

Transfer No. 75696
 Receipt No. 5030969

**STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 1**

1. Applicant Information 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

RECEIVED

JUN 25 2009

**DEPT. OF WATER RESOURCES
 SOUTHERN REGION**

Will this transfer result in an ownership change? _____ Yes ☒ No

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
43-2546	WR/License	1.63	592.0		148.0	GROUND WATER
43-4000B	WR/Beneficial Use	2.20			190.0	GROUND WATER
43-4000A	WR/Beneficial Use	1.60	760.0		190.0	GROUND WATER

3. Purpose of Transfer (Change Proposed)

Part 3A Attached for Each Proposed Right

Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-2546	NO	YES	NO	NO	NO	NO
43-4000B	NO	YES	NO	YES	NO	NO
43-4000A	NO	YES	NO	YES	NO	NO

Describe the reason for the proposed changes

The existing well in SWNENW S6 T14S, R27E is needing to be replaced and it is proposed to be redrilled in SENENW S6 T14S, R27E. Right 43-2546 lists another well so rights 43-4000A and B will be added to this other well in NWNESE. Time is of the essence to get this well replaced. It is proposed that another transfer to modify these rights and others to create a PPU will be filed later as time allows.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

N/A

B. Describe the effects on other water uses resulting from the proposed change

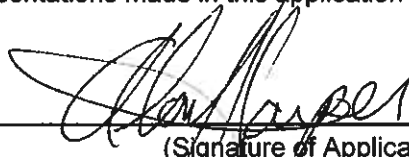
N/A

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
43-2546	1.63 cfs		148.0	592.0 af
43-4000B	2.20 cfs		190.0	
43-4000A	1.60 cfs		190.0	760.0 af
TOTAL	5.43 cfs	338.0	338.0	1,352.0 af

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.



(Signature of Applicant)



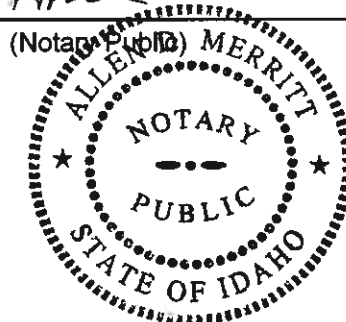
(Title or Office)

Subscribed and sworn to before me this 25th day of June, 2009.



(Notary Public)

My commission expires 6/30/2012



Transfer No. 75696

Receipt No. _____

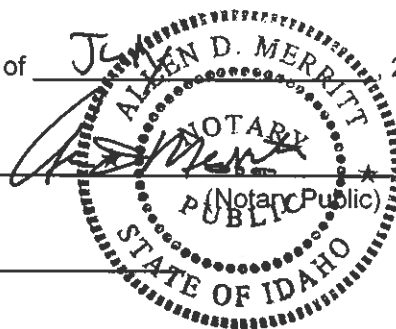
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Beverly Harper
(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 2nd day of July 20 09



My commission expires 6/30/2012

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JUL 02 2009
DEPT. OF WATER RESOURCES
SOUTHERN REGION

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 43-2546

Priority Date: April 17, 1962

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.63 CFS	592.0 AFA	
	Total Diversion	1.63 CFS	592.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESENE Sec. 6 Twp 14S Rge 27E CASSIA County

GROUND WATER L3 (SWNENW) 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/Remarks:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- RIGHT NOS. 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 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 338 ACRES IN A SINGLE IRRIGATION SEASON.

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3. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. RIGHT NOS. 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A AND 43-04000B ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.76 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1352 AF.
5. RIGHT NOS. 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 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.498 CFS.

Documentation of Ownership of the Current Place of Use

Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

~~YES~~ No

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

~~No effect.~~ None

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 43-4000B

Priority Date: June 01, 1958

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	2.20 CFS		
	Total Diversion	2.20 CFS		

Source and Point(s) of Diversion:

GROUND WATER L3 (SWNENW) 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/Remarks:

- RIGHT NOS. 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 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.498 CFS.
- USE OF THIS RIGHT WITH RIGHT NO. 43-04000A IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 760 AF.
- RIGHT NOS. 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 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 338 ACRES IN A SINGLE IRRIGATION SEASON.
- USE OF THIS RIGHT WITH RIGHT NO. 43-04000A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 190 ACRES IN A SINGLE IRRIGATION SEASON.

5. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
6. RIGHT NOS. 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A AND 43-04000B ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.76 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1352 AF.

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

~~YES~~ No

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

~~No effect.~~ None

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 43-4000A

Priority Date: April 01, 1948

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.60 CFS	760.0 AFA	
Total Diversion		1.60 CFS	760.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER L3 (SWNENW) 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/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. RIGHT NOS. 43-02295E, 43-02324A, 43-02324B, 43-02546, 43-04000A AND 43-04000B ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.76 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1352 AF.
3. USE OF THIS RIGHT WITH RIGHT NO. 43-04000B IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 760 AF.
4. USE OF THIS RIGHT WITH RIGHT NO. 43-04000B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 190 ACRES IN A SINGLE IRRIGATION SEASON.

5. RIGHT NOS. 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 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.498 CFS.
6. RIGHT NOS. 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 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 338 ACRES IN A SINGLE IRRIGATION SEASON.

Documentation of Ownership of the Current Place of Use

Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

~~Yes~~ No

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

~~No Affect~~ None

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

No

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 43-2546

Priority Date:

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.63 CFS	592.0 AFA	
	Total Diversion	1.63 CFS	592.0 AFA	

Source and 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

Describe the proposed diversion system

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

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 43-4000B

Priority Date: June 01, 1958

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	2.20 CFS		
	Total Diversion	2.20 CFS		

Source and Point(s) of Diversion:

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

GROUND WATER NWNESE Sec. 6 Twp 14S Rge 27E CASSIA County

Describe the proposed diversion system

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

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 43-4000A

Priority Date: April 01, 1948

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.60 CFS	760.0 AFA	
	Total Diversion	1.60 CFS	760.0 AFA	

Source and 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

Describe the proposed diversion system

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

Transfer 75696

