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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 72041APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Layne R. Harper Phone (208) 431-8874Post Office address 672 West 100 South, Paul, Idaho 83347

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Create P.P.U.
2. Describe the reason for the proposed changes To create a permissible place of use in order to allow more flexible water management of the property

RECEIVED
MAY 02 2005
Department of Water Resources
Southern RegionRECEIVED
MAY 04 2005
Department of Water Resources
Southern Region
Period of Use

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>36-2288</u>	<u>10/17/1955</u>	<u>3.76/---</u>	<u>Irrigation</u>	<u>03/15 to 11/15</u>
<u>36-7412</u>	<u>11/30/1973</u>	<u>4.01/---</u>	<u>Irrigation</u>	<u>03/15 to 11/15</u>

2. Total amount of water being transferred 7.77 cubic feet per second and/or 1740 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: Harper Wells North of Highway 24 (see attached map)

Lot	¼	¼	¼	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SE	NE	09	07S	23E	Lincoln	North Well 1
	NE	NE	NW	09	07S	23E	Lincoln	North Well 2

5. Lands irrigated or place of use: Harper Property North of Highway 24 (see attached map)

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE 1/4	NW 1/4	SW 1/4	SE ¼	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE ¼	NW 1/4	SW 1/4	SE 1/4	
07S	23E	9	40	40	40	40	40	40	32	40	21	1			40	39	10	35	458
07S	23E	16	2																2

Total acres 460*

6. General Information:

- a. Description of diversion system Two existing wells, pivots, pipes, and distribution system

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
None

d. Remarks:

*Total authorized irrigated acres shall not exceed 435 Acres per irrigation
season

This transfer is independent of another pending transfer that is proposing to split and transfer a portion of water right 36-2288. However, If this associated transfer is approved this PPU will then be reduced accordingly; such that the total authorized acres shall not exceed 410 acres per irrigation season, the rate of diversion will be 7.2 cfs, and the annual volume will be 1640 afa. The Part 2 for water right 36-2288 of this associated pending transfer has been attached as Exhibit A.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

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

Transfer No. _____

Receipt No. _____

Current Water Right No. 36-2288

Priority Date: 10/17/1955

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER**Tributary to:**

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15 11/15	3.76 CFS		
	Total Diversion	3.76 CFS		

Source and Point(s) of Diversion:

GROUND WATER NWSENE 07S 23E 9 LINCOLN

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		
07S	23E	9	39.0	39.0	40.0	39.0					19.0					39.0	36.0	4.0	30.0	285.0

Total Acres: 285

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-07412 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1740 AF.
2. USE OF THIS RIGHT WITH RIGHT NO. 36-07412 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 435.0 ACRES IN A SINGLE IRRIGATION SEASON.
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.

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

Transfer No. _____

Receipt No. _____

Current Water Right No. 36-2288

Documentation of Ownership of the Current Place of Use

Not required with this transfer

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

No

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

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

Transfer No. _____

Receipt No. _____

Current Water Right No. 36-7412

Priority Date: 11/30/1973

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER**Tributary to:**

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15 11/15	4.01 CFS	780.0 AFA	
	Total Diversion	4.01 CFS		

Source and Point(s) of Diversion:

GROUND WATER NENW 07S 23E 9 LINCOLN

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	
07S	23E	9		39.0	40.0		38.0	38.0	34.0	40.0									229.0

Total Acres: 229

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-02288 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1740 AF.
2. USE OF THIS RIGHT WITH RIGHT NO. 36-02288 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 435 ACRES IN A SINGLE IRRIGATION SEASON.
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. A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

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

Transfer No. _____

Receipt No. _____

Current Water Right No. 36-7412

Documentation of Ownership of the Current Place of Use

Not required with this transfer

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

No

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

See Attached Map

B. CHANGES IN NATURE OF USE

- | 1. | <u>New Nature of Use</u> | <u>Amount</u>
(cfs/ac-ft) | <u>Hours/days/year</u> | <u>Period of Use</u> |
|----|--------------------------|------------------------------|------------------------|----------------------|
| | N/A | | | to |
| | | | | to |
2. Quantity and quality of return flows and location of discharge:
None
3. Describe the effects on other water uses resulting from the proposed change:
None

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.

Clint Hansen
(Signature of Applicant)

Subscribed and sworn to before me this 29th day of April, 19 2005

Laura Haag
(Notary Public)

My commission expires 5-10-07

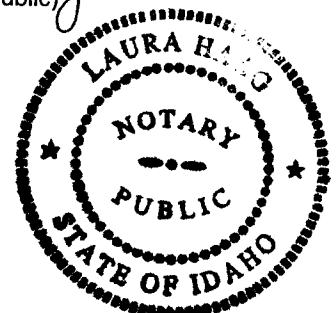


Exhibit A: Part 2 B & C of associated split and transfer of 36-2288 in another pending transfer

Page _____ of _____

Transfer No. _____

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2 B & C (36-2288)

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

1. Amount 0.5/100 for Irrigation purposes from 03/15 to 11/15
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SE	NE	09	07S	23E	Lincoln	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
07S	23E	09									19					2	4		25

Total acres 25

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT

1. Amount 3.26/--- for Irrigation purposes from 03/15 to 11/15
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SE	NE	09	07S	23E	Lincoln	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
07S	23E	09	33	39	40	33					13				39	33		30	260

Total acres 260

PART 3**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by JF. Martin Date 5-2-05

Protest filed by _____

Prelim. check by _____ Fee \$530⁰⁰ 5027636Receipted by JF Date 5-4-05

Published in _____

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ Approval ☐ Denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____