

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 78130**

This is to certify that: ALAN J HARPER

2436 E 1850 S
MALTA ID 83342
(208)645-2333

And

BEVERLY K HARPER

2436 E 1850 S
MALTA ID 83342
(208)645-2333

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
43-13079	WR/Decreed	04/01/1871	0.001 cfs	N/A	N/A	2.5	RAFT RIVER
43-13081	WR/Decreed	04/01/1871	0.001 cfs	N/A	N/A	2.5	RAFT RIVER
43-13083	WR/Decreed	04/30/1871	0.01 cfs	N/A	N/A	2.5	RAFT RIVER
43-13085	WR/Decreed	04/01/1871	0.02 cfs	N/A	N/A	2.5	RAFT RIVER
43-13087	WR/Decreed	04/01/1879	0.02 cfs	N/A	N/A	2.5	RAFT RIVER
43-13089	WR/Decreed	06/01/1879	0.03 cfs	N/A	N/A	2.5	RAFT RIVER
43-13091	WR/Decreed	04/01/1881	0.005 cfs	N/A	N/A	2.5	RAFT RIVER
43-13093	WR/Decreed	04/01/1879	0.01 cfs	N/A	N/A	2.5	RAFT RIVER
43-13095	WR/Decreed	04/01/1882	0.01 cfs	N/A	N/A	2.5	RAFT RIVER
43-13097	WR/Decreed	12/12/1911	0.08 cfs	N/A	N/A	2.5	RAFT RIVER

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>
43-13079	NO	NO	NO	YES	NO	NO
43-13081	NO	NO	NO	YES	NO	NO
43-13083	NO	NO	NO	YES	NO	NO
43-13085	NO	NO	NO	YES	NO	NO
43-13087	NO	NO	NO	YES	NO	NO
43-13089	NO	NO	NO	YES	NO	NO
43-13091	NO	NO	NO	YES	NO	NO

SUPPORT DATA

IN FILE # 43-13079

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 78130

Purpose of Transfer (Changes Proposed)(Continued)

43-13093	NO	NO	NO	YES	NO	NO
43-13095	NO	NO	NO	YES	NO	NO
43-13097	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-13079	43-13079	0.001cfs	N/A	N/A	2.5		N/A	N/A	N/A	N/A
43-13081	43-13081	0.001cfs	N/A	N/A	2.5		N/A	N/A	N/A	N/A
43-13083	43-13083	0.01 cfs	N/A	N/A	2.5		N/A	N/A	N/A	N/A
43-13085	43-13085	0.02 cfs	N/A	N/A	2.5		N/A	N/A	N/A	N/A
43-13087	43-13087	0.02 cfs	N/A	N/A	2.5		N/A	N/A	N/A	N/A
43-13089	43-13089	0.03 cfs	N/A	N/A	2.5		N/A	N/A	N/A	N/A
43-13091	43-13091	0.005 cfs	N/A	N/A	2.5		N/A	N/A	N/A	N/A
43-13093	43-13093	0.01 cfs	N/A	N/A	2.5		N/A	N/A	N/A	N/A
43-13095	43-13095	0.01 cfs	N/A	N/A	2.5		N/A	N/A	N/A	N/A
43-13097	43-13097	0.08 cfs	N/A	N/A	2.5		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.18 cfs	N/A	N/A	2.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 5th day of December, 2012



Southern Region Manager

WATER RIGHT NO. 43-13079
As Modified by Transfer No. 78130

In accordance with the approval of Transfer No. 78130, Water Right No. 43-13079 is now described as follows.

Right Holder: ALAN J HARPER
 2436 E 1850 S
 MALTA ID 83342

And

BEVERLY K HARPER
 2436 E 1850 S
 MALTA ID 83342

Priority Date: April 01, 1871

Source: RAFT RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/30 to	07/01	0.001 CFS

LOCATION OF POINT(S) OF DIVERSION:

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 Rge Sec	NE				NW				SW				SE				
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
14S 27E 6													2.5				2.5

Total Acres: 2.5

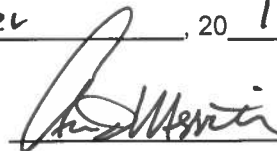
WATER RIGHT NO. 43-13079
As Modified by Transfer No. 78130

CONDITIONS OF APPROVAL

1. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13099, and 43-13101 when combined shall not exceed a total diversion rate of 0.10 cfs
2. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13097, 43-13099, and 43-13101 when combined shall not exceed the irrigation of 2.5 acres.
3. 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.
4. 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).
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

This water right 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.

Dated this 5th day of December, 20 12



Southern Region Manager

WATER RIGHT NO. 43-13081
As Modified by Transfer No. 78130

In accordance with the approval of Transfer No. 78130, Water Right No. 43-13081 is now described as follows.

Right Holder: ALAN J HARPER
 2436 E 1850 S
 MALTA ID 83342

And

BEVERLY K HARPER
 2436 E 1850 S
 MALTA ID 83342

Priority Date: April 01, 1871

Source: RAFT RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	0.001 CFS

LOCATION OF POINT(S) OF DIVERSION:

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 Rge Sec	NE				NW				SW				SE				
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
14S 27E 6													2.5				2.5

Total Acres: 2.5

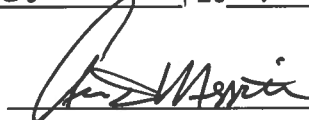
WATER RIGHT NO. 43-13081
As Modified by Transfer No. 78130

CONDITIONS OF APPROVAL

1. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13099, and 43-13101 when combined shall not exceed a total diversion rate of 0.10 cfs
2. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13097, 43-13099, and 43-13101 when combined shall not exceed the irrigation of 2.5 acres.
3. 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.
4. 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).
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

This water right 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.

Dated this 5th day of December, 2012


Southern Region Manager

WATER RIGHT NO. 43-13083
As Modified by Transfer No. 78130

In accordance with the approval of Transfer No. 78130, Water Right No. 43-13083 is now described as follows.

Right Holder: ALAN J HARPER
 2436 E 1850 S
 MALTA ID 83342

And

BEVERLY K HARPER
 2436 E 1850 S
 MALTA ID 83342

Priority Date: April 30, 1871

Source: RAFT RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/30 to	07/01	0.01 CFS

LOCATION OF POINT(S) OF DIVERSION:

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	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
14S	27E	6													2.5				2.5

Total Acres: 2.5

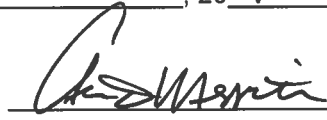
WATER RIGHT NO. 43-13083
As Modified by Transfer No. 78130

CONDITIONS OF APPROVAL

1. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13099, and 43-13101 when combined shall not exceed a total diversion rate of 0.10 cfs
2. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13097, 43-13099, and 43-13101 when combined shall not exceed the irrigation of 2.5 acres.
3. 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.
4. 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).
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

This water right 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.

Dated this 5th day of December, 2012



Southern Region Manager

WATER RIGHT NO. 43-13085
As Modified by Transfer No. 78130

In accordance with the approval of Transfer No. 78130, Water Right No. 43-13085 is now described as follows.

Right Holder: ALAN J HARPER
 2436 E 1850 S
 MALTA ID 83342

And

BEVERLY K HARPER
 2436 E 1850 S
 MALTA ID 83342

Priority Date: April 01, 1871

Source: RAFT RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	07/01	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

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	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
14S	27E	6																	2.5

Total Acres: 2.5

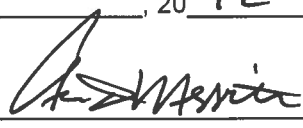
WATER RIGHT NO. 43-13085
As Modified by Transfer No. 78130

CONDITIONS OF APPROVAL

1. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13099, and 43-13101 when combined shall not exceed a total diversion rate of 0.10 cfs
2. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13097, 43-13099, and 43-13101 when combined shall not exceed the irrigation of 2.5 acres.
3. 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.
4. 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).
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

This water right 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.

Dated this 5th day of December, 20 12



Southern Region Manager

WATER RIGHT NO. 43-13087
As Modified by Transfer No. 78130

In accordance with the approval of Transfer No. 78130, Water Right No. 43-13087 is now described as follows.

Right Holder: BEVERLY K HARPER
 2436 E 1850 S
 MALTA ID 83342

And

ALAN J HARPER
 2436 E 1850 S
 MALTA ID 83342

Priority Date: April 01, 1879

Source: RAFT RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	07/01 to	10/01	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

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	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
14S	27E	6													2.5				2.5

Total Acres: 2.5

WATER RIGHT NO. 43-13087
As Modified by Transfer No. 78130

CONDITIONS OF APPROVAL

1. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13099, and 43-13101 when combined shall not exceed a total diversion rate of 0.10 cfs
2. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13097, 43-13099, and 43-13101 when combined shall not exceed the irrigation of 2.5 acres.
3. 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.
4. 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).
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

This water right 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.

Dated this 5th day of December, 2012



Southern Region Manager

WATER RIGHT NO. 43-13089
As Modified by Transfer No. 78130

In accordance with the approval of Transfer No. 78130, Water Right No. 43-13089 is now described as follows.

Right Holder: ALAN J HARPER
 2436 E 1850 S
 MALTA ID 83342

And

BEVERLY K HARPER
 2436 E 1850 S
 MALTA ID 83342

Priority Date: June 01, 1879

Source: RAFT RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/01	0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

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	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
14S	27E	6													2.5				2.5

Total Acres: 2.5

WATER RIGHT NO. 43-13089
As Modified by Transfer No. 78130

CONDITIONS OF APPROVAL

1. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13099, and 43-13101 when combined shall not exceed a total diversion rate of 0.10 cfs
2. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13097, 43-13099, and 43-13101 when combined shall not exceed the irrigation of 2.5 acres.
3. 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.
4. 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).
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

This water right 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.

Dated this 5th day of December, 2012



Southern Region Manager

WATER RIGHT NO. 43-13091
As Modified by Transfer No. 78130

In accordance with the approval of Transfer No. 78130, Water Right No. 43-13091 is now described as follows.

Right Holder: ALAN J HARPER
 2436 E 1850 S
 MALTA ID 83342

And

BEVERLY K HARPER
 2436 E 1850 S
 MALTA ID 83342

Priority Date: April 01, 1881

Source: RAFT RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/01 to 10/01

To

Diversion Rate

0.01 CFS

LOCATION OF POINT(S) OF DIVERSION:

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	Rge	Sec	NE				NW				SW				SE				Totals
14S	27E	6	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	2.5
																			2.5

Total Acres: 2.5

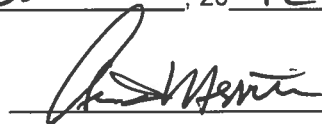
WATER RIGHT NO. 43-13091
As Modified by Transfer No. 78130

CONDITIONS OF APPROVAL

1. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13097, and 43-13101 when combined shall not exceed a total diversion rate of 0.10 cfs
2. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13097, 43-13099, and 43-13101 when combined shall not exceed the irrigation of 2.5 acres.
3. 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.
4. 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).
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

This water right 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.

Dated this 5th day of December, 20 12



Southern Region Manager

WATER RIGHT NO. 43-13093
As Modified by Transfer No. 78130

In accordance with the approval of Transfer No. 78130, Water Right No. 43-13093 is now described as follows.

Right Holder: ALAN J HARPER
 2436 E 1850 S
 MALTA ID 83342

And

BEVERLY K HARPER
 2436 E 1850 S
 MALTA ID 83342

Priority Date: April 01, 1879

Source: RAFT RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/01	0.01 CFS

LOCATION OF POINT(S) OF DIVERSION:

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 Rge Sec	NE				NW				SW				SE				
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
14S 27E 6													2.5				2.5

Total Acres: 2.5

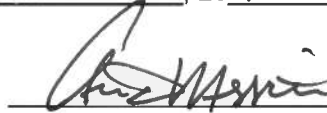
WATER RIGHT NO. 43-13093
As Modified by Transfer No. 78130

CONDITIONS OF APPROVAL

1. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13099, and 43-13101 when combined shall not exceed a total diversion rate of 0.10 cfs
2. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13097, 43-13099, and 43-13101 when combined shall not exceed the irrigation of 2.5 acres.
3. 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.
4. 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).
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

This water right 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.

Dated this 5th day of December, 2012



Southern Region Manager

WATER RIGHT NO. 43-13097
As Modified by Transfer No. 78130

In accordance with the approval of Transfer No. 78130, Water Right No. 43-13097 is now described as follows.

Right Holder: BEVERLY K HARPER
 2436 E 1850 S
 MALTA ID 83342

And

ALAN J HARPER
 2436 E 1850 S
 MALTA ID 83342

Priority Date: December 12, 1911

Source: RAFT RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	0.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

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	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
14S	27E	6																	2.5

Total Acres: 2.5

WATER RIGHT NO. 43-13097
As Modified by Transfer No. 78130

CONDITIONS OF APPROVAL

1. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13097, 43-13099, and 43-13101 when combined shall not exceed the irrigation of 2.5 acres.
2. 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.
3. 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).
4. 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.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

This water right 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.

Dated this 5th day of December, 20 12



Southern Region Manager

WATER RIGHT NO. 43-13095
As Modified by Transfer No. 78130

In accordance with the approval of Transfer No. 78130, Water Right No. 43-13095 is now described as follows.

Right Holder: BEVERLY K HARPER

2436 E 1850 S

MALTA ID 83342

And

ALAN J HARPER

2436 E 1850 S

MALTA ID 83342

Priority Date:

Source: RAFT RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/01 to 10/01

To

Diversion Rate

0.01 CFS

LOCATION OF POINT(S) OF DIVERSION:

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	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	27E	6													2.5				2.5

Total Acres: 2.5

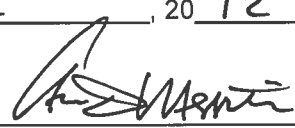
WATER RIGHT NO. 43-13095
As Modified by Transfer No. 78130

CONDITIONS OF APPROVAL

1. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13099, and 43-13101 when combined shall not exceed a total diversion rate of 0.10 cfs
2. Rights 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13097, 43-13099, and 43-13101 when combined shall not exceed the irrigation of 2.5 acres.
3. 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.
4. 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).
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

This water right 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.

Dated this 5th day of December, 2012


Southern Region Manager

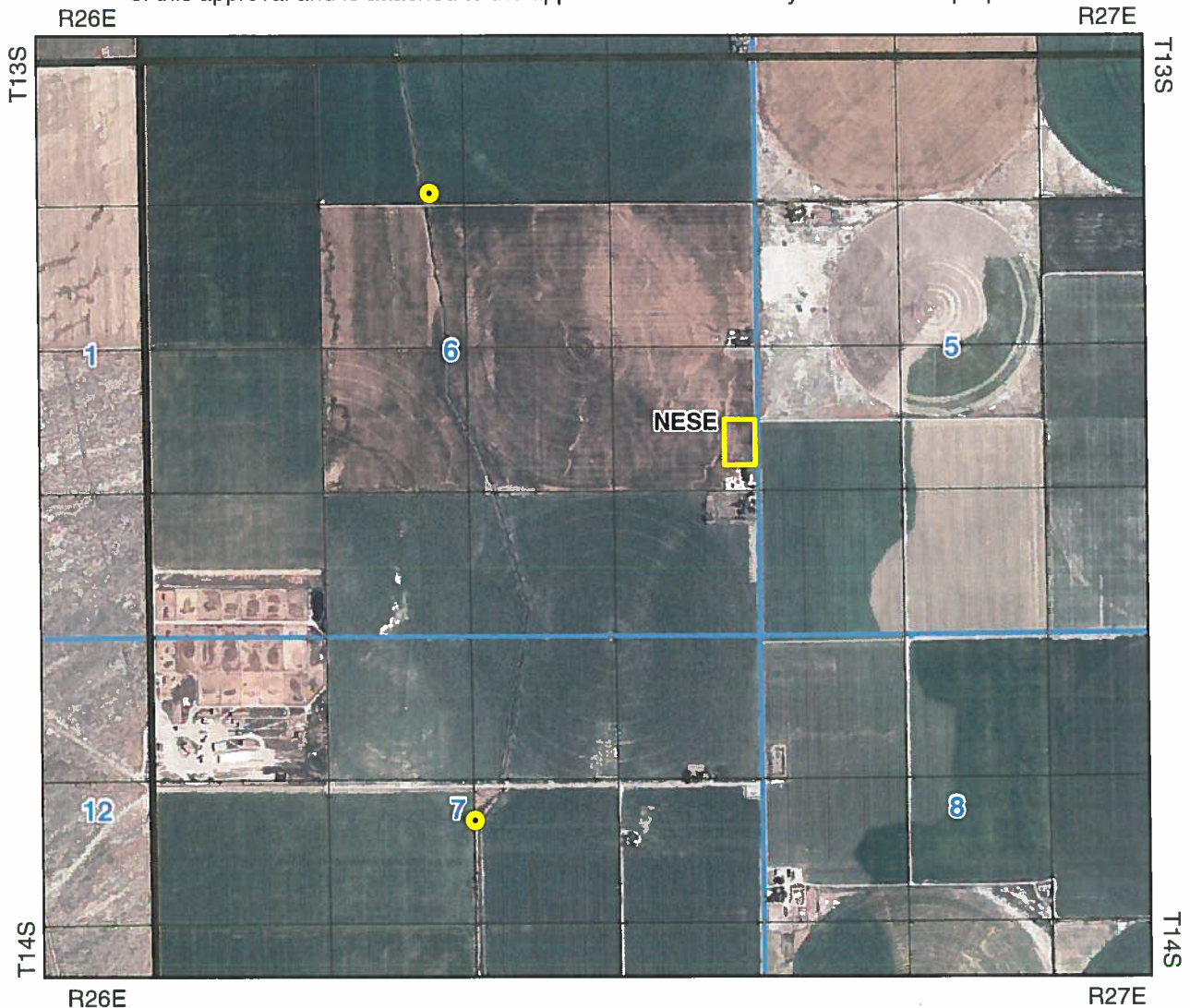
State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 78130

Rights: 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091,
43-13093, 43-13095, 43-13097

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



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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 6, 2012

ALAN J HARPER
BEVERLY K HARPER
2436 E 1850 S
MALTA ID 83342

RE: Transfer No.: 77869

Water Right No(s):	43-165A	43-13060	43-168A	43-169C	43-170A
	43-171A	43-172A	43-173A	43-178J	43-10086
	43-11269	43-11270	43-11251	43-11252	43-11253
	43-11254	43-11255	43-11256	43-10380	43-12996
	43-12997	43-12998	43-12999	43-13000	43-13001
	43-13002	43-13003	43-12944	43-12941	43-10384
	43-13078	43-13080	43-13082	43-13084	43-13086
	43-13088	43-13090	43-13092	43-13094	43-13096

RE: Transfer No.: 78130

Water Right No(s):	43-13081	43-13083	43-13085	43-13087	43-13089
	43-13091	43-13079	43-13093	43-13097	43-13095

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 homepage 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 "Allen Merritt", with a stylized flourish at the end.

Allen Merritt
Southern Region Manager

Enclosure(s)

cc: D L EVANS BANK
USDA FARM SERVICE AGENCY

CERTIFICATE OF SERVICE

I hereby certify that on December 6, 2012 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 77869
WATER RIGHTS NOS.

43-165A	43-13060	43-168A	43-169C	43-170A
43-171A	43-172A	43-173A	43-178J	43-10086
43-11269	43-11270	43-11251	43-11252	
43-11253	43-11254	43-11255	43-11256	
43-10380	43-12996	43-12997	43-12998	
43-12999	43-13000	43-13001	43-13002	
43-13003	43-12944	43-12941	43-10384	
43-13078	43-13080	43-13082	43-13084	
43-13086	43-13088	43-13090	43-13092	
43-13094	43-13096			

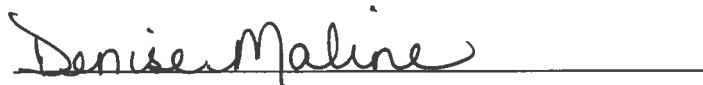
RE: TRANSFER NO. 78130
WATER RIGHTS NOS.

43-13081	43-13083	43-13085	43-13087
43-13089	43-13091	43-13079	43-13093
43-13097	43-13095		

ALAN J HARPER
BEVERLY K HARPER
2436 E 1850 S
MALTA ID 83342

D L EVANS BANK
PO BOX 87
TWIN FALLS ID 83303

UNITED STATES OF AMERICA ACTING THROUGH
USDA FARM SERVICE AGENCY
9173 W BARNES STE B
BOISE ID 83709-1555



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

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 6, 2012

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

Re: **APPROVED** Transfer No. 77869 & 78130 (Alan & Beverly Harper)

Dear Mr. Neff:

For your information and records, we have enclosed a copy of an APPROVED Application for Transfer within your District. Due to the size of these transfers, they have been copied onto the enclosed CD for your convenience.

If you have any questions, please contact this office, or the applicant.

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline". The signature is written in dark ink and is positioned above the printed name and title.

Denise Maline
Administrative Assistant

Enclosure



RECEIVED

NOV 08 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGION

IDAHO DEPARTMENT OF FISH AND GAME

MAGIC VALLEY REGION

324 South 417 East, Suite 1

Jerome, Idaho 83338

C.L. "Butch" Otter / Governor

Virgil Moore / Director

November 6, 2012

Denise Maline
Idaho Department of Water Resources
1341 Fillmore Street
Suite 200
Twin Falls, Idaho 83301-3380

**RE: Applications for Transfer of Water Rights: 78191, 78192, 78193, 78130, and 77869
Application for Permit 47-17588**

Dear Denise:

Idaho Department of Fish and Game (IDFG) staff has reviewed the above listed applications for transfer of water rights associated with the East Fork Wood River in Blaine County and the Raft River in Cassia County and the new application for a water right from Deep Creek in Twin Falls County.

The purpose of these comments is to assist the decision-making authority by providing technical information addressing potential effects on wildlife and wildlife habitat and how any adverse effects might be mitigated. It is not the purpose of IDFG to support or oppose this proposal. Resident species of fish and wildlife are property of all Idaho citizens, and IDFG and the Idaho Fish and Game Commission are expressly charged with statutory responsibility to preserve, protect, perpetuate and manage all fish and wildlife in Idaho (Idaho Code 36-103(a)). In fulfillment of our statutory charge and direction as provided by the Idaho Legislature, we offer the following comments and recommendations.

Hyndman Peak Subdivision, East Fork Wood River, Blaine County

It is our understanding applications 78191, 78192, 78193, and 78180 are associated with four lots in the Hyndman Peak Subdivision and represent a request to add a new point of diversion downstream of an existing point of diversion. The existing diversion will continue to deliver water to other legal water rights within the same subdivision. Consumptive water use will remain unchanged with a small potential for water savings associated with delivery efficiency.

An additional downstream diversion will result in some water benefits in the river reach between the existing and proposed point of diversion. However, an additional instream pump represents an increased risk of entrainment or impingement for resident salmonids. We recommend the Applicant(s) screen the water intake structures with 1/4" mesh to avoid entraining or impinging juvenile fish and divert (pump) from a location away from potential fish refugia like stream banks with overhanging vegetation or near accumulations of large woody debris.

Keeping Idaho's Wildlife Heritage

Raft River, Cassia County

It is our understanding the application for transfer represents a request to add a new point of diversion downstream of an existing point of diversion (77869). The additional point of diversion will allow for more efficient delivery of water. The existing diversion will continue to deliver water to other legal water rights and consumptive water use will remain unchanged with a small potential for water savings associated with delivery efficiency.

An additional downstream diversion will result in some water benefits in the river reach between the existing and proposed point of diversion. While the delivery method (diversion system) for the new diversion was unclear from the application, an additional instream pump represents an increased risk of entrainment or impingement for resident salmonids. If an instream pump is the intended delivery method, we recommend the Applicant(s) screen the water intake structures with 1/4" mesh to avoid entraining or impinging juvenile fish and divert (pump) from a location away from potential fish refugia like stream banks with overhanging vegetation or near accumulations of large woody debris.

Deep Creek, Twin Falls County

It is our understanding the applicant wishes to secure a new water right (47-17588) that diverts waste-water from an existing irrigation return that runs through the Applicant's property. The purpose of the application is to provide irrigation water for trees. If approved, the new water right would not result in an additional irrigation return to the Deep Creek drainage. Approval of the new water right should have minimal negative impacts on fish and wildlife resources in the area.

Thank you for the opportunity to review the applications. If you have any questions please contact Mike McDonald, Environmental Staff Biologist, at this office.

Sincerely,



H. Jerome Hansen
Magic Valley Regional Supervisor

Cc: IDFG – Boise (Kiefer/Poole)
ECc: R4 staff

Affidavit of Publication
STATE OF IDAHO)
COUNTY OF TWIN FALLS) SS.

RECEIVED
OCT 26 2012
DEPT. OF WATER RESOURCES
SOUTHERN REGION

I, Ruby Aufderheide, being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily at, Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated 18th day of October, 2012 and ending with the issue dated 25th day of October, 2012

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issued thereof Thursday is announced as the day on which said legal will be published.

Ruby Aufderheide
Ruby Aufderheide, Legal Clerk

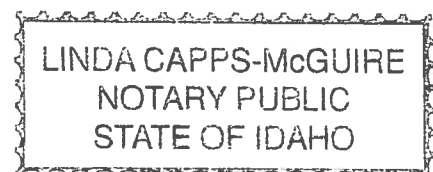
STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 25th day of October, 2012, before me,

a Notary Public, personally appeared Ruby Aufderheide,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Linda Capps McGuire
Notary Public for Idaho
Residing at Twin Falls, Idaho.

My commission expires: 5-19-15 **OVER** →



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

47-17588

EVELYN L POPPAY

4586 RIVER RD

BUHL, ID 83316

Point of Diversion SENE S9 T09S R14E TWIN FALLS County

Source WASTE WATER Tributary DEEP CREEK

Use: DOMESTIC 03/15 to 11/15 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 9/24/2012

Place Of Use: DOMESTIC

T09S R14E S9 SENE

Application proposes diverting up to 0.02 cfs of wastewater for domestic purposes (irrigation not to exceed 0.5 acres in connection with a home) on property located along River Road approximately 4.0 miles north and 2.6 miles west of the center of Buhl.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 74994**

ALEX ANHDER and HOLLY ANHDER, 117 N 2100 E, ROBERTS, ID 83444 has filed Application No. 74994 for changes to the following water rights within LINCOLN County(s): Right No(s). 37-4097. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the points of diversion (POD) and nature of use for a one-acre portion (0.02 CFS) of wastewater irrigation/stockwater right 37-4097. Right 37-4097 currently provides for up to six acres of irrigation on ground located approximately 1.5 to 1.7 mi. S & 0.8 to 0.9 mi. W of Dietrich. Application proposes to cover wildlife storage uses for an existing pond within the current Place of Use (POU) by drying up approximately one acre of irrigation and change the POD to the location of the impoundment on the wastewater stream.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 77869**

ALAN J HARPER and BEVERLY K HARPER, 2436 E 1850 S, MALTA, ID 83342 has filed Application No. 77869 for changes to the following water rights within CASSIA County(s): Right No (s). 43-10384, 43-10380, 43-11251, 43-11252, 43-11253, 43-165A, 43-11254, 43-11255, 43-11256, 43-11269, 43-11270, 43-168A, 43-169C, 43-170A, 43-171A, 43-172A, 43-173A, 43-178J, 43-10086, 43-12941, 43-12944, 43-12996, 43-12997, 43-12998, 43-12999, 43-13000, 43-13001, 43-13002, 43-13003, 43-13078, 43-13080, 43-13082, 43-13084, 43-13086, 43-13088, 43-13090, 43-13092, 43-13094, 43-13096, 43-13060. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to add a point of diversion for irrigation water rights diverted from Raft River by adding a new location downstream from the currently authorized diversions. The new proposed diversion will be located approximately 5.0 miles south and 1.0 mile east of Malta. The new proposed and currently authorized points of diversion will allow for up to 32.03 cfs to be diverted for the irrigation of up to 817 acres on an existing farm located approximately 4.0 to 6.0 miles south and 0.75 to 1.8 miles east of Malta.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78130**

ALAN J HARPER and BEVERLY K HARPER, 2436 E 1850 S, MALTA, ID 83342 has filed Application No. 78130 for changes to the following water rights within CASSIA County(s): Right No (s). 43-13079, 43-13081, 43-13083, 43-13085, 43-13087, 43-13089, 43-13091, 43-13093, 43-13095, 43-13097. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to add a point of diversion for irrigation water rights diverted from Raft River by adding a new location downstream from the currently authorized diversions. The new proposed diversion will be located approximately 5.0 miles south and 1.0 mile east of Malta. The new proposed and currently authorized points of diversion will allow for up to 0.18 cfs to be diverted for the irrigation of up to 2.5 acres on an existing farm located approximately 4.0 to 6.0 miles south and 0.75 to 1.8 miles east of Malta.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78168**

CHRIS DRAKOS, PO BOX 793, BLACKFOOT, ID 83221 has filed Application No. 78168 for changes to the following water rights within CASSIA County(s): Right No(s). 45-2601, 45-2641. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes adding a new point of diversion (new well to be drilled) to two groundwater rights used to irrigate 639 acres on a farm located approximately 11.0 - 12.0 miles north and 4.0 - 5.0 miles east of Oakley. The new well will be located near the northwest corner of the farm and will be limited to a diversion rate of 4.0 cfs. In total, the new well and two existing wells on the farm will be limited to the currently authorized diversion of 5.24 cfs for the irrigation of 639 acres. Permits will be subject to all prior water rights. For additional information concerning the property location, 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/ExtSearch/WRFiling.asp. 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, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before November 5, 2012. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
PUBLISH: October 18th & 25th, 2012

OK DM 11/6/2012

MEMORANDUM

Date: October 11, 2012
To: Transfer 78130 File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Application proposes to add a point of diversion for irrigation water rights diverted from Raft River by adding a new location downstream from the currently authorized diversions. The new proposed diversion will be located approximately 5.0 miles south and 1.0 mile east of Malta. The new proposed and currently authorized points of diversion will allow for up to 0.18 cfs to be diverted for the irrigation of up to 2.5 acres on an existing farm located approximately 4.0 to 6.0 miles south and 0.75 to 1.8 miles east of Malta. The additional point of diversion will allow for better irrigation practices and efficiency. During a review of rights involved in this transfer it was discovered that water right 43-13085 was incorrectly split from parent right 43-10788 and the rate amount was corrected from 0.76 cfs to 0.02 cfs per split shown from pedigree file.

The point of diversion and property is located within Water District 43B therefore water master comments will be requested.

- **Authority to File:**
The applicant is listed as the current owner of the rights involved with the transfer according to IDWR records.
- **Water Right Validity:**
The rights involved with the transfer have been decreed in the SRBA as valid rights. Recent aerial photography indicates that the lands involved with the transfer have been irrigated in recent years.
- **Injury to Other Water Rights:**
The water rights involved with the transfer currently share point(s) of diversion and ditch(es) with a number of other water rights. Transferring water out of shared diversion(s) and ditch(es) may impact other water rights.
- **Enlargement of Use:**
None anticipated. There is no change to the place of use.
- **Local Public Interest:**
No impact anticipated. Transfer will be subject to public notice and protest
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.

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