

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75696

This is to certify that: ALAN J HARPER 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>
43-4000A	WR/Decreed	04/01/1948	1.6 cfs	760 af		190.0	GROUND WATER
43-4000B	WR/Decreed	06/01/1958	2.2 cfs	N/A		190.0	GROUND WATER
43-2546	WR/Decreed	04/17/1962	1.63 cfs	592 af		148.0	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>
43-4000A	NO	YES	NO	YES	NO	NO
43-4000B	NO	YES	NO	YES	NO	NO
43-2546	NO	YES	NO	NO	NO	NO

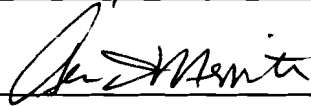
Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-4000A	43-4000A	1.6 cfs	760 af	N/A	190.0		N/A	N/A	N/A	N/A
43-4000B	43-4000B	2.2 cfs	N/A	N/A	190.0		N/A	N/A	N/A	N/A
43-2546	43-2546	1.63 cfs	592 af	N/A	148.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		5.43 cfs	1352 af	338	338		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 7th day of July, 2009

SUPPORT DATA

FOR  Chief, Water Allocation Bureau

IN FILE # 43-2546

WATER RIGHT NO. 43-2546
As Modified by Transfer No. 75696

In accordance with the approval of Transfer No. 75696, Water Right No. 43-2546 is now described as follows.

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

Priority Date: April 17, 1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.63 CFS	592.0 AF
			1.63 CFS	592.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L3 (SENENW) Sec. 6 Twp 14S Rge 27E CASSIA County

GROUND WATER NWNESE Sec. 6 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	
13S	27E	31															20.0	10.0	30.0
14S	27E	6	10.0	20.0	20.0	38.0									20.0	10.0			118.0
			L 1	L 2															

Total Acres: 148

CONDITIONS OF APPROVAL

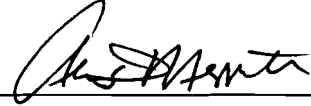
1. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. 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.
4. 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.

WATER RIGHT NO. 43-2546
As Modified by Transfer No. 75696

5. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. Rights 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A and 43-04000B when combined shall not exceed a total diversion rate 6.76 cfs, a total annual maximum diversion volume of 1352 af at the field headgate, and the irrigation of 338 acres.
7. Rights 43-00165A, 43-00168A, 43-00169C 43-00170A, 43-00171A, 43-00172A, 43-00173A, 43-00178J, 43-10086, 43-11269, 43-11270, 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A and 43-04000B when combined are limited to the irrigation of 338 acres in a single irrigation season..
8. Rights 43-00165A, 43-00168A, 43-00169C 43-00170A, 43-00171A, 43-00172A, 43-00173A, 43-10086, 43-11269, 43-11270, 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A and 43-04000B when combined shall not exceed a total diversion rate of 7.498 cfs.
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 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.

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 7th day of July, 2009


FOR Chief, Water Allocation Bureau

WATER RIGHT NO. 43-4000B
As Modified by Transfer No. 75696

In accordance with the approval of Transfer No. 75696, Water Right No. 43-4000B is now described as follows.

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

Priority Date: June 01, 1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	2.20 CFS
			2.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L3 (SENENW) Sec. 6 Twp 14S Rge 27E CASSIA County

GROUND WATER NWNESE Sec. 6 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	
13S	27E	31											50.0	40.0			20.0	20.0	130.0
													L 4						
14S	27E	6		20.0			40.0												60.0
				L 2			L 3												

Total Acres: 190

CONDITIONS OF APPROVAL

1. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. 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.
4. 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.

WATER RIGHT NO. 43-4000B
As Modified by Transfer No. 75696

5. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. Rights 43-4000A and 43-4000B when combined shall not exceed a total annual maximum diversion volume of 760 af at the field headgate, and the irrigation of 190 acres.
7. Rights 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A and 43-04000B when combined shall not exceed a total diversion rate 6.76 cfs, a total annual maximum diversion volume of 1352 af at the field headgate, and the irrigation of 338 acres.
8. Rights 43-00165A, 43-00168A, 43-00169C 43-00170A, 43-00171A, 43-00172A, 43-00173A, 43-10086, 43-11269, 43-11270, 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A and 43-04000B when combined shall not exceed a total diversion rate of 7.498 cfs.
9. Rights 43-00165A, 43-00168A, 43-00169C 43-00170A, 43-00171A, 43-00172A, 43-00173A, 43-00178J, 43-10086, 43-11269, 43-11270, 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A and 43-04000B when combined are limited to the irrigation of 338 acres in a single irrigation season..
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 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.

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 7th day of July, 2009


For Chief, Water Allocation Bureau

WATER RIGHT NO. 43-4000A
As Modified by Transfer No. 75696

In accordance with the approval of Transfer No. 75696, Water Right No. 43-4000A is now described as follows.

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

Priority Date: April 01, 1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	1.60 CFS	760.0 AF
			1.60 CFS	760.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L3 (SENENW) Sec. 6 Twp 14S Rge 27E CASSIA County

GROUND WATER NWNESE Sec. 6 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	
13S 27E 31											50.0	40.0			20.0	20.0	130.0
											L 4						
14S 27E 6			20.0				40.0										60.0
			L 2				L 3										

Total Acres: 190

CONDITIONS OF APPROVAL

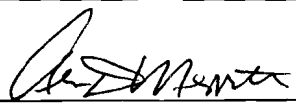
1. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. 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.
4. 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.

WATER RIGHT NO. 43-4000A
As Modified by Transfer No. 75696

5. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. Rights 43-4000A and 43-4000B when combined shall not exceed a total annual maximum diversion volume of 760 af at the field headgate, and the irrigation of 190 acres.
7. Rights 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A and 43-04000B when combined shall not exceed a total diversion rate 6.76 cfs, a total annual maximum diversion volume of 1352 af at the field headgate, and the irrigation of 338 acres.
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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 7th day of July, 20 09



FOR Chief, Water Allocation Bureau