

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

**Water Right 43-170A**  
**Water Right Report AFTER Ownership Change Split**

**Owner Type**      **Name and Address**  
Current Owner      ALAN J HARPER  
                                 1978 S 2350 E  
                                 MALTA, ID 83342  
                                 (208) 645-2333

Current Owner      BEVERLY K HARPER  
                                 1978 S 2350 E  
                                 MALTA, ID 83342  
                                 (208) 645-2333

**Priority Date:** 4/1/1881

**Basis:** Decreed

**Status:** Active

**Source**  
RAFT RIVER

**Tributary**  
SNAKE RIVER

| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| IRRIGATION                   | 04/01                         | 10/01            | 0.270 CFS                    |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 0.270 CFS                    |                      |

**Source and Point(s) of Diversion**

|            |          |                           |               |
|------------|----------|---------------------------|---------------|
| RAFT RIVER | NWSWNE   | Sec. 7, Twp 14S, Rge 27E, | CASSIA County |
| RAFT RIVER | L3(NENW) | Sec. 6, Twp 14S, Rge 27E, | CASSIA County |

**Place Of Use**

IRRIGATION within CASSIA County

| Twp | Rng | Sec | NE         |            |      |      | NW         |    |    |    | SW |    |            |      | SE   |      |      |      | Totals |
|-----|-----|-----|------------|------------|------|------|------------|----|----|----|----|----|------------|------|------|------|------|------|--------|
|     |     |     | NE         | NW         | SW   | SE   | NE         | NW | SW | SE | NE | NW | SW         | SE   | NE   | NW   | SW   | SE   |        |
| 13S | 27E | 31  |            |            |      |      |            |    |    |    |    |    | 50.0<br>L4 | 40.0 |      |      | 40.0 | 10.0 | 140.0  |
| 14S | 27E | 6   | 10.0<br>L1 | 40.0<br>L2 | 20.0 | 38.0 | 40.0<br>L3 |    |    |    |    |    |            |      | 20.0 | 10.0 |      |      | 178.0  |

Right Acre Limit: 47.0

POU Total Acres: 318.0

**Conditions of Approval:**

1.      X27      This right is limited to the irrigation of 47 acres within the authorized place of use in a single irrigation season.
2.      X35      Rights 43-00165A, 43-00168A, 43-00169C 43-00170A, 43-00171A, 43-00172A, 43-00173A, 43-10086, 43-11269, 43-11270, 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A and 43-04000B when combined shall not exceed a total

## IDAHO DEPARTMENT OF WATER RESOURCES

### Proof Report

- diversion rate of 7.058 cfs.
3. X35 Rights 43-00165A, 43-00168A, 43-00169C 43-00170A, 43-00171A, 43-00172A, 43-00173A, 43-00178J, 43-10086, 43-11269, 43-11270, 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A and 43-04000B when combined shall not exceed the irrigation of 318 acres.
  4. R05 Use of water under this right will 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. 43 B.
  5. R43 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).
  6. R64 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.
  7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
  8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
  9. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
  10. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

### Comments:

1. bwalker 11/23/2012 POD  
Updated Shape
2. amerritt 12/5/2012 Transferred Right  
This is now an approved transfer, transfer number = 77869
3. Ownership Change 6/21/2016 Split Right  
This right was split into 43-170A and 43-13752 pursuant to an ownership change.
4. tfawcett 7/11/2016 POU  
Updated Shape

### Dates and Other Information

Decreed Date: 6/28/2002  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Owner Name Connector: And  
Water District Number: 43B  
Mitigation Plan: False

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

**Combined Use Limits**

| <b><u>Rate</u></b> | <b><u>Volume</u></b> | <b><u>Acres</u></b> |
|--------------------|----------------------|---------------------|
|                    |                      | 338.0               |

43-2324B ,43-2324A ,43-2295E ,43-165A ,43-171A ,43-172A ,43-173A ,43-178J ,43-10086  
,43-11269 ,43-11270 ,43-168A ,43-169C ,43-170A

| <b><u>Rate</u></b> | <b><u>Volume</u></b> | <b><u>Acres</u></b> |
|--------------------|----------------------|---------------------|
| 7.500              |                      |                     |

43-2324B ,43-2324A ,43-2295E ,43-165A ,43-171A ,43-172A ,43-173A ,43-10086 ,43-11269  
,43-11270 ,43-168A ,43-169C ,43-170A

**SubCase:**

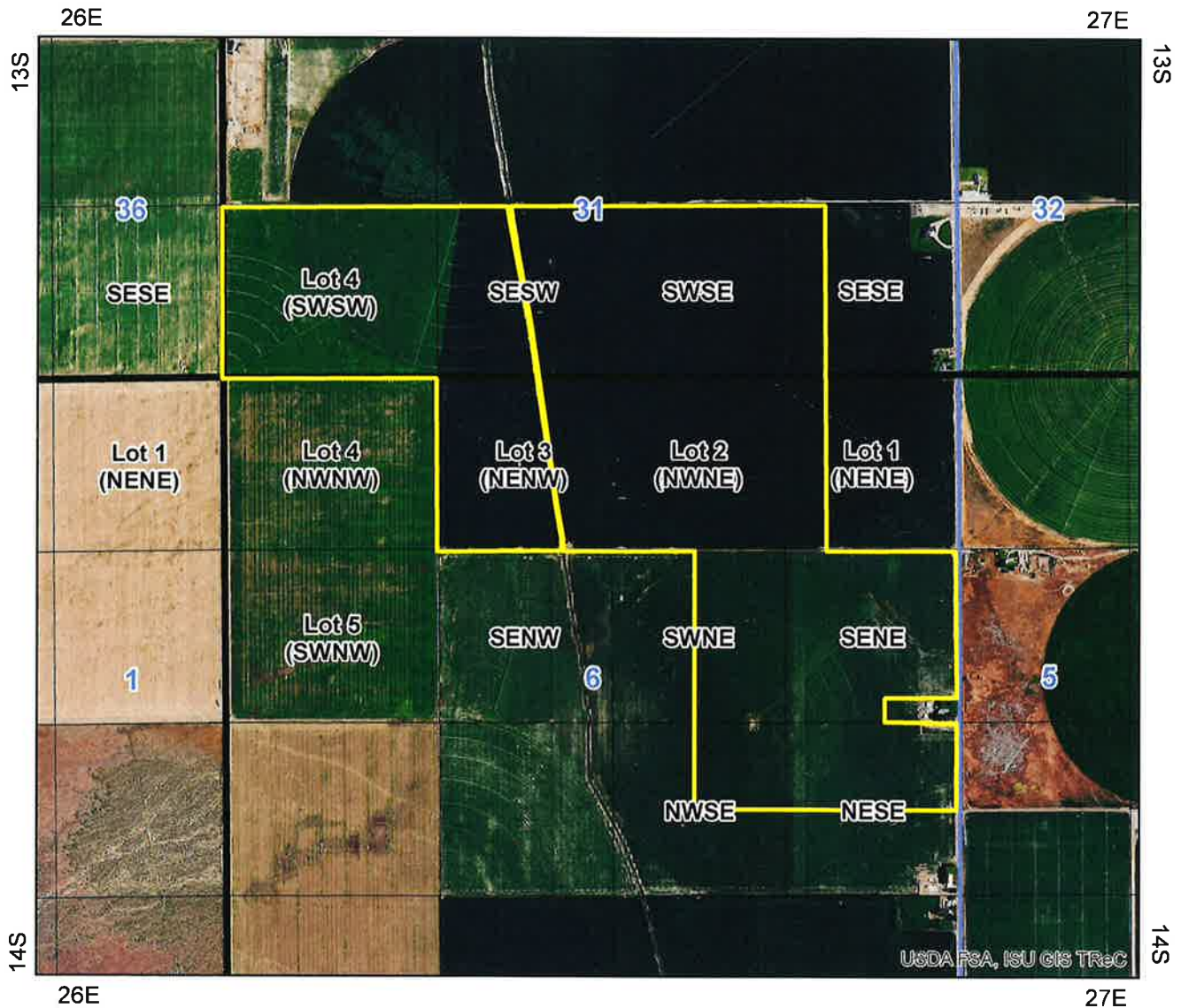
N/A

**Water Supply Bank:**

N/A

State of Idaho  
Department of Water Resources

Water Right 43-165A, 43-168A, 43-169C, 43-170A, 43-171A, 43-172A,  
43-173A, 43-178J, 43-10086, 43-11269, 43-11270  
Map AFTER Ownership Change Split



0 0.15 0.3 0.6 Miles

- Place Of Use Boundary
- Townships
- PLS Sections



**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

6/20/2016

**Water Right 43-170A**  
**Proof Report BEFORE Ownership Change Split**

**Owner Type**                      **Name and Address**

Current Owner                      ALAN J HARPER  
2436 E 1850 S  
MALTA, ID 83342  
(208)645-2333

Current Owner                      BEVERLY K HARPER  
2436 E 1850 S  
MALTA, ID 83342  
(208)645-2333

**Priority Date:** 4/1/1881

**Basis:** Decreed

**Status:** Active

**Source**

RAFT RIVER

**Tributary**

SNAKE RIVER

**Beneficial Use**

IRRIGATION

**From**

04/01

**To**

10/01

**Diversion Rate**

0.290 CFS

**Volume**

**Total Diversion**

0.290 CFS

**Source and Point(s) of Diversion**

RAFT RIVER

NWSWNE

Sec. 7, Twp 14S, Rge 27E, CASSIA County

RAFT RIVER

L3(NENW)

Sec. 6, Twp 14S, Rge 27E, CASSIA County

**Place Of Use**

IRRIGATION within CASSIA County

| Twp | Rng | Sec | NE         |            |      |      | NW         |    |    |    | SW |    |            |      | SE   |      |      |      | Totals |
|-----|-----|-----|------------|------------|------|------|------------|----|----|----|----|----|------------|------|------|------|------|------|--------|
|     |     |     | NE         | NW         | SW   | SE   | NE         | NW | SW | SE | NE | NW | SW         | SE   | NE   | NW   | SW   | SE   |        |
| 13S | 27E | 31  |            |            |      |      |            |    |    |    |    |    | 50.0<br>L4 | 40.0 |      | 20.0 | 40.0 | 10.0 | 160.0  |
| 14S | 27E | 6   | 10.0<br>L1 | 40.0<br>L2 | 20.0 | 38.0 | 40.0<br>L3 |    |    |    |    |    |            |      | 20.0 | 10.0 |      |      | 178.0  |

Right Acre Limit: 50.0

POU Total Acres: 338.0

**Conditions of Approval:**

1.        X27        This right is limited to the irrigation of 50 acres within the authorized place of use in a single irrigation season.
2.        X35        Rights 43-00165A, 43-00168A, 43-00169C 43-00170A, 43-00171A, 43-00172A, 43-00173A, 43-10086, 43-11269, 43-11270, 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A and 43-04000B when combined shall not exceed a total diversion rate of 7.498 cfs.

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3. X35 Rights 43-00165A, 43-00168A, 43-00169C 43-00170A, 43-00171A, 43-00172A, 43-00173A, 43-00178J, 43-10086, 43-11269, 43-11270, 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A and 43-04000B when combined shall not exceed the irrigation of 338 acres.
4. R05 Use of water under this right will 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. 43 B.
5. R43 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).
6. R64 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.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
10. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

**Combined Use Limits**

| <u>Rate</u>                                                                                                                        | <u>Volume</u> | <u>Acres</u> |
|------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------|
| 7.500                                                                                                                              |               |              |
| 43-2324B ,43-2324A ,43-2295E ,43-165A ,43-171A ,43-172A ,43-173A ,43-10086 ,43-11269 ,43-11270 ,43-168A ,43-169C ,43-170A          |               |              |
| <u>Rate</u>                                                                                                                        | <u>Volume</u> | <u>Acres</u> |
|                                                                                                                                    |               | 338.0        |
| 43-2324B ,43-2324A ,43-2295E ,43-165A ,43-171A ,43-172A ,43-173A ,43-178J ,43-10086 ,43-11269 ,43-11270 ,43-168A ,43-169C ,43-170A |               |              |

**SubCase:**

N/A

**Water Supply Bank:**

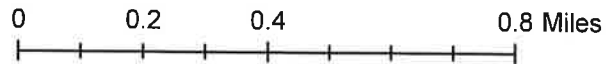
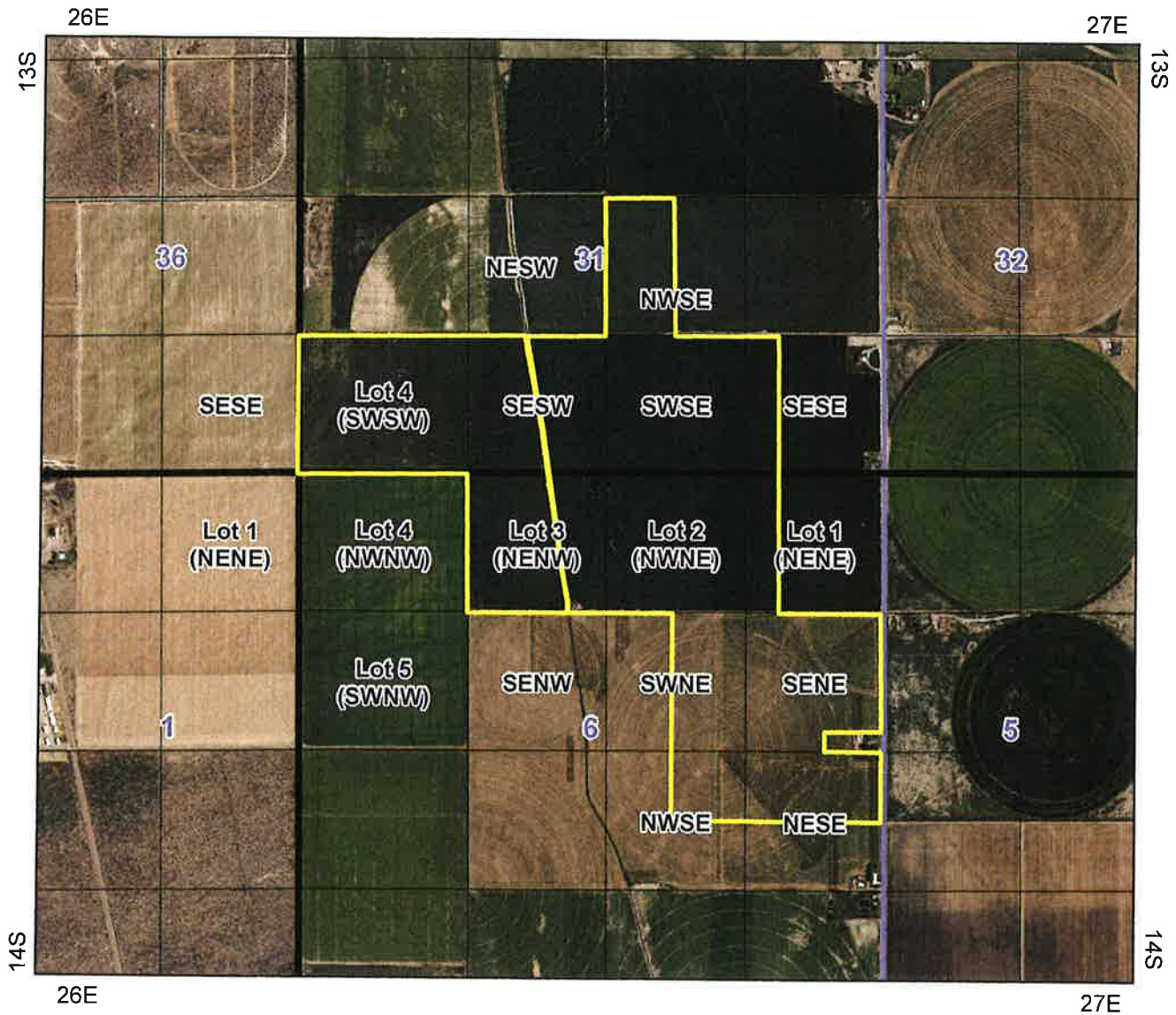
N/A

State of Idaho  
Department of Water Resources

# Water Right

43-165A, 43-168A, 43-169C, 43-170A, 43-171A, 43-172A, 43-173A, 43-178J, 43-10086, 43-11269,  
43-11270

Map BEFORE Ownership Change Split



- Place Of Use Boundary
- Townships
- PLS Sections

