00 acre PPU. After the transfer, 1579.0 acres will be irrigated within a 1609.1 acre PPU in order to reflect current irrigation practices.

82494

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355; has filed Application No. 82494 for changes to the following water rights within GOODING County(s): Right No(s). 36-8135. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the nature of use, place of use (POU), and point of diversion (POD) of domestic stockwater right 36-8135 (0.06 cfs, 43.4 AF) which is currently appurtenant to a feedlot and three homes located approximately 3.9 to 4.4 miles east and 0.5 to 0.7 mile north of the intersection of Main and Idaho Streets in Wendell. The proposed place of use is a dairy located approximately 3.0 to 3.5 miles east and 0.5 to 1.5 miles north of Wendell. The current POD is located approximately 4.0

**Proof of legal notice
received from Times News
8/15/2018 (2 pages)
needs corrected**

"Transfer No.... please add back in"

"Transfer No.... please add back in"

Am 8-15-2018
sent to newspaper

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 72585

miles east and 0.6 miles north of Wendell, while the proposed POD is an existing well located approximately 3.5 miles east and 0.9 miles north of Wendell. The application proposes to retain the stockwater use and add commercial use (a misting system) to the right, while relinquishing the domestic use.

82082

WESTERN MORTGAGE & REALTY CO, PO BOX 3110, PASCO, WA 99301; has filed Application No. 82082 for changes to the following water rights within BLAINE, MINIDOKA County(s): Right No(s). 36-10515, 36-10850A, 36-10863A, 36-10863B, 36-15217, 36-15264A, 36-15264B, 36-16042, 36-16309, 36-16473, 36-16816, 36-2069, 36-2090B, 36-2092, 36-2097, 36-2259, 36-2433, 36-2434, 36-2435, 36-2582A, 36-2582B, 36-2618, 36-7209, 36-7246A, 36-7246B, 36-7356C, 36-7627, 36-8227. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes creating a 7,037.5 acre permissible place of use (PPU) on a farm located approximately 10.0 to 16.7 miles east and 7.6 to 13.2 miles north of Rupert for 25 rights totaling 62.97 cfs and 4,953.5 acres currently diverted from 17 wells on the farm. The application also proposes moving a 0.46 cfs and 59 acre portion of an additional right from a farm located approximately 9.7 to 10.1 miles east and 10.0 to 10.6 miles north to the 17 wells and proposed PPU. In addition, a portion of two water rights totaling 1.15 cfs and 96 acres are also proposed to be moved from a farm located 16.5 to 17.0 miles east and 8.1 to 8.7 miles north to the 17 wells and proposed PPU. In total the 28 rights will allow for the diversion of 64.58 cfs from 17 wells for the irrigation of 5,108.5 acres within the 7,037.5 acre PPU. Published in the Idaho Mountain Express on August 15th & 22nd, 2018 and August 16th & 23rd, 2018.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights & proposed transfer, please see www.idwr.idaho.gov/ppsr/veryNewTransfers/veryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/waterManagement/waterRights/NewListings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. 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 September 4, 2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on August 16 & 23, 2018

"Transfer No..." please
add back in

→ Should read ... and
Times News on

DM
8-15-2018