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In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66921

This is to certify that: GARY B HARPER
2040 E 850 S
DECLO ID 83323
(208)645-2227

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. 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>Acres</u>	<u>Total</u>	<u>Source</u>
43-2309	AJC/License	05/01/1948	2.30 cfs	640.0 af	1,579.0	1,579.0	GROUND WATER
43-2312A	AJC/License	06/19/1948	5.20 cfs	1280.0 af	1,579.0	1,579.0	GROUND WATER
43-2385	AJC/License	01/20/1953	3.20 cfs	640.0 af	1,579.0	1,579.0	GROUND WATER
43-2391	AJC/License	04/18/1953	2.80 cfs	560.0 af	1,579.0	1,579.0	GROUND WATER
43-2564	AJC/License	06/09/1963	2.20 cfs	840.0 af	1,579.0	1,579.0	GROUND WATER
43-4009	AJC/Beneficial Use	05/15/1953	2.00 cfs	624.0 af	1,579.0	1,579.0	GROUND WATER
43-4091	AJC/Beneficial Use	04/01/1954	2.80 cfs	622.0 af	1,579.0	1,579.0	GROUND WATER
43-4092	AJC/Beneficial Use	04/01/1954	0.23 cfs	60.0 af	1,579.0	1,579.0	GROUND WATER
43-4141	AJC/Beneficial Use	04/03/1954	2.67 cfs	414.0 af	1,579.0	1,579.0	GROUND WATER
43-10037	AJC/Beneficial Use	06/30/1985	1.55 cfs		1,579.0	1,579.0	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>
43-2309	NO	NO	YES	YES	NO	NO
43-2312A	NO	NO	YES	YES	NO	NO
43-2385	NO	NO	YES	YES	NO	NO
43-2391	NO	NO	YES	YES	NO	NO
43-2564	NO	NO	YES	YES	NO	NO
43-4009	NO	NO	YES	YES	NO	NO
43-4091	NO	NO	YES	YES	NO	NO
43-4092	NO	NO	YES	YES	NO	NO
43-4141	NO	NO	YES	YES	NO	NO
43-10037	NO	NO	YES	YES	NO	NO

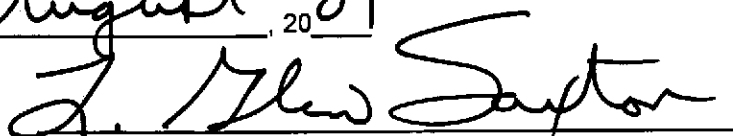
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SEP 27 2001

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
43-2309	43-2309	2.3 cfs	640 af	160.0	1,600.0		N/A	N/A	N/A	N/A
43-2312A	43-2312A	5.2 cfs	1280 af	320.0	1,600.0		N/A	N/A	N/A	N/A
43-2385	43-2385	3.2 cfs	640 af	160.0	1,600.0		N/A	N/A	N/A	N/A
43-2391	43-2391	2.8 cfs	560 af	140.0	1,600.0		N/A	N/A	N/A	N/A
43-2564	43-2564	2.2 cfs	840 af	210.0	1,600.0		N/A	N/A	N/A	N/A
43-4009	43-4009	2 cfs	624 af	156.0	1,600.0		N/A	N/A	N/A	N/A
43-4091	43-4091	2.8 cfs	622 af	155.5	1,600.0		N/A	N/A	N/A	N/A
43-4092	43-4092	0.23 cfs	60 af	15.0	1,600.0		N/A	N/A	N/A	N/A
43-4141	43-4141	2.67 cfs	414 af	263.5	1,600.0		N/A	N/A	N/A	N/A
43-10037	43-10037	1.55 cfs		137.0	1,600.0		N/A	N/A	N/A	N/A
TOTALS		23.07 cfs	5680 af	1579.0	1600.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 24th day of August, 2001


 Chief, Water Allocation Bureau

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SEP 07 2001

WATER RIGHT NO. 43-2309
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-2309 is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 05/01/1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	2.30 CFS	640.0 AF
		2.30 CFS	640.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26 Twp 11S Rge 26E	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	
11S 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L1	L2															

Total Acres: 1600

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SEP 07 2000

WATER RIGHT NO. 43-2309
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-2309 is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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 lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) 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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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 24th day of August, 2001



Chief, Water Allocation Bureau

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SEP 9 / 2001

WATER RIGHT NO. 43-2312A
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-2312A is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 06/19/1948

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	5.20 CFS	1,280.0 AF
		5.20 CFS	1,280.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26 Twp 11S Rge 26E	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	
11S 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L 1	L 2															

Total Acres: 1600

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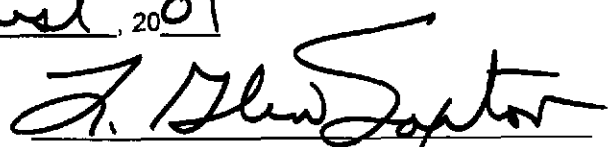
WATER RIGHT NO. 43-2312A
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-2312A is limited to the irrigation of 320 acres within the place of use described above in a single irrigation season.
2. Rights 43-2312A, 43-4092 and 43-10037 when combined shall not exceed a total diversion rate of 5.2 cfs.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
4. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
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 24th day of August, 2001


Chief, Water Allocation Bureau

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SEP 07 2001

WATER RIGHT NO. 43-2385
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-2385 is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 01/20/1953

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	3.20 CFS	640.0 AF
			3.20 CFS	640.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26	Twp 11S	Rge 26E	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	
11S	26E	25									33.0	39.0	40.0	33.0					145.0
11S	26E	26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S	26E	27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S	26E	34	40.0	40.0	33.0	40.0													153.0
11S	26E	35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S	26E	3	31.0	1.0		10.0													42.0
			L1	L2															

Total Acres: 1600

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SEP 27 2008

WATER RIGHT NO. 43-2385
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-2385 is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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 lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) 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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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 24th day of August, 2001


Chief, Water Allocation Bureau

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SEP 17 2001

WATER RIGHT NO. 43-2391
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-2391 is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 04/18/1953

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.80 CFS	560.0 AF
			2.80 CFS	560.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26	Twp 11S	Rge 26E	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	
11S	26E	25									33.0	39.0	40.0	33.0					145.0
11S	26E	26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S	26E	27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S	26E	34	40.0	40.0	33.0	40.0													153.0
11S	26E	35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S	26E	3	31.0	1.0		10.0													42.0
			L1	L2															

Total Acres: 1600

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SEP 07 2001

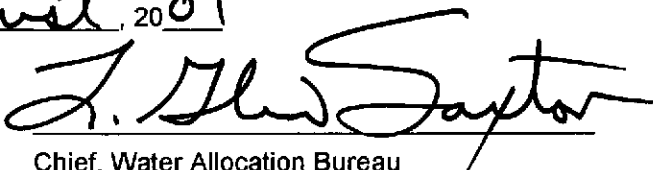
WATER RIGHT NO. 43-2391
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-2391 is limited to the irrigation of 140 acres within the place of use described above in a single irrigation season.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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 lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) 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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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 24th day of August, 2001


Chief, Water Allocation Bureau

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SEP 07 2001

WATER RIGHT NO. 43-2564
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-2564 is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 06/09/1963

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.20 CFS	840.0 AF
			2.20 CFS	840.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26	Twp 11S	Rge 26E	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	
11S 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L1	L2															

Total Acres: 1600

CONDITIONS OF APPROVAL

- Water right no. 43-2564 is limited to the irrigation of 210 acres within the place of use described above in a single irrigation season.
- Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

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SEP 07 2007

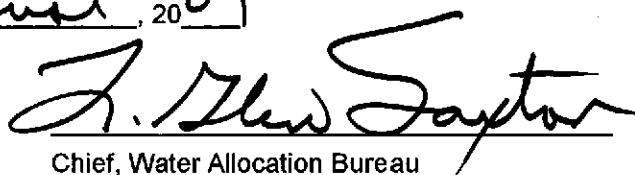
WATER RIGHT NO. 43-2564
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
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 24th day of August, 2001


Chief, Water Allocation Bureau

MICROFILMED

SEP 07 2001

WATER RIGHT NO. 43-4009
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-4009 is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 05/15/1953

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	2.00 CFS	624.0 AF
			2.00 CFS	624.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENE	Sec. 26	Twp 11S	Rge 26E	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	
11S	26E	25									33.0	39.0	40.0	33.0					145.0
11S	26E	26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S	26E	27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S	26E	34	40.0	40.0	33.0	40.0													153.0
11S	26E	35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S	26E	3	31.0	1.0		10.0													42.0
			L1	L2															

Total Acres: 1600

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SEP 27 2011

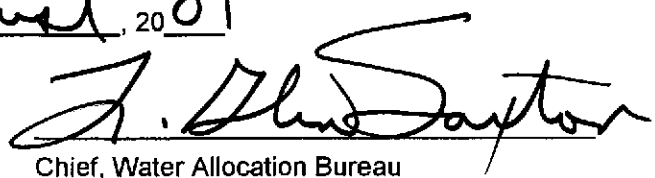
WATER RIGHT NO. 43-4009
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-4009 is limited to the irrigation of 156 acres within the place of use described above in a single irrigation season.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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 lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) 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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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 24th day of August, 2001


Chief, Water Allocation Bureau

MICROFILMED

SEP 07 2001

WATER RIGHT NO. 43-4091
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-4091 is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 04/01/1954

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	2.80 CFS	622.0 AF
			2.80 CFS	622.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26	Twp 11S	Rge 26E	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	
11S 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L1	L2															

Total Acres: 1600

MICROFILMED

SEP 07 2011

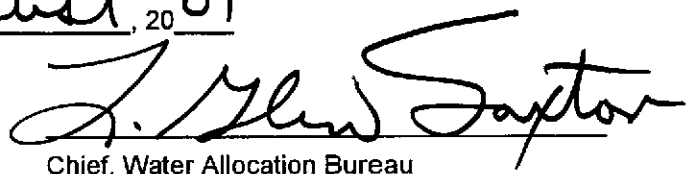
WATER RIGHT NO. 43-4091
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-4091 is limited to the irrigation of 155.5 acres within the place of use described above in a single irrigation season.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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 lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) 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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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 29th day of August, 2001


Chief, Water Allocation Bureau

MICROFILMED

SEP 12 1991

WATER RIGHT NO. 43-4092
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-4092 is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 04/01/1954

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.23 CFS	60.0 AF
			0.23 CFS	60.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	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	
11S 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L1	L2															

Total Acres: 1600

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SEP 87 2001

WATER RIGHT NO. 43-4092
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-4092 is limited to the irrigation of 15 acres within the place of use described above in a single irrigation season.
2. Rights 43-2312A, 43-4092 and 43-10037 when combined shall not exceed a total diversion rate of 5.2 cfs.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
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 24th day of August, 2001


Chief, Water Allocation Bureau

MICROFILM

SEP 3 7 1997

WATER RIGHT NO. 43-4141
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-4141 is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 04/03/1954

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.67 CFS	414.0 AF
			2.67 CFS	414.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26	Twp 11S	Rge 26E	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	
11S 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L1	L2															

Total Acres: 1600

MICROFILMED

SEP 17 2001

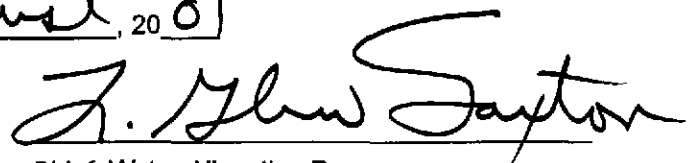
WATER RIGHT NO. 43-4141
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-4141 is limited to the irrigation of 263.5 acres within the place of use described above in a single irrigation season.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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 lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) 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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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 24th day of August, 2001


Chief, Water Allocation Bureau

MICROFILMED

APL 8.7 2001

WATER RIGHT NO. 43-10037

As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-10037 is now described as follows.

Right Holder: GARY B HARPER

2040 E 850 S

DECLO ID 83323

Priority Date: 03/15/1970**Source:** GROUNDWATER**Tributary:** N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	1.55 CFS
			1.55 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENE	Sec. 26	Twp 11S	Rge 26E	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	
11S 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0 L 1	1.0 L 2		10.0													42.0

Total Acres: 1600

MICROFILMED

SEP 07 2000

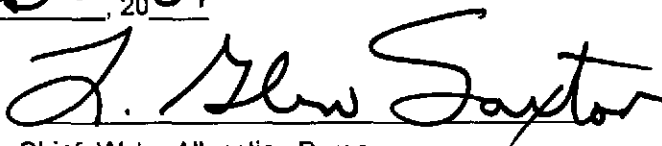
WATER RIGHT NO. 43-10037
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-10037 is limited to the irrigation of 137 acres within the place of use described above in a single irrigation season.
2. Rights 43-2312A, 43-4092 and 43-10037 when combined shall not exceed a total diversion rate of 5.2 cfs.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
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.

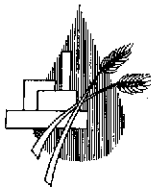
Dated this 24th day of August, 2001


Chief, Water Allocation Bureau

MICROFILMED

SEP 07 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Gary B. Harper
Box 16, Star, Route, Declo, Idaho, 83323 (Name of Claimant)
(Mailing Address) (Zip Code) Telephone No. 645-2227

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) April 3, 1954

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Groundwater tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	(Mo., Day)
Quantity	<u>2.72 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>Mar. 15</u>	To <u>Nov. 15</u>
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	_____	Use _____	Period of Use From _____	To _____

(4) 2.72 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 SE 1/4, Sec. 26 Twp. 11S Rge. 26E B.M., County of Cassia
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 100 H.P. pump delivers to open ditches

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				• TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
Parcel 1A	11S	26E	26												40	13	13	40	106
Parcel 1B			25								40	40	40	40					160

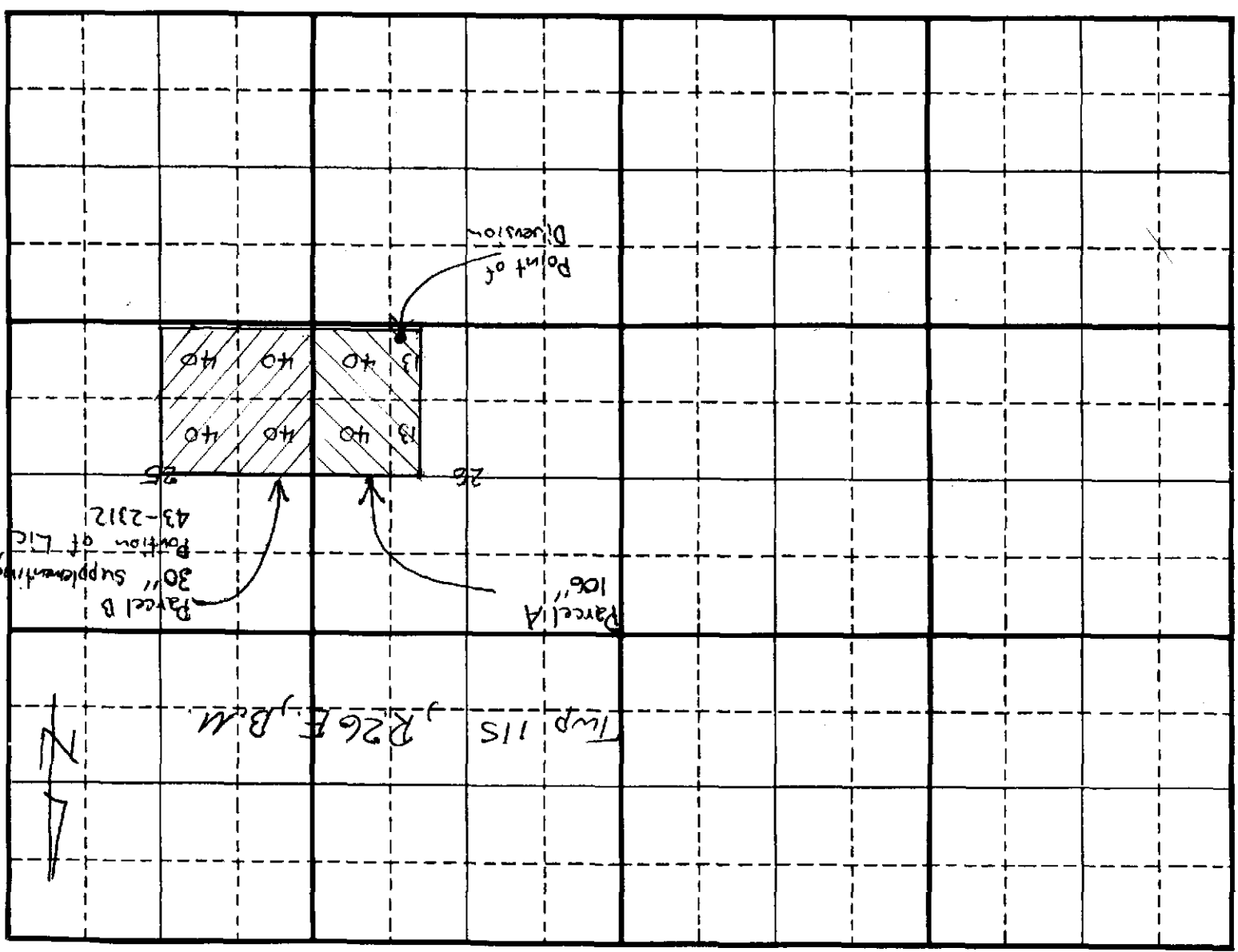
No. of acres 266

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks Parcel A being 106 acres is covered entirely by this claim for 106". Parcel B has a portion of licensed right 43-2312 for 130" on 160 acres. This well was developed in late 1953 by J.R. Simplot. Well log incorrectly lists location in SE $\frac{1}{4}$ Sec. 26 instead of actual location in SW $\frac{1}{4}$ Sec. 26. Well very close to 1/16th line.



Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Blaine) ss.
affiant's knowledge.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the

Sworn to before me this 6 day of December, 1982.
Notary Public
Residing at Blaine, Idaho, ID 83301
My commission expires *Life*

FOR DEPARTMENT USE ONLY
Received by 4027 Date 12/6/82 Exception filed by: Forwarded to
Prelim. check by TB Date 12/6/82 #2367
Published in *with addendum* Date 12/23 + 12/30/82
3000 - \$20.00 fee received by *with addendum*
Dates 12/23 + 12/30/82

SCHEDULE A

Order No. 10836

Page 3

1. Effective date: **November 3, 1982**

2. Policy or policies to be issued: (Standard coverage unless otherwise indicated)

(a) Owners (☒) Purchasers () Lessees () Amount: \$ **282,320.00**

Name of proposed Insured:

GARY B. HARPER and SUSAN B. HARPER, husband and wife

(b) Mortgage Standard () Mortgage Extended () Amount: \$
Coverage Coverage

Name of proposed Insured:

3. The estate or interest in the land described in this commitment and covered herein is:

FEE SIMPLE

4. Title to the estate or interest referred to herein is at the effective date hereof vested in:

PARCEL #1: SIMPLOT INDUSTRIES, INC., a Utah corporation

PARCEL #2: RAFT RIVER CATTLE COMPANY, an Idaho corporation

**PARCEL #3: BANNOCK HOTEL COMPANY, an Idaho corporation, and
BANNOCK MOTOR INN, INC., an Idaho corporation**

5. The land referred to in this Commitment is described as follows:

PARCEL #1:

**TOWNSHIP 11 SOUTH, RANGE 26 EAST, BOISE MERIDIAN
Section 25: SW $\frac{1}{4}$**

PARCEL #2:

**TOWNSHIP 11 SOUTH, RANGE 26 EAST, BOISE MERIDIAN
Section 26: East 1/3 of the S $\frac{1}{2}$**

PARCEL #3:

**TOWNSHIP 11 SOUTH, RANGE 26 EAST, BOISE MERIDIAN
Section 34: NE $\frac{1}{4}$**

ALL IN CASSIA COUNTY, STATE OF IDAHO.

8. AGREEMENT FOR PURCHASE OF POWER, dated May 3, 1954, between the Raft River Rural Electric Cooperative, Inc., and Gordon Construction Co., recorded November 4, 1954 as Instrument No. 184100 in Book 8 of B.S. & A. on pages 459, 460 and 461, records of Cassia County, Idaho. NW $\frac{1}{4}$ of Sec. 34, Twp. 11 S., Rge. 26, E.B.M. and has a well on the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 34. PARCEL #3.
9. AGREEMENT FOR PURCHASE OF POWER, dated December 13, 1954, between the Raft River Rural Electric Cooperative, Inc., and George H. Sanders, Ethel M. Sanders and Gladys Ione Sanders, recorded January 26, 1955 as Instrument No. 184879 in Book 8 of B.S. & A. on pages 519, 520 and 521, records of Cassia County, Idaho. N $\frac{1}{2}$ of Sec. 25, Twp. 11 S., Rge. 26, E.B.M. and has a well on the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 25. PARCEL #1 and covers other land.
10. AGREEMENT FOR PURCHASE OF POWER, dated April 3, 1954, between the Raft River Rural Electric Cooperative, Inc., and J. R. Simplot, recorded August 5, 1955 as Instrument No. 187084 in Book 9 of B.S. & A. on pages 120, 121 and 122, records of Cassia County, Idaho. SE $\frac{1}{4}$ of Sec. 26, Twp. 11 S., Rge. 26, E.B.M. and has a well on the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 26. PARCEL #2.
11. AGREEMENT FOR PURCHASE OF POWER, dated April 15, 1954, between the Raft River Rural Electric Cooperative, Inc., and J. R. Simplot, recorded August 5, 1955 as Instrument No. 187087 in Book 9 of B.S. & A. on pages 126, 127 and 128, records of Cassia County, Idaho. SW $\frac{1}{4}$ of Sec. 25, Twp. 11 S., Rge. 26, E.B.M. and has a well on the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 25. PARCEL. #1.
12. AGREEMENT FOR PURCHASE OF POWER, dated July 6, 1959, between the Raft River Rural Electric Cooperative, Inc., and Gordon Construction Company, recorded September 15, 1960 as Instrument No. 208010 in Book 10 of B.S. & A. on pages 321. 322 and 323, records of Cassia County, Idaho. NE $\frac{1}{4}$ of Sec. 34, Twp. 11 S., Rge. 26, E.B.M. and has a well on the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 34. PARCEL #3.
13. North Well AGREEMENT FOR PURCHASE OF POWER, dated April 22, 1964, between the Raft River Rural Electric Cooperative, Inc., and Anderson Brothers, recorded December 23, 1965 as Instrument No. 27458 on Film No. 38, records of Cassia County, Idaho. NE $\frac{1}{4}$ of Sec. 34, Twp. 11 S., Rge. 26, E.B.M. and has a well on the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 34. PARCEL #3.
14. East Well AGREEMENT FOR PURCHASE OF POWER, dated April 22, 1964, between the Raft River Rural Electric Cooperative, Inc., and Anderson Brothers, recorded December 23, 1965 as Instrument No. 27459 on Film No. 38, records of Cassia County, Idaho. NE $\frac{1}{4}$ of Sec. 34, Twp. 11 S., Rge. 26, E.B.M. and has a well on the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 34. PARCEL #3.

(Continued)

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

..... Mary Summers being first
duly sworn, deposes and says that she is the

..... Clark of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for Two
consecutive weeks, commencing with the issue
dated December 23 19 82 and ending
with the issue dated December 30, 19 82

Mary Summers

Subscribed and sworn to before me

this 31st day of December

1982.

Kerick Moore Notary Public

Cost of Publication \$ 22.10

Notary Fee

Total Cost \$ 22.10

82-365

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following
claim(s) to water right(s) have been established by
diversion and application to beneficial use:

43-4141

HARPER, GARY B., BOX 16, STAR ROUTE,
DECLO, ID. 83323. Source: GROUNDWATER.
Priority Date: 04/03/1954. Amount: 2.72 CFS.
Diversion Point: SWSE Sec. 26 T 11S R 26E, CASSIA
Co. Use: IRRIGATION (2.72 CFS) from 03/15 to
11/15. Place of Use: NESE NWSE SWSE SESE Sec. 26
T 11S R 26E NESW NWSW SWSW SESW Sec. 25 T 11S
R 26E, FOR 266 ACRES. Diversion Means: WELL,
PUMP.

Any exception to any claim of water right may
be filed with the Director of the Idaho Department
of Water Resources, 1041 Blue Lakes Blvd. North,
Twin Falls, Idaho 83301.

/s/ A. KENNETH DUNN
Director

Published in the South Idaho Press December 23
and 30, 1982.

RECEIVED

JAN 1 1983

Department of Water Resources
Southern District Office

MEMORANDUM

TO: FILE 43-4141
FROM: VAULT
RE: TRANSFER # 66921
DATE: 8.27.01

=====

Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:

FILE # 43-2309

MICROFILMED
SEP 07 2001

MEMORANDUM

TO: FILE 43-04141

FROM: PAM SKAGGS

RE: TRANSFER # 5501

DATE: 10-25-99

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 43-02309.

MICROFILMED
SEP 07 2001

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

17, 1983
JANUARY 13, 1983

GARY B. HARPER
BOX 16, STAR ROUTE
DECILO ID 83323

RE: Claim No. 43-4141

Dear Claimant:

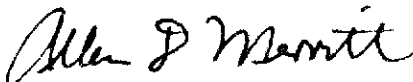
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,



ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

RECEIVED
JAN 21 1983

Department of Water Resources

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

43-4141-

HARPER, GARY B.

BOX 16, STAR ROUTE, DECLO, ID 83323

Source: GROUNDWATER

Priority Date: 04/03/1954

Amount: 2.72 CFS

Diversion Point: SWSE Sec 26 T 11S R 26E, CASSIA Co.

Use: IRRIGATION (2.72 CFS) from 03/15 to 11/15

Place of Use: NESE NWSE SWSE SESE Sec 26 T 11S R 26E

NESW NWSW SWSW SESW SEC 25 T 07S R 26E FOR 266 ACRES

DIVERSION MEANS: WELL, PUMP

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 12/23 & 12/30/82.

82-365

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

42-4141

HARPER, GARY B., BOX 16, STAR ROUTE, DECLO, ID. 83323. Source: GROUNDWATER. Priority Date: 04/03/1954. Amount: 2.72 CFS. Diversion Point: SWSE Sec. 26 T.11S R.26E, CASSIA Co. Use, IRRIGATION (2.72 CFS) from 03/15 to 11/15. Place of Use: NESE NWSE SWSE Sec. 26 T.11S R.26E NWSW SWSW Sec. 25 T.11S R.26E, FOR 266 ACRES. Diversion Means: WELL. PUMP.

Any exception to any claim of water right, may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

/s/ A. KENNETH DUNN
Director

Published in the South Idaho Press December 23 and 30, 1982.

Handwritten:
1/3/83
m
d/b

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

DECEMBER 16, 1982

South Idaho Press
P.O. Box 190
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 10, 1983.

Yours truly,

Mary A. Hill
Secretary

Encl.



State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: T.G. Blau

Right Number 43-4141 Applicant HARPER, Gary B.

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed. - None

By ADM Date 1/17/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 1/21/83