

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

Ruth Chambers, being first

duly sworn, deposes and says that. She is the

Business Manager of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2

consecutive weeks, commencing with the issue

dated Sept. 12 1968, and ending

with the issue dated Sept. 19, 1968.

Ruth Chambers

Subscribed and sworn to before me

this 19th day of September

1968.

Edith Raustett Notary Public

Cost of Publication \$ 11.00

Notary Fee

Total Cost

My commission expires October 23, 1971

RECEIVED

SEP 20 1968

Department of Reclamation

NO. 68-169

**NOTICE OF PROPOSED
TRANSFER OF WATER RIGHT**

Notice is hereby given that the Bannock Hotel Company and the Bannock Motor Inn, Inc. of Boise, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the point of diversion of the waters of a subterranean source as claimed under Claim No. 43-4009. The filing claims the use of 3.2 cubic feet per second with a priority of May 15, 1953. The point of diversion of the claim is three wells in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 34, T. 11 S. R. 26 E.B.M. and the place of use is in the NE $\frac{1}{4}$, sec. 34, T. 11 S. R. 26 E.B.M.

The transfer proposes to transfer the point of diversion to two points in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 34, T. 11 S. R. 26 E.B.M. with the same quantity, priority, and place of use as that of the original right.

On the 30th day of September, 1968 at 10:30 a.m., at the Department of Reclamation, Statehouse, Annex 2, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the South Idaho Press September 12, 19, 1968.

43 4009

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terranean source as claimed under
Claim No. 43-4009. The filing
claims the use of 3.2 cubic feet
per second with a priority of May
15, 1953. The point of diversion
of the claim is three wells in the
SW $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 34, T. 11 S. R. 26
E.B.M. and the place of use is in
the NE $\frac{1}{4}$, sec. 34, T. 11 S. R. 26
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1968.

Edith Raustadt Notary Public

Cost of Publication \$ 7.25

Notary Fee _____

Total Cost _____

My commission expires October 23, 1971

RECEIVED

SEP 20 1968

Department of Reclamation

**NO. 68-168
NOTICE OF CLAIM TO A
WATER RIGHT
No. 43.4009**

Notice is hereby given that the
Bannock Hotel Company and the
Bannock Motor Inn, Inc., Box
2777, Boise, Idaho has filed a
claim to a water right established
by diversion and application to
beneficial use of 3.2 cubic feet
per second of water from three
wells with point of diversion in
the SW $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 34, T. 11 S. R.
26 E.B.M., Cassia County; the
water is claimed to be used from
April 1 to October 31 for irriga-
tion and from October 1 to Feb-
ruary 1 for stock water with a
priority of May 15, 1953; the place
of use is in the NE $\frac{1}{4}$, sec. 34, T.
11 S. R. 26 E.B.M.

Any exception to this claim of
water right may be filed with the
Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the South Idaho
Press September 12, 1968.

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with the issue dated *Sept. 19* 19*68*.

Ruth Chambers

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this *19th* day of *September*
19*68*.

Edith Faustett Notary Public

Cost of Publication *\$7.25*

Notary Fee

Total Cost

My commission expires October 23, 1971

RECEIVED

OCT 8 1968

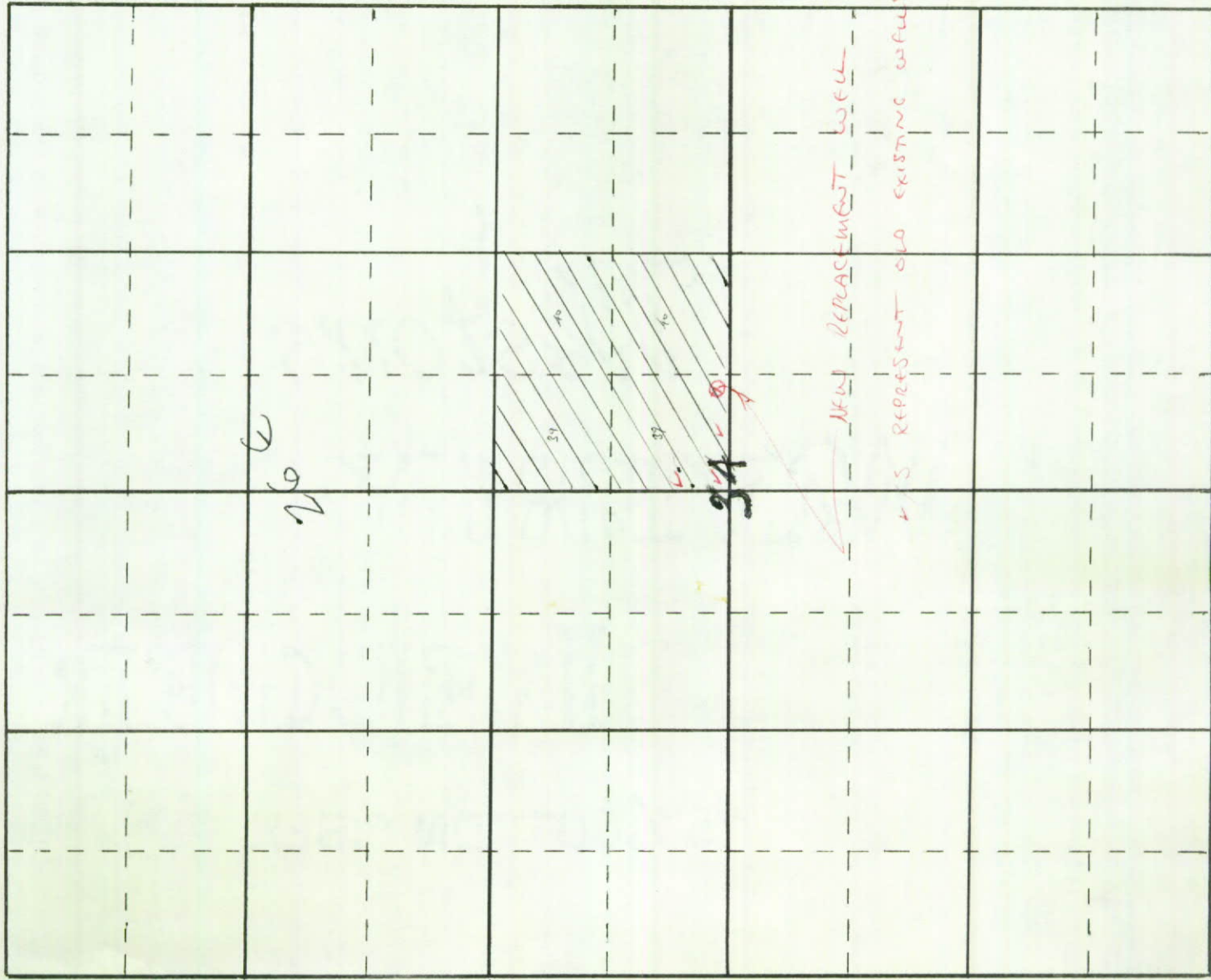
Department of Reclamation

NO. 68-168
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Department of Reclamation.
R. KEITH HIGGINSON
State Reclamation Engineer
Published in the South Idaho
Press September 12, 19, 1968.

dup.

43 4009



Permit No. TRANSFER 1574

Name of Applicant BANNOCK HOTEL CO. & MOTEL INN INC.

Source of Water SUBSTRAIN

a tributary of _____

Location of P.D. 3 OLD WELLS - EQUIPPED & OPERATING THROUGH 1968 SEASON WITHIN SW NE SEC 34 11S 26E CASSIA CO.

Water is used for IRRIGATION

Quantity of water claimed: Permit 3.2 CFS. Depositions

Type of measuring device installed or method of measurement and general description of diversion works 3 DEEP WELL TUBES - ELEC MOTORS OPER DISCHARGES - THROUGH EARTH

DITCHES

Land to be irrigated or place of use:

TWP.	RGE.	SEC.	Description
11S	26E	34	NE 1/4

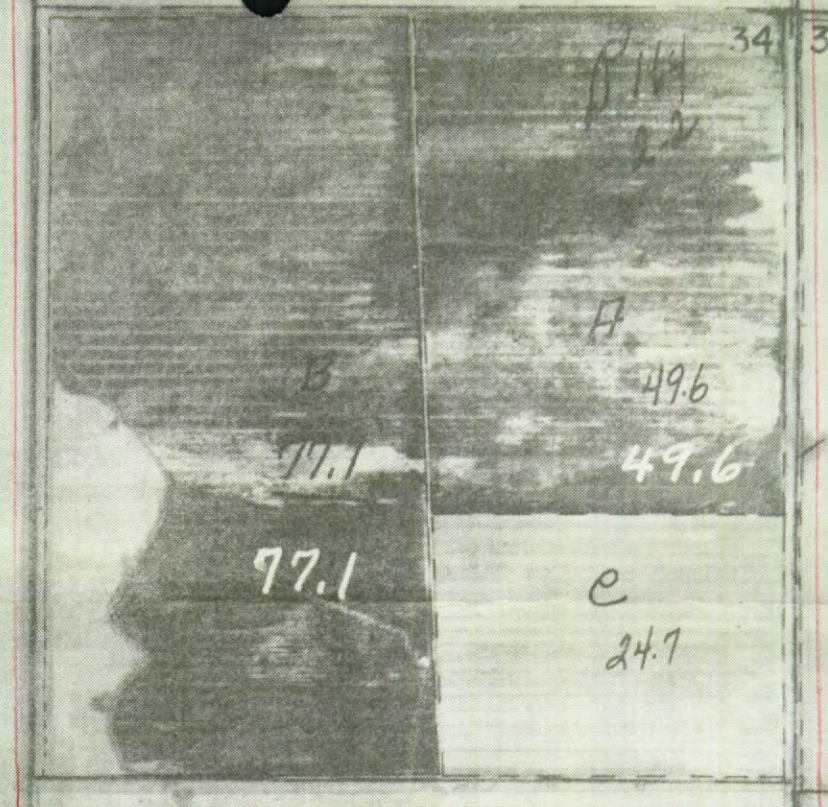
Total acreage 160

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)

NONE

Photo Taken

9-9-62 -



Section 34

T11 R ~~28~~ 26

Leo H. Henscheid

FSC Service

K312
2.2

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OCT 22 1968

43 4009

Department of Reclamation

K275

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34

27 2
34 3

B
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77.1

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49.6
c
24.7

34
3

K312
2.2

34 3
3 2

K215

43 4009

**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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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

L. Glen Saylor
 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
	L 1	L 2															

Total Acres: 1600

MICROFILMED

SEP 07 2001

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

MICROFILMED

SEP 07 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	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
			L1	L2															

Total Acres: 1600

MICROFILMED

SEP 07 2001

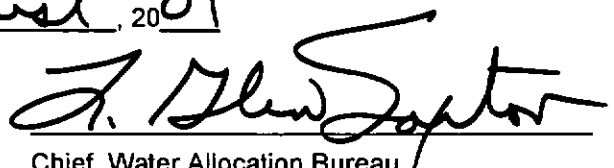
WATER RIGHT NO. 43-2312A
As Modified by Transfer No. 66921

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


J. Glen Saylor

MICROFILMED Chief, Water Allocation Bureau

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	to 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
	L 1	L 2															

Total Acres: 1600

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SEP 07 2001

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 07 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

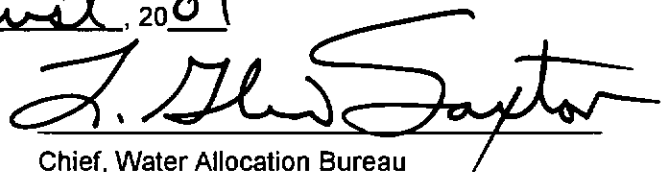
WATER RIGHT NO. 43-2391
As Modified by Transfer No. 66921

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	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
	L 1	L 2															

Total Acres: 1600

CONDITIONS OF APPROVAL

1. 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.
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.

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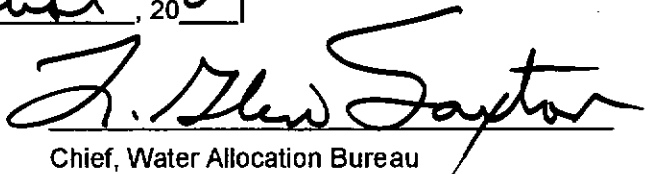
WATER RIGHT NO. 43-2564
As Modified by Transfer No. 66921

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

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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 to	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	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 2001

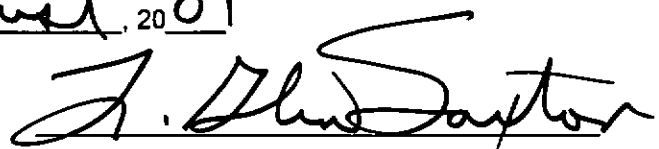
WATER RIGHT NO. 43-4009
As Modified by Transfer No. 66921

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 21st 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	to 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

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 SEP 07 2001

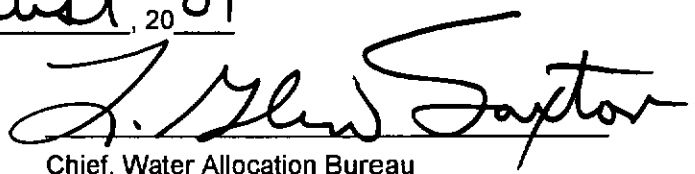
WATER RIGHT NO. 43-4091
As Modified by Transfer No. 66921

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 24th day of August, 2001


Chief, Water Allocation Bureau

MICROFILMED
SEP 07 2001

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	to 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

MICROFILMED
 SEP 07 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

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SEP 07 2001

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	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	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
			L 1	L 2															

Total Acres: 1600

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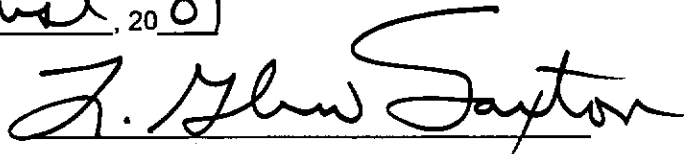
WATER RIGHT NO. 43-4141
As Modified by Transfer No. 66921

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

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SEP 07 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	1.0		10.0													42.0
	L1	L2															

Total Acres: 1600

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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

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WARRANTY DEED

SIMPLOT INDUSTRIES, INC., a corporation organized and existing under the laws of the State of Utah, and successor by merger to all right, title and interest of Raft River Cattle Company, Bannock Hotel Company and Bannock Motor Inn, Inc., with its principal office at P.O. Box 27, County of Ada, State of Idaho, grantor, hereby conveys or grants and warrants to GARY B. HARPER and SUSAN C. HARPER, husband and wife, whose current address is Star Route, Declo, Idaho, grantees, the following described tract(s) of land in Cassia County, State of Idaho:

PARCEL #1:

Township 11 South, Range 26 East, Boise Meridian, Section 25: SW 1/4

PARCEL #2:

Township 11 South, Range 26 East, Boise Meridian, Section 26: East 1/3 of the S 1/2

PARCEL #3:

Township 11 South, Range 26 East, Boise Meridian, Section 34: NE 1/4

Subject to all easements, reservations, restrictions and rights-of-way of record or apparent upon inspection of the premises. To have and to hold the said premises, with their appurtenances unto said grantees, their heirs and assigns forever.

IN WITNESS WHEREOF, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 11th day of November, 1982.

SIMPLOT INDUSTRIES, INC.

By [Signature]
Its EXECUTIVE VICE President

ATTEST:

[Signature]
Secretary

STATE OF IDAHO)
) ss
COUNTY OF ADA)

On this 11th day of November, 1982, before me, a Notary Public in and for said State, personally appeared [Signature] and [Signature] the Pres. President and Secretary, respectively, of the corporation that executed the foregoing instrument on behalf of the said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]

Notary Public for Idaho
Residing at Boise, Idaho

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Gary B. Harper Phone 645-2227
Post office address Box 16 Star Route, Declo, Idaho 83323

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to (Name)
in case of vs
dated in county of (Name of court)

b. License No. issued by the Idaho Department of Water Resources

c. Claim No. 43-4009 T1574 on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant
Owner by purchase
3. Source of water groundwater tributary to
4. Date of priority May 15, 1953
5. Water is used for the following purposes:

amount 3.2 for irrigation purposes from 4/1 to 10/31

* amount .03 for stockwater purposes from 10/1 to 2/1

amount for purposes from to (month/day - both dates inclusive)
6. Total amount of water under right: a. 3.2 cubic feet per second
&/or
b. acre feet per annum
7. Location of original point of diversion is SW ¼ of NE ¼ of Section 34
Township 11S Range 26E, B.M., in Cassia County
Additional points of diversion, if any 3 wells
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	26E	34	40	40	40	40													160

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- Total number of acres to be irrigated 160
9. Describe any other water rights used for the same purposes as described above
* amount not given in claim - water for 150 head of cattle

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second.
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
- a. Amount of water to be diverted 3.2 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SW ¼ SE ¼, Section 26 Township 11S
Range 26E, B.M., Cassia County
Additional points _____

- c. Description of diverting works _____
- d. Describe the reasons for applying for a change in the point(s) of diversion _____
To replace old well with sand problem. Other well close by has
capability to pump 3.2 cfs or more

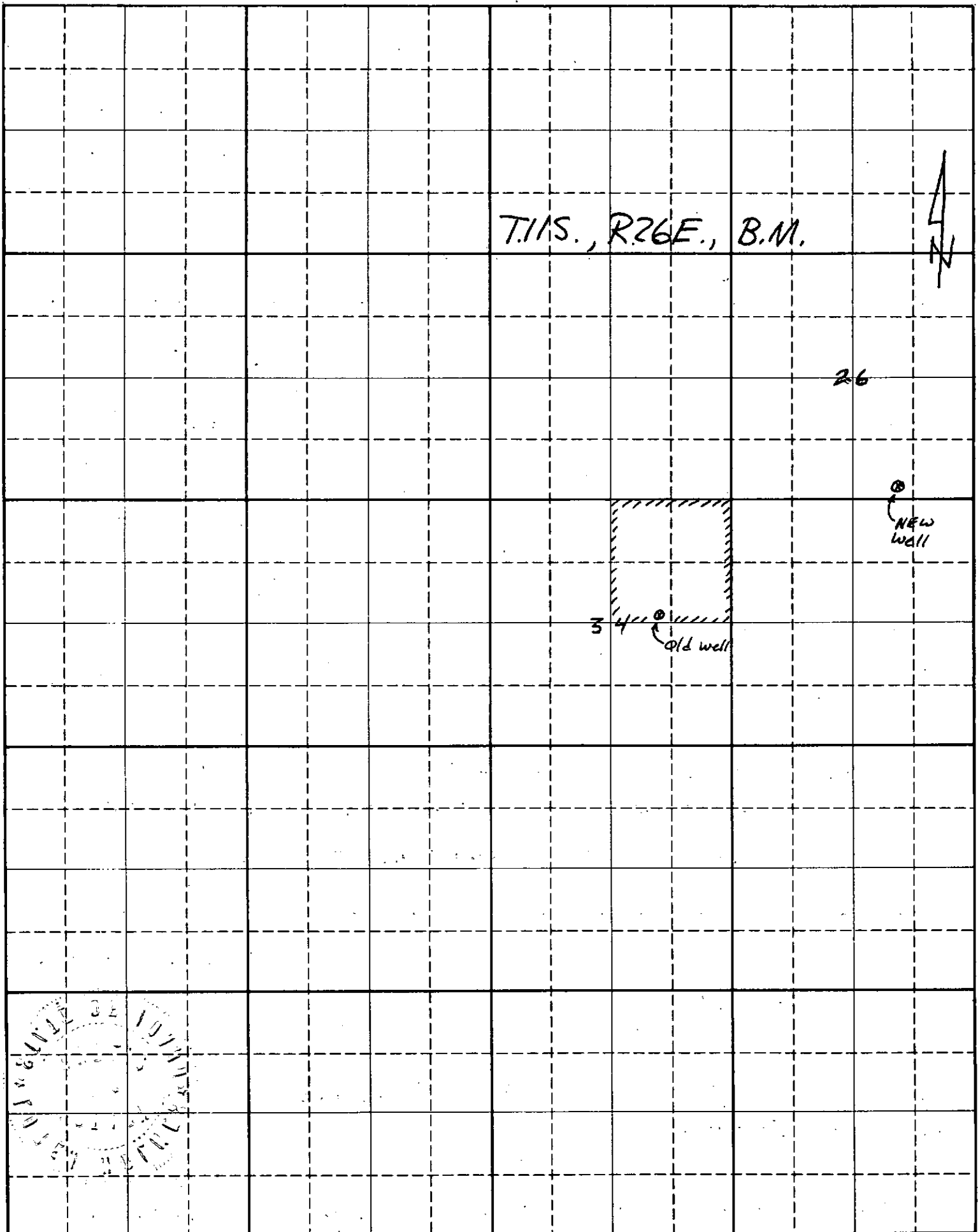
2. Change in place of use NO CHANGE

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____
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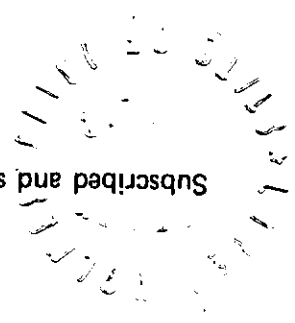
3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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I hereby assert that no one will be injured by such change and 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.



Subscribed and sworn to before me this 28 day of January, 1983

(Signature of applicant)

(Notary public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-4009 and said application is hereby APPROVAL, subject to the following limitations and conditions: Approval of this transfer does not validate right claimed under No. 43-4009.

Witness my hand this

29th day of July

19 83

L. GLEN SAXTON, Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by JA Date 1/28/83 Prelim. check by ADA Fee 50.00
Received by anyone Date 1/28/83 # 23965
Published in South Idaho Press Pub. dates 3/24 & 3/31/83
Watermaster recommendation requested on N/A rec'd.
Recommended for approval denial
Hearing held by _____ Date _____
Copies of protest forwarded by _____
Protest filed by None
MICROFILMED
SEP 07 2001

by ADA 4/14/83 Jim DRT

SOUTH IDAHO PRESS
BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

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

Clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Dependent further states that the printed notice 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 March 24th 1983 and ending with the issue dated March 31st 1983

Subscribed and sworn to before me
this 1st day of April
1983.

Kenneth Dunn, Notary Public
Cost of Publication \$109.85 9360
Notary Fee
Total Cost \$109.85 9360

Original - file 45-7009

Legal Notices

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
NO. 45-7006

Notice is hereby given that Corrad Land & Resources, Inc. has applied to the Department of Water Resources for a change of place of use of a water right from a groundwater source. The right sought to be changed is evidenced by License No. 45-7006 and is recorded as follows:
Amount: 3.6 cfs
Priority: September 6, 1967
Point of Diversion: SW 1/4, Sec. 12, T11S, R21E, B.M., Cassia County
The water is used for irrigation of 277 acres from April 1 to November 1 within the SW 1/4, SE 1/4, Sec. 12, T11S, R21E, B.M.
TO BE CHANGED AS FOLLOWS:
Amount: No change
Point of Diversion: No change
Place of Use: E 1/2 SW 1/4, SW 1/4 SW 1/4, E 1/2 SE 1/4, SW 1/4 SE 1/4, Sec. 7, T11S, R22E for irrigation of 256 acres from April 1 to November 1
Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before April 11, 1983.
A. KEN DUNN
Director

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
NO. 45-7007

Notice is hereby given that Howard E. Corrad of Murtaugh, Idaho has applied to the Department of Water Resources for a change of place of use of a right from groundwater. The right sought to be changed is evidenced by License No. 45-7007 and is recorded as follows:
Amount: 4.39 cfs & for 891 acre feet per annum
Priority: September 6, 1967
Point of Diversion: SW 1/4, Sec. 7, T11S, R22E, B.M., Cassia County
The water is used for stockwater from January 1 to December 31 and for irrigation of 627 acres from March 15 to November 15 within Sec. 7, T11S, R22E
TO BE CHANGED AS FOLLOWS:
Amount: Parcel A: 3.10 cfs 664.0 A.F./ann for

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
NO. 45-7009

Notice is hereby given that Gary B. Harper of Burley, Idaho has applied to the Department of Water Resources for a change of point of diversion of a right from a groundwater source. The right sought to be changed is evidenced by Claim No.

45-7009 T11S74 and is recorded as follows:

Amount: 3.2 cfs
Priority: May 15, 1953
Point of Diversion: SW 1/4 NE 1/4, Sec. 34, T11S, R21E, B.M., Cassia County
The water is used for irrigation of 160 acres from April 1 to October 31 within the NE 1/4, Sec. 34, T11S, R21E and stockwater.
TO BE CHANGED AS FOLLOWS:
Amount: No change
Point of Diversion: SW 1/4 SE 1/4, Sec. 26, T11S, R21E, B.M., Cassia County
Place of use: No change
Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before April 11, 1983.
A. KEN DUNN
Director

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
NO. 45-7007

Notice is hereby given that Howard E. Corrad of Murtaugh, Idaho has applied to the Department of Water Resources for a change of place of use of a right from groundwater. The right sought to be changed is evidenced by License No. 45-7007 and is recorded as follows:
Amount: 4.39 cfs & for 891 acre feet per annum
Priority: September 6, 1967
Point of Diversion: SW 1/4, Sec. 7, T11S, R22E, B.M., Cassia County
The water is used for stockwater from January 1 to December 31 and for irrigation of 627 acres from March 15 to November 15 within Sec. 7, T11S, R22E
TO BE CHANGED AS FOLLOWS:
Amount: Parcel A: 3.10 cfs 664.0 A.F./ann for

Irrigation
Parcel B - 1.30 cfs 216.0 A.F./ann for irrigation of 19 cfs 11.0 A.F./ann for stockwater
Point of Diversion: No change
Place of Use: Parcel A - SW 1/4, Sec. 6, T11S, R22E for irrigation of 160 acres
Parcel B - NE 1/4 SW 1/4, SW 1/4 SW 1/4, Sec. 7, T11S, R22E for irrigation of 256 acres
Parcel B - NE 1/4 SW 1/4, SW 1/4 SW 1/4, Sec. 7, T11S, R22E for irrigation of 256 acres
Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before April 11, 1983.
A. KEN DUNN/Director

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
NO. 45-7009

Notice is hereby given that Mary J. Corrad, of Murtaugh, Idaho has applied to the Department of Water Resources for a change of place of use from a groundwater source. The right sought to be changed is evidenced by License No. 45-7009 and is recorded as follows:
Amount: 4.0 cfs
Priority: September 11, 1967
Point of Diversion: SW 1/4 SE 1/4, Sec. 7, T11S, R21E, B.M., Cassia County
The water is used for irrigation of 314 acres from April 1 to October 31 within the NE 1/4, NW 1/4, Sec. 12, T11S, R21E
TO BE CHANGED AS FOLLOWS:
Amount: No change
Point of Diversion: NO CHANGE
Place of Use: SW 1/4 NE 1/4, NW 1/4 NW 1/4, Sec. 7, T11S, R22E for irrigation of 229 acres from April 1 to October 31
Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources, 1031 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before April 11, 1983.
A. KEN DUNN
Director

NOTICE OF AMENDMENT TO
A WATER PERMIT
NO. 45-7119

Notice is hereby given that Robert W. B. for Henry A. Ward is the holder of approved permit No. 45-7119 authorizing the diversion of 9.6 cubic feet per second of water from groundwater in the NW 1/4 SE 1/4, NE 1/4 SW 1/4, Sec. 19, T15S, R25E, B.M., County of Cassia, to be used for irrigation of 480 acres from March 15 to November 15 within NW 1/4, SW 1/4, Sec. 19, T15S, R25E, B.M. The permit holder has applied to the Department of Water Resources for an Amendment to the permit to change the Point of diversion, place of use and odd diversion point as follows: NW 1/4 NW 1/4, Sec. 19, T15S, R25E, NE 1/4 SE 1/4, Sec. 13, T15S, R24E B.M., Cassia County. Place of Use: E 1/2 SE 1/4, Sec. 13, E 1/2 NE 1/4, E 1/2 SE 1/4, Sec. 24, T15S, R24E NW 1/4, SW 1/4, NW 1/4, Sec. 19, T15S, R25E B.M.
Any protest against approval of the amending a Permit No. 45-7119 as set forth above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before April 11, 1983.
A. KENNETH DUNN
Director

NOTICE OF AMENDMENT TO
A WATER PERMIT
NO. 45-7482

Notice is hereby given that Corrad Land & Resources is the holder of approved permit No. 45-7482 authorizing the diversion of 10.0 cubic feet per second of water from groundwater in the SE 1/4 SE 1/4, Sec. 12, T11S, R21E, SE 1/4 SE 1/4, NW 1/4 SE 1/4, SW 1/4 SW 1/4, SE 1/4 SW 1/4, Sec. 7, T11S, R22E, County of Cassia, to be used for irrigation of 720 acres from March 15 to November 15 within NE 1/4, NW 1/4, SW 1/4, Sec. 7, T11S, R22E
The permit holder applied to the Department of Water Resources for an Amendment to the permit to change the Point of diversion as follows:

SOUTH IDAHO PRESS Burley, ID
Point(s) of Diversion: No change
Place of use: Parcel A - NE 1/4, NW 1/4, Sec. 12, T11S, R21E
Parcel B - SW 1/4, SE 1/4, Sec. 12, NE 1/4 NE 1/4, Sec. 13, T11S, R21E for irrigation of 660 acres from March 15 to November 15
Any protest against approval of the amending of Permit No. 45-7482 as set forth above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before April 11, 1983.
A. KENNETH DUNN
Published in the South Idaho Press on March 24 and March 31, 1983.

Transfer No. 1574

APPROVED

1. Name of Right Holder Bannock Hotel Company and Bannock Motor Inn, Inc.

Post office address Box 2777, Boise, Idaho 83701

2. Right obtained by: Clinic No. 43-4009

a. Decree to Claim Right in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____

b. License No. _____ issued by the State of Idaho, Department of Reclamation.

3. Source of water well tributary to _____
(Name of stream or source)

4. Date of Priority May 15, 1953

5. Amount of water a. 3.2 c.f.s. and/or

b. _____ acre feet/annum

6. Water is used for Irrigation from April 1 to October 31
Livestock water October 1 February 1
 (Month, Day) (Month, Day)

7. Original location of point of diversion is SW $\frac{1}{4}$ $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34,

Township 11 S, Range 26 E, B.M., in Cassia County;

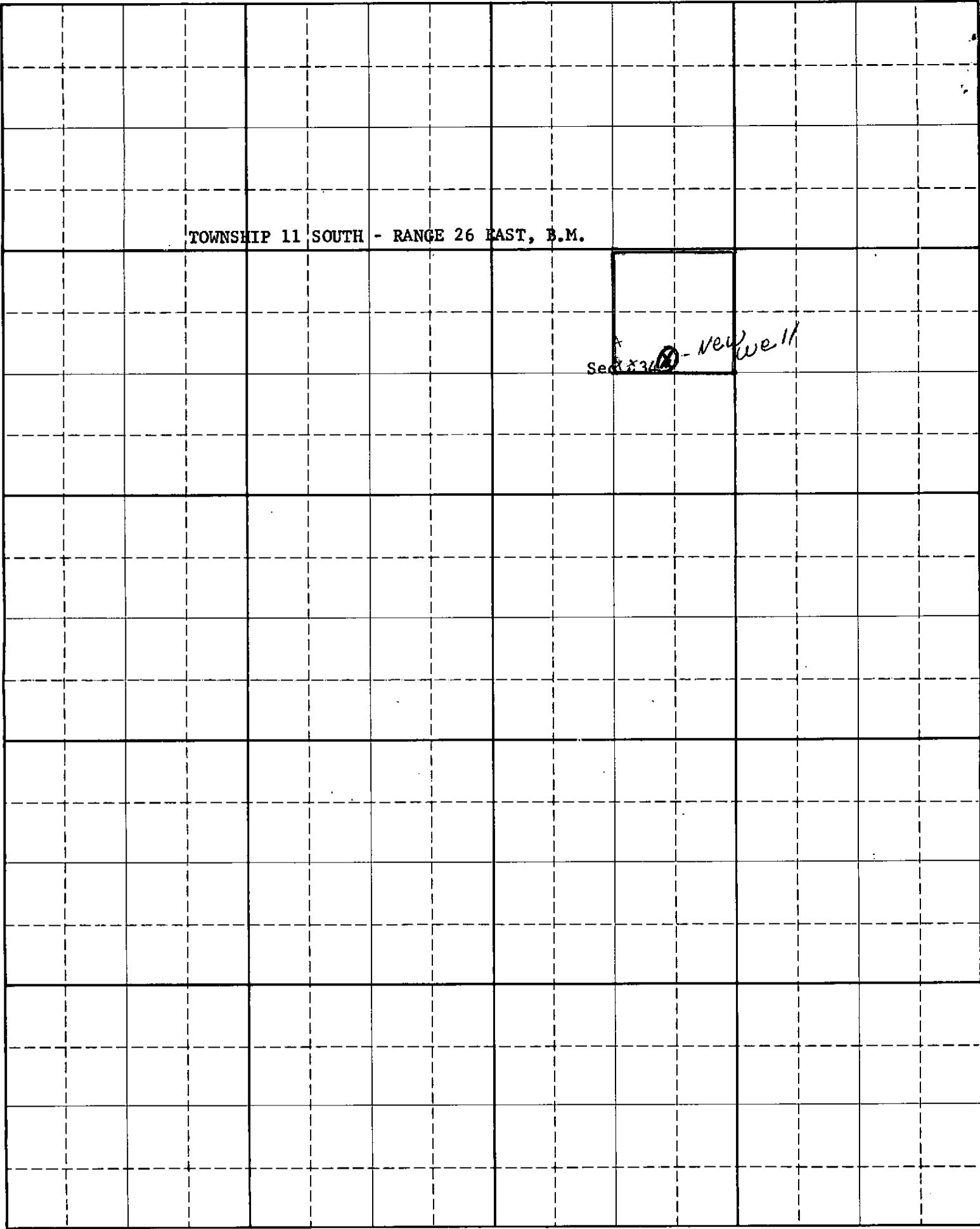
Additional points of diversion, if any 3 wells - same subdivision

8. Lands presently irrigated or place of use:

[illegible]

Total number of acres presently irrigated 160

4009



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired: assignment
from Martin Sanders to Gordon Hansen, purchase by Bannock Hotel Company and
Bannock Motor Inn, Inc.

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 3.2 c.f.s. and/or _____ acre feet
- b. New point of diversion: ^{TWO POINTS} SW ¼ NE ¼, Section 34, Township 11 S
_____, Range 26 E, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: open discharge
to sod ditches
- d. Is water to be conveyed to the lands previously irrigated? Yes XXX No _____
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
It is our intention to drill 1 new well to replace those 3 wells described
above since they are almost completely sanded in. If the new well does
not produce the full 3.2 cfs it would be our proposal to utilize the one
well remaining of the three that is not completely sanded in. We would
never use over the 3.2 cfs originally claimed.
- f. Do you intend to make the transfer permanent? yes
- g. Do you intend to abandon completely the old point of diversion? except as described above
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

b. Do you intend to make the transfer permanent? _____

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: _____

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

BANNOCK HOTEL COMPANY AND BANNOCK MOTOR INN, INC.

BY: _____

L. E. Haight, Secretary (signature of applicant)

Subscribed and sworn to before me this 26th day of August, 19 68

Laura J. Henderson
 (notary public)

My commission expires 8/12/70

RECEIVED AUG. 26, 1968 D.R.

**ACTION OF STATE RECLAMATION ENGINEER
 AND CERTIFICATE OF TRANSFER**

APPROVED

This is to certify that I have examined Application for Transfer of Water Rights No. 1574,

and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

Approval subject to conditions set forth in memorandum decision dated January 2, 1969

2. Denial of said application is for the following reasons: _____

Witness my hand this 3rd day of January, 19 69

R. Keith Higgins
 State Reclamation Engineer

BEFORE THE STATE RECLAMATION ENGINEER
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR
TRANSFER OF WATER RIGHT 43-4009

MEMORANDUM DECISION

An application for transfer of water right under Claim No. 43-4009 was filed with the Department of Reclamation on August 26, 1968. This transfer sought to change the point of diversion of 3.2 cubic feet per second of water from three existing wells located within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34, Township 11 South, Range 26 East, B.M., to one new well to be drilled within said SW $\frac{1}{4}$ NE $\frac{1}{4}$. The water is used for the irrigation of 160 acres of land located in the NE $\frac{1}{4}$ Section 34, Township 11 South, Range 26 East, B.M., and for stockwatering. The right to be transferred is described by a claim of water right and associated documents filed with the Department of Reclamation. Notice of the application for transfer was published in the South Idaho Press on September 12th and 19th, 1968. No protests were received against approval of the application. The water is presently diverted from wells within a designated "Critical Ground Water Area."

The transfer was filed at the insistence of the Department of Reclamation prior to the drilling and use of the new well. In order to complete the transfer the applicant was required to file the Claim to a water right with the department, since the water right originally was not developed under the statutory process and not recorded.

The State Reclamation Engineer after having reviewed the application for transfer enters the following decision:

1. Action by the State Reclamation Engineer upon Transfer 43-4009 does not in anyway establish the validity of the claimed right nor the extent to which a water right may have been developed, as claimed by the applicant, but only intends to allow Claim 43-4009 to be modified by the transfer. The amount of water and the extent of the beneficial use for irrigation and stockwatering will depend upon and be limited by the eventual determination of that water right by the court.

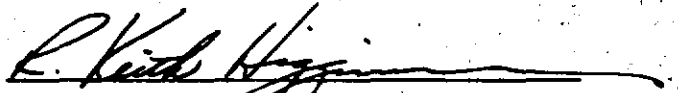
43 4009

43 (00)

2. That the transfer be approved subject to the following conditions:

- a. That a measuring device capable of recording total production in acre-feet or gallons be installed on the well and that such meters be subject to inspection by the department.
- b. That the three existing wells from which the water is being transferred be closed and capped and used for no further purpose under any right associated with this transfer.
- c. That no more water may be diverted from the well in question than the irrigation requirements of 160 acres of land. Pending final adjudication of the rights, such use will be limited to 4.0 acre-feet of water per acre of land per season, or 640 acre feet per season.

Dated this 3rd day of January, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

CSA:kh

43 4009

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

Ruth Chambers being first

duly sworn, deposes and says that she is the
Bushkeeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2 consecutive weeks, commencing with the issue

dated Sept. 12 1968, and ending

with the issue dated Sept. 19, 1968

Ruth Chambers

Subscribed and sworn to before me

this 19th day of September
1968.

Edith Raustett Notary Public

Cost of Publication \$11.00

Notary Fee

Total Cost

My commission expires October 23, 1971

RECEIVED

SEP 20 1968

Department of Reclamation

NO. 68-169

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that the Boise Hotel Company and the Boise Motor Inn, Inc. of Boise, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the point of diversion of the waters of a subterranean source as claimed under Claim No. 43-4009. The filing claims the use of 3.2 cubic feet per second with a priority of May 15, 1953. The point of diversion of the claim is three wells in the SW 1/4 NE 1/4, sec. 34, T. 11 S. R. 26 E.B.M. and the place of use is in the NE 1/4, sec. 34, T. 11 S. R. 26 E.B.M.

The transfer proposes to transfer the point of diversion to two points in the SW 1/4 NE 1/4, sec. 34, T. 11 S. R. 26 E.B.M. with the same quantity, priority and place of use as that of the original right.

On the 30th day of September, 1968 at 10:30 a.m. at the Department of Reclamation, Statehouse, Annex 2, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the South Idaho Press September 12, 19, 1968.

43 4009

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

Ruth Chambers, being first

duly sworn, deposes and says that *he* is the

Baskeeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2

consecutive weeks, commencing with the issue

dated Sept. 12 1968, and ending

with the issue dated Sept. 19, 1968.

Ruth Chambers

Subscribed and sworn to before me

this 19th day of September

1968.

Edith Rautstett

Notary Public

Cost of Publication \$11.00

Notary Fee

Total Cost

My commission expires October 23, 1971

RECEIVED

OCT 8 1968

Department of Reclamation

NO. 43-109
**NOTICE OF PROPOSED
TRANSFER OF WATER RIGHT**
Notice is hereby given that the Bannock Hotel Company and the Bannock Motor Inn, Inc. of Boise, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the point of diversion of the waters of a subterranean source as claimed under Claim No. 43-4009. The filing claims the use of 3.2 cubic feet per second with a priority of May 15, 1953. The point of diversion of the claim is three wells in the SW 1/4 NE 1/4, sec. 34, T. 11 S. R. 26 E.B.M. and the place of use is in the SE 1/4, sec. 34, T. 11 S. R. 26 E.B.M.
The transfer proposes to transfer the point of diversion to two points in the SW 1/4 NE 1/4, sec. 34, T. 11 S. R. 26 E.B.M. with the same quantity, priority, and place of use as that of the original right.
On the 30th day of September, 1968 at 10:30 a.m. at the Department of Reclamation, Statehouse, Annex 2, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.
R. KEITH HIGGINSON
State Reclamation Engineer
Published in the South Idaho Press September 12, 19, 1968.

43 4009

P.D. Trans. # 1574

43-4009P

Identification No. ~~34-4002~~

Claim No. 42783

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Bannock Hotel Company and Bannock Motor Inn, Inc.
post office address Box 2777, Boise, Idaho 83701

2. The point of diversion is in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 34 Township 11 South
Range 26 East B.M. located on well (3 wells)
(name of source)

tributary to _____ in Cassia County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

May 15, 1953 amount: 3.2 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 3.2 c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use irrigation period of use from April 1 to October 31 (both dates inclusive)
use livestock water period of use from October 1 to February 1 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped pumped ; depth of well is 700 feet; diameter of well is 16 inches; type of pump is U.S. motor, Worthington turbine pump
capacity of pump is 200 in. gpm name and address of well driller is _____
_____ ;

43 4009

open discharge to sod ditches

total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____
period of storage is from _____ to _____; is reservoir drained each year _____;

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and _____

Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible][illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

Explain any significant increase in area irrigated since first use, give dates and acreages if known.

b. Do you get water through a ditch owned by several users? no If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered 150 head cattle at various times

7. Where water is used for domestic or municipal purposes give number of families served _____ name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation _____

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with all attached information and certifies that all statements are true and accurate to the best of his knowledge.

8/26/68

(Date)

State of Idaho

County of Ada

ss.

BY: [Signature]

(Signature of Claimant) L. E. HAIGHT, SECRETARY

On this 26th day of August 19 68, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]

Notary Public residing at Boise, Idaho

My commission expires 8/12/70

For Department Use Only

Received by <u>AR</u>	Date <u>8-26-68</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>AR</u>	Date <u>8-27-68</u>	_____	_____	_____
Fee received by <u>if</u>	Date <u>8-28-68</u>	Fee \$ <u>10.00</u>	_____	_____
Approved for publication by <u>RS</u>	<u>9-5-68</u>	_____	_____	_____
Published in <u>Boise Post & Press</u>	Dates <u>9-12-68</u> <u>9-19-68</u>	_____	_____	_____

12 4000

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:		May 18, 1871	amount:	0.8 c.f.s. or	acre feet
		June 1, 1901	amount:	0.4 c.f.s. or	acre feet
		Total claimed:		1.2 c.f.s. or	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to it for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

IN THE MATTER OF:)
)
)
)
)
)
)

AFFIDAVIT

State of Idaho)
County of Cassia)

Gordan Hansen being first duly sworn,
deposes and says: That he is personally acquainted with a well that was
drilled in the Southwest corner of the East Half Northeast Quarter,
Section 34, Township Eleven South, Range 26 EBM; that it was
drilled in about 1949; that prior to time well sanded in it was used
for irrigation of crops on this land; other wells were then drilled
on this land; about 160 acres were irrigated; the crops grown were
row crops, hay and grain; as near as I remember the well produced
about 100". Permits were granted to drill the well. I traded
the land in about 1959 to Albert Anderson.

Gordan Hansen
(signature)

Subscribed and sworn to before me this 26th day of August 19 68.

William A. Parsons
(Notary Public)

Residing at Burley, Idaho.
My commission expires 7-20-70.

)
)
)
)
)
)
)

AFFIDAVIT

00-

being first duly sworn,

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

(signature)

Subscribed and sworn to before me this 26th day of August 19 68.

(Notary Public)

Residing at Burley, Idaho

My commission expires 7-20-70

AFFIDAVIT

Albert Anderson _____ being first duly sworn,

That these wells have gradually sanded in over the
period of their use.

That this affidavit is given at the request of persons
interested in said land for applications with the State of Idaho
Department of Reclamation.

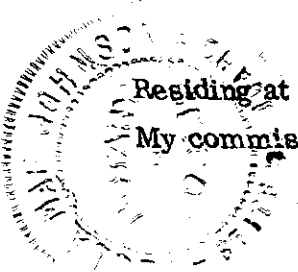
That your affiant is a resident of Burley, Idaho, whose mailing address is 25 Van Engelen Drive; that your affiant is over the age of 21 years and is not now interested in any manner with said land.

Albert Anderson
(signature)

Subscribed and sworn to before me this 30th day of July 1968.

Della Mae Johnson
(Notary Public)

Residing at Burley, Idaho
My commission expires 2-1971



SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Ruth Chambers being first

duly sworn, deposes and says that she is the

Bookkeeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2

consecutive weeks, commencing with the issue

dated Sept. 12 1968, and ending

with the issue dated Sept. 19, 1968

Ruth Chambers
Subscribed and sworn to before me

this 19th day of September

1968

Edith Raustadt Notary Public

Cost of Publication \$ 7.25

Notary Fee

Total Cost

My commission expires October 23, 1971

RECEIVED

SEP 20 1968

Department of Reclamation

NO. 68-168

NOTICE OF CLAIM TO A WATER RIGHT
No. 43.4009

Notice is hereby given that the Bannock Hotel Company and the Bannock Motor Inn, Inc., Box 2777, Boise, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 3.2 cubic feet per second of water from three wells with point of diversion in the SW 1/4, sec. 34, T. 11 S. R. 26 E.B.M., Cassia County; the water is claimed to be used from April 1 to October 31 for irrigation and from October 1 to February 1 for stock water with a priority of May 15, 1953; the place of use is in the NE 1/4, sec. 34, T. 11 S. R. 26 E.B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the South Idaho Press September 22, 1968.

43 4009

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Ruth Chambers, being first

duly sworn, deposes and says that she is the
Bartleper 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 2
consecutive weeks, commencing with the issue
dated *Sept. 17* 19*68*, and ending
with the issue dated *Sept. 19*, 19*68*.

Ruth Chambers

Subscribed and sworn to before me

this *19th* day of *September*
19*68*.

Edith Faustett Notary Public

Cost of Publication *\$7.25*

Notary Fee

Total Cost

My commission expires October 23, 1971

RECEIVED

OCT 3 1968

Department of Reclamation

NO. 43-168
NOTICE OF CLAIM TO A
WATER RIGHT
No. 43-4009
Notice is hereby given that the
Bannock Hotel Company and the
Bannock Motor Inn, Inc., Box
2770, Boise, Idaho, has filed a
claim to a water right established
by diversion and application to
beneficial use of 3.2 cubic feet
per second of water from three
wells with point of diversion in
the SW 1/4 NE 1/4, sec. 34, T. 11 S. R.
26 E. B.M., Cassia County, the
water is claimed to be used from
April 1 to October 31 for irriga-
tion and from October 1 to Feb-
ruary 1 for stock water with a
priority of May 15, 1953; the place
of use is in the NE 1/4, sec. 34, T.
11 S. R. 26 E.B.M.
Any exception to this claim of
water right may be filed with the
Department of Reclamation.
R. KEITH MCCLINTON
State Reclamation Engineer
Published in the South Idaho
Press September 12, 19, 1968.

43 4009

MEMORANDUM

TO: FILE 43-4009
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 43-04009
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

LA

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 43-4009
T-1574

Notice is hereby given that Gary B. Harper of Declo, Idaho has applied to the Department of Water Resources for a change of point of diversion of a right from a groundwater source. The right sought to be changed is evidenced by Claim No. 43-4009 T1574 and is recorded as follows:

Amount: 3.2 cfs

Priority: May 15, 1953

Point of Diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T11S, R26E, B.M., Cassia County

The water is used for irrigation of 160 acres from April 1 to October 31 within the NE $\frac{1}{4}$, Sec. 34, T11S, R26E and stockwater.

TO BE CHANGED AS FOLLOWS:

Amount: No change

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T11S, R26E, B.M., Cassia County

Place of Use: No change

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before April 11, 1983.

A. KEN DUNN
Director

Published in South Idaho Press on March 24 and March 31, 1983.

MICROFILMED

SEP 07 2001



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

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

March 16, 1983

South Idaho Press
Box 190
Burley, Idaho 83318

Re: Notice of Proposed Change of Water Right No. 45-7006; 45-7009; 45-7007;
43-2507; 43-4009-T1574
Notice of Amendment to a Water Permit No. 45-7482; 43-7119

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Newby
Sec/Office Corrd

Encl:

MICROFILMED

SEP 07 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: ADM

1. Right number _____ Applicant HARPER, Gary B.
2. Type of right: ☐ Decree ☐ License ☒ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
b. ☒ Description of original point of diversion.
c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
a. ☒ All of right.
b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
c. ☒ Check description of point(s) of diversion.
d. ☒ Check description of place of use.
e. ☒ Check map (shows p.d. and p.u. after transfer).
f. ☒ Check for correct signature, notarization, and fee.
g. ☒ Check proof of ownership of right &/or land from which water is transferred. *P/D Change only*
h. ☒ Check for expansion in use of right. Comments None

i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) NA

j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: ADM

1. Watermaster recommendation requested on N/A Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* See Watermaster Decision 1/2/1984
Approval of this transfer does not validate
right claimed under No. 43-4009
4. By ADM Date 4/14/83

RECEIVED
APR 15 1983

12/10/79

WATER RIGHTS EDIT REPORT

WATER RIGHT NUMBER 43-4009

ACT
ION

N OWNER LAST NAME - BANNUCK HOTEL CO.
N OWNER LAST NAME - BANNUCK MOTOR INN INC.
N ADDRESS LINE 1 - P.O. BOX 2777
N
N

CITY - BOISE
CITY - BOISE

STATE - ID ZIP CODE - 83701
STATE - ID ZIP CODE - 83701

** R ** MULTIPLE LINES NOT ALLOWED FOR THIS RECORD

N SOURCE - GROUNDWATER
N SOURCE - GROUNDWATER
N STAGE - STATRY CLM
N

TRFR/AMEND - 1

PRIORITY - 05-15-1953 COUNTY - CASSIA TOTAL DIV. RATE - 3.2000CFS

N DIVERSION POINT - SWNE 34 11S 26E
N FROM - 04-01 TO - 10-31 USE - IRRIGATION
N FROM - 10-01 TO - 02-01 USE - STUCKWATER
N USE - IRRIGATION
N

USE DIV. RATE - 3.2000CFS

PLACE OF USE - TWN 11S RNG 26E SEC 34 TRACT NENE AC 40
TRACT SWNE AC 40 TRACT SENE AC 40

N REMARKS - TRANS. 1574.

6000

IDENT. NO. 43-4009

ID A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 143-4009
OTd No. _____ New No. _____

Record

1. Original Owner: Bannock Hotel Co. + Bannock Motor Inn Inc.

Present Owner: _____

2. Address: P.O. Box 27773. City: Boise State: 10 Zip: 837014. A. Source of Water: fw

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid): _____

C. Priority Date: 5-15-1953D. County: 31E. Total Diversion Rate: 3.2

F. Total Diversion Volume: _____

G. Transfer/Amendment (P,T of A or blank): T

H. Water District: _____

I. DLE/Carey Act (D,C or blank): _____

J. Right Basis (for adjudication claims A,B,C only): _____

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SENE</u>	<u>34</u>	<u>11S</u>	<u>26E</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

7. Period of Use, Use, Diversion Rate/Volume:

from 4-1 to 10-31 for A purposes. Amount 3.2
(cfs or AC-Ft/yr)from 10-1 to 2-1 for S purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

7-11 DVD

10. Remarks: A. *Tramo. 1574*
B.
C.
D.
E.

13. A. Proof Due Date:
B. Date Permit Approved or Denied:
C. Protested Date:
D. Hearing Date:
E. Old Number:
F. Proof Made (P or blank):
G. Field Exam Made (P,R,F or blank):
H. Conditions of Approval: _____

H. Conditions of Approval:

REPORT OF WELL DRILLER
State of Idaho

RECEIVED

JAN 11 1969

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name

Address J. B. Linsplatt
Linsplatt Industries & Co.

Owner's Permit No. 43-4009

NATURE OF WORK (check): Replacement well ☒

New well ☐ Deepened ☐ Abandoned ☐

Water is to be used for: _____

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☐
Dug ☐ Other _____

(explain)

CASING SCHEDULE: Threaded _____ Welded _____

20 "Diam. from 0 ft. to 343 ft.

18 "Diam. from 338 ft. to 398 ft.

12 "Diam. from 332 ft. to 498 ft.

10 "Diam. from 764 ft. to 1385 ft.

Thickness of casing: 1/4" Material: _____

Steel ☒ concrete ☐ wood ☐ other ☐

(explain)

PERFORATED? Yes ☒ No ☐ Type of
perforator used: _____

Size of perforations: 5/16 " by 2 "

1500 perforations from 338 ft. to 338 ft.

720 perforations from 330 ft. to 390 ft.

600 perforations from 1085 ft. to 1085 ft.

600 perforations from 1305 ft. to 1365 ft.

WAS SCREEN INSTALLED? Yes ☐ No ☐

Manufacturer's name _____

Type _____ Model No. _____

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

CONSTRUCTION: Well gravel packed? Yes ☐

No. ☐ size of gravel _____ Gravel

placed from _____ ft. to _____ ft. Surface seal

provided? Yes ☒ No ☐ To what depth?

18 ft. Material used in seal: blue

Clay

Did any strata contain unusable water? Yes ☐

No. ☐ Type of water: _____

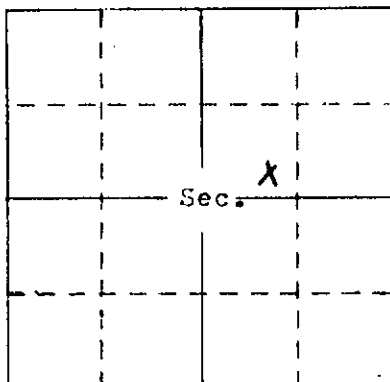
Depth of strata _____ ft. Method of sealing

strata off: _____

Surface casing used? Yes ☐ No. ☐

Cemented in place? Yes ☐ No ☐

Locate well in section



LOCATION OF WELL: County Cassia

SW 1/4 NE 1/4 Sec 34 T. 11 N. R. 26 E/W

Size of drilled hole: 20 Total

depth of well: 1415 Standing water

level below ground: 127 Temp. _____

Fahr. _____ ° Test delivery: _____ gpm

or _____ cfs Pump? ☐ Bail ☐

Size of pump and motor used to make test: _____

Length of time of test: _____ Hrs. _____ Min.

Drawdown: _____ ft. Artesian pressure: _____ ft.

above land surface _____ Give flow _____ cfs

or _____ gpm. Shutoff pressure: _____

Controlled by: Valve ☐ Cap ☐ Plug ☐

No control ☐ Does well leak around casing?

Yes ☐ No ☐

DEPTH FROM FEET	TO FEET	MATERIAL	WATER YES OR NO
-----------------------	------------	----------	--------------------

Use other side for additional remarks

43 4009

UGGS

Replacement

January 14, 1969

Bannock Hotel Company
Box 2777
Boise, Idaho 83701

Gentlemen:

We enclose a copy of your approved transfer of water right No. 43-4009, in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Also enclosed is Departmental Receipt No. W-486 for \$20.00 and No. 2519 for \$1.00 covering the fees.

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:mjl

Enclosures: Copy of approved transfer
Receipt Nos. W-486
2519

43 4009

January 7, 1969

Re: Transfer of Water Right

Bannock Hotel Company
Box 2777
Boise, Idaho 83701

Gentlemen:

Upon receipt of a \$1.00 filing fee, we will forward your transfer of water right to you.

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:mjl

43 4009

January 3, 1969

Re: Transfer No. 43-4009

Bannock Hotel Co. & Bannock Motor Inn, Inc.
Box 2777
Boise, Idaho 83701

Gentlemen:

Enclosed you will find a memorandum decision issued by the State Reclamation Engineer on the above numbered transfer.

As soon as your transfer has been processed, a copy of the approved transfer will be sent to you.

Very truly yours,

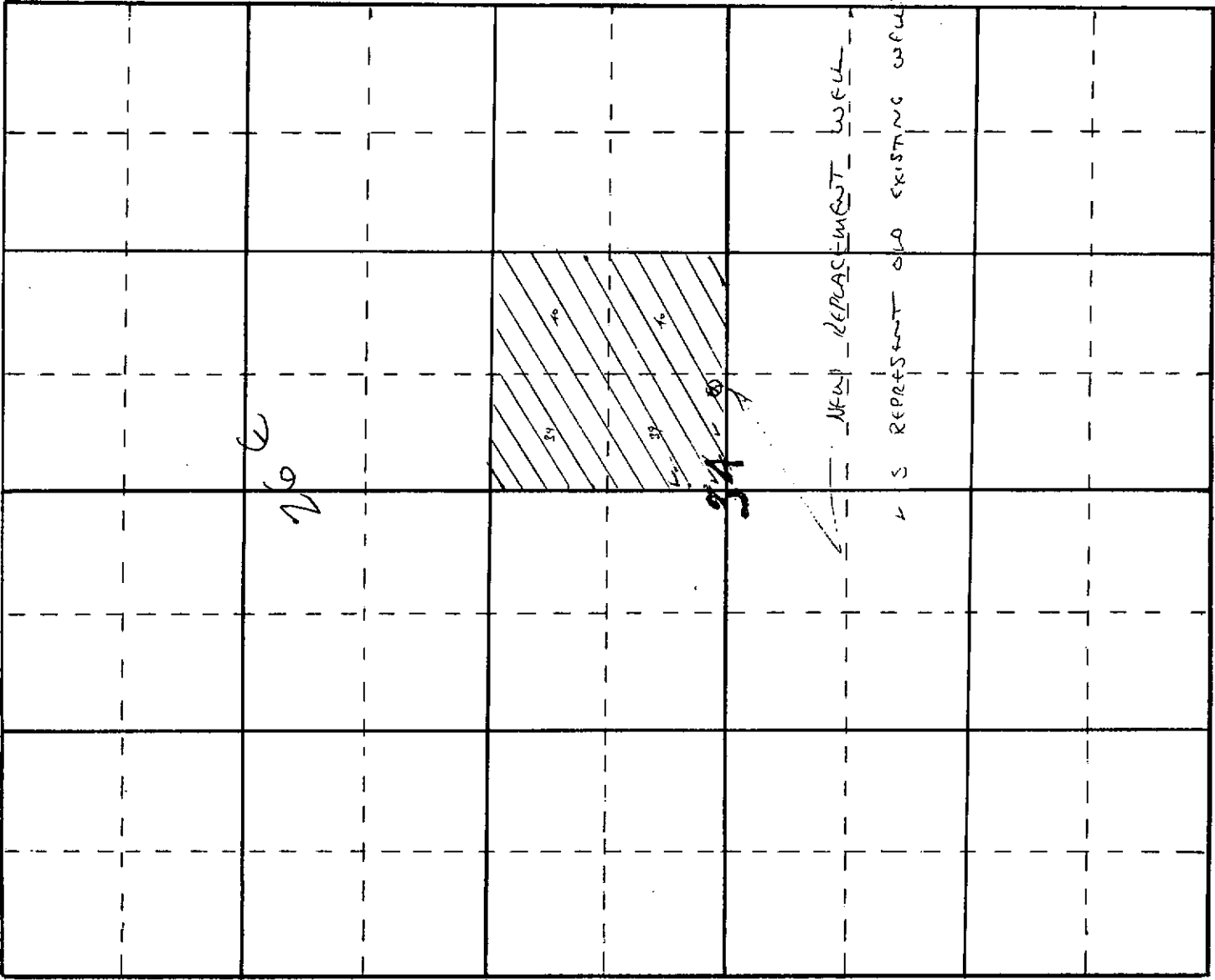
C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosure

cc. Idaho Land & Appraisal Service
Box 1603
Boise, Idaho

43 4009



Permit No. TRANSFER 157A
 Name of Applicant BANNOCK HOTEL CO. & MOTOR INN
 Source of Water SUBSTRAIN
 a tributary of _____
 Location of P.D. 3 OLD WELLS - EQUIPPED &
OPERATING THROUGH 1968 SEASON WITHIN
SW NE SEC 34 11S 26E CASSIA CO.
 Water is used for IRRIGATION
 Quantity of water claimed: 3.2 CFS.
 Type of measuring device installed or method of measurement and general description
 of diversion works 3 DEEP WELL TURBINE - 6 HP MOTORS
OPEN DISCHARGES - THROUGH EARTH
DITCHES

Land to be irrigated or place of use:			Description
TWP.	RGE.	SEC.	
11S	26E	34	NE 1/4
Total acreage			160

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and
 acreage covered by subdivision; also show land covered on the map.
NONE

Source of supply 3 WELLS
a tributary of _____

Location of P.D.(s) SUNSET SEC 34 115 266

Water is used for IRRIGATION

Quantity of water found _____

How was the measurement made? _____

Measurement calculations _____

Division work description and diagram

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated

158 acres

115 266

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?

Recommended allowance for licensing _____

Description of required amendments. Comments. (or new well)

3 occasions during construction
HAVING STOPPED & VISITED WITH MR CLINT PETERSON &
MR. CLARENCE BISHOP - I SUGGEST THE FOLLOWING
INFORMATION AS A REFERENCE & GUIDE FOR THE FUTURE

REFERENCE OF THE ATTACHED MATTER, THE OLD
EXISTING THREE WELLS AS INDICATED ON THE CLAIM AFFIDAVIT
APPEARED TO HAVE BEEN ORIGINALLY USED PRIOR TO THE CURRENT GROUND
WATER AREA ^{DESIGNATED} & HAVE THROUGHOUT THIS PERIOD OF USE
SANDS IN & ARE NOW COLLECTIVELY PRODUCING APPROX
60 WELLS INCHES - AN INSUFFICIENT QUANTITY
(NOT ABUNDANT) FOR THE SUCCESSFUL OPERATION
& PRODUCTIVE USE OF ~~SAND~~ WATER. THE TRANSFER
THEFORE: TO ALLOW FOR A NEW WELL TO REPRESENT SUPPLY

Report checked? _____

Examination date 7-24-68

Signature

John Reynolds

NOTE: 11-5-68, I FIND ALL REQUIRED INFORMATION NOW
SUPPLIED & IN ORDER. RECOMMEND STATE REVIEW & APPROVAL

DR.

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

October 10, 1968

Re: Claim No. 43-4009 and Transfer of a Water Right

L. E. Haight
Bannock Hotel Company and Bannock Motor Inn, Inc.
P. O. Box 2777
Boise, Idaho

Dear Mr. Haight:

Please be advised that the Department of Reclamation has processed the claim to a water right filed by the Bannock Hotel Company and the Bannock Motor Inn, Inc. The information in the claim is filed under claim No. 43-4009. Enclosed is the receipt for the \$10.00 filing fee.

The transfer of the claim has also been processed, however, before the Department of Reclamation can approve the transfer we will require two additional items:

1. The Department must have a photo from the A.S.C.S. or other source dating back as far as possible showing the acreage irrigated in the NE $\frac{1}{4}$, sec. 34, T. 11 S, R. 26 E, B.M. OK

2. The Department also requires an affidavit from the Raft River Electric regarding the date or dates that power was first supplied to the three wells in question. OK
11-1-68
df

The Department of Reclamation has contacted Mr. Cline Preston on October 7, 1968 and has advised him of the above requirements. Mr. Preston was also informed that he may resume drilling but no water may be appropriated from the well until the above information is submitted to this Department and until the transfer is approved.

The Department now feels that the claim and transfer have varified that a right exists and indicate that a well may be drilled. The additional information requested is to provide this office with information which we feel should be included in the file prior to the approval of the transfer.

Please contact us if you have any questions on this matter.

Very truly yours,

43 4009

DWM:KS

cc: Cline Preston

Idaho Land and Appraisal

Donald W. McEldowney
Appropriation Examiner

October 7, 1968

Re: Claim to a Water Right and Transfer of Water Right
Bannock Hotel Company and Bannock Motor Inn, Inc.

Bannock Hotel Company and Bannock Motor Inn, Inc.
Box 277
Boise, Idaho

Gentlemen:

Enclosed is a copy of our letter to the South Idaho Press. The legal notice of publication for the Claim to a Water Right No. 43-4009 was to be paid by the Department of Reclamation.

As soon as the newspaper has reimbursed your expense, please notify us so that we may proceed with the payment of the bill.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks
enclosure: Copy of letter to newspaper

43 4009

October 8, 1968

Re: Claim No. 43-4009 and Transfer of a Water Right
Bannock Hotel and Bannock Motor Inn, Inc.

South Idaho Press
230 East Main
Burley, Idaho 83318

Gentlemen:

Please accept our apologies for the confusion in the billing of the above referenced items. However, there still exists an error.

The Claim to a Water Right No. 43-4009 was to be advertised at the Department's expense. We received the affidavit of publication and the certified bill of publication and were ready to submit the bill for payment when our correspondence revealed that an additional affidavit had been submitted by the applicant and that the applicant had paid the bill.

Bear in mind that the legal notice for the Transfer of a Water Right was to be advertised at the expense of the Bannock Hotel Company and the Bannock Motor Inn, Inc. Therefore, the payment of this bill has been paid by the correct procedure.

Inasmuch as the applicant has paid the publication bill for the claim, the Department of Reclamation requests that the South Idaho Press reimburse the applicant and in turn the Department of Reclamation will submit the certified bill for payment.

Thank you for your assistance and patience in this matter and again we apologize for the confusion.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks
enclosure: none
cc: Idaho Land and Appraisal
Bannock Hotel Company and Bannock Motor Inn, Inc.

43 4009

IDAHO LAND & APPRAISAL SERVICE

HARLEY M. McDOWELL
E. J. McDOWELL
MGR. OWNERS

MERVIN J. CHRISTENSEN
(LICENSED SURVEYOR)

JOSEPH J. THACKABERRY

ROBERT W. SMITH

224 IDAHO BLDG.

BOISE, IDAHO 83701

P. O. Box 206X 1603

PHONE 344-2547

October 7, 1968

ALL PROPERTY APPRAISALS

CUSTOM DRAFTING, MAPPING
LAND PURCHASES
OIL AND GAS LEASES

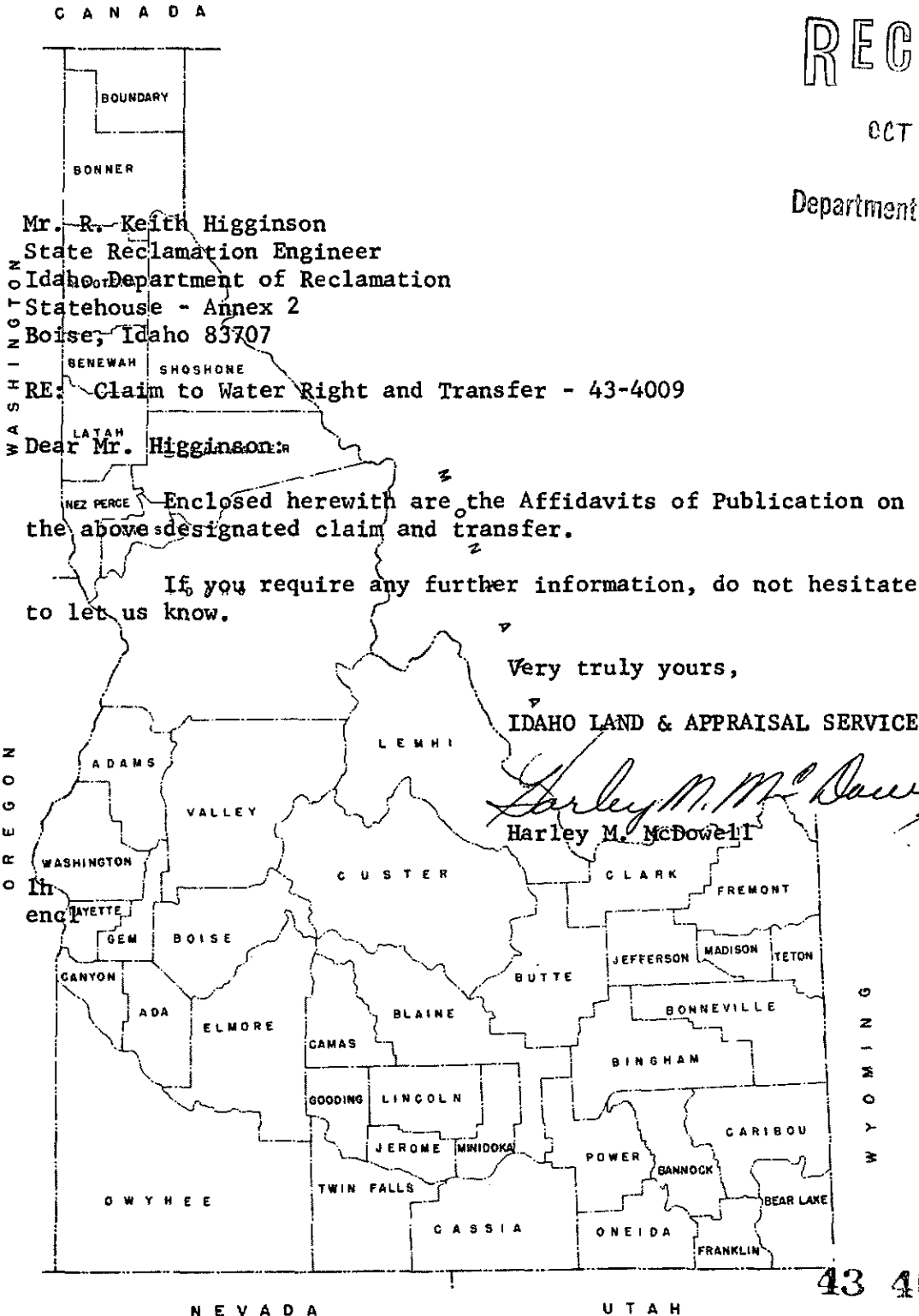
GRAZING MANAGEMENT

FEDERAL LAND APPLICATIONS
WATER FILINGS & PROOF
STATE LAND LEASES & ASSIGNS

RECEIVED

OCT 8 1968

Department of Reclamation



Mr. R. Keith Higginson
State Reclamation Engineer
Idaho Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

RE: Claim to Water Right and Transfer - 43-4009

Dear Mr. Higginson:

Enclosed herewith are the Affidavits of Publication on the above designated claim and transfer.

If you require any further information, do not hesitate to let us know.

Very truly yours,

IDAHO LAND & APPRAISAL SERVICE

Harley M. McDowell

43 4009

September 24, 1968

Re: Claim No. 43-4009 - Bannock Hotel Company and Bannock Motor Inn, Inc.
Transfer of Water Right - Bannock Hotel Company and the Bannock
Motor Inn, Inc.

South Idaho Press
Burley, Idaho

Gentlemen:

Please disregard our letter of September 5, 1968, written to you in connection with Claim No. 43-4009 - Bannock Hotel Company and the Bannock Motor Inn, Inc., and transfer of water right - Bannock Hotel Company and the Bannock Motor Inn, Inc., as it was in error.

The bill for this publication should have been sent to the Bannock Hotel Company and Bannock Motor Inn, Inc., Box 2777, Boise, Idaho. We are returning the bill, therefore, so that it may be submitted to them.

Thank you for your cooperation.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg
Enc: Bill

43 4009

September 5, 1968

Re: Claim No. 43-4009 - Bannock Hotel Company and the Bannock Motor Inn, Inc.
Transfer of Water Right - Bannock Hotel Company and the Bannock Motor
Inn, Inc.

South Idaho Press
Burley,
Idaho

Gentlemen:

Enclosed you will find two legal notices which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

The Department requests that you publish the two notices in the same area of the paper, if possible, the claim immediately above the Transfer of a Water Right.

After sending us a galley proof of the notices, proceed with the publication on the dates we have inserted assuming that the notices are correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates please contact us immediately.

Affidavits of publication must be submitted to the Department of Reclamation, along with the bills of publication. In order to receive payment, the following certification must appear on the bills:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

(Signature of claimant)

43 4009

South Idaho Press

-2-

September 5, 1968

If you have any questions concerning the legal notices or the procedure concerning submitting the affidavits or the bills please contact this department.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:KS

enclosure: legal notices (2)

43 4009

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that the Bannock Hotel Company and the Bannock Motor Inn, Inc. of Boise, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the point of diversion of the waters of a subterranean source as claimed under Claim No. 43-4009. The filing claims the use of 3.2 cubic feet per second with a priority of May 15, 1953. The point of diversion of the claim is three wells in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 34, T. 11 S, R. 26 E, B.M. and the place of use is in the NE $\frac{1}{4}$, sec. 34, T. 11 S, R. 26 E, B.M.

The transfer proposes to transfer the point of diversion to two points in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 34, T. 11 S, R. 26 E, B.M. with the same quantity, priority, and place of use as that of the original right.

On the 30th day of September, 1968 at 10:30 a.m., at the Department of Reclamation, Statehouse, Annex 2, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the South Idaho Press on September 12 and September 19, 1968.

NO. 68-169

NOTICE OF PROPOSED
TRANSFER OF WATER RIGHT

43 4009

Notice is hereby given that the Bannock Hotel Company and the Bannock Motor Inn, Inc. of Boise, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the point of diversion of the waters of a subterranean source as claimed under Claim No. 43-4009. The filing claims the use of 3.2 cubic feet per second with a priority of May 15, 1953. The point of diversion of the claim is three wells in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 34, T. 11 S, R. 26 E, B.M. and the place of use is in the NE $\frac{1}{4}$, sec. 34, T. 11 S, R. 26 E, B.M.

The transfer proposes to transfer the point of diversion to two points in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 34, T. 11 S, R. 26 E, B.M. with the same quantity, priority, and place of use as that of the original right.

On the 30th day of September, 1968 at 10:30 a.m., at the Department of Reclamation, Statehouse, Annex 2, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the South Idaho
Press September 12, 19, 1968.

RECEIVED

SEP 10 1968

Department of Reclamation

**RAFT RIVER ELECTRIC COOPERATIVE, INC.**

Phone 645-2405

Owned By Those We Serve

★ MALTA

Mr. Dean R. Reynolds
Department of Reclamation
State House, Annex 2
Boise, Idaho 83707

November 20, 1968

RECEIVED

NOV 21 1968

Department of Reclamation

Dear Mr. Reynolds:

After talking with you on the telephone, I have searched in our records and now I am in doubt as to which service you want information on.

Service # 808 is in Bob Simplot's name and has been since 1953. There was two years - 1961 and 1962 Gordon Construction ran this one in place of the one on their place.

In 1953 #808 was a 30 HP and was changed to a 60 HP when Gordon Construction used it beginning in 1961.

It probably would have been better if I had gone to the contract for description, then I would have known just which one you were interested in. As a result I have made out a report on Service #808 and the ones Gordon Construction used, description of both are on the report. This report is enclosed.

Sincerely,

Lois Whitaker
Lois Whitaker
Cashier, Secretary

WELL LOG AND REPORT TO THE
STATE RECLAMATION ENGINEER OF IDAHO

Log No.

Rec.

Well No. JUL 22 1954

Department of Reclamation
Permit No.

P-20541 2

DO NOT FILL IN

Owner Gordon Construction Co. Driller Frank P. Conley
Address Burley, Idaho Address Malta, Idaho Lic. No. 76
Location of Well: S.W. $\frac{1}{4}$ N.E. $\frac{1}{4}$ Sec. 34, T. 11 N/S, R. 26 E/W BM Cassia Count
and 150 feet N/S, and 20 feet E/W from S.W. corner of S.W. $\frac{1}{4}$ N.E. $\frac{1}{4}$ Sec. 34, T. 11 S. R. 26
Water will be used for irrigation Total depth of well 460
Size of drilled hole 16" to 330', 10" from 330' to 460' Weight of casing per linear foot 32.5
Thickness of casing 3/16 Casing Material plate
e.g., pipe, concrete, wood.
Diameter, length and location of casing 16" O.D. from 1' above to 313'
(Casing 12" in diameter and under give inside diameter; casing over 12" in diameter
give outside diameter.)
Number and size of perforations 2475 located 45 feet to 290 feet
from surface of ground.
Other Perforations: _____
If flowing well, give flow in c.f.s. _____ or g.p.m. _____ and shut in pressure _____
If nonflowing well, give depth of standing water from surface 46'
If flowing well, describe control works _____
(Type and size of valve, etc.)
On pumping test delivery was _____ g.p.m. or _____ c.f.s. Drawdown was _____ feet
Length of time pumped during check was _____ hr. _____ min. Water temp. _____ °Fahrenheit
Date of commencement of well June 5, 1954 Date of Completion of well June 26, 1954
Type of well rig Speed Star 71 Drill Rig

CASING RECORD

Diam. Casing	From Feet	To Feet	Length	"Remarks" — Seals, Grouting, Etc.
16"	1' above	313'	314'	14" side hole down to 207', and gravel packed

GENERAL INFORMATION—Pumping Test, Quality of Water, Etc.

WELL LOG

From Feet	To Feet	Type of Material	Drilling Time		Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
			Hrs.	Min.		
0	10	top soil, desert ash	2		No	No
10	20	" " " "	2		"	"
20	30	" " " "	2		"	"
30	38	" " " "	1	30	"	"
38	48	soft crumbly yellow clay	2		"	"
48	55	" " " "	1	30	"	yes
55	64	mucky sand, some fine gravel	1		"	"
64	78	soft white clay - 1st water	1		yes	"
78	85	sandy soft clay	1		"	"
85	95	solid reddish clay & fine gravel	2		No	"
95	105	" " " " "	2		"	"
105	115	" " " " "	2		"	"
115	125	" " " " "	2		"	"
125	130	" " " " "	1		"	"
130	140	packed gravel & brown clay	3		"	"
140	153	" " " " "	4		"	"
153	160	cemented gravel	4		"	"
160	165	soft & sandy		30	yes	"
165	175	crumbly yellow clay	2		No	"
175	185	" " " " "	2		"	"
If more space is required use Sheet No. 2						

WELL DRILLERS STATEMENT

This well was drilled under my jurisdiction and the above information is true and correct to the best of my knowledge and belief.

Signed

Frank P. Conley

By

License No. 76

Dated July 19, 1954

Subscribed and sworn before me this day of 19

Notary Public

Residing at

My Commission expires

NOTARIZATION NOT NECESSARY
UNDER NEW LAW.

43 4009

WELL LOG

From Feet	To Feet	Type of Material	Drilling Time		Water-bearing Formation Ans. Yes or No	Casing Perforated
			Hrs.	Min.		
185	195	<i>crumbly yellow clay</i>	2		No	Yes
195	207	" " "	2		"	"
207	217	<i>red clay & some gravel</i>	3		Yes	"
217	220	" " "		30	"	"
220	230	<i>red clay</i>	1		No	"
230	240	" " "	1		"	"
240	250	" " "	1		"	"
250	260	" " "	1		"	"
260	265	" " "		30	"	"
265	275	<i>soft, sandy clay</i>	1		Yes	"
275	283	" " "	1		"	"
283	286	<i>sand & gravel run-in</i>	2	30	"	"
286	290	<i>hard red clay & rock</i>	1	30	No	"
290	296	" " " "	2		"	No
296	308	" " " "	4		"	"
308	318	<i>blue clay and gravel</i>	2	30	"	"
318	325	" " "	2		"	"
325	330	<i>blue sand</i>	1		Yes	"
330	340	<i>sandy blue clay</i>		30	No	"
340	350	<i>solid sandy blue clay</i>	1		"	"
350	360	" " " "	1	30	"	"
360	365	" " " "		30	"	"
365	375	<i>blue clay</i>	1	30	"	"
375	385	" " "	1	30	"	"
385	395	" " "	1	30	"	"
395	405	" " "	1	30	"	"
405	415	" " "	1	30	"	"
415	425	<i>blue</i> " "	1	30	"	"
425	435	" " "	1	30	"	"
435	448	" " "	2		"	"

Well Driller

WELL LOG

43 4009

WELL LOG AND REPORT TO THE STATE RECLAMATION ENGINEER OF IDAHO

RECEIVED
Log No. 17 NOV 22 1957
Rec. 19
Department of Reclamation
Well No.
Permit No. 20541

(DO NOT FILL IN)

Owner Verne Anderson Address Burling - but land in mal
Driller Waymon Yachin Address Malta Lic. No. 118
Location of Well: NE $\frac{1}{4}$ 34 T. 11 South N/S, R. 26 E E/W Cassia County,
and Basin feet N/S, and feet E/W from Corner of $\frac{1}{4}$ $\frac{1}{4}$ Sec.
Size of Drilled Hole 18" Total depth of Well 700
Give depth of standing water from surface 46" Water Temp. 68 °Fahrenheit
On pumping test delivery was 96 g.p.m. or c.f.s. Drawdown was 120 feet.
Size of pump and motor used to make the test 60 Horse
Length of time pumped during check was 3 hr., minutes.
If flowing well, give flow in c.f.s. or g.p.m. and shut in pressure
If flowing well, describe control works (TYPE AND SIZE OF VALVE, ETC.) 16" 14"
Water will be used for Irrigation Weight of casing per linear foot 52 44
Thickness of casing 1/4" Casing material Steel
E.G., PIPE, CONCRETE, WOOD.
Diameter, length and location of casing
(CASING 12" IN DIAMETER AND UNDER GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER GIVE OUTSIDE DIAMETER.)
Number and size of perforations located feet to feet
from surface of ground.
Other perforations
Date of commencement of well May Date of completion of well July 57
Type of well rig 71 Spud Star

CASING RECORD

DIAM. CASING	FROM FEET	TO FEET	LENGTH	"REMARKS" -- SEALS, GROUTING, ETC.

GENERAL INFORMATION—Pumping Test, Quality of Water, Etc.

Reason this Log is Lat Mr Anderson
Plan for this well to be Borehole this
fall, but Decide not to, at Present time

WELL LOG

From Feet	To Feet	Type of Material	Drilling Time		Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
			Hrs.	Min.		
0	7	Sandy Soil				
7	10	Gravel				
10	20	Sand & Clay				
20	22	Hard Pan				
22	40	Clay				
40	60	Sand				
60	75	Sand & Red Gravel				
75	100	Clay				
100	110	Coarse Sand				
110	115	Clay				
115	120	Gravel				
120	125	Sand				
125	130	Clay				
130	140	Sand				
140	150	Clay				
150	160	Soft & Sandy				
160	175	Dark Gravel				
175	185	Red Clay				
~~185~~	~~195~~	If more space is required use Sheet No. 2				

WELL DRILLER'S STATEMENT

This well was drilled under my jurisdiction and the above information is true and correct to the best of my knowledge and belief.

Signed.....

By M. W. Wynn

License No. 118

Dated Oct 28, 19 67

SHEET NO. 2

Well Driller *Yankovich*Well Location *Math*

WELL LOG

From Feet	To Feet	Type of Material	Drilling Time		Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
			Hrs.	Min.		
185	195	Gravel				
195	225	Sandy Clay				
225	230	Gravel				
230	237	Clay				
237	245	Gravel				
245	260	Clay				
260	265	Gravel				
265	275	Sandy Clay				
275	278	Gravel				
278	285	Clay				
285	295	Gravel				
295	305	Clay				
305	310	Sand / Per Gravel				
310	320	Blue Clay				
320	325	Gravel				
325	330	Clay				
330	340	Gravel				
340	348	Blue Clay				
348	400	Blue Clay				
400	410	Soft / Sandy				
410	420	Sandy				
420	425	Hard Blue Clay				
425	465	Fill				
465	475	Blue Clay				
475	505	Fine Gravel				
505	515	Blue Clay				
515	560	Gravel Clay				
560	570	Blue Clay				

4) RAPT RIVER FEE RECORDS
SHOW TOTAL KILOWATT HRS FOR EACH
YEAR BEGINNING IN 1953 WITH THE
DEMAND BASED ON 8⁰⁰ / H.P.
BEGINNING IN 1962 DEMAND METERS
WERE INSTALLED, & PROTECTION OF DEMAND
RATE WAS BASED ON THE AVERAGE FOR THE
PREVIOUS YEAR.

5) INFORMATION GATHERED BY THE KETH
ANDERSON & H. G. HAIGHT REPORTS
DISCLOSE NO WATER LEVEL MEASUREMENTS
BUT DO SHOW THAT IN 1964 A TOTAL
OF 1.58 FTS WAS MEASURED FOR THE
THREE WELLS.

RELATING THE AVAILABLE INFORMATION
TO THE AFFIDAVITS SUBMITTED WITH 13-4009, THE FOLLOWING
IS DATA SUPPORTING THE RECOMMENDATION
THAT THE DEPT DENY THE PROPOSED
TRANSFER IS 74.

a) NO INFORMATION AVAILABLE SUPPORTS MR. HANSON'S
AFFIDAVIT, WHICH IS QUITE VAGUE, & BASED
UPON ESTIMATES FROM MEMORY. (HOW WAS IT
EQUIPPED IN 1949? WHO DRILLED THE WELL?
WHO OWNED THE PROPERTY? ETC) 13-4009

Permit No. 20541

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

ss.

County of Cassia

Ord. Hansen

being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 20541, and that his postoffice address is Burley.

State of Idaho

Second: That the name of the stream from which said water is to be diverted is well located in the Southwest corner of the Northeast Quarter of Section 34, Township 11 South, Range 26, E.B.M., in Cassia County, Idaho.

Third: That the point of diversion of said water is 30 feet Northeast from the Southwest corner of the Northeast Quarter of Section 34, Township 11 South, Range 26, E.B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 23, 1953.

Fifth: That the use for which said water is intended is irrigation.

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: a well, pump and ditches all on applicant's land.
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction.

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line feet.
(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 1.2 second feet of water.

Eighth: That water appropriated under said permit is available for 160 acres of land described as follows: the same being the Northeast Quarter of Section 34, Township 11 South, Range 26, East Boise Meridian, Cassia County, Idaho.

Ninth: Remarks: That all of the said 160 acres is now planted in crops and since the 15th day of May, 1953, has been irrigated from the well above described. The depth of the well is 140 feet, the size of the casing 16 inches in diameter and 5/16" thick; the casing extends into the well 180 feet, the pump in the well is a 10 h.p. electric pump.

(Sign Here)

Subscribed and sworn to before me this 30th day of July, 1953.

My commission expires Feb. 20, 1954.

Notary Public.

43 4009

FORM 10A

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RE: Permit No. 20541

Date May 1, 1959

Mr. Gordon Hansen
Burley, Idaho

Dear Sir:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 20541 is due not later than July 23, 1959. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a Notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date (allowing for four weeks publication), the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated--by 40-acre legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

Also enclosed is Form 11, which is the authorization for us to have the Notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set and at the place named, before the Notary Public, as advertised in the publication notice.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

Enc. Form 10-2
Form 11-1
Instructions

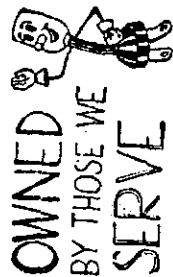
20541

43 4039

RAFT RIVER RURAL ELECTRIC COOPERATIVE, INC.

BOX 617

MALTA, IDAHO 83342



Mr. Dean Reynolds
Department of Reclamation
State House, Annex 2
Boise, Idaho 83707

$$\begin{array}{r} 748.8 \\ 8.333 \overline{) 748.8} \\ \underline{.01} \end{array}$$

3. Do flight reductions
show term
live with this season

2) What was the demand
on the units in Q
live with this

1) What is the demand
based upon

$$\begin{array}{r} 150 \\ 282 \overline{) 4992} \\ \underline{17500} \\ 991 \end{array}$$

$$\begin{array}{r} 24750 \\ 150 \overline{) 24750} \\ \underline{4500} \\ 4000 \\ \underline{4000} \\ 0 \end{array}$$

8.8 (110) 60

$$3.3 = 3.3$$

$$528.0$$

$$(4) (6.24)$$

$$\begin{array}{r} 35000 \\ 9984 \overline{) 35000} \\ \underline{9984} \end{array}$$

Q = (60) (550) (50) (2.9) (50)

$$\begin{array}{r} 360 \\ 495 \overline{) 360} \\ \underline{495} \\ 0 \end{array}$$

$$\begin{array}{r} 360 \\ 250 \overline{) 360} \\ \underline{250} \\ 110 \end{array}$$

$$360$$

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983
#808 Bt Single 30HP	19162	80008	74680	76048	106594	109170	6056	-	101600	103604	62740	159689	1																		
Changed to 60HP in 1961																															
SW 1/4 of Sec. 35 T. 11 S. R. 2 E	1965	1966	1967																												
	135920	124352	120052																												
Gordon Construction #8045	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983
60HP	145334	126048	157734	137400	182932	18700	91144	85800	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SW 1/4 NE 1/4 of Sec. 34 T. 11 S. R. 2 E	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570	120570
SW Demand																															
In 1964 I need																															
Contracts were made																															
to Andrian Bros for																															
3/25 HP pumps	1964	1965	1966	1967																											
Acct # we changed	75977	42686	31112	50891																											
8045	49088	57970	33001	55021																											
8073	54515	41892	28313	54724																											
8011																															
																			</												

12
12
b) MR BOB SIMPLOTS AFFIDAVIT IS NO
MORE FACTUAL THAN THAT OF MR HANDBNS.
ACCORDING TO DEDT INFORMATION WELLS DIDN'T
EXIST UNTIL 1953 (WHAT SOURCE
PRODUCED 300"? HOW MANY NEW WELLS
WERE DEVELOPED? ETC?)

c) MR. ALBERT ANDERSONS AFFIDAVIT STATES THAT
THE WELLS PRODUCED APPROX 200" IN 1962
& 1963, THAT THE WELLS GRADUALLY SANDED
IN. (MEASUREMENT 1964 SHOWS LESS
THAN 80" FROM THE THREE WELLS WITHIN)

THE NE 1/4 SEC 34 11826E. (NOTE ALSO THAT POWER
ACCOUNT RECORDS SHOW ONLY ONE WELL USED 1963 - 118 KW DEMAND FOR 56,191 KILOWHRS TOTALS
THIS WOULD BE (1989 gpm) (56,191 KWH) = 34.79 AF FOR 1963 B.U.
325,850 GAL

c) MR. HARBYS AFFIDAVIT STATES TWO
WELLS PRODUCED 180" each during
1954 & 1955. RESEARCH OF
RECORDS SHOWS 1 WELL EQUIPPED
WITH A 60 HP ~~ELECTRIC EQUIPMENT~~
~~WITH A 30 HP~~ USING KW
DEMAND & TOTAL KW HRS FOR
1953 ~~1954~~ ~~1955~~, ALONG WITH REPORTED
WATER LEVELS & 100% EFFICIENCY, THE
FOLLOWING INDICATES AN INFEASIBILITY OF
THE STATED 360" TOTAL & PLACES THE
REALITY OF ACTUALITY NEAR 1.75 CFS
and 736 AF @ 100% ETE 43 4009
@ 70% = 1.23 CFS and 516 AF

IN SUMMARY,

CLAIM ATTEMPTS TO ESTABLISH
A PRIORITY DATE OF MAY 15, 1953
FOR THE DIVERSION FROM THREE WELLS
OF 3.2 cfs FOR IRRIGATION
OF 160 ACRES. (1955 APPEARS TO HAVE BEEN
PERIOD OF GREATEST WITHDRAWAL FROM RAFT RIVER ELEC RECORDS)

THE IRRIGATION REQUIREMENT
FOR THE ABOVE GROUND = 4 AC-FT./ACR
OR 640 AF / SEASON.

USING THE TOTAL KWH USED
FOR 1953 (120,570 KWH) THE
WATER TABLE REPORTED FOR 1953 (40')
& THE DRAW DOWN (120') AS
RELATED BY TEST PUMP, AND
THE KNOWN H.P. (80) THE
FOLLOWING REPRESENTS QUANTITY
@ 100% EFFICIENCY

$$\left(\begin{array}{c} \text{FROM PG 170 HANDBOOK} \\ 1989 \text{ gpm / KWH} \end{array} \right) \left(\begin{array}{c} \text{RRC} \\ 120,570 \text{ KWH} \end{array} \right) = 239,813, 230 \text{ gal} \quad \begin{array}{c} 1953 \\ \text{TOTAL} \end{array}$$

$$\frac{239,813, 230}{325,850} = 736 \text{ AF FOR 1953 @ 100\% EFF}$$

43 4009

EFFICIENCY @ 70% (REASONABLE) @ PRODUCTION = 516 AF

DOUGLAS
STEVE

RE: 43-4009 ϕ TRANSFER 1574

RESEARCH INDICATES:

1) PROOF SUBMITTED UNDER PERMIT 20541
ON AN IRRIGATION WELL FOR THE USE OF 32 cfs
WITHIN THE NE 1/4 SEC 34 T15S 26E.
NOTE - PROOF INDICATES THAT WELL WAS
EQUIPPED WITH A 60 HP DEEP WELL TEEC
POWERED TURBINE. THE AFFIDAVIT OF THE
HOLDER WAS RETURNED & THE LAST CORRESPONDENCE
ON FILE INDICATES BY PROOF DUE - & THE
MANNER IN WHICH PROOF WAS TO BE MADE.

2) WELL LOG SUBMITTED BY MR. YARBROUGH
FOR AN IRRIGATION WELL COMPLETED
JULY 1, 1957 STATES THAT A TEST PUMP
FOR 3 cfs WITH A 60 HP PRODUCED
96 gpm WITH A DRAW DOWN OF 120',
THAT STANDING WATER FROM SURFACE
MEASURED 40'.

3) WELL LOG SUBMITTED BY MR. CONLEY
FOR AN IRRIGATION WELL 460' DEEP,
COMPLETED JUNE 26, 1954 WATER TABLE
@ 46' -

STATE OF IDAHO

Department of Reclamation

No 2194

Boise, Idaho,

Oct 14, 196*8*

RECEIVED
FROM

Idaho Land & Appraisal \$ *1⁰⁰*
One & no/100 —

DOLLARS

FOR

<i>transfer</i>	\$	<i>100</i>
	\$	
	\$	
	\$	
	\$	
TOTAL . . .	\$	<i>100</i>

E. J. Edwards
STATE RECLAMATION DEPARTMENT

Joe
Kaye
Sete

26
Sec 34 T11 R28

34

34

all Cropland
in 1956
as shown on Photo
YT-2R-91
Taken 9-17-56
Leo H. Herscher
FSC Service

34

34

RECEIVED

OCT 22 1960

43 4009

Department of Reclamation

27

34

Photo Taken

9-9-62 -

97.1

49.6

49.6

e

24.7

Section 34

T11 R ~~28~~ 26

Leo H. Henrich

FSC Lewis

34

3

S312

2.2

34

173

RECEIVED

OCT 22 1968

N 275

43 4009

Department of Reclamation

27

34

27

2

34

3

49.6

49.6

77.1

e

24.7

34

3

K312
2.2

34

3

K275

43 4009

NAME	ADDRESS	Consumers Well No.	CONTRACT			CAPACITORS			HOOK-UP CHE			HOOK-UP			METER	CHRS
			Date Written	Term (Years)	HP	Size KVA	Date Ordered	Amount	Unit	Name	Plate	Measured KVA	It	Meter		
4/1/53	Star Route Declo, Idaho		1-31-53	5	50	10	3-9-53	240.00	4-21-52			50			10	X
6/19/53			3-26-53	10	50	10	3-26-53	80.00	3-26-53			50			10	X
Clarence D. Bishop			2-2-53	5	15	5	4-28-53	120.00	2-7-53			15			10	X
Lester Thompson	Malta, Idaho		3-2-53	5	7 1/2	2 1/2	5-22-53	100.00	2-7-53			7 1/2			10	X
Dean O. Hansen	Malta, Idaho		2-18-53	5	10	5	6-13-52	80.00	3-1-53			10			10	X
6/19/53	Malta, Idaho					5 HP		100.00	"			5				X
Dean O. Hansen																
4-21-53	Bridge, Idaho		2-12-53	5	40	7 1/2	4-17-53	320.00	2-21-53			40			10	X
4/14/53	Malta, Idaho		2-28-53	5	30	7 1/2	2-28-53	210.00	2-28-53			30			10	X
4/29/53	Burley, Idaho	8045	3-2-53	10	40	7 1/2	3-2-53	320.00	3-2-53			40			10	X
4/12/53	Albion, Idaho		9-16-49	5	25	7 1/2	3-21-52	240.00	3-7-53			30			10	X
4/8/53	210 3rd St. Burley, Idaho		3-11-53	10	40	7 1/2	3-23-53	320.00	3-11-53			40			10	X
5/27/53			3-16-53	10	20	5	3-16-53	160.00	3-16-53			20			10	X

RECEIVED

1937 22 1938

8045

Form 0-53-1
Page 1

AGREEMENT FOR PURCHASE OF POWER

Department of Reclamation

THIS AGREEMENT, Made this 6th day of July, 19 38, between
the Raft River Rural Electric Cooperative, Inc., hereinafter called the Seller, and
Gordon Construction Company hereinafter called the Consumer.

WITNESSETH, WHEREAS the Consumer is the owner of the following described real
estate in the County of Cassia, State of Idaho, particularly
described as follows, to-wit:

NE 1/4

Section 34, Township 11 South, Range 26,
East, of the Boise Meridian. And has a well on the SW 1/4 NE 1/4
of Section 34 of the said real estate and desires to irrigate the irrigable
portion of said real estate by pumping water from such well or wells.

NOW, THEREFORE, THE SELLER agrees to sell and deliver to the Consumer on the
above described real estate, electrical energy up to 60 KVA, and the Consumer
agrees to purchase from the Seller all electrical energy used for pumping water from
the well or wells upon said premises for irrigation purposes during the irrigation
season of each year for a period of not less than five years from the date of
this contract.

1. Service Characteristics

The electrical energy to be furnished under this contract shall be alternating
current, three phase, sixty cycle, 440 volts.

2. Payment

The Consumer shall pay to the Seller for the electrical energy furnished at
the rates and upon the terms and conditions set forth in Schedule I which
is hereto attached and by reference made a part of this contract,

In the event that the Consumer uses no electrical energy upon the said premises
or the amount of electrical energy used by the Consumer during any irrigation season
at the purchase price or prices shown on Schedule I shall not equal
\$ 123.00 to be paid during any irrigation season, then the Consumer agrees
to pay to the Seller a minimum charge of \$ 123.00 for the irrigation season
of any year during the life of this contract. The said minimum charge to be paid on
or before the 1st day of November of the year in which no electrical energy is used for
pumping water for irrigation purposes or the amount used did not equal said minimum
charge.

Bills for electrical energy furnished under this contract shall be paid by
the Consumer to the Seller at its office at Malta, Idaho, monthly within fifteen days

OCT 22 1938

Corner Well

AGREEMENT FOR PURCHASE OF POWER

THIS AGREEMENT, Made this 22 day of Apr. 1, 1947, between
the Raft River Rural Electric Cooperative, Inc., hereinafter called the Seller, and
Anderson Brothers, c/o Vanessa Anderson hereinafter called the Consumer.

WITNESSETH, WHEREAS the Consumer is the owner of the following described
real estate in the County of Cassia, State of Idaho
particularly described as follows, to-wit:

NE 1/4

Section 34, Township 11 South, Range 26,
East, of the Boise Meridian. And has a well on the SW 1/4 NE 1/4
of Section 34 of the said real estate and desires to irrigate the irrigable
portion of said real estate by pumping water from such well or wells.

NOW, THEREFORE, THE SELLER agrees to sell and deliver to the Consumer on
the above described real estate, electrical energy up to 25 HP KVA, and the
Consumer agrees to purchase from the Seller all electrical energy used for pumping
water from the well or wells upon said premises for irrigation purposes during the
irrigation season of each year for a period of not less than eight years from
the date of this contract.

1. Service Characteristics

The electrical energy to be furnished under this contract shall be alter-
nating current, three phase, sixty cycle, 120/240 volts.

2. Payment

The Consumer shall pay to the Seller for the electrical energy furnished
at the rates and upon the terms and conditions set forth in Schedule IP-2 which
is hereto attached and by reference made a part of this contract,

In the event that the Consumer uses no electrical energy upon the said
premises or the amount of electrical energy used by the Consumer during any irrigation
season at the purchase price or prices shown on Schedule IP-2 shall not equal
\$ 110.00 to be paid during any irrigation season, then the Consumer agrees
to pay to the Seller a minimum charge of \$ 110.00 for the irrigation season
of any year during the life of this contract. The said minimum charge to be paid on
or before the 1st of November of the year in which no electrical energy is used for
pumping water for irrigation purposes or the amount used did not equal said minimum
charge.

Bills for electrical energy furnished under this contract shall be paid by
the Consumer to the Seller at its office at Malta, Idaho, monthly within fifteen days

East Well
AGREEMENT FOR PURCHASE OF POWER

THIS AGREEMENT, Made this 22nd day of April, 1964, between Department of Irrigation
the Raft River Rural Electric Cooperative, Inc., hereinafter called the Seller, and
Anderson Brothers c/o Vaness Anderson hereinafter called the Consumer.

WITNESSETH, WHEREAS the Consumer is the owner of the following described
real estate in the County of Cassia, State of Idaho
particularly described as follows, to-wit:

NE 1/4

Section 34, Township 11 South, Range 26,
East, of the Boise Meridian. And has a well on the SW 1/4 NE 1/4
of Section 34 of the said real estate and desires to irrigate the irrigable
portion of said real estate by pumping water from such well or wells.

NOW, THEREFORE, THE SELLER agrees to sell and deliver to the Consumer on
the above described real estate, electrical energy up to 25 ~~20~~ HP KVA, and the
Consumer agrees to purchase from the Seller all electrical energy used for pumping
water from the well or wells upon said premises for irrigation purposes during the
irrigation season of each year for a period of not less than eight years from
the date of this contract.

1. Service Characteristics

The electrical energy to be furnished under this contract shall be alter-
nating current, three phase, sixty cycle, 120/240 volts.

2. Payment

The Consumer shall pay to the Seller for the electrical energy furnished
at the rates and upon the terms and conditions set forth in Schedule IP-2 which
is hereto attached and by reference made a part of this contract,

In the event that the Consumer uses no electrical energy upon the said
premises or the amount of electrical energy used by the Consumer during any irrigation
season at the purchase price or prices shown on Schedule IP-2 shall not equal
\$ 110.00 to be paid during any irrigation season, then the Consumer agrees
to pay to the Seller a minimum charge of \$ 110.00 for the irrigation season
of any year during the life of this contract. The said minimum charge to be paid on
or before the 1st of November of the year in which no electrical energy is used for
pumping water for irrigation purposes or the amount used did not equal said minimum
charge.

Bills for electrical energy furnished under this contract shall be paid by
the Consumer to the Seller at its office at Malta, Idaho, monthly within fifteen days

OCT 22 1988

AGREEMENT FOR PURCHASE OF POWER

THIS AGREEMENT, Made this 22nd day of April, 19 84, ^{Department of Information} Between
the Raft River Rural Electric Cooperative, Inc., hereinafter called the Seller, and
Anderson Brothers c/o Vaness Anderson hereinafter called the Consumer.

WITNESSETH, WHEREAS the Consumer is the owner of the following described
real estate in the County of Cassia, State of Idaho
particularly described as follows, to-wit:

NE 1/4

Section 34, Township 11 South, Range 26,
East, of the Boise Meridian. And has a well on the SW 1/4 NE 1/4
of Section 34 of the said real estate and desires to irrigate the irrigable
portion of said real estate by pumping water from such well or wells.

NOW, THEREFORE, THE SELLER agrees to sell and deliver to the Consumer on
the above described real estate, electrical energy up to 25 ~~20~~ HP KVA, and the
Consumer agrees to purchase from the Seller all electrical energy used for pumping
water from the well or wells upon said premises for irrigation purposes during the
irrigation season of each year for a period of not less than eight years from
the date of this contract.

1. Service Characteristics

The electrical energy to be furnished under this contract shall be alter-
nating current, three phase, sixty cycle, 120/240 volts.

2. Payment

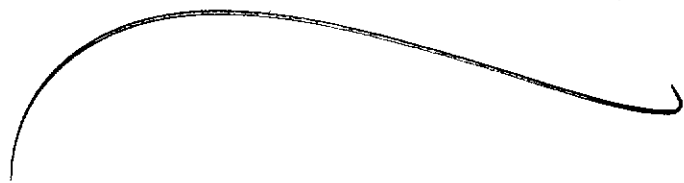
The Consumer shall pay to the Seller for the electrical energy furnished
at the rates and upon the terms and conditions set forth in Schedule IP-2 which
is hereto attached and by reference made a part of this contract,

In the event that the Consumer uses no electrical energy upon the said
premises or the amount of electrical energy used by the Consumer during any irrigation
season at the purchase price or prices shown on Schedule IP-2 shall not equal
\$ 110.00 to be paid during any irrigation season, then the Consumer agrees
to pay to the Seller a minimum charge of \$ 110.00 for the irrigation season
of any year during the life of this contract. The said minimum charge to be paid on
or before the 1st of November of the year in which no electrical energy is used for
pumping water for irrigation purposes or the amount used did not equal said minimum
charge.

Bills for electrical energy furnished under this contract shall be paid by
the Consumer to the Seller at its office at Malta, Idaho, monthly within fifteen days

Laura called

Bannock House
has received
check from
Newspaper



October 10, 1968

Re: Claim No. 43-4009 and Transfer of a Water Right

L. E. Haight
Bannock Hotel Company and Bannock Motor Inn, Inc.
P. O. Box 2777
Boise, Idaho

Dear Mr. Haight:

Please be advised that the Department of Reclamation has processed the claim to a water right filed by the Bannock Hotel Company and the Bannock Motor Inn, Inc. The information in the claim is filed under claim No. 43-4009. Enclosed is the receipt for the \$10.00 filing fee.

The transfer of the claim has also been processed, however, before the Department of Reclamation can approve the transfer we will require two additional items:

1. The Department must have a photo from the A.S.C.S. or other source dating back as far as possible showing the acreage irrigated in the NE $\frac{1}{4}$, sec. 34, T. 11 S, R. 26 E, B.M.
2. The Department also requires an affidavit from the Raft River Electric regarding the date or dates that power was first supplied to the three wells in question.

The Department of Reclamation has contacted Mr. Cline Preston on October 7, 1968 and has advised him of the above requirements. Mr. Preston was also informed that he may resume drilling but no water may be appropriated from the well until the above information is submitted to this Department and until the transfer is approved.

The Department now feels that the claim and transfer have varified that a right exists and indicate that a well may be drilled. The additional information requested is to provide this office with information which we feel should be included in the file prior to the approval of the transfer.

Please contact us if you have any questions on this matter.

Very truly yours,

DWM:KS

cc: Cline Preston

Donald W. McEldowney
Appropriation Examiner

43 4009

Idaho Land and Appraisal

October 7, 1968

Re: Claim to a Water Right and Transfer of Water Right
Bannock Hotel Company and Bannock Motor Inn, Inc.

Bannock Hotel Company and Bannock Motor Inn, Inc.
Box 277
Boise, Idaho

Gentlemen:

Enclosed is a copy of our letter to the South Idaho Press. The legal notice of publication for the Claim to a Water Right No. 43-4009 was to be paid by the Department of Reclamation.

As soon as the newspaper has reimbursed your expense, please notify us so that we may proceed with the payment of the bill.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: Copy of letter to newspaper

43 4009

October 8, 1968

Re: Claim No. 43-4009 and Transfer of a Water Right
Bannock Hotel and Bannock Motor Inn, Inc.

South Idaho Press
230 East Main
Burley, Idaho 83318

Gentlemen:

Please accept our apologies for the confusion in the billing of the above referenced items. However, there still exists an error.

The Claim to a Water Right No. 43-4009 was to be advertised at the Department's expense. We received the affidavit of publication and the certified bill of publication and were ready to submit the bill for payment when our correspondence revealed that an additional affidavit had been submitted by the applicant and that the applicant had paid the bill.

Bear in mind that the legal notice for the Transfer of a Water Right was to be advertised at the expense of the Bannock Hotel Company and the Bannock Motor Inn, Inc. Therefore, the payment of this bill has been paid by the correct procedure.

Inasmuch as the applicant has paid the publication bill for the claim, the Department of Reclamation requests that the South Idaho Press reimburse the applicant and in turn the Department of Reclamation will submit the certified bill for payment.

Thank you for your assistance and patience in this matter and again we apologize for the confusion.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: none

cc: Idaho Land and Appraisal

Bannock Hotel Company and Bannock Motor Inn, Inc.

43 4009

NO. 68-168

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 43.4009

Notice is hereby given that the Bannock Hotel Company and the Bannock Motor Inn, Inc., Box 2777, Boise, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 3.2 cubic feet per second of water from three wells with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 34, T. 11 S. R. 26 E.B.M., Cassia County; the water is claimed to be used from April 1 to October 31 for irrigation and from October 1 to February 1 for stock water with a priority of May 15, 1953; the place of use is in the NE $\frac{1}{4}$, sec. 34, T. 11 S. R. 26 E.B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the South Idaho
Press September 12, 19, 1968.

RECEIVED

SEP 10 1968

Department of Reclamation

43 4009

September 5, 1968

Re: Claim No. 43-4009 - Bannock Hotel Company and the Bannock Motor Inn, Inc.
Transfer of Water Right - Bannock Hotel Company and the Bannock Motor
Inn, Inc.

South Idaho Press
Burley,
Idaho

Gentlemen:

Enclosed you will find two legal notices which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

The Department requests that you publish the two notices in the same area of the paper, if possible, the Claim immediately above the Transfer of a Water Right.

After sending us a galley proof of the notices, proceed with the publication on the dates we have inserted assuming that the notices are correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates please contact us immediately.

Affidavits of publication must be submitted to the Department of Reclamation, along with the bills of publication. In order to receive payment, the following certification must appear on the bills:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

(Signature of claimant)

43 4009

South Idaho Press

-2-

September 5, 1968

If you have any questions concerning the legal notices or the procedure concerning submitting the affidavits or the bills please contact this department.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:KS

enclosure: legal notices (2)

43 4009

NOTICE OF CLAIM TO A WATER RIGHT

No. 43-4009

B Notice is hereby given that the Bannock Hotel Company and the Bannock Motor Inn, Inc
Box 2777, Boise, Idaho has filed a claim to a water right
established by diversion and application to beneficial use of 3.2
cubic feet per second ~~2079~~ feet of water from three ~~three~~ three wells
with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$,
sec. 34, T. 11 S, R. 26 E, B.M., Cassia County; the water is
claimed to be used from April 1 to October 31 for irrigation and from October
1 to February 1 for stock water with a priority of May 15, 1953
; the place of use is in the NE $\frac{1}{4}$, sec. 34,
T. 11 S, R. 26 E, B.M.

Any exception to this claim of water right may be filed with the Department
of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the South Idaho Press, Burley, Idaho
on September 12 and September 19.