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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69430

This is to certify that: TODD CARPENTER

2023 E 1700 S
MALTA ID 83342
(208)645-2418

And/Or

ALVIN CARPENTER
2079 E 1700 S
MALTA ID 83342
(208)645-2347

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>
43-113	WR/Decreed	04/01/1882	0.3 cfs	N/A	106.4	106.4	CASSIA CREEK
43-114	WR/Decreed	04/30/1885	0.6 cfs	N/A	106.4	106.4	CASSIA CREEK
43-115	WR/Decreed	04/01/1894	1.1 cfs	N/A	106.4	106.4	CASSIA CREEK
43-140	WR/Decreed	04/30/1883	2.6 cfs	N/A	148.0	376.0	CASSIA CREEK
43-10631	WR/Decreed	10/19/1928	0.6 cfs	N/A	36.0	36.0	UNNAMED DRAIN
43-10818	WR/Decreed	06/01/1912	3.2 cfs	N/A	150.0	150.0	CASSIA CREEK
43-11233	WR/Decreed	06/30/1985	1.11 cfs	N/A	69.0	354.6	GROUND WATER
43-11234	WR/Decreed	03/15/1982	1.09 cfs	N/A	69.0	367.0	CASSIA CREEK
43-11240	WR/Decreed	05/31/1881	0.68 cfs	N/A	106.4	106.4	CASSIA CREEK
43-13122	WR/Decreed	04/04/1955	3.88 cfs	N/A	272.6	354.6	GROUND WATER
43-13124	WR/Decreed	05/15/1961	2.91 cfs	N/A	145.4	354.6	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>
43-113	NO	NO	YES	YES	NO	NO
43-114	NO	NO	YES	YES	NO	NO
43-115	NO	NO	YES	YES	NO	NO
43-140	NO	NO	YES	YES	NO	NO
43-10631	NO	NO	YES	YES	NO	NO
43-10818	NO	NO	YES	YES	NO	NO
43-11233	NO	NO	YES	NO	NO	NO
43-11234	NO	NO	YES	YES	NO	NO

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APR 16 2003

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69430**

Detailed Water Right Description(s) attached

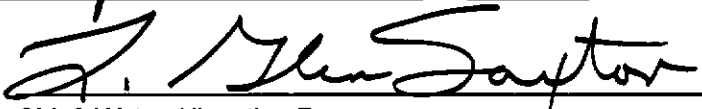
43-11240	NO	NO	YES	YES	NO	NO
43-13122	NO	NO	YES	YES	NO	NO
43-13124	NO	NO	YES	YES	NO	NO

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
43-113	43-113	0.3 cfs	145.2 af	106.4	471.6		N/A	N/A		N/A
43-114	43-114	0.6 cfs	290.4 af	106.4	471.6		N/A	N/A		N/A
43-115	43-115	1.1 cfs	425.6 af	106.4	471.6		N/A	N/A		N/A
43-140	43-140	2.6 cfs	572.0 af	143.0	471.6		N/A	N/A		N/A
43-10631	43-10631	0.6 cfs	144.0 af	36.0	471.6		N/A	N/A		N/A
43-10818	43-10818	3.2 cfs	579.6 af	144.9	471.6		N/A	N/A		N/A
43-11233	43-11233	1.11 cfs	0.0 af	69.0	471.6		N/A	N/A		N/A
43-11234	43-11234	1.09 cfs	266.8 af	66.7	471.6		N/A	N/A		N/A
43-11240	43-11240	0.68 cfs	329.1 af	106.4	471.6		N/A	N/A		N/A
43-13122	43-13122	3.88 cfs	885.4 af	272.6	471.6		N/A	N/A		N/A
43-13124	43-13124	2.91 cfs	472.2 af	145.4	471.6		N/A	N/A		N/A
TOTALS		7.93 cfs	1844 af	461	471.6		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 23rd day of September, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-140
As Modified by Transfer No. 69430

In accordance with the approval of Transfer No. 69430, Water Right No. 43-140 is now described as follows.

Right Holder: ALVIN CARPENTER
 2079 E 1700 S
 MALTA ID 83342

Priority Date: 04/30/1883

Source: CASSIA CREEK

Tributary: RAFT RIVER

NORTH FORK CASSIA CREEK

Tributary: CASSIA CREEK

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	2.60 CFS	572.0 AF
		2.60 CFS	572.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NORTH FORK CASSIA CREEK SWSENE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NENESE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NWNESE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NENWSE Sec. 22 Twp 13S 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	
13S	26E	22	40.0	29.0	40.0	36.0	24.0	5.0	37.0	40.0	39.0	40.0			40.0	40.0			410.0
13S	26E	23						39.0	22.6										61.6

Total Acres: 471.6

WATER RIGHT NO. 43-140
As Modified by Transfer No. 69430

CONDITIONS OF APPROVAL

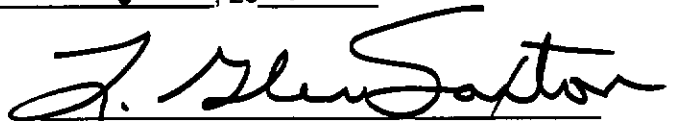
1. This right is limited to the irrigation of 143 acres within the place of use described above in a single irrigation season.
2. Rights 43-140, 43-10818 and 43-11234 when combined shall not exceed a total diversion rate of 5.80 cfs from all points of diversion, a total annual maximum diversion volume of 1418.4 af at the field headgate, and the irrigation of 354.6 acres.
3. Rights 43-140, 43-10818, 43-11234 and 43-10631 when combined shall not exceed a total diversion rate of 5.96 cfs from all points of diversion, a total annual maximum diversion volume of 1418.4 af at the field headgate, and the irrigation of 354.6 acres.
4. Rights 43-113, 43-114, 43-115, 43-140, 43-11240, 43-140, 43-10818, 43-11234, 43-10631, 43-13122, 43-13124 and 43-11233 when combined shall not exceed a total diversion rate of 5.96 cfs from all points of diversion, a total annual maximum diversion volume of 1844 af at the field headgate, and the irrigation of 461 acres in any one irrigation season.
5. Rights 43-140, 43-10818, 43-11234, 43-113, 43-114, 43-115 and 43-11240 are also diverted through the points of diversion described above.
6. For the point of diversion in the SWSENE Sec. 21, the source is known locally as the North Fork of Cassia Creek. For the point of diversion in the NENESE Sec. 21, the source is known locally as the Middle Fork of Cassia Creek.
7. Right 43-11234 is an enlargement of Rights 43-140 and 43-10818 pursuant to Section 42-1426, Idaho Code.
8. 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.
9. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43C.
10. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

WATER RIGHT NO. 43-140
As Modified by Transfer No. 69430

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 23rd day of September, 2002



Chief, Water Allocation Bureau

140-43-140-69430

WATER RIGHT NO. 43-13122
As Modified by Transfer No. 69430

In accordance with the approval of Transfer No. 69430, Water Right No. 43-13122 is now described as follows.

Right Holder: ALVIN CARPENTER
 2079 E 1700 S
 MALTA ID 83342

Priority Date: 05/15/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	3.88 CFS	885.4 AF
			3.88 CFS	885.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENE Sec. 22 Twp 13S Rge 26E CASSIA County

GROUND WATER SWNWSW Sec. 22 Twp 13S 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	
13S	26E	22	40.0	29.0	40.0	36.0	24.0	5.0	37.0	40.0	39.0	40.0			40.0	40.0			410.0
13S	26E	23						39.0	22.6										61.6

Total Acres: 471.6

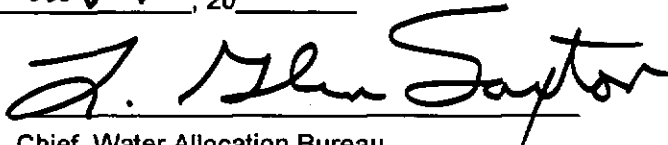
WATER RIGHT NO. 43-13122
As Modified by Transfer No. 69430

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 272.6 acres within the place of use described above in a single irrigation season.
2. Rights 43-13122, 43-13124 and 43-11233 when combined shall not exceed a total diversion rate of 5.70 cfs from all points of diversion, a total annual maximum diversion volume of 1151.7 af at the field headgate, and the irrigation of 354.6 acres.
3. Rights 43-113, 43-114, 43-115, 43-140, 43-11240, 43-140, 43-10818, 43-11234, 43-10631, 43-13122, 43-13124 and 43-11233 when combined shall not exceed a total diversion rate of 5.96 cfs from all points of diversion, a total annual maximum diversion volume of 1844 af at the field headgate, and the irrigation of 461 acres in any one irrigation season.
4. 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.
5. Right 43-11233 is an enlargement of Rights 43-13122 and 43-13124 pursuant to Section 42-1416B, Idaho Code.
6. Rights 43-13122, 43-13124 and 43-11233 are diverted through the points of diversion described above.
7. 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.
8. 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.
9. 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 23rd day of September, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13124
As Modified by Transfer No. 69430

In accordance with the approval of Transfer No. 69430, Water Right No. 43-13124 is now described as follows.

Right Holder: ALVIN CARPENTER
 2079 E 1700 S
 MALTA ID 83342

Priority Date: 04/04/1955

Source: GROUND WATER

Tributary:

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.91 CFS	472.2 AF
			2.91 CFS	472.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENE Sec. 22 Twp 13S Rge 26E CASSIA County

GROUND WATER SWNWSW Sec. 22 Twp 13S 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	
13S 26E 22	40.0	29.0	40.0	36.0	24.0	5.0	37.0	40.0	39.0	40.0			40.0	40.0			410.0
13S 26E 23						39.0	22.6										61.6

Total Acres: 471.6

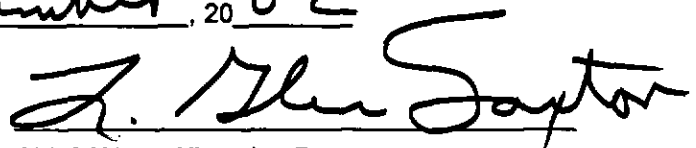
WATER RIGHT NO. 43-13124
As Modified by Transfer No. 69430

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 145.4 acres within the place of use described above in a single irrigation season.
2. Rights 43-13122, 43-13124 and 43-11233 when combined shall not exceed a total diversion rate of 5.70 cfs from all points of diversion, a total annual maximum diversion volume of 1151.7 af at the field headgate, and the irrigation of 354.6 acres.
3. Rights 43-113, 43-114, 43-115, 43-140, 43-11240, 43-140, 43-10818, 43-11234, 43-10631, 43-13122, 43-13124 and 43-11233 when combined shall not exceed a total diversion rate of 5.96 cfs from all points of diversion, a total annual maximum diversion volume of 1844 af at the field headgate, and the irrigation of 461 acres in any one irrigation season.
4. 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.
5. Right 43-11233 is an enlargement of Rights 43-13122 and 43-13124 pursuant to Section 42-1416B, Idaho Code.
6. Rights 43-13122, 43-13124 and 43-11233 are diverted through the points of diversion described above.
7. 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.
8. 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.
9. 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 23rd day of September, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-10631
As Modified by Transfer No. 69430

In accordance with the approval of Transfer No. 69430, Water Right No. 43-10631 is now described as follows.

Right Holder: ALVIN CARPENTER
 2079 E 1700 S
 MALTA ID 83342

Priority Date: 10/19/1928

Source: UNNAMED DRAIN

Tributary: CASSIA CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.60 CFS	144.0 AF
			0.60 CFS	144.0 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED DRAIN NWNWSE Sec. 22 Twp 13S 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	
13S 26E 22	40.0	29.0	40.0	36.0	24.0	5.0	37.0	40.0	39.0	40.0			40.0	40.0			410.0
13S 26E 23						39.0	22.6										61.6

Total Acres: 471.6

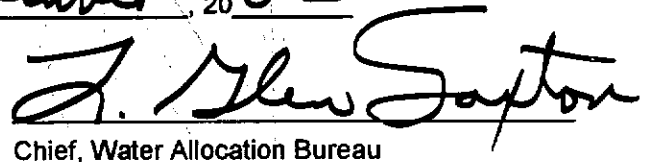
WATER RIGHT NO. 43-10631
As Modified by Transfer No. 69430

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 36 acres within the place of use described above in a single irrigation season.
2. Rights 43-140, 43-10818, 43-11234 and 43-10631 when combined shall not exceed a total diversion rate of 5.96 cfs from all points of diversion, a total annual maximum diversion volume of 1418.4 af at the field headgate, and the irrigation of 354.6 acres.
3. Rights 43-113, 43-114, 43-115, 43-140, 43-11240, 43-140, 43-10818, 43-11234, 43-10631, 43-13122, 43-13124 and 43-11233 when combined shall not exceed a total diversion rate of 5.96 cfs from all points of diversion, a total annual maximum diversion volume of 1844 af at the field headgate, and the irrigation of 461 acres in any one irrigation season.
4. 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.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43C.
6. 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 23rd day of September, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-11234

As Modified by Transfer No. 69430

In accordance with the approval of Transfer No. 69430, Water Right No. 43-11234 is now described as follows.

Right Holder: ALVIN CARPENTER
2079 E 1700 S
MALTA ID 83342

Priority Date: 03/15/1982

Source: CASSIA CREEK

Tributary: RAFT RIVER

NORTH FORK CASSIA
CREEK

CASSIA CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.09 CFS	266.8 AF
			1.09 CFS	266.8 AF

LOCATION OF POINT(S) OF DIVERSION:

NORTH FORK CASSIA CREEK SWSENE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NENESE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NWNESE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NENWSE Sec. 22 Twp 13S 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	
13S	26E	22	40.0	29.0	40.0	36.0	24.0	5.0	37.0	40.0	39.0	40.0			40.0	40.0			410.0
13S	26E	23						39.0	22.6										61.6

Total Acres: 471.6

WATER RIGHT NO. 43-11234
As Modified by Transfer No. 69430

CONDITIONS OF APPROVAL

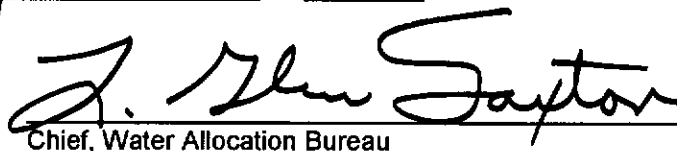
1. This right is limited to the irrigation of 66.7 acres within the place of use described above in a single irrigation season.
2. Rights 43-140, 43-10818 and 43-11234 when combined shall not exceed a total diversion rate of 5.80 cfs from all points of diversion, a total annual maximum diversion volume of 1418.4 af at the field headgate, and the irrigation of 354.6 acres.
3. Rights 43-140, 43-10818, 43-11234 and 43-10631 when combined shall not exceed a total diversion rate of 5.96 cfs from all points of diversion, a total annual maximum diversion volume of 1418.4 af at the field headgate, and the irrigation of 354.6 acres.
4. Rights 43-113, 43-114, 43-115, 43-140, 43-11240, 43-140, 43-10818, 43-11234, 43-10631, 43-13122, 43-13124 and 43-11233 when combined shall not exceed a total diversion rate of 5.96 cfs from all points of diversion, a total annual maximum diversion volume of 1844 af at the field headgate, and the irrigation of 461 acres in any one irrigation season.
5. Rights 43-140, 43-10818, 43-11234, 43-113, 43-114, 43-115 and 43-11240 are also diverted through the points of diversion described above.
6. For the point of diversion in the SWSENE Sec. 21, the source is known locally as the North Fork of Cassia Creek. For the point of diversion in the NENESE Sec. 21, the source is known locally as the Middle Fork of Cassia Creek.
7. Right 43-11234 is an enlargement of Rights 43-140 and 43-10818 pursuant to Section 42-1426, Idaho Code.
8. 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.
9. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43C.
10. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

WATER RIGHT NO. 43-11234
As Modified by Transfer No. 69430

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 23rd day of September, 2002


Chief, Water Allocation Bureau

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WATER RIGHT NO. 43-10818
As Modified by Transfer No. 69430

In accordance with the approval of Transfer No. 69430, Water Right No. 43-10818 is now described as follows.

Right Holder: ALVIN CARPENTER
 2079 E 1700 S
 MALTA ID 83342

Priority Date: 06/01/1912

Source: CASSIA CREEK

Tributary: RAFT RIVER

NORTH FORK CASSIA
 CREEK

CASSIA CREEK

<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	579.6 AF
			3.20 CFS	579.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NORTH FORK CASSIA CREEK SWSENE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NENESE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NWNESE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NENWSE Sec. 22 Twp 13S 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	
13S 26E 22	40.0	29.0	40.0	36.0	24.0	5.0	37.0	40.0	39.0	40.0			40.0	40.0			410.0
13S 26E 23						39.0	22.6										61.6

Total Acres: 471.6

WATER RIGHT NO. 43-10818
As Modified by Transfer No. 69430

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 144.9 acres within the place of use described above in a single irrigation season.
2. Rights 43-140, 43-10818 and 43-11234 when combined shall not exceed a total diversion rate of 5.80 cfs from all points of diversion, a total annual maximum diversion volume of 1418.4 af at the field headgate, and the irrigation of 354.6 acres.
3. Rights 43-140, 43-10818, 43-11234 and 43-10631 when combined shall not exceed a total diversion rate of 5.96 cfs from all points of diversion, a total annual maximum diversion volume of 1418.4 af at the field headgate, and the irrigation of 354.6 acres.
4. Rights 43-113, 43-114, 43-115, 43-140, 43-11240, 43-140, 43-10818, 43-11234, 43-10631, 43-13122, 43-13124 and 43-11233 when combined shall not exceed a total diversion rate of 5.96 cfs from all points of diversion, a total annual maximum diversion volume of 1844 af at the field headgate, and the irrigation of 461 acres in any one irrigation season.
5. Rights 43-140, 43-10818, 43-11234, 43-113, 43-114, 43-115 and 43-11240 are also diverted through the points of diversion described above.
6. For the point of diversion in the SWSENE Sec. 21, the source is known locally as the North Fork of Cassia Creek. For the point of diversion in the NENESE Sec. 21, the source is known locally as the Middle Fork of Cassia Creek.
7. Right 43-11234 is an enlargement of Rights 43-140 and 43-10818 pursuant to Section 42-1426, Idaho Code.
8. 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.
9. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43C.
10. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

WATER RIGHT NO. 43-10818
As Modified by Transfer No. 69430

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 23rd day of September, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-11240
As Modified by Transfer No. 69430

In accordance with the approval of Transfer No. 69430, Water Right No. 43-11240 is now described as follows.

Right Holder: ROBIN K CARPENTER

2023 E 1700 S
 MALTA ID 83342
 AND

TODD CARPENTER
 2023 E 1700 S
 MALTA ID 83342

Priority Date: 05/31/1881

Source: CASSIA CREEK

Tributary: RAFT RIVER

NORTH FORK CASSIA
 CREEK

CASSIA CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.68 CFS	329.1 AF
			0.68 CFS	329.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NORTH FORK CASSIA CREEK SWSENE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NENESE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NWNENE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NENWSE Sec. 22 Twp 13S 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	
13S	26E	22	40.0	29.0	40.0	36.0	24.0	5.0	37.0	40.0	39.0	40.0			40.0	40.0			410.0
13S	26E	23						39.0	22.6										61.6

Total Acres: 471.6

WATER RIGHT NO. 43-11240
As Modified by Transfer No. 69430

CONDITIONS OF APPROVAL

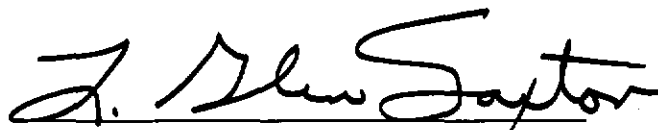
1. This right is limited to the irrigation of 106.4 acres within the place of use described above in a single irrigation season.
2. Rights 43-113, 43-114, 43-115 and 43-11240 when combined shall not exceed a total diversion rate of 2.13 cfs from all points of diversion, a total annual maximum diversion volume of 425.6 af at the field headgate, and the irrigation of 106.4 acres.
3. Rights 43-113, 43-114, 43-115, 43-140, 43-11240, 43-140, 43-10818, 43-11234, 43-10631, 43-13122, 43-13124 and 43-11233 when combined shall not exceed a total diversion rate of 5.96 cfs from all points of diversion, a total annual maximum diversion volume of 1844 af at the field headgate, and the irrigation of 461 acres in any one irrigation season.
4. 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.
5. Right 43-11240 is an enlargement of Rights 43-113, 43-114 and 43-115 pursuant to Section 42-1426, Idaho Code.
6. Rights 43-140, 43-10818, 43-11234, 43-113, 43-114, 43-115 and 43-11240 are diverted through the points of diversion described above.
7. For the point of diversion in the SWSENE Sec. 21, the source is known locally as the North Fork of Cassia Creek. For the point of diversion in the NENESE Sec. 21, the source is known locally as the Middle Fork of Cassia Creek.
8. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43C.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

WATER RIGHT NO. 43-11240
As Modified by Transfer No. 69430

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 23rd day of September, 2002



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-113
As Modified by Transfer No. 69430

In accordance with the approval of Transfer No. 69430, Water Right No. 43-113 is now described as follows.

Right Holder: ROBIN K CARPENTER

2023 E 1700 S
MALTA ID 83342
AND

TODD CARPENTER
2023 E 1700 S
MALTA ID 83342

Priority Date: 04/01/1882

Source: CASSIA CREEK

Tributary: RAFT RIVER

NORTH FORK CASSIA
CREEK

CASSIA CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	0.30 CFS	145.2 AF
			0.30 CFS	145.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NORTH FORK CASSIA CREEK SWSENE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NENESE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NWNESE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NENWSE Sec. 22 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
13S 26E 22	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	410.0
	40.0	29.0	40.0	36.0	24.0	5.0	37.0	40.0	39.0	40.0			40.0	40.0			
13S 26E 23							39.0	22.6									61.6

Total Acres: 471.6

WATER RIGHT NO. 43-113
As Modified by Transfer No. 69430

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 106.4 acres within the place of use described above in a single irrigation season.
2. Rights 43-113, 43-114, 43-115 and 43-11240 when combined shall not exceed a total diversion rate of 2.13 cfs from all points of diversion, a total annual maximum diversion volume of 425.6 af at the field headgate, and the irrigation of 106.4 acres.
3. Rights 43-113, 43-114, 43-115, 43-140, 43-11240, 43-140, 43-10818, 43-11234, 43-10631, 43-13122, 43-13124 and 43-11233 when combined shall not exceed a total diversion rate of 5.96 cfs from all points of diversion, a total annual maximum diversion volume of 1844 af at the field headgate, and the irrigation of 461 acres in any one irrigation season.
4. 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.
5. Right 43-11240 is an enlargement of Rights 43-113, 43-114 and 43-115 pursuant to Section 42-1426, Idaho Code.
6. Rights 43-140, 43-10818, 43-11234, 43-113, 43-114, 43-115 and 43-11240 are diverted through the points of diversion described above.
7. For the point of diversion in the SWSENE Sec. 21, the source is known locally as the North Fork of Cassia Creek. For the point of diversion in the NENESE Sec. 21, the source is known locally as the Middle Fork of Cassia Creek.
8. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43C.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

WATER RIGHT NO. 43-113
As Modified by Transfer No. 69430

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 23rd day of September, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-114
As Modified by Transfer No. 69430

In accordance with the approval of Transfer No. 69430, Water Right No. 43-114 is now described as follows.

Right Holder: ROBIN K CARPENTER
 2023 E 1700 S
 MALTA ID 83342

AND

TODD CARPENTER
 2023 E 1700 S
 MALTA ID 83342

Priority Date: 04/30/1885

Source: CASSIA CREEK

Tributary: RAFT RIVER

NORTH FORK CASSIA
 CREEK

CASSIA CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.60 CFS	290.4 AF
			0.60 CFS	290.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NORTH FORK CASSIA CREEK SWSENE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NENESE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NWNENE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NENWSE Sec. 22 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
13S 26E 22	40.0	29.0	40.0	36.0	24.0	5.0	37.0	40.0	39.0	40.0			40.0	40.0			410.0
13S 26E 23						39.0	22.6										61.6

Total Acres: 471.6

WATER RIGHT NO. 43-114
As Modified by Transfer No. 69430

CONDITIONS OF APPROVAL

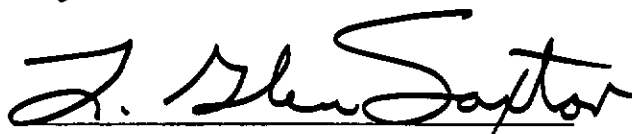
1. This right is limited to the irrigation of 106.4 acres within the place of use described above in a single irrigation season.
2. Rights 43-113, 43-114, 43-115 and 43-11240 when combined shall not exceed a total diversion rate of 2.13 cfs from all points of diversion, a total annual maximum diversion volume of 425.6 af at the field headgate, and the irrigation of 106.4 acres.
3. Rights 43-113, 43-114, 43-115, 43-140, 43-11240, 43-140, 43-10818, 43-11234, 43-10631, 43-13122, 43-13124 and 43-11233 when combined shall not exceed a total diversion rate of 5.96 cfs from all points of diversion, a total annual maximum diversion volume of 1844 af at the field headgate, and the irrigation of 461 acres in any one irrigation season.
4. 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.
5. Right 43-11240 is an enlargement of Rights 43-113, 43-114 and 43-115 pursuant to Section 42-1426, Idaho Code.
6. Rights 43-140, 43-10818, 43-11234, 43-113, 43-114, 43-115 and 43-11240 are diverted through the points of diversion described above.
7. For the point of diversion in the SWSENE Sec. 21, the source is known locally as the North Fork of Cassia Creek. For the point of diversion in the NENESE Sec. 21, the source is known locally as the Middle Fork of Cassia Creek.
8. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43C.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

WATER RIGHT NO. 43-114
As Modified by Transfer No. 69430

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 23rd day of September, 2002



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-115
As Modified by Transfer No. 69430

In accordance with the approval of Transfer No. 69430, Water Right No. 43-115 is now described as follows.

Right Holder: ROBIN K CARPENTER
 2023 E 1700 S
 MALTA ID 83342

AND

TODD CARPENTER
 2023 E 1700 S
 MALTA ID 83342

Priority Date: 04/01/1894

Source: CASSIA CREEK

Tributary: RAFT RIVER

NORTH FORK CASSIA
 CREEK

CASSIA CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	1.10 CFS	425.6 AF
			1.10 CFS	425.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NORTH FORK CASSIA CREEK SWSENE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NENESE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NWNENE Sec. 21 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NENWSE Sec. 22 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
13S	26E	22	40.0	29.0	40.0	36.0	24.0	5.0	37.0	40.0	39.0	40.0			40.0	40.0			410.0
13S	26E	23							39.0	22.6									61.6

Total Acres: 471.6

WATER RIGHT NO. 43-115
As Modified by Transfer No. 69430

CONDITIONS OF APPROVAL

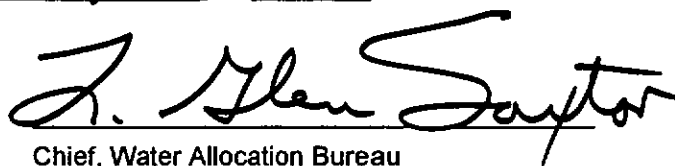
1. This right is limited to the irrigation of 106.4 acres within the place of use described above in a single irrigation season.
2. Rights 43-113, 43-114, 43-115 and 43-11240 when combined shall not exceed a total diversion rate of 2.13 cfs from all points of diversion, a total annual maximum diversion volume of 425.6 af at the field headgate, and the irrigation of 106.4 acres.
3. Rights 43-113, 43-114, 43-115, 43-140, 43-11240, 43-140, 43-10818, 43-11234, 43-10631, 43-13122, 43-13124 and 43-11233 when combined shall not exceed a total diversion rate of 5.96 cfs from all points of diversion, a total annual maximum diversion volume of 1844 af at the field headgate, and the irrigation of 461 acres in any one irrigation season.
4. 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.
5. Right 43-11240 is an enlargement of Rights 43-113, 43-114 and 43-115 pursuant to Section 42-1426, Idaho Code.
6. Rights 43-140, 43-10818, 43-11234, 43-113, 43-114, 43-115 and 43-11240 are diverted through the points of diversion described above.
7. For the point of diversion in the SWSENE Sec. 21, the source is known locally as the North Fork of Cassia Creek. For the point of diversion in the NENESE Sec. 21, the source is known locally as the Middle Fork of Cassia Creek.
8. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43C.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

WATER RIGHT NO. 43-115
As Modified by Transfer No. 69430

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 23rd day of September, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-11233
As Modified by Transfer No. 69430

In accordance with the approval of Transfer No. 69430, Water Right No. 43-11233 is now described as follows.

Right Holder: ALVIN CARPENTER
 2079 E 1700 S
 MALTA ID 83342

Priority Date: 06/30/1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.11 CFS	0.0 AF
			1.11 CFS	0.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENE Sec. 22 Twp 13S Rge 26E CASSIA County

GROUND WATER SWNWSW Sec. 22 Twp 13S 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	
13S 26E 22	40.0	29.0	40.0	36.0	24.0	5.0	37.0	40.0	39.0	40.0			40.0	40.0			410.0
13S 26E 23						39.0	22.6										61.6

Total Acres: 471.6

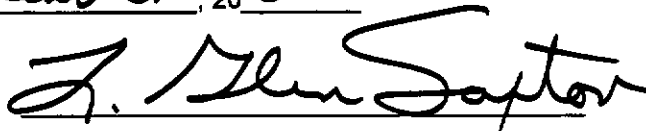
WATER RIGHT NO. 43-11233
As Modified by Transfer No. 69430

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 69.0 acres within the place of use described above in a single irrigation season.
2. Rights 43-13122, 43-13124 and 43-11233 when combined shall not exceed a total diversion rate of 5.70 cfs from all points of diversion, a total annual maximum diversion volume of 1151.7 af at the field headgate, and the irrigation of 354.6 acres.
3. Rights 43-113, 43-114, 43-115, 43-140, 43-11240, 43-140, 43-10818, 43-11234, 43-10631, 43-13122, 43-13124 and 43-11233 when combined shall not exceed a total diversion rate of 5.96 cfs from all points of diversion, a total annual maximum diversion volume of 1844 af at the field headgate, and the irrigation of 461 acres in any one irrigation season.
4. 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.
5. Right 43-11233 is an enlargement of Rights 43-13122 and 43-13124 pursuant to Section 42-1416B, Idaho Code.
6. Rights 43-13122, 43-13124 and 43-11233 are diverted through the points of diversion described above.
7. 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.
8. 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.
9. 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 23rd day of September, 2002


Chief, Water Allocation Bureau

NAME AND ADDRESS: ROBIN K CARPENTER
TODD CARPENTER
2023 E 1700 S
MALTA, ID 83342

SOURCE: CASSIA CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 1.10 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.13 CFS. COMBINED RIGHT NOS:
43-113, 43-114, 43-115, AND 43-11240.

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION: T13S R26E S21 SWSENE Within Cassia County
NENESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.10 CFS

PLACE OF USE:	Irrigation	Within Cassia County
	T13S R26E S22	NENW 24.0 NWNW 5.4
		SWNW 37.0 SENW 40.0
	106.4 Acres Total	

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 106.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-113, 43-11240, 43-114, AND 43-115.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I. C. SECTION 42-1412(6).

RULE 54 (b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 43-00115

APR 16 2003

MEMORANDUM

TO: FILE 43-00115

FROM: VAULT

RE: TRANSFER # 69430

DATE: 9.25.02

=====

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

FILE # 43-00113

MICROFILMED

APR 16 2003