

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 81356**

This is to certify that: **D JAY HARPER  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342**

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> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 43-11235           | WR/DECREED          | 6/30/1985            | 1.380 cfs             | N/A                     | 127.0             | 362.0              | GROUND WATER  |
| 43-12940           | WR/DECREED          | 12/12/1911           | 0.200 cfs             | N/A                     | N/A               | 30.0               | RAFT RIVER    |
| 43-12943           | WR/DECREED          | 3/1/1883             | 0.430 cfs             | N/A                     | N/A               | 30.0               | RAFT RIVER    |
| 43-13139           | WR/DECREED          | 11/30/1957           | 0.330 cfs             | 128.0 af                | 32.0              | 362.0              | GROUND WATER  |
| 43-13141           | WR/DECREED          | 11/27/1957           | 0.190 cfs             | 92.7 af                 | 32.0              | 362.0              | GROUND WATER  |
| 43-13143           | WR/DECREED          | 5/29/1950            | 0.240 cfs             | 56.0 af                 | 14.0              | 362.0              | GROUND WATER  |
| 43-13749           | WR/DECREED          | 4/1/1871             | 0.020 cfs             | N/A                     | 8.9               | 20.0               | RAFT RIVER    |
| 43-13750           | WR/DECREED          | 4/1/1879             | 0.070 cfs             | N/A                     | 8.9               | 20.0               | RAFT RIVER    |
| 43-13751           | WR/DECREED          | 6/1/1879             | 0.090 cfs             | N/A                     | 11.8              | 20.0               | RAFT RIVER    |
| 43-13752           | WR/DECREED          | 4/1/1881             | 0.020 cfs             | N/A                     | 3.0               | 20.0               | RAFT RIVER    |
| 43-13753           | WR/DECREED          | 3/1/1883             | 0.090 cfs             | N/A                     | 5.3               | 20.0               | RAFT RIVER    |
| 43-13754           | WR/DECREED          | 4/1/1879             | 0.020 cfs             | N/A                     | 8.9               | 20.0               | RAFT RIVER    |
| 43-13755           | WR/DECREED          | 4/1/1882             | 0.040 cfs             | N/A                     | 3.0               | 20.0               | RAFT RIVER    |
| 43-13756           | WR/DECREED          | 12/12/1911           | 0.300 cfs             | N/A                     | N/A               | 20.0               | RAFT RIVER    |
| 43-13757           | WR/DECREED          | 3/5/1945             | 0.140 cfs             | 68.0 af                 | N/A               | 20.0               | GROUND WATER  |
| 43-13758           | WR/DECREED          | 4/1/1948             | 0.170 cfs             | 80.0 af                 | N/A               | 20.0               | GROUND WATER  |
| 43-13759           | WR/DECREED          | 6/1/1958             | 0.230 cfs             | N/A                     | N/A               | 20.0               | GROUND WATER  |
| 43-13760           | WR/DECREED          | 4/1/1871             | 0.070 cfs             | N/A                     | 8.9               | 20.0               | RAFT RIVER    |
| 43-13761           | WR/DECREED          | 4/1/1871             | 0.003 cfs             | N/A                     | 8.9               | 20.0               | RAFT RIVER    |
| 43-13762           | WR/DECREED          | 4/1/1871             | 0.003 cfs             | N/A                     | 8.9               | 20.0               | RAFT RIVER    |
| 43-171B            | WR/DECREED          | 3/1/1883             | 4.730 cfs             | N/A                     | 259.0             | 362.0              | RAFT RIVER    |
| 43-173D            | WR/DECREED          | 4/1/1882             | 0.610 cfs             | N/A                     | 40.0              | 362.0              | RAFT RIVER    |
| 43-177F            | WR/DECREED          | 5/24/1909            | 1.400 cfs             | N/A                     | N/A               | 362.0              | RAFT RIVER    |
| 43-177G            | WR/DECREED          | 5/24/1909            | 0.600 cfs             | N/A                     | N/A               | 30.0               | RAFT RIVER    |
| 43-178F            | WR/DECREED          | 12/12/1911           | 4.000 cfs             | N/A                     | N/A               | 362.0              | RAFT RIVER    |
| 43-2295H           | WR/DECREED          | 3/5/1945             | 0.420 cfs             | 204.1 af                | 60.0              | 362.0              | GROUND WATER  |
| 43-2330            | WR/DECREED          | 12/29/1948           | 0.800 cfs             | 160.0 af                | 40.0              | 362.0              | GROUND WATER  |
| 43-2528            | WR/DECREED          | 6/6/1961             | 2.200 cfs             | 471.0 af                | 110.0             | 362.0              | GROUND WATER  |
| 43-2562B           | WR/DECREED          | 4/6/1963             | 0.600 cfs             | 120.0 af                | N/A               | 30.0               | GROUND WATER  |

Transfer No. 81356

SUPPORT DATA  
IN FILE # 43-171B

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 81356**

**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> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 43-4166            | WR/DECREED          | 3/15/1959            | 0.500 cfs             | 100.0 af                | 25.0              | 362.0              | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 43-11235              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 43-12940              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 43-12943              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 43-13139              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13141              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13143              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13749              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13750              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13751              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13752              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13753              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13754              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13755              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13756              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13757              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 43-13758              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 43-13759              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 43-13760              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13761              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13762              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-171B               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-173D               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-177F               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-177G               | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 43-178F               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-2295H              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 43-2330               | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 43-2528               | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 43-2562B              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-4166               | NO           | NO         | YES        | YES            | 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> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 43-11235              | 43-11235                         | 1.380 cfs            | N/A                    | 127.0             | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-12940              | 43-12940                         | 0.200 cfs            | N/A                    | 30.0              | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-12943              | 43-12943                         | 0.430 cfs            | N/A                    | 30.0              | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13139              | 43-13139                         | 0.330 cfs            | 128.0 af               | 32.0              | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13141              | 43-13141                         | 0.190 cfs            | 92.7 af                | 32.0              | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13143              | 43-13143                         | 0.240 cfs            | 56.0 af                | 14.0              | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13749              | 43-13749                         | 0.020 cfs            | N/A                    | 8.9               | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |

Transfer No. 81356

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

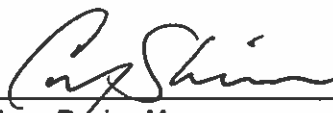
**TRANSFER OF WATER RIGHT  
TRANSFER NO. 81356**

**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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 43-13750               | 43-13750                         | 0.070 cfs            | N/A                    | 8.9               | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13751               | 43-13751                         | 0.090 cfs            | N/A                    | 11.8              | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13752               | 43-13752                         | 0.020 cfs            | N/A                    | 3.0               | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13753               | 43-13753                         | 0.090 cfs            | N/A                    | 5.3               | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13754               | 43-13754                         | 0.020 cfs            | N/A                    | 8.9               | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13755               | 43-13755                         | 0.040 cfs            | N/A                    | 3.0               | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13756               | 43-13756                         | 0.300 cfs            | N/A                    | 20.0              | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13757               | 43-13757                         | 0.140 cfs            | 68.0 af                | 20.0              | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13758               | 43-13758                         | 0.170 cfs            | 80.0 af                | 20.0              | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13759               | 43-13759                         | 0.230 cfs            | N/A                    | 20.0              | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13760               | 43-13760                         | 0.070 cfs            | N/A                    | 8.9               | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13761               | 43-13761                         | 0.003 cfs            | N/A                    | 8.9               | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13762               | 43-13762                         | 0.003 cfs            | N/A                    | 8.9               | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-171B                | 43-171B                          | 4.730 cfs            | N/A                    | 259.0             | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-173D                | 43-173D                          | 0.610 cfs            | N/A                    | 40.0              | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-177F                | 43-177F                          | 1.400 cfs            | N/A                    | 362.0             | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-177G                | 43-177G                          | 0.600 cfs            | N/A                    | 30.0              | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-178F                | 43-178F                          | 4.000 cfs            | N/A                    | 362.0             | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-2295H               | 43-2295H                         | 0.420 cfs            | 204.1 af               | 60.0              | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-2330                | 43-2330                          | 0.800 cfs            | 160.0 af               | 40.0              | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-2528                | 43-2528                          | 2.200 cfs            | 471.0 af               | 110.0             | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-2562B               | 43-2562B                         | 0.600 cfs            | 120.0 af               | 30.0              | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-4166                | 43-4166                          | 0.500 cfs            | 100.0 af               | 25.0              | 412.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>10.270 cfs</b>    | <b>N/A</b>             | <b>412.0</b>      | <b>412.0</b>       |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

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 12<sup>th</sup> day of May, 2017.

  
\_\_\_\_\_  
Southern Region Manager

# **WATER RIGHT NO. 43-178F**

## **As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-178F is now described as follows:

**Right Holder:** JEANETTE W HARPER  
D JAY HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 12/12/1911

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **To** 11/15

**Diversion Rate**  
4.000 cfs  
4.000 cfs

### **LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWSNW Sec 31 Twp 13S Rge 27E CASSIA County  
RAFT RIVER NWSWNE Sec 7 Twp 14S Rge 27E CASSIA County

### **PLACE OF USE: IRRIGATION**

|     |     |     | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 362.0  
POU Total Acres: 412.0

### **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 362 acres within the authorized place of use in a single irrigation season.
2. Rights 43-00171B, 43-00173D, 43-00177F, 43-00178F, 43-02295H, 43-02330, 43-02528, 43-04166 and 43-11235 when combined shall not exceed a total diversion rate of 7.24 cfs and the irrigation of 362 acres.
3. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.

**WATER RIGHT NO. 43-178F**  
**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. 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. 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. 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. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to 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. 43-13139****As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-13139 is now described as follows:

**Right Holder:** D JAY HARPER  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 11/30/1957

**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  | 0.330 cfs             | 128.0 af                |
|                       |             |           | 0.330 cfs             | 128.0 af                |

**LOCATION OF POINT(S) OF DIVERSION**

|              |              |                        |               |
|--------------|--------------|------------------------|---------------|
| GROUND WATER | SENENW       | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | SWNESE       | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | L3 (SWNWWSW) | Sec 31 Twp 13S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49 | 49 | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    | L1 | L2 |    |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 32.0  
POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 32 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13139 and 43-13141 when combined shall not exceed a total annual maximum diversion volume of 128.0 af at the field headgate, and the irrigation of 32.0 acres.
3. Rights 43-13139, 43-13141 and 43-13143 when combined shall not exceed a total diversion rate of 0.76 cfs, a total annual maximum diversion volume of 184.0 af at the field headgate, and the irrigation of 46 acres..

**WATER RIGHT NO. 43-13139**  
**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.
5. 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. 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. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one (1) 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. 43-13141****As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-13141 is now described as follows:

**Right Holder:** D JAY HARPER  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 11/27/1957

**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  | 0.190 cfs             | 92.7 af                 |
|                       |             |           | 0.190 cfs             | 92.7 af                 |

**LOCATION OF POINT(S) OF DIVERSION**

|              |             |                        |               |
|--------------|-------------|------------------------|---------------|
| GROUND WATER | SENENW      | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | SWNESE      | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | L3 (SWNWSW) | Sec 31 Twp 13S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

|     |     |     |  | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|--|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec |  | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  |  | 39 | 40 | 40 | 36 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |  |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 32.0  
POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 32 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13139 and 43-13141 when combined shall not exceed a total annual maximum diversion volume of 128.0 af at the field headgate, and the irrigation of 32.0 acres.
3. Rights 43-13139, 43-13141 and 43-13143 when combined shall not exceed a total diversion rate of 0.76 cfs, a total annual maximum diversion volume of 184.0 af at the field headgate, and the irrigation of 46 acres..

**WATER RIGHT NO. 43-13141**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.
5. 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. 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. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one (1) 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. 43-13143

## As Modified by Transfer No. 81356

In accordance with the approval of Transfer No. 81356, Water Right No. 43-13143 is now described as follows:

**Right Holder:** D JAY HARPER  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 5/29/1950

**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  | 0.240 cfs             | 56.0 af                 |
|                       |             |           | 0.240 cfs             | 56.0 af                 |

### LOCATION OF POINT(S) OF DIVERSION

|              |              |                        |               |
|--------------|--------------|------------------------|---------------|
| GROUND WATER | SEENW        | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | SWNESE       | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | L3 (SWNWWSW) | Sec 31 Twp 13S Rge 27E | CASSIA County |

### PLACE OF USE: IRRIGATION

|     |     |     | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 14.0  
POU Total Acres: 412.0

### CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 14 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13139, 43-13141 and 43-13143 when combined shall not exceed a total diversion rate of 0.76 cfs, a total annual maximum diversion volume of 184.0 af at the field headgate, and the irrigation of 46 acres..
3. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.

**WATER RIGHT NO. 43-13143**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. 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. 143.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
7. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
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 lands above.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to 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. 43-13749**

**As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-13749 is now described as follows:

**Right Holder:** D JAY HARPER  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 4/1/1871

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

04/30

to

**To**

07/01

**Diversion Rate**

0.020 cfs

0.020 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|            |           |                        |               |
|------------|-----------|------------------------|---------------|
| RAFT RIVER | NWSENW    | Sec 31 Twp 13S Rge 27E | CASSIA County |
| RAFT RIVER | L3 (NENW) | Sec 6 Twp 14S Rge 27E  | CASSIA County |
| RAFT RIVER | NWSWNE    | Sec 7 Twp 14S Rge 27E  | CASSIA County |

**PLACE OF USE: IRRIGATION**

|     |     |     |  | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|--|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec |  | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  |  | 39 | 40 | 40 | 36 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |  |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 8.9

POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 8.9 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13749, 43-13750, 43-13754, 43-13760, 43-13761 and 43-13762 when combined shall not exceed the irrigation of 8.9 acres.
3. Rights 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761 and 43-13762 when combined shall not exceed a total diversion rate of .44 cfs, and the irrigation of 20 acres.

**WATER RIGHT NO. 43-13749**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.
5. 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.
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. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-13750****As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-13750 is now described as follows:

**Right Holder:** D JAY HARPER And  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 4/1/1879

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

07/01

to

**To**

10/01

**Diversion Rate**

0.070 cfs

0.070 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|            |           |                        |               |
|------------|-----------|------------------------|---------------|
| RAFT RIVER | NWSENW    | Sec 31 Twp 13S Rge 27E | CASSIA County |
| RAFT RIVER | L3 (NENW) | Sec 6 Twp 14S Rge 27E  | CASSIA County |
| RAFT RIVER | NWSWNE    | Sec 7 Twp 14S Rge 27E  | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 8.9

POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 8.9 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13749, 43-13750, 43-13754, 43-13760, 43-13761 and 43-13762 when combined shall not exceed the irrigation of 8.9 acres.
3. Rights 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761 and 43-13762 when combined shall not exceed a total diversion rate of .44 cfs, and the irrigation of 20 acres.

**WATER RIGHT NO. 43-13750**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.
5. 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.
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. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-13751**

## **As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-13751 is now described as follows:

**Right Holder:** D JAY HARPER And  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 6/1/1879

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

### **BENEFICIAL USE**

IRRIGATION

### **From**

04/01

to

### **To**

10/01

### **Diversion Rate**

0.090 cfs

0.090 cfs

### **LOCATION OF POINT(S) OF DIVERSION**

|            |           |                                      |
|------------|-----------|--------------------------------------|
| RAFT RIVER | NWSENW    | Sec 31 Twp 13S Rge 27E CASSIA County |
| RAFT RIVER | L3 (NENW) | Sec 6 Twp 14S Rge 27E CASSIA County  |
| RAFT RIVER | NWSWNE    | Sec 7 Twp 14S Rge 27E CASSIA County  |

### **PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49 | 49 | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    | L1 | L2 |    |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 11.8

POU Total Acres: 412.0

### **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 11.8 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761 and 43-13762 when combined shall not exceed a total diversion rate of .44 cfs, and the irrigation of 20 acres.
3. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.

Transfer No. 81356

**WATER RIGHT NO. 43-13751**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. 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. 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. 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. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to 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. 43-13752****As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-13752 is now described as follows:

**Right Holder:** D JAY HARPER And  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

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

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

04/01

to

**To**

10/01

**Diversion Rate**

0.020 cfs

0.020 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|            |           |                        |               |
|------------|-----------|------------------------|---------------|
| RAFT RIVER | NWSENW    | Sec 31 Twp 13S Rge 27E | CASSIA County |
| RAFT RIVER | L3 (NENW) | Sec 6 Twp 14S Rge 27E  | CASSIA County |
| RAFT RIVER | NWSWNE    | Sec 7 Twp 14S Rge 27E  | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49 | 49 | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L1 | L2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 3.0

POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 3 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761 and 43-13762 when combined shall not exceed a total diversion rate of .44 cfs, and the irrigation of 20 acres.
3. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.

Transfer No. 81356

**WATER RIGHT NO. 43-13752**  
**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. 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. 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. 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. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to 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. 43-13753****As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-13753 is now described as follows:

**Right Holder:** D JAY HARPER And  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 3/1/1883

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

04/01

to

**To**

10/01

**Diversion Rate**

0.090 cfs

0.090 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|            |           |                                      |
|------------|-----------|--------------------------------------|
| RAFT RIVER | NWSENW    | Sec 31 Twp 13S Rge 27E CASSIA County |
| RAFT RIVER | L3 (NENW) | Sec 6 Twp 14S Rge 27E CASSIA County  |
| RAFT RIVER | NWSWNE    | Sec 7 Twp 14S Rge 27E CASSIA County  |

**PLACE OF USE: IRRIGATION**

|     |     |     |  | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|--|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec |  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  |  | 39 | 40 | 40 | 36 | 40 | 49 | 49 | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |  |    |    |    |    | L1 | L2 |    |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 5.3

POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 5.3 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761 and 43-13762 when combined shall not exceed a total diversion rate of .44 cfs, and the irrigation of 20 acres.
3. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.

Transfer No. 81356

**WATER RIGHT NO. 43-13753**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. 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. 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. 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. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to 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. 43-13754****As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-13754 is now described as follows:

**Right Holder:** D JAY HARPER And  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 4/1/1879

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

04/01

to

**To**

10/01

**Diversion Rate**

0.020 cfs

0.020 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|            |           |                                      |
|------------|-----------|--------------------------------------|
| RAFT RIVER | NWSNW     | Sec 31 Twp 13S Rge 27E CASSIA County |
| RAFT RIVER | L3 (NENW) | Sec 6 Twp 14S Rge 27E CASSIA County  |
| RAFT RIVER | NWSWNE    | Sec 7 Twp 14S Rge 27E CASSIA County  |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 8.9

POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 8.9 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13749, 43-13750, 43-13754, 43-13760, 43-13761 and 43-13762 when combined shall not exceed the irrigation of 8.9 acres.
3. Rights 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761 and 43-13762 when combined shall not exceed a total diversion rate of .44 cfs, and the irrigation of 20 acres.

Transfer No. 81356

**WATER RIGHT NO. 43-13754**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.
5. 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.
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. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-13755****As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-13755 is now described as follows:

**Right Holder:** D JAY HARPER And  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 4/1/1882

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

04/01

to

**To**

10/01

**Diversion Rate**

0.040 cfs

0.040 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|            |           |                        |               |
|------------|-----------|------------------------|---------------|
| RAFT RIVER | NWSENW    | Sec 31 Twp 13S Rge 27E | CASSIA County |
| RAFT RIVER | L3 (NENW) | Sec 6 Twp 14S Rge 27E  | CASSIA County |
| RAFT RIVER | NWSWNE    | Sec 7 Twp 14S Rge 27E  | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 35 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 3.0

POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 3 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761 and 43-13762 when combined shall not exceed a total diversion rate of .44 cfs, and the irrigation of 20 acres.
3. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.

Transfer No. 81356

**WATER RIGHT NO. 43-13755**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. 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. 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. 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. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to 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. 43-11235**

## **As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-11235 is now described as follows:

**Right Holder:** JEANETTE W HARPER  
D JAY HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 6/30/1985

**Source:** GROUND WATER

### **BENEFICIAL USE**

IRRIGATION

**From** 03/15 **to** 11/15

### **Diversion Rate**

1.380 cfs  
1.380 cfs

### **LOCATION OF POINT(S) OF DIVERSION**

|              |             |                        |               |
|--------------|-------------|------------------------|---------------|
| GROUND WATER | SENENW      | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | SWNESE      | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | L3 (SWNWSW) | Sec 31 Twp 13S Rge 27E | CASSIA County |

### **PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 127.0

POU Total Acres: 412.0

### **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 127 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2295H, 43-2330, 43-2528, 43-4166 and 43-11235 when combined shall not exceed a total diversion rate of 3.93 cfs, a total annual maximum diversion volume of 940 af.
3. Rights 43-00171B, 43-00173D, 43-00177F, 43-00178F, 43-02295H, 43-02330, 43-02528, 43-04166 and 43-11235 when combined shall not exceed a total diversion rate of 7.24 cfs and the irrigation of 362 acres.

Transfer No. 81356

**WATER RIGHT NO. 43-11235**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.
5. 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. 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. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
10. This right is an expansion of right nos. 43-2295H, 43-2330, 43-2528 and 43-4166 pursuant to section 42-1416B, Idaho code.
11. This right is for an enlargement of 127 acres within the place of use described for this right.
12. This right does not grant any right-of-way or easement across the land of another.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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. 43-13756****As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-13756 is now described as follows:

**Right Holder:** D JAY HARPER And  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 12/12/1911

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **To** 11/15

**Diversion Rate**  
0.300 cfs  
0.300 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|            |           |                        |               |
|------------|-----------|------------------------|---------------|
| RAFT RIVER | NWSENW    | Sec 31 Twp 13S Rge 27E | CASSIA County |
| RAFT RIVER | L3 (NENW) | Sec 6 Twp 14S Rge 27E  | CASSIA County |
| RAFT RIVER | NWSWNE    | Sec 7 Twp 14S Rge 27E  | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 20.0  
POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 20 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761 and 43-13762 when combined shall not exceed a total diversion rate of .44 cfs, and the irrigation of 20 acres.
3. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.

Transfer No. 81356

**WATER RIGHT NO. 43-13756**  
**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. 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. 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. 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. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to 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. 43-13757****As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-13757 is now described as follows:

**Right Holder:** D JAY HARPER  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 3/5/1945

**Source:** GROUND WATER

**BENEFICIAL USE**

IRRIGATION

**From**

03/15

to

**To**

11/15

**Diversion Rate**

0.140 cfs

0.140 cfs

**Diversion Volume**

68.0 af

68.0 af

**LOCATION OF POINT(S) OF DIVERSION**

|              |             |                        |               |
|--------------|-------------|------------------------|---------------|
| GROUND WATER | SENENW      | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | SWNESE      | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | L3 (SWNWSW) | Sec 31 Twp 13S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 20.0

POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 20 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate .4 cfs, a total annual maximum diversion volume of 80 af at the field headgate, and the irrigation of 20 acres.
3. Rights 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761 and 43-13762 when combined shall not exceed a total diversion rate of .44 cfs, and the irrigation of 20 acres.

Transfer No. 81356

**WATER RIGHT NO. 43-13757**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.
5. 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. 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. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
10. This right does not grant any right-of-way or easement across the land of another.
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. 43-13758****As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-13758 is now described as follows:

**Right Holder:** D JAY HARPER  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 4/1/1948

**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  | 0.170 cfs             | 80.0 af                 |
|                       |             |           | 0.170 cfs             | 80.0 af                 |

**LOCATION OF POINT(S) OF DIVERSION**

|              |             |                        |               |
|--------------|-------------|------------------------|---------------|
| GROUND WATER | SENENW      | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | SWNESE      | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | L3 (SWNWSW) | Sec 31 Twp 13S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

|     |     |     |  | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|--|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec |  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  |  | 39 | 40 | 40 | 36 | 40 | 49 | 49 | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |  |    |    |    |    |    | L1 | L2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 20.0  
POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 20 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13758 and 43-13759 when combined shall not exceed a total annual maximum diversion volume of 80 af at the field headgate, and the irrigation of 20 acres.
3. Rights 43-13757, 43-13758 and 43-13759 when combined shall not exceed a total diversion rate .4 cfs, a total annual maximum diversion volume of 80 af at the field headgate, and the irrigation of 20 acres.
4. Rights 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761 and 43-13762 when combined shall not exceed a total diversion rate of .44 cfs, and the irrigation of 20 acres.

Transfer No. 81356

**WATER RIGHT NO. 43-13758**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

5. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.
6. 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. 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. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
9. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. 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 lands above.
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.

# WATER RIGHT NO. 43-13759

## As Modified by Transfer No. 81356

In accordance with the approval of Transfer No. 81356, Water Right No. 43-13759 is now described as follows:

**Right Holder:** D JAY HARPER  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 6/1/1958

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **To** 11/15

**Diversion Rate**  
0.230 cfs  
0.230 cfs

### LOCATION OF POINT(S) OF DIVERSION

|              |             |                        |               |
|--------------|-------------|------------------------|---------------|
| GROUND WATER | SENENW      | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | SWNESE      | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | L3 (SWNWSW) | Sec 31 Twp 13S Rge 27E | CASSIA County |

### PLACE OF USE: IRRIGATION

| Twp | Rng | Sec | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 20.0  
POU Total Acres: 412.0

### CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 20 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13758 and 43-13759 when combined shall not exceed a total annual maximum diversion volume of 80 af at the field headgate, and the irrigation of 20 acres.
3. Rights 43-13757, 43-13758 and 43-13759 when combined shall not exceed a total diversion rate .4 cfs, a total annual maximum diversion volume of 80 af at the field headgate, and the irrigation of 20 acres.
4. Rights 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761 and 43-13762 when combined shall not exceed a total diversion rate of .44 cfs, and the irrigation of 20 acres.

Transfer No. 81356

**WATER RIGHT NO. 43-13759**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

5. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.
6. 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. 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. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
9. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. 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 lands above.
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.

**WATER RIGHT NO. 43-13760****As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-13760 is now described as follows:

**Right Holder:** D JAY HARPER And  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 4/1/1871

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 04/01 **To** 07/01

**Diversion Rate**  
0.070 cfs  
0.070 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|            |           |                        |               |
|------------|-----------|------------------------|---------------|
| RAFT RIVER | NWSNW     | Sec 31 Twp 13S Rge 27E | CASSIA County |
| RAFT RIVER | L3 (NENW) | Sec 6 Twp 14S Rge 27E  | CASSIA County |
| RAFT RIVER | NWSWNE    | Sec 7 Twp 14S Rge 27E  | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 8.9

POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 8.9 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13749, 43-13750, 43-13754, 43-13760, 43-13761 and 43-13762 when combined shall not exceed the irrigation of 8.9 acres.
3. Rights 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761 and 43-13762 when combined shall not exceed a total diversion rate of .44 cfs, and the irrigation of 20 acres.

Transfer No. 81356

**WATER RIGHT NO. 43-13760**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.
5. 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.
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. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-13761

## As Modified by Transfer No. 81356

In accordance with the approval of Transfer No. 81356, Water Right No. 43-13761 is now described as follows:

**Right Holder:** D JAY HARPER AND  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 4/1/1871

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 04/30 **To** 07/01

**Diversion Rate**  
0.003 cfs  
0.003 cfs

### LOCATION OF POINT(S) OF DIVERSION

|            |           |                        |               |
|------------|-----------|------------------------|---------------|
| RAFT RIVER | NWSENW    | Sec 31 Twp 13S Rge 27E | CASSIA County |
| RAFT RIVER | L3 (NENW) | Sec 6 Twp 14S Rge 27E  | CASSIA County |
| RAFT RIVER | NWSWNE    | Sec 7 Twp 14S Rge 27E  | CASSIA County |

### PLACE OF USE: IRRIGATION

|     |     |     |  | NE |    |    |    | NW  |     |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|--|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec |  | NE | NW | SW | SE | NE  | NW  | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  |  | 39 | 40 | 40 | 36 | 40  | 49  | 49 | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |  |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 8.9

POU Total Acres: 412.0

### CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 8.9 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13749, 43-13750, 43-13754, 43-13760, 43-13761 and 43-13762 when combined shall not exceed the irrigation of 8.9 acres.
3. Rights 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761 and 43-13762 when combined shall not exceed a total diversion rate of .44 cfs, and the irrigation of 20 acres.

**WATER RIGHT NO. 43-13761**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.
5. 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.
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. The diversion rate of this right is .003 cfs.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to 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. 43-13762****As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-13762 is now described as follows:

**Right Holder:** D JAY HARPER And  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 4/1/1871

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

03/15

to

**To**

11/15

**Diversion Rate**

0.003 cfs

0.003 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|            |           |                                      |
|------------|-----------|--------------------------------------|
| RAFT RIVER | NWSENW    | Sec 31 Twp 13S Rge 27E CASSIA County |
| RAFT RIVER | L3 (NENW) | Sec 6 Twp 14S Rge 27E CASSIA County  |
| RAFT RIVER | NWSWNE    | Sec 7 Twp 14S Rge 27E CASSIA County  |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 8.9

POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 8.9 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13749, 43-13750, 43-13754, 43-13760, 43-13761 and 43-13762 when combined shall not exceed the irrigation of 8.9 acres.
3. Rights 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761 and 43-13762 when combined shall not exceed a total diversion rate of .44 cfs, and the irrigation of 20 acres.

Transfer No. 81356

**WATER RIGHT NO. 43-13762**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.
5. 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.
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. The diversion rate of this right is .003 cfs.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to 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. 43-2562B****As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-2562B is now described as follows:

**Right Holder:** D JAY HARPER  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 4/6/1963

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

**From** 04/01 **To** 10/31

**Diversion Rate**  
0.600 cfs  
0.600 cfs

**Diversion Volume**  
120.0 af  
120.0 af

**LOCATION OF POINT(S) OF DIVERSION**

|              |             |                        |               |
|--------------|-------------|------------------------|---------------|
| GROUND WATER | SENENW      | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | SWNESE      | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | L3 (SWNWSW) | Sec 31 Twp 13S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 30.0

POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 30 acres within the authorized place of use in a single irrigation season.
2. Rights 43-177G, 43-2562B, 43-12940 and 43-12943 when combined shall not exceed the irrigation of 30 acres.
3. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.

Transfer No. 81356

**WATER RIGHT NO. 43-2562B**  
**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. 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 the SRBA partial decree date 6/28/2002.
5. 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. 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. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
10. This right does not grant any right-of-way or easement across the land of another.
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. 43-177G** **As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-177G is now described as follows:

**Right Holder:** JEANETTE W HARPER  
D JAY HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 5/24/1909

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **To** 11/15

**Diversion Rate**  
0.600 cfs  
0.600 cfs

## **LOCATION OF POINT(S) OF DIVERSION**

|            |        |                        |               |
|------------|--------|------------------------|---------------|
| RAFT RIVER | NWSNW  | Sec 31 Twp 13S Rge 27E | CASSIA County |
| RAFT RIVER | NWNWSW | Sec 20 Twp 14S Rge 27E | CASSIA County |
| RAFT RIVER | NWSWNE | Sec 7 Twp 14S Rge 27E  | CASSIA County |

## **PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW  |     |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE  | NW  | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40  | 49  | 49 | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 30.0  
POU Total Acres: 412.0

## **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 30 acres within the authorized place of use in a single irrigation season.
2. Rights 43-177G, 43-2562B, 43-12940, and 43-12943 when combined shall not exceed the irrigation of 30 acres.
3. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.

Transfer No. 81356

**WATER RIGHT NO. 43-177G**  
**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. 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. 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. 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. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to 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. 43-12940****As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-12940 is now described as follows:

**Right Holder:** D JAY HARPER  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 12/12/1911

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

03/15

to 11/15

**To****Diversion Rate**

0.200 cfs

0.200 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|            |        |                        |               |
|------------|--------|------------------------|---------------|
| RAFT RIVER | NWSNW  | Sec 31 Twp 13S Rge 27E | CASSIA County |
| RAFT RIVER | NWNWSW | Sec 20 Twp 14S Rge 27E | CASSIA County |
| RAFT RIVER | NWSWNE | Sec 7 Twp 14S Rge 27E  | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 30.0

POU Total Acres: 412

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 30 acres within the authorized place of use in a single irrigation season.
2. Rights 43-177G, 43-2562B, 43-12940, and 43-12943 when combined shall not exceed the irrigation of 30 acres.
3. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.

Transfer No. 81356

**WATER RIGHT NO. 43-12940**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. 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. 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. 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. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to 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. 43-2295H**  
**As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-2295H is now described as follows:

**Right Holder:** D JAY HARPER  
 JEANETTE W HARPER  
 1926 S 2350 E  
 MALTA, ID 83342

**Priority Date:** 3/5/1945

**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  | 0.420 cfs             | 204.1 af                |
|                       |             |           | 0.420 cfs             | 204.1 af                |

**LOCATION OF POINT(S) OF DIVERSION**

|              |             |                        |               |
|--------------|-------------|------------------------|---------------|
| GROUND WATER | SENENW      | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | SWNESE      | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | L3 (SWNWSW) | Sec 31 Twp 13S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 60.0  
 POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 60 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2295H, 43-2330, 43-2528, 43-4166 and 43-11235 when combined shall not exceed a total diversion rate of 3.93 cfs, a total annual maximum diversion volume of 940 af.
3. Rights 43-00171B, 43-00173D, 43-00177F, 43-00178F, 43-02295H, 43-02330, 43-02528, 43-04166 and 43-11235 when combined shall not exceed a total diversion rate of 7.24 cfs and the irrigation of 362 acres.

**WATER RIGHT NO. 43-2295H**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.
5. Right No 43-11235 is an expansion of rights 43-2295H, 43-2330, 43-2528, and 43-4166 pursuant to Section 42-1416B, Idaho Code.
6. 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. 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. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
9. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. 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.
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.

**WATER RIGHT NO. 43-12943****As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-12943 is now described as follows:

**Right Holder:** D JAY HARPER  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 3/1/1883

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 04/01 **To** 10/01

**Diversion Rate**  
0.430 cfs  
0.430 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|            |        |                        |               |
|------------|--------|------------------------|---------------|
| RAFT RIVER | NWSNW  | Sec 31 Twp 13S Rge 27E | CASSIA County |
| RAFT RIVER | NWNWSW | Sec 20 Twp 14S Rge 27E | CASSIA County |
| RAFT RIVER | NWSWNE | Sec 7 Twp 14S Rge 27E  | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW  |     |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE  | NW  | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40  | 49  | 49 | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 30.0

POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 30 acres within the authorized place of use in a single irrigation season.
2. Rights 43-177G, 43-2562B, 43-12940, and 43-12943 when combined shall not exceed the irrigation of 30 acres.
3. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.

**WATER RIGHT NO. 43-12943**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. 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 10/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than SRBA partial decree date 6/28/2002.
5. 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.
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. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-2330**  
**As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-2330 is now described as follows:

**Right Holder:** JEANETTE W HARPER  
D JAY HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 12/29/1948

**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  | 0.800 cfs             | 160.0 af                |
|                       |             |           | 0.800 cfs             | 160.0 af                |

**LOCATION OF POINT(S) OF DIVERSION**

|              |             |                        |               |
|--------------|-------------|------------------------|---------------|
| GROUND WATER | SENENW      | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | SWNESE      | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | L3 (SWNWSW) | Sec 31 Twp 13S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

|     |     |     |  | NE |    |    |    | NW  |     |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|--|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec |  | NE | NW | SW | SE | NE  | NW  | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  |  | 39 | 40 | 40 | 36 | 40  | 49  | 49 | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |  |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 40.0  
POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 40 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2295H, 43-2330, 43-2528, 43-4166 and 43-11235 when combined shall not exceed a total diversion rate of 3.93 cfs, a total annual maximum diversion volume of 940 af.
3. Rights 43-00171B, 43-00173D, 43-00177F, 43-00178F, 43-02295H, 43-02330, 43-02528, 43-04166 and 43-11235 when combined shall not exceed a total diversion rate of 7.24 cfs and the irrigation of 362 acres.

**WATER RIGHT NO. 43-2330**

**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.
5. Right No 43-11235 is an expansion of rights 43-2295H, 43-2330, 43-2528, and 43-4166 pursuant to Section 42-1416B, Idaho Code.
6. 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. 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. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
9. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. 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.
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.

**WATER RIGHT NO. 43-2528**  
**As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-2528 is now described as follows:

**Right Holder:** JEANETTE W HARPER  
D JAY HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 6/6/1961

**Source:** GROUND WATER

**BENEFICIAL USE**

IRRIGATION

**From**

03/15

**To**

to 11/15

**Diversion Rate**

2.200 cfs

2.200 cfs

**Diversion Volume**

471.0 af

471.0 af

**LOCATION OF POINT(S) OF DIVERSION**

|              |             |                        |               |
|--------------|-------------|------------------------|---------------|
| GROUND WATER | SENENW      | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | SWNESE      | Sec 31 Twp 13S Rge 27E | CASSIA County |
| GROUND WATER | L3 (SWNWSW) | Sec 31 Twp 13S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 110.0

POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 110 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2295H, 43-2330, 43-2528, 43-4166 and 43-11235 when combined shall not exceed a total diversion rate of 3.93 cfs, a total annual maximum diversion volume of 940 af.
3. Rights 43-00171B, 43-00173D, 43-00177F, 43-00178F, 43-02295H, 43-02330, 43-02528, 43-04166 and 43-11235 when combined shall not exceed a total diversion rate of 7.24 cfs and the irrigation of 362 acres.

**WATER RIGHT NO. 43-2528**  
**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.
5. Right No 43-11235 is an expansion of rights 43-2295H, 43-2330, 43-2528, and 43-4166 pursuant to Section 42-1416B, Idaho Code.
6. 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. 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. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
9. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. 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.
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.

**WATER RIGHT NO. 43-4166**  
**As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-4166 is now described as follows:

**Right Holder:** JEANETTE W HARPER  
D JAY HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 3/15/1959

**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  | 0.500 cfs             | 100.0 af                |
|                       |             |           | 0.500 cfs             | 100.0 af                |

**LOCATION OF POINT(S) OF DIVERSION**

|              |             |                                      |
|--------------|-------------|--------------------------------------|
| GROUND WATER | SENENW      | Sec 31 Twp 13S Rge 27E CASSIA County |
| GROUND WATER | SWNESE      | Sec 31 Twp 13S Rge 27E CASSIA County |
| GROUND WATER | L3 (SWNWSW) | Sec 31 Twp 13S Rge 27E CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW  |     |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE  | NW  | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40  | 49  | 49 | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 25.0  
POU Total Acres: 412.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 25 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2295H, 43-2330, 43-2528, 43-4166 and 43-11235 when combined shall not exceed a total diversion rate of 3.93 cfs, a total annual maximum diversion volume of 940 af.
3. Rights 43-00171B, 43-00173D, 43-00177F, 43-00178F, 43-02295H, 43-02330, 43-02528, 43-04166 and 43-11235 when combined shall not exceed a total diversion rate of 7.24 cfs and the irrigation of 362 acres.

**WATER RIGHT NO. 43-4166**  
**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.
5. Right No 43-11235 is an expansion of rights 43-2295H, 43-2330, 43-2528, and 43-4166 pursuant to Section 42-1416B, Idaho Code.
6. 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. 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. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
9. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. 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.
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.

**WATER RIGHT NO. 43-171B**  
**As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-171B is now described as follows:

**Right Holder:** JEANETTE W HARPER  
D JAY HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 3/1/1883

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**

IRRIGATION  
STOCKWATER

**From**

04/01  
04/01

to  
to

**To**

10/01  
10/01

**Diversion Rate**

4.710 cfs  
0.020 cfs  
4.730 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER  
RAFT RIVER

NWSENW  
NWSWNE

Sec 31 Twp 13S Rge 27E CASSIA County  
Sec 7 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 259.0

POU Total Acres: 412.0

**PLACE OF USE: STOCKWATER**

| 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  | X  | X  | X  | X  | X  | X   | X   | X  |    |    |    |    | X  | X  |    |    |        |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 259 acres within the authorized place of use in a single irrigation season.
2. Rights 43-00171B, 43-00173D, 43-00177F, 43-00178F, 43-02295H, 43-02330, 43-02528, 43-04166 and 43-11235 when combined shall not exceed a total diversion rate of 7.24 cfs and the irrigation of 362 acres.

Transfer No. 81356

**WATER RIGHT NO. 43-171B**  
**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

3. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.
4. 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. 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. 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. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
8. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to 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. 43-173D

## As Modified by Transfer No. 81356

In accordance with the approval of Transfer No. 81356, Water Right No. 43-173D is now described as follows:

**Right Holder:** JEANETTE W HARPER  
D JAY HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 4/1/1882

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 04/01 **To** 10/01

**Diversion Rate**  
0.610 cfs  
0.610 cfs

### LOCATION OF POINT(S) OF DIVERSION

RAFT RIVER NWSNW Sec 31 Twp 13S Rge 27E CASSIA County  
RAFT RIVER NWSWNE Sec 7 Twp 14S Rge 27E CASSIA County

### PLACE OF USE: IRRIGATION

| Twp | Rng | Sec | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49  | 49  | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 40.0  
POU Total Acres: 412.0

### CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40 acres within the authorized place of use in a single irrigation season.
2. Rights 43-00171B, 43-00173D, 43-00177F, 43-00178F, 43-02295H, 43-02330, 43-02528, 43-04166 and 43-11235 when combined shall not exceed a total diversion rate of 7.24 cfs and the irrigation of 362 acres.
3. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.

Transfer No. 81356

**WATER RIGHT NO. 43-173D**  
**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

4. 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. 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. 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. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to 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. 43-177F****As Modified by Transfer No. 81356**

In accordance with the approval of Transfer No. 81356, Water Right No. 43-177F is now described as follows:

**Right Holder:** JEANETTE W HARPER  
D JAY HARPER  
1926 S 2350 E  
MALTA, ID 83342

**Priority Date:** 5/24/1909

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **To** 11/15

**Diversion Rate**  
1.400 cfs  
1.400 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWSNW Sec 31 Twp 13S Rge 27E CASSIA County  
RAFT RIVER NWSWNE Sec 7 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 27E | 31  | 39 | 40 | 40 | 36 | 40 | 49 | 49 | 40 |    |    |    |    | 39 | 40 |    |    | 412    |
|     |     |     |    |    |    |    |    | L1 | L2 |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 362.0

POU Total Acres: 412

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 362 acres within the authorized place of use in a single irrigation season.
2. Rights 43-00171B, 43-00173D, 43-00177F, 43-00178F, 43-02295H, 43-02330, 43-02528, 43-04166 and 43-11235 when combined shall not exceed a total diversion rate of 7.24 cfs and the irrigation of 362 acres.
3. Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759 when combined shall not exceed a total diversion rate of 10.27 cfs and the irrigation of 412 acres.

Transfer No. 81356

**WATER RIGHT NO. 43-177F**  
**As Modified by Transfer No. 81356**

**CONDITIONS OF APPROVAL**

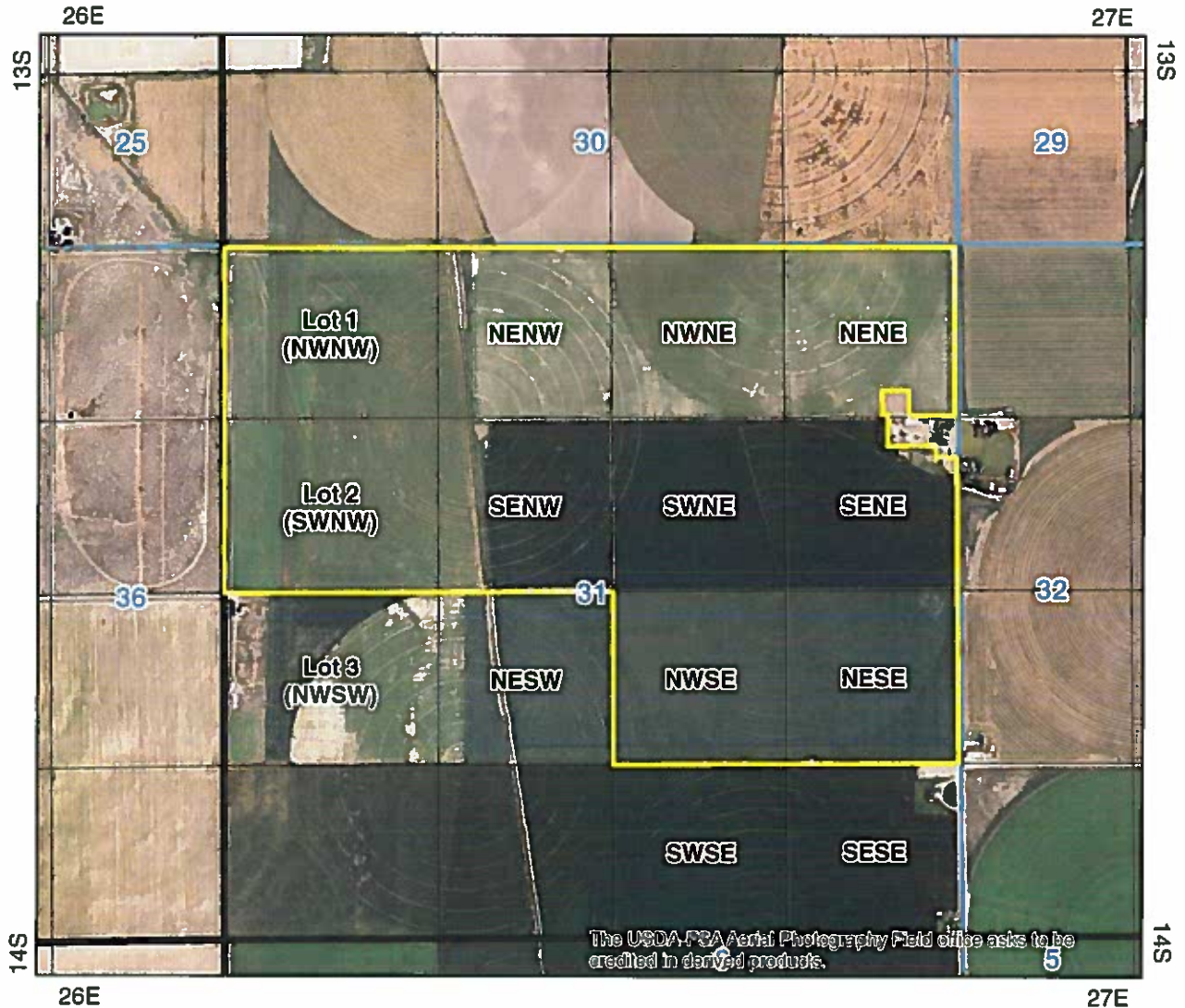
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43 B.
5. The right holder shall maintain a measuring device 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. 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. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to 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 # 81356

Rights 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-12940, 43-12943, 43-4166, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-11235, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13760, 43-13761, 43-13762, 43-13757, 43-13758, and 43-13759

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.



- Place Of Use Boundary
- Townships
- PLS Sections





State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

May 15, 2017

D JAY HARPER  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA ID 83342

Re: Transfer No: 81356

Water Right No(s): 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-4166, 43-11235, 43-12940, 43-12943, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13761, 43-13761, 43-13762

### 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 black ink, appearing to read "Corey Skinner". The signature is fluid and cursive, with the first name "Corey" written in a larger, more prominent script than the last name "Skinner".

Corey Skinner  
Southern Regional Manager

Enclosure

cc:

NATHAN ERICKSON, WATER MASTER  
RICK NEFF, WATER MASTER

## **CERTIFICATE OF SERVICE**

I hereby certify that on May 15, 2017 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

**Re: Transfer No: 81356**

**Water Right No(s): 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-4166, 43-11235, 43-12940, 43-12943, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13761, 43-13761, 43-13762**

**D JAY HARPER  
JEANETTE W HARPER  
1926 S 2350 E  
MALTA ID 83342**

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

*via e-mail*

**WATER DISTRICT 43B  
RICK NEFF  
PO BOX 55  
MALTA ID 83342-0055**

A handwritten signature in cursive script, reading "Denise Maline", is written over a horizontal line.

**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.

State of Idaho  
Department of Water Resources

**RECOMMENDATION OF WATERMASTER**

Transfer No: 81356  
Water Right No: 43-171B, etc.  
Applicant Name: D Jay & Jeanette W Harper

**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: February 14, 2017**

**Water District 143**

  
\_\_\_\_\_  
**Nathan Erickson, Watermaster**

\*\*\* Proof of Publication \*\*\*

(1 of 3)

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

RUBY AUFDERHEIDE, 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 40403

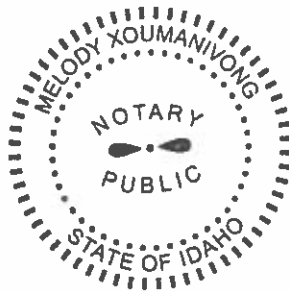
Ruby Aufderheide

(Legals Clerk)

STATE OF IDAHO )  
                          ,SS  
COUNTY OF TWIN FALLS )

On this 9th day of February in the year of 2017 before me, a Notary Public, personally appeared before me Ruby Aufderheide 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.

Melody Xoumanivong  
Notary Public FOR Idaho  
Residing at: Twin Falls, Idaho  
My Commission expires: 4/21/2017



PUBLISHED ON: 02/02/2017, 02/09/2017



TOTAL AD COST: 655.02  
FILED ON: 2/9/2017

✓ OK AM 2/21/2017

RECEIVED

FEB 13 2017

DEPT OF WATER RESOURCES  
SOUTHERN REGION

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

36-17107

**BLUE LAKES COUNTRY CLUB INC**

PO BOX 5729

TWIN FALLS, ID 83303-5729

Point of Diversion NWSE S28 T09S R17E JEROME County Source ALPHEUS CREEK Tributary SNAKE RIVER

Point of Diversion L6(NWNE) S33 T09S R17E JEROME County Source ALPHEUS CREEK Tributary SNAKE RIVER

Use: AESTHETIC STORAGE 01/01 to 12/31 73.9 AF

Use: DIVERSION TO STORAGE 03/15 to 11/15 1.11 CFS

Use: RECREATION STORAGE 01/01 to 12/31 73.9 AF

Use: WATER QUALITY IMPROVEMENT STORAGE 01/01 to 12/31 73.9 AF

Total Diversion: 1.11 CFS

Date Filed: 1/19/2017

Place Of Use: WATER QUALITY IMPROVEMENT STORAGE, RECREATION STORAGE, AESTHETIC STORAGE T09S R17E S33 NENE

Application for Permit proposes to divert up to 1.11 cfs from Alpheus Creek via two existing points of diversion (PODs) for storage uses associated with Bass Lake at Blue Lakes Country Club. The storage component of the application proposes 73.9 acre-feet to cover additional volume in the lake, evaporation, and seepage. The application includes a mitigation plan to address increased evaporation at Bass Lake. The proposed POU is located approximately 1.0 mile north and 0.2 mile west of the intersection of Blue Lakes Boulevard and Pole Line Road in Twin Falls. The proposed existing PODs are located approximately 1.1 mile north and 0.5 mile west and 1.4 mile north and 0.6 mile west of the intersection of Blue Lakes Boulevard and Pole Line Road in Twin Falls.

43-13787

**RAFT RIVER GROUND WATER DISTRICT**

PO BOX 122

ALMO, ID 83312

Point of Diversion L4(SWSWSW) S31 T09S R28E CASSIA County Source RAFT RIVER Tributary SNAKE RIVER

Use: GROUND WATER RECHARGE 01/01 to 12/31 25 CFS 10,000 AF

Total Diversion: 25 CFS

Date Filed: 1/12/2017

Place Of Use: GROUND WATER RECHARGE

T09S R28E S31 L4(SWSW)

Application for permit proposes diverting up to 25 cfs for ground water recharge from a new point of diversion from Raft River located approximately 1.5 miles north and 14.4 miles east of the I-84 and I-86 interchange. The ground water recharge will occur at a site near the point of diversion. The applicant currently holds ground water recharge permits 43-13731, 43-13732, 43-13733, and 43-13734 for a combined total of 25 cfs at different Raft River diversion and recharge sites. The cover letter accompanying this application indicates that this application and companion applications for permit 43-13788 and 43-13789 describe the same 25 cfs already appropriated by existing permits 43-13731, 43-13732, 43-13733, and 43-13734, and the three new applications when combined with the existing 4 permits, will be limited to a combined total of 25 cfs. (Three new applications for permit describe alternate diversion and recharge sites for the 25 cfs already permitted under 43-13731, 43-13732, 43-13733, and 43-13734). Published in the Times News, Idaho Statesman, Post Register & Lewiston Tribune.

43-13788

**RAFT RIVER GROUND WATER DISTRICT**

PO BOX 122

ALMO, ID 83312

Point of Diversion SWNESW S7 T10S R28E CASSIA County Source RAFT RIVER Tributary SNAKE RIVER

Use: GROUND WATER RECHARGE 01/01 to 12/31 25 CFS 10,000 AF

Total Diversion: 25 CFS

Date Filed: 1/12/2017

Place Of Use: GROUND WATER RECHARGE

T10S R28E S7 NESW SESW

Application for permit proposes diverting up to 25 cfs for ground water recharge from a new point of diversion from Raft River located approximately 0.3 miles south and 14.8 miles east of the I-84 and I-86 interchange. The ground water recharge will occur at a site near the point of diversion. The applicant currently holds ground water recharge permits 43-13731, 43-13732, 43-13733, and 43-13734 for a combined total of 25 cfs at different Raft River diversion and recharge sites. The cover letter accompanying this application indicates that this application and companion applications for permit 43-13787 and 43-13789 describe the same 25 cfs already appropriated by existing permits 43-13731, 43-13732, 43-13733, and 43-13734, and the three new applications when combined with the existing 4 permits, will be limited to a combined total of 25 cfs. (Three new applications for permit describe alternate diversion and recharge sites for the 25 cfs already permitted under 43-13731, 43-13732, 43-13733, and 43-13734). Published in the Times News, Idaho Statesman, Post Register & Lewiston Tribune.

43-13789

**RAFT RIVER GROUND WATER DISTRICT**

PO BOX 122

ALMO, ID 83312

Point of Diversion L2(SWSWNW) S18 T10S R28E CASSIA County Source RAFT RIVER Tributary SNAKE RIVER

Use: GROUND WATER RECHARGE 01/01 to 12/31 25 CFS 10,000 AF

Total Diversion: 25 CFS

Date Filed: 1/12/2017

Place Of Use: GROUND WATER RECHARGE

T10S R28E S18 L2(SWNW)

Application for permit proposes diverting up to 25 cfs for ground water recharge from a new point of diversion from Raft River located approximately 1.0 miles south and 14.5 miles east of the I-84 and I-86 interchange. The ground water recharge will occur at a site near the point of diversion. The applicant currently holds ground water recharge permits 43-13731, 43-13732, 43-13733, and 43-13734 for a combined total of 25 cfs at different Raft River diversion and recharge sites. The cover letter accompanying this application indicates that this application and companion applications for permit 43-13787 and 43-13788 describe the same 25 cfs already appropriated by existing permits 43-13731, 43-13732, 43-13733, and 43-13734, and the three new applications when combined with the existing 4 permits, will be limited to a combined total of 25 cfs. (Three new applications for permit describe alternate diversion and recharge sites for the 25 cfs already permitted under 43-13731, 43-13732, 43-13733, and 43-13734). Published in the Times News, Idaho Statesman, Post Register & Lewiston Tribune.

(283)

✓ OK AM  
2-21-2017

( 383 )

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 80762**

✓  
BLUE LAKES COUNTRY CLUB INC, PO BOX 5729, TWIN FALLS, ID 83303-5729, has filed Application No. 80762 for changes to the following water rights within JEROME County(s): Right No(s). 36-2083A, 36-2083B, 36-8593. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to create a 191.2 acre irrigation Permissible Place of Use (PPU) for three surface water rights (Alpheus Creek, 1.90 cfs combined flow rate) which currently irrigate 95.0 acres of ground located approximately 2.7 to 3.6 miles north and 0.1 mile east to 0.9 mile west of the intersection of Addison Avenue and Blue Lakes Boulevard in Twin Falls. After the transfer, 95.0 acres will be irrigated within the proposed 191.2 acre PPU located in the same general area to allow flexibility in irrigation management

✓  
**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 81356**

D JAY HARPER and JEANETTE W HARPER, 1926 S 2350 E, MALTA, ID 83342, has filed Application No. 81356 for changes to the following water rights within CASSIA County(s): Right No(s). 43-11235, 43-12940, 43-12943, 43-13139, 43-13141, 43-13143, 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761, 43-13762, 43-171B, 43-173D, 43-177F, 43-177G, 43-178F, 43-2295H, 43-2330, 43-2528, 43-2562B, 43-4166. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to create a 412.0 acre permissible place of use (PPU) for 12 ground water rights and 18 Raft River water rights that allow for the total combined diversion of 10.27 cfs and the irrigation of 412.0 acres. The proposed PPU is located approximately 0.75 to 1.85 miles east and 3.75 miles to 4.5 miles south of the center of the City of Malta. In addition, the transfer proposes adding an existing Raft River point of diversion located approximately 1.2 miles east and 4.1 miles south of the City of Malta to 3 of the Raft River rights and add an existing ground water point of diversion located approximately 0.8 miles east and 4.5 miles south of the city of Malta to 8 of the ground water rights.

✓  
**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 81371**

RED ROCK FARMS LLC, 2038 S HWY 81, MALTA, ID 83342, has filed Application No. 81371 for changes to the following water rights within CASSIA County(s): Right No(s) 43-10605, 43-10608, 43-10789, 43-11283, 43-11284, 43-11285, 43-11286, 43-11287, 43-11291, 43-11292, 43-12966, 43-13008, 43-13009, 43-13010, 43-13011, 43-13012, 43-13013, 43-13014, 43-13015, 43-13017, 43-13207, 43-13208, 43-13379, 43-13381, 43-13544, 43-13606, 43-13780, 43-13781, 43-165C, 43-168C, 43-169E, 43-172C, 43-178D, 43-2296B, 43-2367, 43-2409A, 43-2414, 43-2444, 43-2456, 43-4005. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes creating a 2086.4 acre permissible place of use for 40 irrigation water rights (17 ground water rights; 23 Raft River rights) with a combined limit of 48.94 cfs. Application also proposes to identify 13 existing wells as authorized PODs for 17 ground water rights and identify two existing diversions as authorized PODs on the 23 Raft River rights. Place of use and all PODs are located approximately 4.3 to 7.7 miles south and 0.2 to 1.8 miles east of Malta.

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 & /or proposed transfer, please see [www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx](http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx). For additional information on new permits, please see [www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings](http://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 together with a protest fee of \$25.00 for each application on or before February 21, 2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director  
PUBLISH: February 2 and 9, 2017

✓ OK AM 2-21-2017