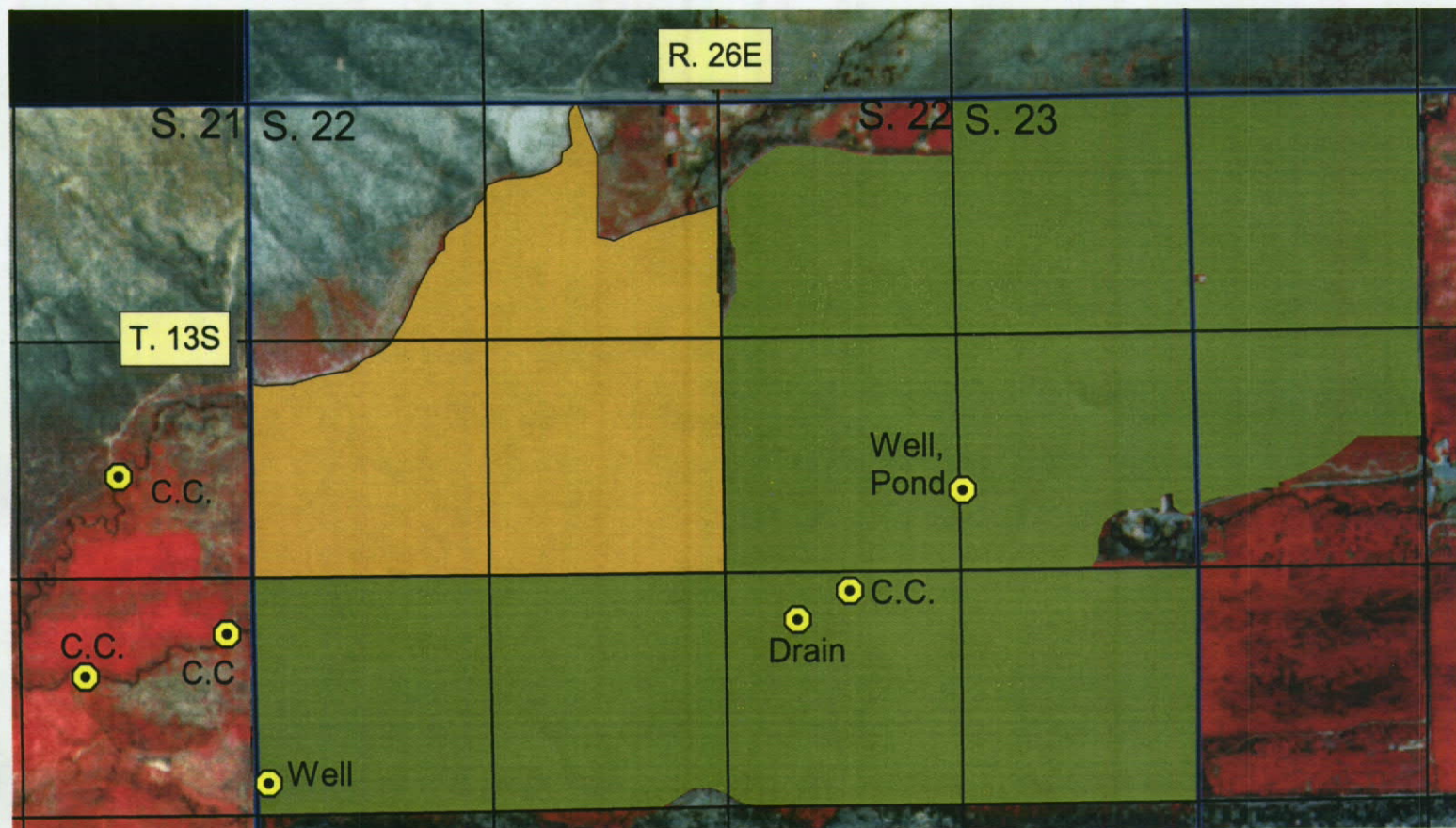


IDAHO DEPARTMENT OF WATER RESOURCES

App for Transfer - Todd & Alvin Carpenter



Section Lines



Quarter/Quarter Lines

General Location: About 2 miles south & 2 miles west of Malta



Land of Todd Carpenter



Land of Alvin Carpenter

C.C. = Cassia Creek Diversion

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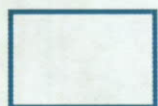
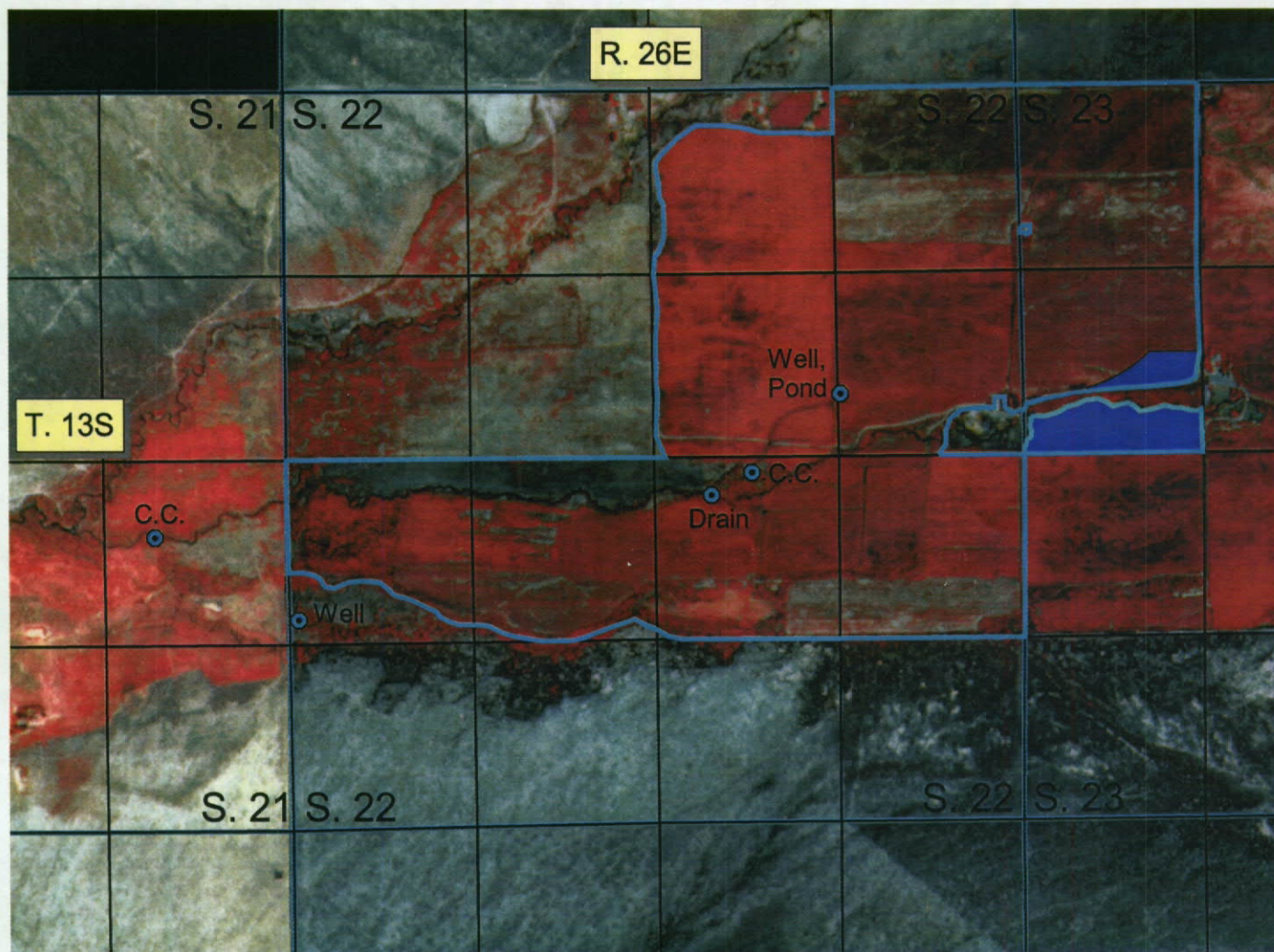


Prepared By J E Stanton 8-20-01

1986/87 NAPP Data

T69430

APP FOR TRANSFER - ALVIN CARPENTER



Recommended PPU



Land Being Dried Up

C.C. = Cassia Creek Diversion

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APR 16 2003

Prepared 2-7-01 By J E Stanton



NOV 29 2001

Department of Water Resources

MEMO

FROM: Allen Merritt *AM*

DATE: November 27, 2001

TO: Transfer File No. T69347 and T69430

In the name of: Alvin Carpenter (T69347) and Alvin &/or Todd Carpenter (T69430)

Water Right(s):

<u>T69347</u>	Splits	Acres	<u>T69430</u>	Splits	Acres
43-2425	43-13122%		43-2425	43-13202%	
	43-13123*	12.4		43-13203**	272.6 in 354.6
43-2523	43-13124%		43-2523	43-13200%	
	43-13125*	12.4		43-13201**	145.4 in 354.6
43-11233			43-11233		66.7 in 354.6
			43-140		143 in 345.6
			43-11234		66.7 in 345.6
			43-10631		34.8 in 345.6
Alvin's ///			43-10818		144.9 in 345.6
Todd's \\\					
			43-11240		106.4
			43-113		106.4
			43-114		106.4
			43-115		106.4

Ground Water

Cassia Creek

Drain

*Provides water to expansion of small dairy. 12.4 acres dried up for conversion

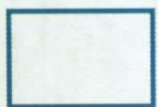
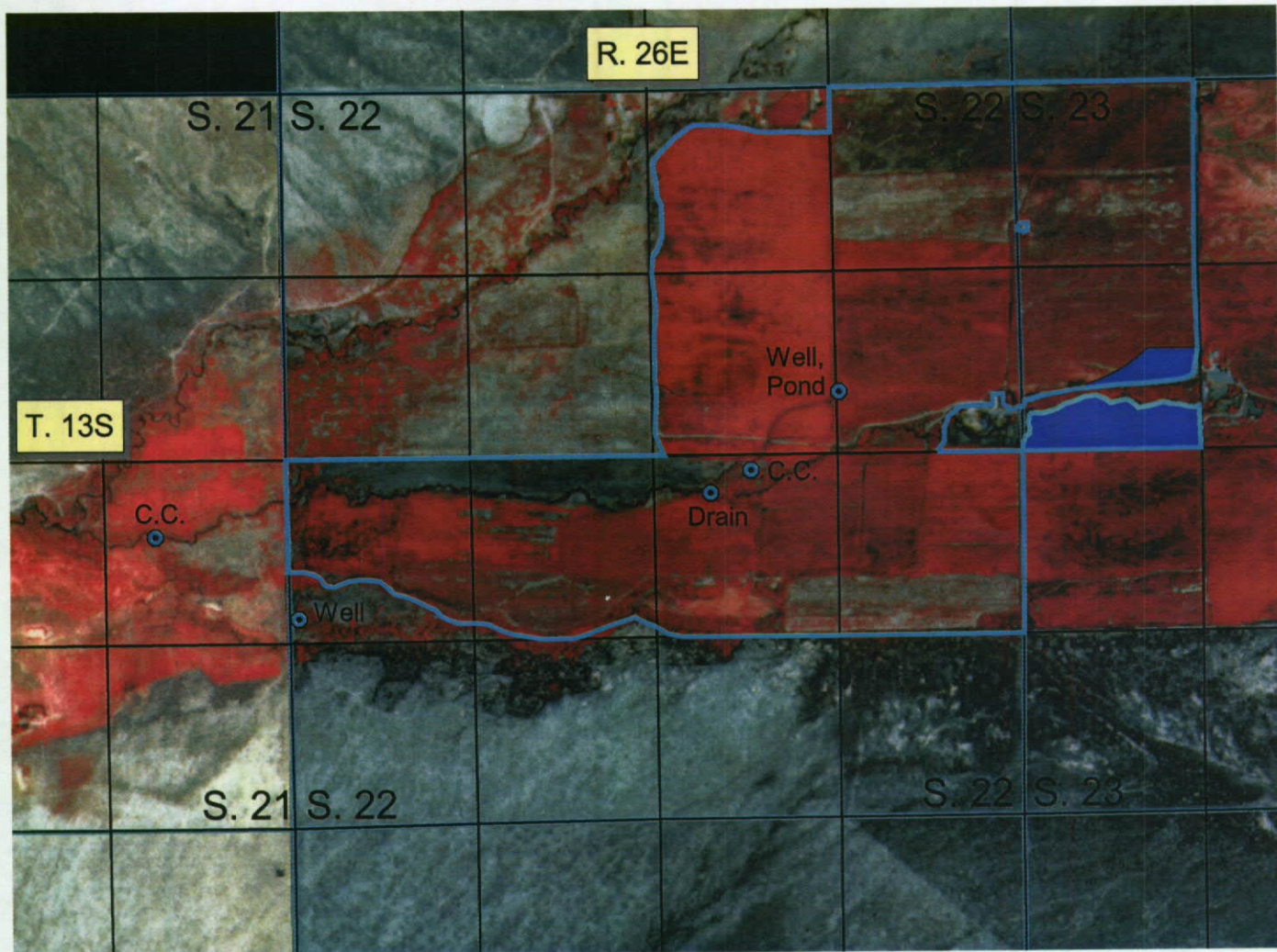
**Moved into a 471.6 acre PPU limited to 354.6 acres from GW and 461 acres from Surface Water and limited to no more than 461 acres in any one season. Alvin's water rights acreages were reduced by 3.4% due to moving 12.4/367 to dairy except for 43-13201 where reduction is based on diversion rate moved.

%Placeholder numbers not valid and could be deleted

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APR 16 2003

APP FOR TRANSFER - ALVIN CARPENTER



Recommended PPU



Land Being Dried Up

C.C. = Cassia Creek Diversion



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APR 16 2003

Prepared 2-7-01 By J E Stanton

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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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

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APR 16 2003

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

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APR 16 2003

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.

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APR 16 2003

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

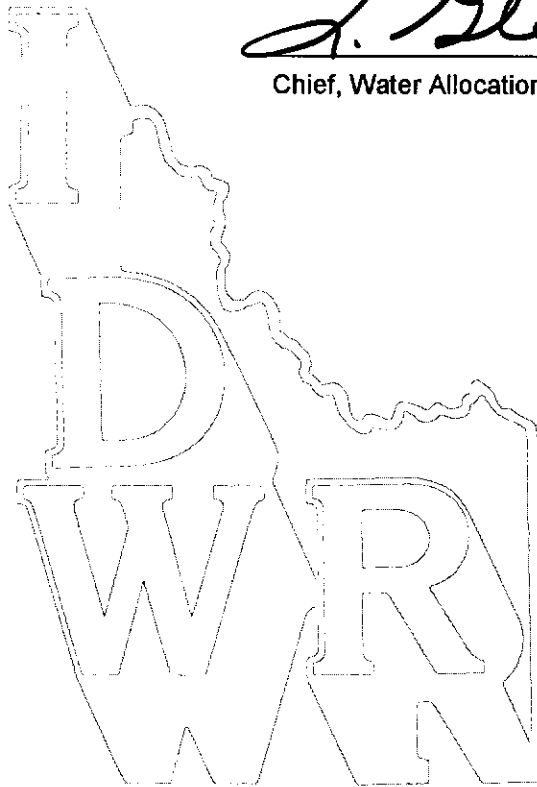
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry 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



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APR 16 2003

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	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
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

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APR 16 2003

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

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APR 16 2003

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

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APR 16 2003

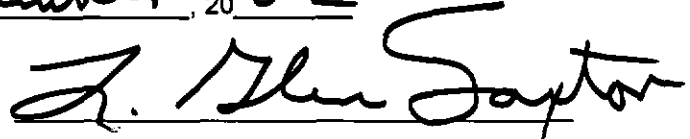
WATER RIGHT NO. 43-13124
As Modified by Transfer No. 69430

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

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APR 16 2003

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

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APR 16 2003

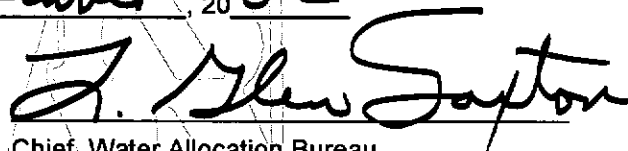
WATER RIGHT NO. 43-10631
As Modified by Transfer No. 69430

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

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APR 16 2003

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

BENEFICIAL USE
 IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
 1.09 CFS
 1.09 CFS

Volume
 266.8 AF
 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

MICROFILMED
 APR 16 2003

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.

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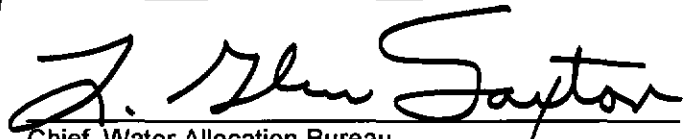
APR 16 2002

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



MICROFILMED

APR 10 2003

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

MICRO-12

APR 10 2003

**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.

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APR 16 2003

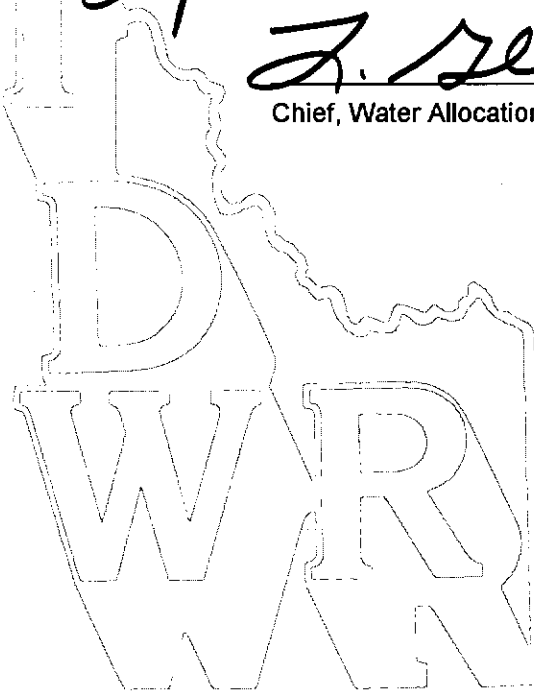
WATER RIGHT NO. 43-10818
As Modified by Transfer No. 69430

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



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APR 16 2003

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

BENEFICIAL USE
IRRIGATION

From **To**
03/15 to 11/15

Diversion Rate
0.68 CFS
0.68 CFS

Volume
329.1 AF
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

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

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APR 16 2003

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.

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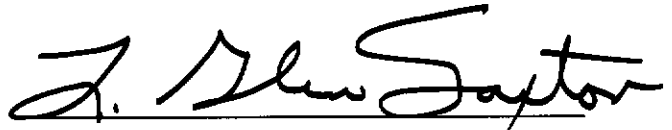
APR 16 2003

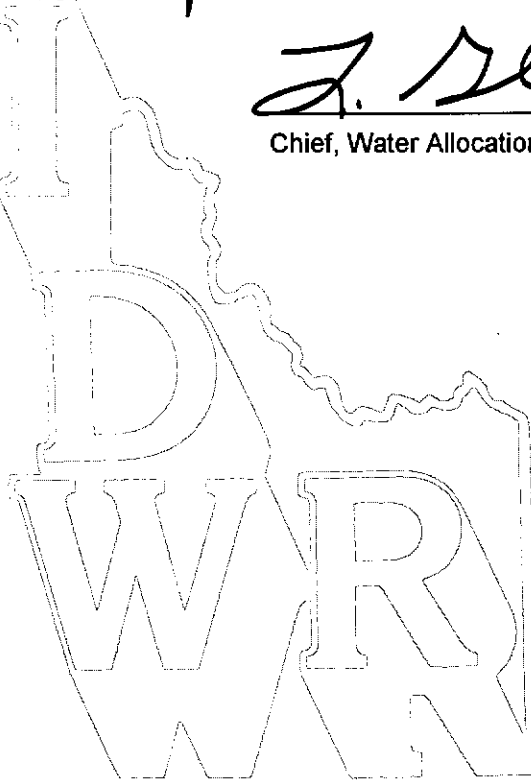
WATER RIGHT NO. 43-11240
As Modified by Transfer No. 69430

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



MICROFILMED

APR 16 2003

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

BENEFICIAL USE

IRRIGATION

From

To

03/15 to 11/15

Diversion Rate

0.30 CFS

0.30 CFS

Volume

145.2 AF

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
	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

MICROFILMED

APR 16 2003

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.

MICROFILMED

APR 16 2003

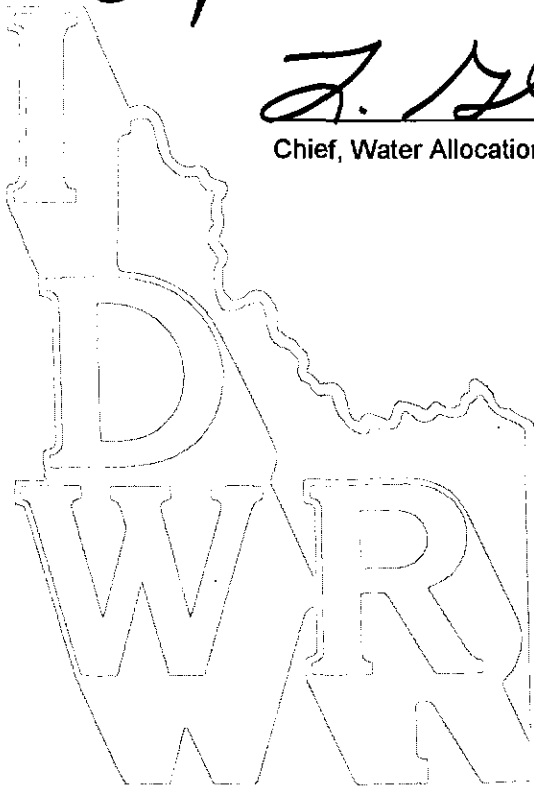
WATER RIGHT NO. 43-113
As Modified by Transfer No. 69430

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



MICROFILMED

APR 16 2003

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

BENEFICIAL USE

IRRIGATION

From

03/15 to 11/15

To

Diversion Rate

0.60 CFS

0.60 CFS

Volume

290.4 AF

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

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

MICROFILMED

APR 16 2003

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.

MICROFILMED

APR 16 2003

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



MICROFILMED

APR 16 2003

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

BENEFICIAL USE

IRRIGATION

From **To**
 03/15 to 11/15

Diversion Rate

1.10 CFS
 1.10 CFS

Volume

425.6 AF
 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

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

MICROFILMED

APR 16 2003

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.

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APR 16 2003

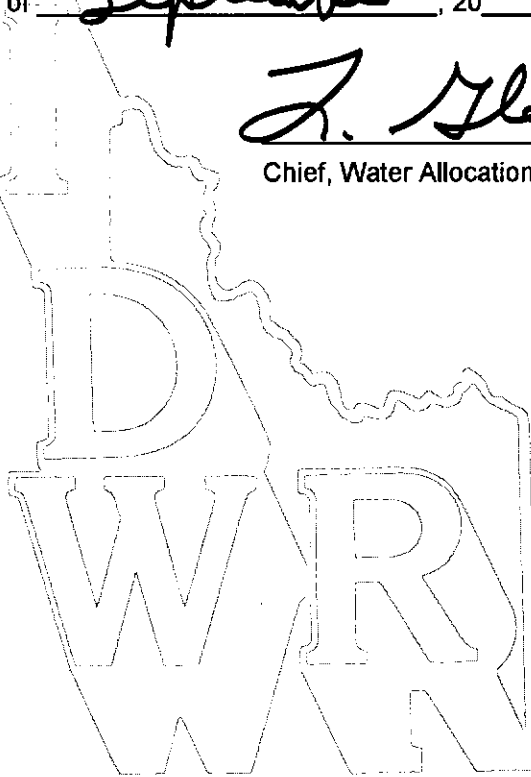
WATER RIGHT NO. 43-115
As Modified by Transfer No. 69430

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



MICROFILMED

APR 16 2003

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	to 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
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

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 APR 16 2003

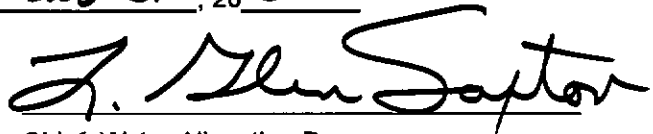
WATER RIGHT NO. 43-11233
As Modified by Transfer No. 69430

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

MICROFILMED

APR 16 2003

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Department of Water Resources

Page 1

Transfer No. 69430

Receipt No. S023851

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

1. Applicant Information 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

Will this transfer result in an ownership change? _____ Yes ☒ No**2. Current Water Right****Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acres	Total	Source
43-2425	AJC/License	4.06 cfs		367.0	285.0	GROUND WATER
43-11234	AJC/Beneficial Use	1.09 cfs		367.0	69.0	CASSIA CREEK
43-140	AJC/Decreed	2.60 cfs		367.0	148.0	CASSIA CREEK
43-2523	AJC/License	3.04 cfs		367.0	152.0	GROUND WATER
43-10631	AJC/Beneficial Use	0.60 cfs		367.0	36.0	UNNAMED DRAIN
43-10818	AJC/Decreed	3.20 cfs		367.0	150.0	CASSIA CREEK
43-11240	AJC/Decreed	0.68 cfs		106.4	106.4	CASSIA CREEK
43-113	AJC/Decreed	0.30 cfs		106.4	106.4	CASSIA CREEK
43-114	AJC/Decreed	0.60 cfs		106.4	106.4	CASSIA CREEK
43-115	AJC/Decreed	1.10 cfs		106.4	106.4	CASSIA CREEK
43-11233	AJC/Beneficial Use	1.11 cfs		367.0	69.0	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-2425	YES	NO	YES	YES	YES	YES
43-11234	NO	NO	YES	YES	NO	NO
43-140	NO	NO	YES	YES	NO	NO
43-2523	YES	NO	YES	YES	YES	YES
43-10631	NO	NO	YES	YES	NO	NO
43-10818	NO	NO	YES	YES	NO	NO
43-11240	NO	NO	YES	YES	NO	NO

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APR 16 2003

69430

Page 2

43-113	NO	NO	YES	YES	NO	NO
43-114	NO	NO	YES	YES	NO	NO
43-115	NO	NO	YES	YES	NO	NO
43-11233	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

Tie all water rights together on both farms (not counting water split off for dairy in related transfer) in order to legalize what has already been done.

4. FOR CHANGES IN NATURE OF USE ONLY

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

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

5. Total Amounts Transferred

	Rate	Acres	Total	Volume
43-13203	3.88 cfs	272.6	471.6	1090.4 af
43-11234	1.09 cfs	66.7	471.6	266.8 af
43-140	2.60 cfs	143.0	471.6	572.0 af
43-13201	2.91 cfs	145.4	471.6	581.6 af
43-10631	0.60 cfs	34.8	471.6	139.2 af
43-10818	3.20 cfs	144.9	471.6	579.6 af
43-11240	0.68 cfs	106.4	471.6	329.1 af
43-113	0.30 cfs	106.4	471.6	145.2 af
43-114	0.60 cfs	106.4	471.6	290.4 af
43-115	1.10 cfs	106.4	471.6	425.6 af
43-11233	1.11 cfs	66.7	471.6	0.0 af
TOTAL	7.93 cfs	461.0	471.6	1,844.0 af

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APR 16 2003

Transfer No. 69430
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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

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

(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this _____ day of _____, 20____.

(Notary Public)

My commission expires _____

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APR 16 2003

Transfer No. 69430
Receipt No.S023851

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

Proposed Water Right No. 43-13203

Priority Date: 04/04/1955

Origin: Adjudication Claim

Basis: License

Status:

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	3.88 CFS	1,090.4 AFA	
Total Diversion		3.88 CFS	1,090.4 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	13S	26E	22	SWSENE		CASSIA

GROUND WATER	13S	26E	22	SWNWSW		CASSIA
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Describe the proposed diversion system

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	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

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APR 16 2003

Transfer No. 69430
Receipt No.S023851

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

Proposed Water Right No. 43-11234

Priority Date: 03/15/1982

Origin: Adjudication Claim

Basis: License

Status:

Source: CASSIA CREEK
NORTH FORK CASSIA
CREEK

Tributary: RAFT RIVER
CASSIA CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.09 CFS	266.8 AFA	
Total Diversion		1.09 CFS	266.8 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
CASSIA CREEK	13S	26E	21	NWNESE		CASSIA
CASSIA CREEK	13S	26E	22	NENWSE		CASSIA
CASSIA CREEK	13S	26E	21	NENESE		CASSIA
NORTH FORK CASSIA CREEK	13S	26E	21	SWSENE		CASSIA

Describe the proposed diversion system

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	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

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APR 16 2003

Transfer No. 69430
Receipt No. S023851

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

Proposed Water Right No. 43-140

Priority Date: 04/30/1883

Origin: Adjudication Claim

Basis: License

Status:

Source: CASSIA CREEK

Tributary: RAFT RIVER

**NORTH FORK CASSIA
CREEK**

CASSIA CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	2.60 CFS	572.0 AFA	
Total Diversion		2.60 CFS	572.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
CASSIA CREEK	13S	26E	21	NWNESE		CASSIA
CASSIA CREEK	13S	26E	22	NENWSE		CASSIA
CASSIA CREEK	13S	26E	21	NENESE		CASSIA
NORTH FORK CASSIA CREEK	13S	26E	21	SWSENE		CASSIA

Describe the proposed diversion system

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</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>	<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

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APR 16 2003

Transfer No. 69430
 Receipt No. S023851

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

Proposed Water Right No. 43-13201

Priority Date: 05/15/1961
 Origin: Adjudication Claim
 Basis: License
 Status:
Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	2.91 CFS	581.6 AFA	
Total Diversion		2.91 CFS	581.6 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	13S	26E	22	SWNWSW		CASSIA
GROUND WATER	13S	26E	22	SWSENE		CASSIA

Describe the proposed diversion system

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	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

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APR 16 2003

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 Receipt No. S023851

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

Proposed Water Right No. 43-10631

Priority Date: 10/19/1928

Origin: Adjudication Claim

Basis: License

Status:

Source: UNNAMED DRAIN

Tributary: CASSIA CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.60 CFS	139.2 AFA	
	Total Diversion	0.60 CFS	139.2 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
UNNAMED DRAIN	13S	26E	22	NWNWSE		CASSIA

Describe the proposed diversion system

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	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

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APR 16 2003

Transfer No. 69430
Receipt No. S023851

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

Proposed Water Right No. 43-10818

Priority Date: 06/01/1912

Origin: Adjudication Claim

Basis: License

Status:

Source: CASSIA CREEK

Tributary: RAFT RIVER

**NORTH FORK CASSIA
CREEK**

CASSIA CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	3.20 CFS	579.6 AFA	
	Total Diversion	3.20 CFS	579.6 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
CASSIA CREEK	13S	26E	21	NWNESE		CASSIA
CASSIA CREEK	13S	26E	22	NENWSE		CASSIA
CASSIA CREEK	13S	26E	21	NENESE		CASSIA
NORTH FORK CASSIA CREEK	13S	26E	21	SWSENE		CASSIA

Describe the proposed diversion system

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</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>	<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

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APR 16 2003

Transfer No. 69430
Receipt No. S023851

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

Proposed Water Right No. 43-11240

Priority Date: 05/31/1881

Origin: Adjudication Claim

Basis: License

Status:

Source: CASSIA CREEK

Tributary: RAFT RIVER

NORTH FORK CASSIA
CREEK

CASSIA CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.68 CFS	329.1 AFA	
Total Diversion		0.68 CFS	329.1 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
CASSIA CREEK	13S	26E	21	NWNESE		CASSIA
CASSIA CREEK	13S	26E	22	NENWSE		CASSIA
CASSIA CREEK	13S	26E	21	NENESE		CASSIA
NORTH FORK CASSIA CREEK	13S	26E	21	SWSENE		CASSIA

Describe the proposed diversion system

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</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>	<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

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APR 16 2003

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

Proposed Water Right No. 43-113

Priority Date: 04/01/1882

Origin: Adjudication Claim

Basis: License

Status:

Source: CASSIA CREEK**Tributary:** RAFT RIVERNORTH FORK CASSIA
CREEK

CASSIA CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.30 CFS	145.2 AFA	
	Total Diversion	0.30 CFS	145.2 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
CASSIA CREEK	13S	26E	21	NWNESE		CASSIA
CASSIA CREEK	13S	26E	22	NENWSE		CASSIA
CASSIA CREEK	13S	26E	21	NENESE		CASSIA
NORTH FORK CASSIA CREEK	13S	26E	21	SWSENE		CASSIA

Describe the proposed diversion system**PLACE OF USE:** IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</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>	<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

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APR 16 2003

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

Proposed Water Right No. 43-114

Priority Date: 04/30/1885

Origin: Adjudication Claim

Basis: License

Status:

Source: CASSIA CREEK

Tributary: RAFT RIVER

NORTH FORK CASSIA
CREEK

CASSIA CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.60 CFS	290.4 AFA	
	Total Diversion	0.60 CFS	290.4 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
CASSIA CREEK	13S	26E	21	NWNESE		CASSIA
CASSIA CREEK	13S	26E	22	NENWSE		CASSIA
CASSIA CREEK	13S	26E	21	NENESE		CASSIA
NORTH FORK CASSIA CREEK	13S	26E	21	SWSENE		CASSIA

Describe the proposed diversion systemPLACE 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

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APR 16 2003

Transfer No. 69430
Receipt No.S023851

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

Proposed Water Right No. 43-115

Priority Date: 04/01/1894

Origin: Adjudication Claim

Basis: License

Status:

Source: CASSIA CREEK

Tributary: RAFT RIVER

NORTH FORK CASSIA
CREEK

CASSIA CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.10 CFS	425.6 AFA	
	Total Diversion	1.10 CFS	425.6 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
CASSIA CREEK	13S	26E	21	NWNESE		CASSIA
CASSIA CREEK	13S	26E	22	NENWSE		CASSIA
CASSIA CREEK	13S	26E	21	NENESE		CASSIA
NORTH FORK CASSIA CREEK	13S	26E	21	SWSENE		CASSIA

Describe the proposed diversion system

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	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

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APR 16 2003

Transfer No. 69430
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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 43-11233

Priority Date: 06/30/1985

Origin: Adjudication Claim

Basis: License

Status:

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.11 CFS	0.0 AFA	
	Total Diversion	1.11 CFS	0.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	13S	26E	22	SWNWSW		CASSIA
GROUND WATER	13S	26E	22	SWSENE		CASSIA

Describe the proposed diversion system

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	22	40.0	29.0	40.0	36.0					38.0	30.0					40.0	40.0	293.0
13S	26E	23																	74.0

Total Acres: 367

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APR 16 2003

Transfer No. 69430
Receipt No. S023851

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

PORTION OF RIGHT No. 43-2425 BEING TRANSFERRED

Priority Date: 04/04/1955
Origin: Adjudication Claim
Basis: License
Status:

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	3.88 CFS	1,090.4 AFA	
Total Diversion		3.88 CFS	1,090.4 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	13S	26E	22	SWNWSW		CASSIA

PLACE OF USE: IRRIGATION

<u>Twp</u> <u>Rge</u> <u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</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>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
13S 26E 22	40.0	29.0	40.0	36.0					38.0	30.0			40.0	40.0			293.0
13S 26E 23					39.0	22.6											61.6

Total Acres: 354.6

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APR 16 2003

Transfer No. 69430
 Receipt No.S023851

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

PORTION OF RIGHT No. 43-2523 BEING TRANSFERRED

Priority Date: 05/15/1961

Origin: Adjudication Claim

Basis: License

Status:

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	2.91 CFS	581.6 AFA	
	Total Diversion	2.91 CFS	581.6 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	13S	26E	22	SWSENE		CASSIA

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</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>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
13S	26E	22	40.0	29.0	40.0	36.0					38.0	30.0					40.0	40.0	293.0
13S	26E	23					39.0	22.6											61.6

Total Acres: 354.6

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APR 16 2003

Page 1 of 28STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 69430CORRECTED APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Alvin &/or Todd Carpenter Phone 645-2347
Post Office address c/o Alvin Carpenter, 2079 E 1700 S, Maltz, ID 83342

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Create PPU

2. Describe the reason for the proposed changes Tie all surface & ground water rights for both farms together in a single system. This actually occurred several years ago, so transfer will legalize what already exists. Also removes surface rights from land being dried up of groundwater right for dairy under companion transfer.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
				to
				to
				to
				to

2. Total amount of water being transferred 7.93 cubic feet per second and/or 1418.4 acre-feet per annum. from GW

3. Source of water Drain, Cassia Creek & Ground Water tributary to 1844.0 AFA from all sources

4. Point(s) of Diversion: See Attachment B

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use: Surface-water PPU of 461 ac/yr. GW PPU of 354.6 ac/yr

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13S	26E	22	40	29	40	36	39	40			39	40			40	40			410
							24	5	37	40									
		23						39	22.6										61.6

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Total acres 471.6

PART 1

6. General Information:

a. Description of diversion system See Attachment B. All diversions go into common sprinkler system for maximum efficiency of water use

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Transfer will allow ground water to be used on Todd Carpenter property while reducing availability on Alvin Carpenter property

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____

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APR 16 2003

Page 3 of 28

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

Current Water Right No. 43-140

Priority Date: 04/30/1883

Origin: Adjudication Recommendation

Basis: Decreed

Status: Active

CASSIA CREEK Tributary to: RAFT RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	2.60 CFS		
	Total Diversion	2.60 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
CASSIA CREEK	13S	26E	21	NWNESE		CASSIA
CASSIA CREEK	13S	26E	22	NENWSE		CASSIA

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					38.0	30.0			40.0	40.0			293.0
13S 26E 23					39.0	35.0											74.0

Total Acres: 367

Conditions/Remarks:

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 148 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 367 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.
3. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. RIGHT NO. 43-11234 IS AN ENLARGEMENT OF THIS RIGHT AND 43-10818 PURSUANT TO SECTION 42-1426, IDAHO CODE.

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

Current Water Right No. 43-140

5. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.80 CFS. COMBINED RIGHT NOS.: 43-140, 43-10818, AND 43-11234.
6. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.96 CFS. COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.

Documentation of Ownership of the Current Place of Use

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

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

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

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

Current Water Right No. 43-10818

Priority Date: 06/01/1912

Origin: Adjudication Recommendation

Basis: Decreed

Status: Active

CASSIA CREEK Tributary to: RAFT RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	3.20 CFS		
	Total Diversion	3.20 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
CASSIA CREEK	13S	26E	21	NWNESE		CASSIA
CASSIA CREEK	13S	26E	22	NENWSE		CASSIA

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					38.0	30.0					40.0	40.0	293.0
13S	26E	23					39.0	35.0											74.0

Total Acres: 367

Conditions/Remarks:

1. THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 43-141 and 43-142.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 150 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. RIGHT NO. 43-11234 IS AN ENLARGEMENT OF THIS RIGHT AND 43-140 PURSUANT TO SECTION 42-1426, IDAHO CODE.
4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 367 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.
5. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.80 CFS. COMBINED RIGHT NOS.: 43-140, 43-10818, AND 43-11234.

Page 6 of 28

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

Current Water Right No. 43-10818

6. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
7. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.96 CFS. COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.

Documentation of Ownership of the Current Place of Use

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

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

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

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

Current Water Right No. 43-11234

Priority Date: 03/15/1982

Origin: Adjudication Recommendation

Basis: Beneficial Use

Status: Active

CASSIA CREEK Tributary to: RAFT RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.09 CFS		
	Total Diversion	1.09 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
CASSIA CREEK	13S	26E	22	NENWSE		CASSIA
CASSIA CREEK	13S	26E	21	NWNESE		CASSIA

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					38.0	30.0					40.0	40.0	293.0
13S	26E	23					39.0	35.0											74.0

Total Acres: 367

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 43-140 AND 43-11818 PURSUANT TO SECTION 42-1426, IDAHO CODE.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 69 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 367 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-140, 43-10818, 43-10631, 43-2425, 43-2523, 43-11234, AND 43-11233.

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APR 16 2003

Page 8 of 28

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

Current Water Right No. 43-11234

5. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.96 CFS. COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.
6. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.80 CFS. COMBINED RIGHT NOS.: 43-140, 43-10818, AND 43-11234.

Documentation of Ownership of the Current Place of Use

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

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

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

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APR 16 2003

Page 9 of 28

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

Current Water Right No. 43-10631

Priority Date: 10/19/1928

Origin: Adjudication Recommendation

Basis: Beneficial Use

Status: Active

UNNAMED DRAIN Tributary to: CASSIA CREEK

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	03/15 11/15	0.60 CFS		
	Total Diversion	0.60 CFS		

Source and Point(s) of Diversion:

Source	Twp	Range	Section	1/4 of 1/4 of 1/4	Lot	County
UNNAMED DRAIN	13S	26E	22	NWNWSE		CASSIA

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					38.0	30.0			40.0	40.0			293.0
13S 26E 23					39.0	35.0											74.0

Total Acres: 367

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 367 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 36 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.96 CFS. COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.

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

Current Water Right No. 43-10631

Documentation of Ownership of the Current Place of Use

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

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

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

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APR 16 2003

Page 11 of 28

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

Current Water Right No. 43-2425

Priority Date: 04/04/1955

Origin: Adjudication Recommendation

Basis: License

Status: Active

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15 11/15	4.06 CFS		
	Total Diversion	4.06 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	13S	26E	22	SWNWSW		CASSIA

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					38.0	30.0			40.0	40.0			293.0
13S 26E 23					39.0	35.0											74.0

Total Acres: 367

Conditions/Remarks:

1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.96 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1192AF. COMBINED RIGHT NOS.: 43-2425, 43-2523, AND 43-11233.
2. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. RIGHT NO. 43-11233 IS AN EXPANSION OF THIS RIGHT AND 43-2523 PURSUANT TO SECTION 42-1416B, IDAHO CODE.
4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 367 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-140, 43-10818, 43-10631, 43-2425, 43-2523, 43-11234, AND 43-11233.

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APR 16 2003

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Page 12 of 28

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

Current Water Right No. 43-2425

5. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.96 CFS. COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.
6. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 285 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Documentation of Ownership of the Current Place of Use

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

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

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

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APR 16 2003

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No. If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED 43-2425 Part = 13203

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 3.88 cfs for Irrig. purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount 1090.4 AFA for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: As Recommended

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use: PPU of 272.6 ac/yr

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>135</u>	<u>26E</u>	<u>22</u>	<u>40</u>	<u>29</u>	<u>40</u>	<u>36</u>					<u>38</u>	<u>30</u>			<u>40</u>	<u>30</u>			<u>273</u>
		<u>23</u>						<u>39</u>	<u>22.6</u>										<u>61.6</u>

Total acres 354.6

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.18 cfs for Irrig. purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount 49.6 AFA for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: As Recommended

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use: PPU of 12.4 ac/yr

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>135</u>	<u>26E</u>	<u>23</u>							<u>12.4</u>										<u>12.4</u>

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APR 16 2003

Total acres 12.4

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

Current Water Right No. 43-2523

Priority Date: 05/15/1961

Origin: Adjudication Recommendation

Basis: License

Status: Active

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	3.04 CFS		
	Total Diversion	3.04 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	13S	26E	22	SWSENE		CASSIA

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					38.0	30.0			40.0	40.0			293.0
13S 26E 23					39.0	35.0											74.0

Total Acres: 367

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 152 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.96 CFS. COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.
4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.96 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1192 AF. COMBINED RIGHT NOS.: 43-2425, 43-2523, AND 43-11233.
5. RIGHT NO. 43-11233 IS AN EXPANSION OF THIS RIGHT AND 43-2425 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

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

Current Water Right No. 43-2523

6. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 367 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-140, 43-10818, 43-10631, 43-2425, 43-2523, 43-11234, AND 43-11233.

Documentation of Ownership of the Current Place of Use

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

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

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

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED 43-2523 Apt = 13201

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 2.91 cfs for Irrig purposes from 3-15 to 11-15
 (cfs/ac-ft) 581.6 AFA for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: As Recommended

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

PPU of 145.4 ac/yr

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>135</u>	<u>26E</u>	<u>22</u>	<u>40</u>	<u>29</u>	<u>40</u>	<u>36</u>					<u>38</u>	<u>30</u>			<u>40</u>	<u>40</u>			<u>293</u>
		<u>23</u>						<u>37</u>	<u>22.6</u>										<u>61.6</u>

Total acres 354.6

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.13 cfs for Irrig. purposes from 3-15 to 11-15
 (cfs/ac-ft) 26.4 AFA for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: As Recommended

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

PPU of 6.6 ac/yr

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>135</u>	<u>26E</u>	<u>23</u>							<u>12.4</u>										<u>12.4</u>

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APR 10 2003

Total acres 12.4

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

Current Water Right No. 43-11233

Priority Date: 06/30/1985

Origin: Adjudication Recommendation

Basis: Beneficial Use

Status: Active

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.11 CFS		
	Total Diversion	1.11 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	13S	26E	22	SWNWSW		CASSIA
GROUND WATER	13S	26E	22	SWSENE		CASSIA

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					38.0	30.0			40.0	40.0			293.0
13S 26E 23					39.0	35.0											74.0

Total Acres: 367

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 69 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 367 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-140, 43-10818, 43-10631, 43-2425, 43-2523, 43-11234, AND 43-11233.
4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.96 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1192 AF. COMBINED RIGHT NOS.: 43-2425, 43-2523, AND 43-11233.

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APR 16 2003

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

Current Water Right No. 43-11233

5. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.96 CFS. COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.
6. THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-2425 AND 43-2523 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

Documentation of Ownership of the Current Place of Use

Transfer requires drying up land at present p/u.

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

YES

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

Is being reduced to agree with other groundwater rights on property, which are being reduced to provide water for dairy expansion on another property.

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

NO

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APR 16 2003

Page 19 of 28

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

Current Water Right No. 43-11240

Priority Date: 05/31/1881

Origin: Adjudication Recommendation

Basis: Decreed

Status: Active

CASSIA CREEK Tributary to: RAFT RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.68 CFS		
	Total Diversion	0.68 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
CASSIA CREEK	13S	26E	21	SWSENE		CASSIA
CASSIA CREEK	13S	26E	21	NENESE		CASSIA

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					24.0	5.4	37.0	40.0									106.4

Total Acres: 106.4

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. 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.
3. 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.
4. FOR THE POINT OF DIVERSION IN T-13S, R-26E, SEC 21 NENESE, THE SOURCE IS ALSO KNOWN AS THE MIDDLE FORK OF CASSIA CREEK.
5. FOR THE POINT OF DIVERSION IN T-13S, R-26E, SEC 21 SWSENE, THE SOURCE IS ALSO KNOWN AS THE NORTH FORK OF CASSIA CREEK.

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APR 16 2003

T69430

Page 20 of 28

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

Current Water Right No. 43-11240

Documentation of Ownership of the Current Place of Use

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

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

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

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

Current Water Right No. 43-113

Priority Date: 04/01/1882

Origin: Adjudication Recommendation

Basis: Decreed

Status: Active

CASSIA CREEK Tributary to: RAFT RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.30 CFS		
	Total Diversion	0.30 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
CASSIA CREEK	13S	26E	21	NENESE		CASSIA
CASSIA CREEK	13S	26E	21	SWSENE		CASSIA

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</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>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
13S	26E	22					24.0	5.4	37.0	40.0									106.4

Total Acres: 106.4

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. USE OF THIS RIGHT WITH 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.: 43-11240, 43-114, AND 43-115.
3. 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.
4. FOR THE POINT OF DIVERSION IN T-13S, R-26E, SEC 21 NENESE, THE SOURCE IS ALSO KNOWN AS THE MIDDLE FORK OF CASSIA CREEK.
5. FOR THE POINT OF DIVERSION IN T-13S, R-26E, SEC 21 SWSENE, THE SOURCE IS ALSO KNOWN AS THE NORTH FORK OF CASSIA CREEK.

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APR 16 2003

Page 227 28

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

Current Water Right No. 43-113

Documentation of Ownership of the Current Place of Use

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

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

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

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APR 16 2003

Page 23 of 28

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

Current Water Right No. 43-114

Priority Date: 04/30/1885

Origin: Adjudication Recommendation

Basis: Decreed

Status: Active

CASSIA CREEK Tributary to: RAFT RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.60 CFS		
	Total Diversion	0.60 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
CASSIA CREEK	13S	26E	21	NENESE		CASSIA
CASSIA CREEK	13S	26E	21	SWSENE		CASSIA

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</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>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
13S	26E	22					24.0	5.4	37.0	40.0									106.4

Total Acres: 106.4

Conditions/Remarks:

- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- FOR THE POINT OF DIVERSION IN T-13S, R-26E, SEC 21 NENESE, THE SOURCE IS ALSO KNOWN AS THE MIDDLE FORK OF CASSIA CREEK.
- FOR THE POINT OF DIVERSION IN T-13S, R-26E, SEC 21 SWSENE, THE SOURCE IS ALSO KNOWN AS THE NORTH FORK OF CASSIA CREEK.
- 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.
- 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.

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APR 16 2000

Page 24 of 28

T69430

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

Current Water Right No. 43-114

Documentation of Ownership of the Current Place of Use

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

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

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

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APR 16 2003

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

Current Water Right No. 43-115

Priority Date: 04/01/1894

Origin: Adjudication Recommendation

Basis: Decreed

Status: Active

CASSIA CREEK Tributary to: RAFT RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.10 CFS		
	Total Diversion	1.10 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
CASSIA CREEK	13S	26E	21	SWSENE		CASSIA
CASSIA CREEK	13S	26E	21	NENESE		CASSIA

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</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>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
13S	26E	22					24.0	5.4	37.0	40.0									106.4

Total Acres: 106.4

Conditions/Remarks:

- FOR THE POINT OF DIVERSION IN T-13S, R-26E, SEC 21 NENESE, THE SOURCE IS ALSO KNOWN AS THE MIDDLE FORK OF CASSIA CREEK.
- FOR THE POINT OF DIVERSION IN T-13S, R-26E, SEC 21 SWSENE, THE SOURCE IS ALSO KNOWN AS THE NORTH FORK OF CASSIA CREEK.
- 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.
- 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.
- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

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APR 16 2003

Page 26 of 28

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

Current Water Right No. 43-115

Documentation of Ownership of the Current Place of Use

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

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

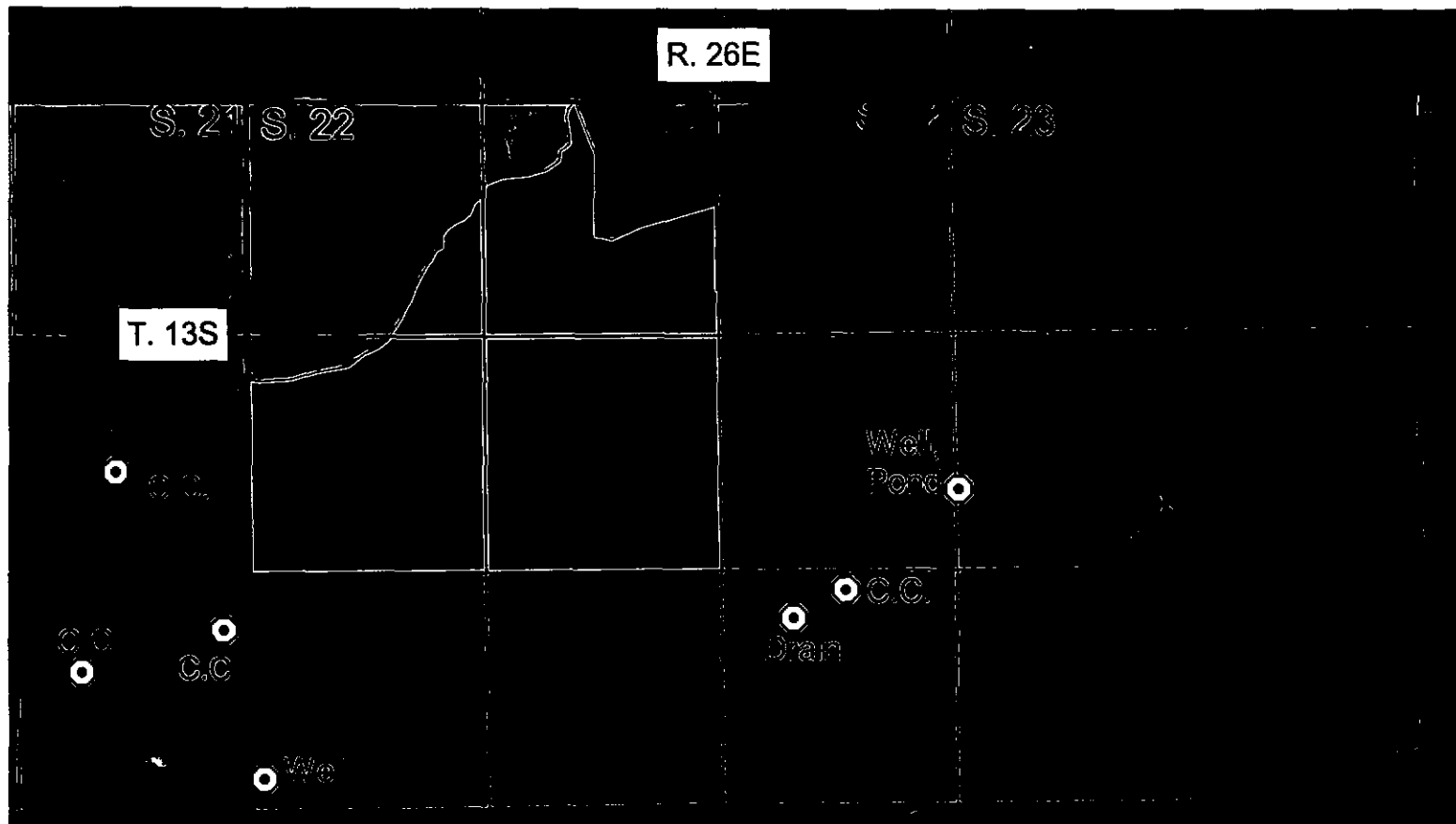
To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

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IDAHO DEPARTMENT OF WATER RESOURCES

App for Transfer - Todd & Alvin Carpenter



Section Lines



Quarter/Quarter Lines

General Location: About 2 miles south & 2 miles west of Malta



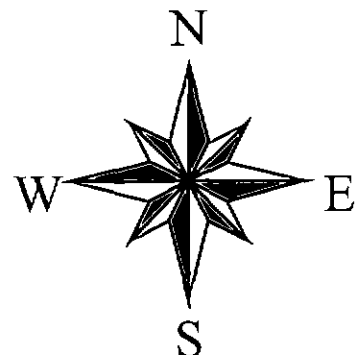
Land of Todd Carpenter



Land of Alvin Carpenter

C.C. = Cassia Creek Diversion

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Prepared By J E Stanton 8-20-01

1986/87 NAPP Data

Page 28 of 28

Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

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

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

x Alvin Carpenter
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of September, 192001.

J. F. Stanton
(Notary Public)

My commission expires 10-25-2006

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by J. F. Stanton Date 9-27-01 Protest filed by None

Prelim. check by _____ Fee \$530, \$02385/ \$0241/8

Received by J. F. Stanton Date 4-24-01 & 7-11-01

Published in So. Id. Press Copies of protest forwarded by _____

Pub. dates 10/22 & 10/29/01 Hearing held by _____ Date _____

Watermaster recommendation requested on 10/22/01 Recommended for ☒ approval ☐ denial

_____ rec'd. None by J. F. Stanton

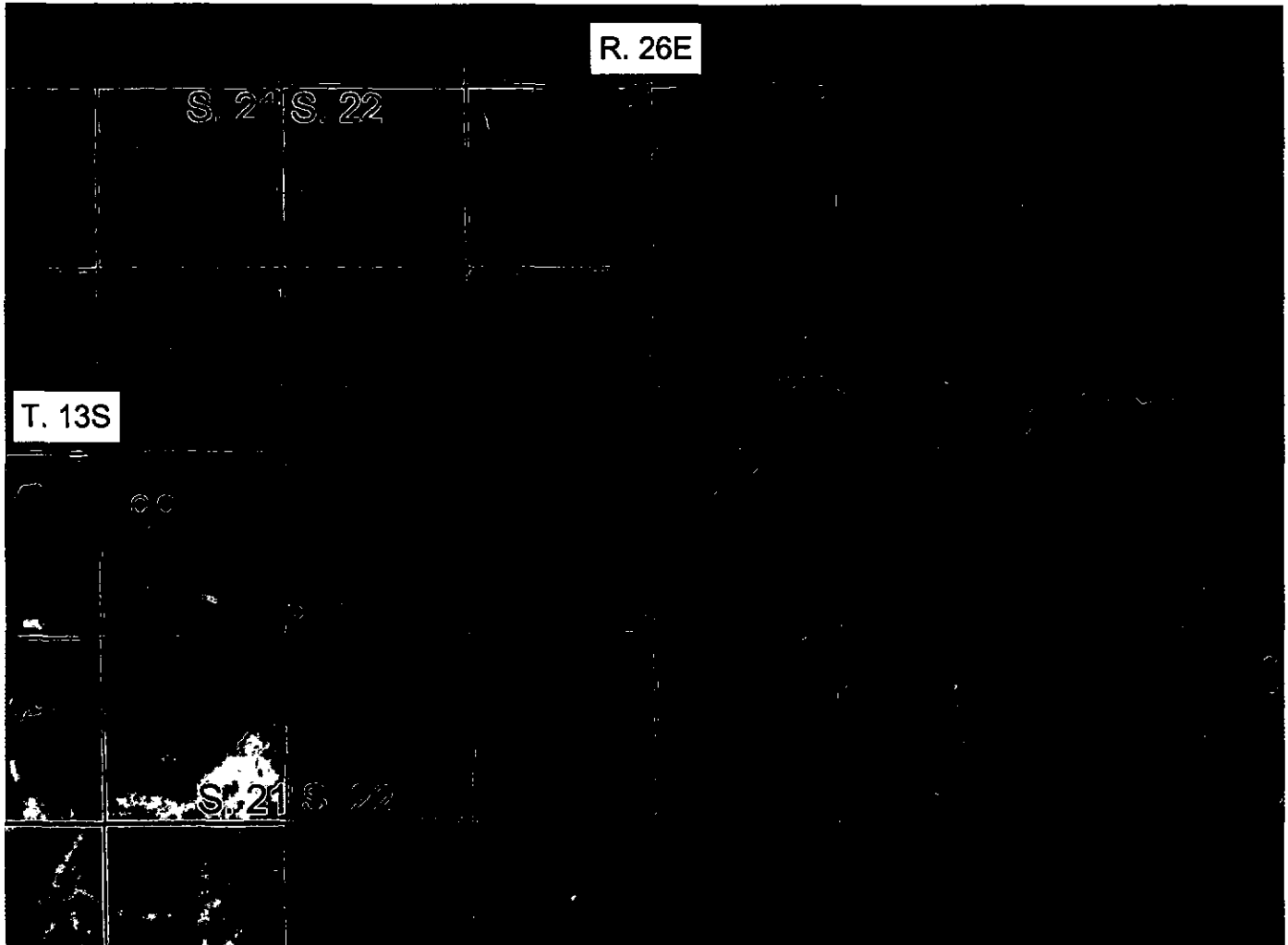
Copy of transfer sent to lien holder _____

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APR 16 2003

T69430

APP FOR TRANSFER - ALVIN CARPENTER



Recommended PPU



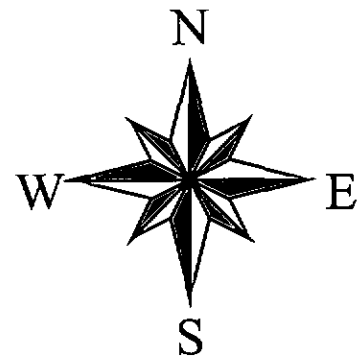
Land Being Dried Up

C.C. = Cassia Creek Diversion

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APR 16 2001

Prepared 2-7-01 By J E Stanton



ATTACHMENT A

Part 1.B.1. Water Rights After Requested Change

Alvin Carpenter Water Rights:

Right No.	Priority	CFS	Ac/Yr	AFA	Source
43-140	4-30-1883	2.60	143.0	572.0	Cassia Cr.
43-10818	6-1-1912	3.20	144.9	579.6	"
43-11234	3-15-1982	1.09	66.7	266.8	"
43-10631	10-19-1928	0.60	34.8	139.2	Drain
Sub-Total		5.80	354.6	1418.4	
43- 13203	4-4-1955	3.88	272.6	1090.4	Ground Water
43- 13201	5-15-1961	2.91	145.4	581.6	"
43-11233	6-30-1985	1.11	66.7	0	"
Sub-Total		5.71	354.6	1418.4	
Totals For Alvin		5.80	354.6	1418.4	

Todd Carpenter Water Rights:

43-11240	5-31-1881	0.68	106.4	329.1	Cassia Creek
43-113	4-1-1882	0.30	106.4	145.2	"
43-114	4-30-1885	0.60	106.4	290.4	"
43-115	4-1-1894	1.10	106.4	425.6	"
Total for Todd		2.13	106.4	425.6	
Total Amounts Trans.		7.93	461.0	1844.0	

All rights to be used for irrigation during recommended season of use.

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ATTACHMENT B**Part 1.B.4. Points of Diversion**

NW/NE/SE Sec. 21 T. 13S R. 26E	Cassia Creek (Middle Fork)
NE/NE/SE Sec. 21 T. 13S R. 26E	"
NE/NW/SE Sec. 22 T. 13S R. 26E	"
SW/SE/NE Sec. 21 T. 13S R. 26E	" (North Fork)
NW/NW/SE Sec. 22 T. 13S R. 26E	Drain
SW/SE/NE Sec. 22 T. 13S R. 26E	Ground Water
SW/NW/SW Sec. 22 T. 13S R. 26E	"

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 43-00113

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

SOURCE: CASSIA CREEK TRIBUTARY: RAFT RIVER
QUANTITY: 0.30 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: 04/01/1882

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	0.30 CFS

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

USE OF THIS RIGHT WITH 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.: 43-11240, 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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 25, 2002

ALVIN CARPENTER
2079 E 1700 S
MALTA ID 83342

TODD CARPENTER
2023 E 1700 S
MALTA ID 83342

RE: Transfer No.: 69430 - Water Rights 43-114, 43-11240, 43-113, 43-115, 43-140,
43-13122, 43-13124, 43-10631, 43-10818, 43-11233, 43-11234
Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

for *Camela S. Skaggs*
Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt
Enclosure(s)

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APR 16 2003

CERTIFICATE OF SERVICE

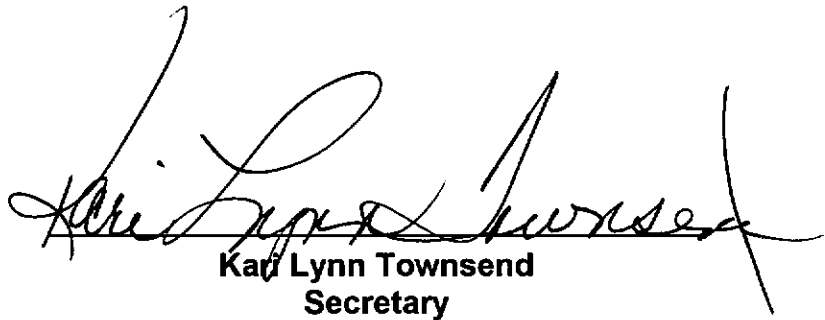
I hereby certify that on September 25, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69430

**WATER RIGHTS 43-114, 43-11240, 43-113, 43-115, 43-140, 43-13122,
43-13124, 43-10631, 43-10818, 43-11233, 43-11234**

**ALVIN CARPENTER
2079 E 1700 S
MALTA ID 83342**

**TODD CARPENTER
2023 E 1700 S
MALTA ID 83342**



**Kar Lynn Townsend
Secretary**

**MICROFILMED
APR 16 2003**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 25, 2002

TOM HUTCHISON
WATERMASTER
PO BOX 1380
ELBA ID 83326

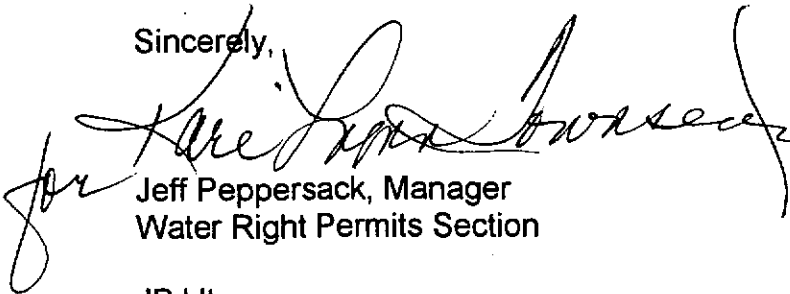
RE: TRANSFER OF WATER RIGHTS 43-113, 43-114, 43-115, 43-140, 43-10631,
43-10818, 43-11233, 43-11234, 43-11240, 43-13122, 43-13124 - (Transfer 69430)

Dear Tom:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water rights (Transfer 69430) in the names of Todd Carpenter and Alvin Carpenter.

If you have any questions, please call me at 208-327-7940.

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

APR 16 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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APR 16 2009

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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APR 16 2003

TRANSFER REVIEW SHEET

Trans # 69430

Date Reviewed 9-16-02 JS

43-113 N 43-114 N 43-115 N

Right No(s) * 43-2425 43-11234 43-140 43-2523 43-10631 43-10818 43-11240 43-11233
 Split? Y N Y N Y N Y N

AREA OF CONCERN: No/Yes Yes

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d Change use period Change p/u
 Add p/d Change nature of use

RightID's of From & To records correct? Y N (resolve with State Office personnel)

Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U Lien Holder Release ✓

GROUNDWATER:

DRILLING PERMIT

All wells - 046
 DP upgrade req'd Y ✓ N (contact GW personnel)

WMD - North/East/West

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 067

WMD

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M or 01Q

SUPPLEMENTAL (irr = only use) - 065-104

SUPPLEMENTAL (irr + other uses) - 100-105

SURFACE WATER:

WD

≤ 0.20 cfs/others

> 0.20 cfs

- R05 (WD#) WM comments rec'd

- R02, 01P or No MD

R43

WB, SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres

> 0.24 cfs/5 acres

- No MD

- 01M or 01Q

STANDARD SEASON 3-15 to 11-15 (use X61 if extended season)

STANDARD VOLUME 4.0 af/ac

CONSUMPTIVE USE VOLUME 3.0 af/ac

USES:

STORAGE - 18C-R02-01P-18B-NA
 IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)

> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)

STOCKWATER - R37 (all BLM/USFS)

MINING - 054-106

FISH PROP - 029(70'S only)-007-122-106

HEAT/COOL - R07 (injection well)

FIRE PROT. - 077

DAIRY - 082 (zoning if a concern)-106-WD8

USES:

POWER

- 17H-17K (+uses)-025-106

MUNICIPAL

Restricted area

Irr., GW supp to SW

- 022-075

- 102

RAFN - 007-109-X64

DOMESTIC

Surface water

> 1 in restricted area

Irr use listed separate

- WB5 (Big Wood or Boise above Star Bridge)

- 27A (Payette River)

- 070-071-075 (no parks/common areas, etc)

- WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
 T08 - comply or rescind
 T17 - measure all p/d's (used with WB4)
 T18 - Special T17 & R43 combined - multiple pds in WD

Protested - 020-X19

Water Quality - 106-R07

X27 - Number of acres/season in ppu

X35 - Combined totals of multiple rts

X49 - measure p/d's (source chg'd to orig trib)

X51 - 2+ yrs to develop

X53 - Use ltd to orig. source availability

X54 - forfeited ac/rate (used rarely)

X55 - (transfer shrinks total water to less ac)

X57 - no right-of-way

X58 - pending claim (statutory or AJ b/u claim)

X61 - extended irr season

X62 - replaces N11 and N13

X63 - replaces C12

WB4 - + p/ds, cfs & afa (used with T17)

WD8 - land application of waste water

01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01m)

Apply one to chg'd and unchg'd rts:

T09 - on-going SRBA (no Dir Rpt or Recomm yet)

T19 - replaces C18 (if at Recommendation or Partial Decree stage)

T20 - use instead of T09 where not ongoing in SRBA

OTHER CONDITIONS/REMARKS

COMMENTS

Database files updated ✓ Approval form printed ✓ Shape files created ✓ Per JS. by P.S. 9-23-02

Special Mailing Instructions (cc's, etc)

Final database update after approval ✓ *Comment to WR No(s). NA

9-23-02 JS

IDWR TRANSFER ANALYSIS SHEET

APPLICANT

Alvise Carpenter

TRANSFER NO.

69430

1. Right number(s)

B-140 - 10818 - 11234 - 10631 etc.

2. Type of right

☒ Decree ☒ License ☐ Statutory Claim
☒ SRBA Beneficial Use Claim

3. Purpose of transfer

☐ Change P/D ☒ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Source ☒ Split Right
☒ Other: Create PPU

4. Check Existing Right:

☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

Comments: App is based on B43 SARA findings. Moves portions of groundwater rights not converted to dry use in companion transfer. Should be approvable with limits & measuring/reporting conditions on groundwater rights.

5. Check Proposed Right for amount of land &/or water transferred:

Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☒ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred Applicants are recognized SRBA owners.
- h. ☒ Expansion in use of right - Comments: none requested.

69430

i. ☒ Existing rights from same source, on land water is being transferred to; right number(s): All in transfer

j. ☒ SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) None

k. ☒ Comment letters ☒ Yes ☐ No
If yes ☒ Water District # 43-C
☒ Lienholder, others, see #2 below for name and address

INITIAL ALLOCATION REVIEW BY J.F. Planton DATE 10-4-01
SRBA SUPERVISOR REVIEW BY _____ DATE _____
PUBLICATION REVIEW BY _____ DATE _____

1. Legal Notice electronically sent to DWR03::VAULT ☐ Yes
2. COMMENT LETTERS Copy of Pg 1 to AJ ☒ Yes 10/23/01

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es):

3. Transfer published correctly? ☒ Yes ☐ No
4. Affidavit of publication received? ☒ Yes ☐ No
5. Protests received? ☐ Yes ☒ No; Acknowledgement sent? ☐ Yes
6. Copies made for Region file (see attached supplemental page)? ☐ Yes

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny due to _____
3. Conditions (special conditions in Water Districts) _____

Also see attached memo for recommendation dated: 11/27/01

4. By [Signature] Date 11/27/01

NOV 29 2001

Department of Water Resources

MEMO

FROM: Allen Merritt *AM*

DATE: November 27, 2001

TO: Transfer File No. T69347 and T69430

In the name of: Alvin Carpenter (T69347) and Alvin &/or Todd Carpenter (T69430)

Water Right(s):

<u>T69347</u>	Splits	Acres	<u>T69430</u>	Splits	Acres
43-2425	43-13122%		43-2425	43-13202%	
	43-13123*	12.4		43-13203**	272.6 in 354.6
43-2523	43-13124%		43-2523	43-13200%	
	43-13125*	12.4		43-13201**	145.4 in 354.6
43-11233			43-11233		66.7 in 354.6
			43-140		143 in 345.6
			43-11234		66.7 in 345.6
			43-10631		34.8 in 345.6
Alvin's ///			43-10818		144.9 in 345.6
Todd's \\\					
			43-11240		106.4
			43-113		106.4
			43-114		106.4
			43-115		106.4

Ground Water
Cassia Creek
Drain

*Provides water to expansion of small dairy. 12.4 acres dried up for conversion

**Moved into a 471.6 acre PPU limited to 354.6 acres from GW and 461 acres from Surface Water and limited to no more than 461 acres in any one season. Alvin's water rights acreages were reduced by 3.4% due to moving 12.4/367 to dairy except for 43-13201 where reduction is based on diversion rate moved.

%Placeholder numbers not valid and could be deleted

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SUBJECT: Review and Recommendation

These two transfers involve similar sets of water rights and should be processed together.

T69347 identifies an area served by ground water that is intended to be taken out of production and the water moved to a new enlarged dairy facility a few miles to the east. Right 43-11233 does not provide water to the dairy but is included so that the PPU for it on the original place can be reduced so as not to allow expansion of ground water at the original site.

T69430 proposes to take the remaining acres after T69347 on the Alvin Carpenter farm and combine it with the adjoining Todd Carpenter farm and create a PPU out of both farms. This proposal facilitates use of an existing pivot and sprinklers installed a few years ago that is provided water from both surface and ground water. The pivot irrigates lands on both farms. Prior to this transfer Todd Carpenter had no ground water associated with his farm yet at times the pivot is only provided groundwater if the surface water is cut. The PPU also covers some lands not recommended in the SRBA that have been watered with the installation of sprinklers.

These transfers were processed without protest.

Recommendation

I recommend that these transfers be approved subject to conditions.

T69347 WATER RIGHT NO. 43-13123 and 43-13125

- T19 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.
- 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 106 Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
- 01M After specific notification by the Department, the right holder shall install a suitable measuring device 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.

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T69430 Rights Combined on two farms.

-Limit to no more than 461 acres in 471.6 acre PPU in any one season. Limit rights as proposed in transfer to acres, cfs, volume as proposed.

-Under control of watermaster 43-C

-Maintain measuring devices on all points of diversion.

-T19, T07, T08 and convert appropriate SRBA remarks and conditions.

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140	13201	11240	140	11
10631	13203	113	13201	
11234	11233	114	13203	
10818		115	10631	7.93
5.8	5.45	2.13	11234	1844
1418.4	1142.4	425.6	10818	461
354.6	354.6	106.4	11233	
			5.8	
			1418.4	
			354.6	

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APR 16 2003

T69430

WATER RIGHT NO.

43-140 etc

[illegible]



D.L. EVANS BANK
Your Hometown Community Bank

RECEIVED

NOV 15 2001

Department of Water Resources
Southern Region

November 14, 2001

Idaho Department of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83301

Re: Alvin Carpenter
Applications for Transfer #69347 and 69430

This letter will serve as consent by the mortgage holder to the transfer of water rights as outlined in the
Above referenced applications.



ERIC R. STEIGERS
Farmer Mac Manager

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APR 16 2003

RECEIVED

NOV 05 2001

SOUTH IDAHO PRESS
BURLEY, IDAHO

Department of Water Resources
Southern Region 001-445

AFFIDAVIT OF PUBLICATION

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Anne Holmes, being first duly sworn, deposes and says that she is the Legals 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. 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 week(s), commencing with the issue dated October 22, 2001 and ending with the issue dated October 29, 2001.

Ruth Anne Holmes

STATE OF IDAHO)
COUNTY OF)
Cassia)

On this 29th day of October in the year of 2001 before me, a Notary Public, personally appeared Ruth Anne Holmes, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

ANN HARPER
NOTARY PUBLIC
STATE OF IDAHO

Ann Harper
Notary Public for Idaho
Residing at: Burley, Idaho
My commission expires: 9-14-2007

Cost of Publication 140.14
Affidavit Fee 5.00
Total Cost 145.14

OK
MB
11/5/01

Notice is hereby given that several application(s) for transfer have been filed with the Idaho Department of Water Resources for changes to water rights within Cassia & Minidoka Counties as listed below:

CONDIE BROTHERS, 4625 W 4100 S, WEST VALLEY CITY UT 84120, has filed Application for No. 69257 on 7/9/01 for diversion of a total of 17.06 cfs from ground water for irrigation of a 1440 acre permissible place of use which includes a change the place of use for 212 acres to more suitable ground located 19 miles North and 7-8 miles East of Malta OR (0.5-2.5 miles South and 1-2 miles East of Raft River Store).

PAUL &/or POLLY CARNEY, 1550 W 400 N; PAUL ID 83347 filed Application No. 69322 on 7/10/01 for diversion of a total of 0.18 cfs from ground water for domestic, stockwater & commercial uses for the expansion of an existing dairy located 1 mile North and 5.5 miles West of Paul. Applicants propose to drill a new backup well. For conversion of irrigation to dairy use 9.1 irrigated acres will be dried up at a site 6 miles North and 11 miles West of Paul.

GOOSE CREEK CATTLE & HORSE ASSN, PO BOX 89; OAKLEY ID 83346 filed Application No. 69404 on 9/17/01 for the purpose of recording an addition of a pump and pipeline system to an instream stockwater right on Goose Creek. The transfer also ties together other recorded stockwater rights diverted from other unnamed springs, Chalk Spring, and Hole in the Wall Spring allowing these rights to be diverted from Goose Creek. The new Goose Creek diversion is 13 miles South and 3 miles West of Oakley above Goose Creek Reservoir. Stockwater (0.50 cfs) will be used on a 24 square mile range cattle allotment located Northwest of the Goose Creek diversion described above.

CHARLES R. &/or JANET O. WARD, 2075 E 1700 S; MALTA ID 83342 filed Application No. 69385 on 7/25/01 for diversion of 0.16 cfs from Springs tributary to Cassia Creek. The purpose of the transfer is to record the co-mingling with all other rights on farm for irrigation of 148.0 total recommended acres located 4.5 miles Southwest of Malta which includes land on both sides of Cassia Creek.

ALVIN CARPENTER, 2079 E 1700; MALTA ID 83342 filed Application No. 69347 on 7/11/01 for diversion of a combined total of 0.25 cfs from ground water for stockwater & commercial uses in the expansion of an existing dairy located 3 miles South and 3.25 miles East of Malta. Applicants propose to dry up 12.4 irrigated acres at site described below and drill a new backup well. Alvin Carpenter along with co-applicant Todd Carpenter, 2023 E 1700 S; MALTA ID 83342 also filed Companion Application No. 69430 on 9/27/01 for a co-mingled total of 7.93 cfs from ground water, Cassia Creek, and Unnamed Drain. Applicants propose to tie all water rights together on two farms in a 367 acre permissible place of use located 2.5 miles South and 2 miles West of Malta which has been re-arranged due to the above referenced pending transfer for the dairy.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before November 12, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Published in the South Idaho Press on
October 22 and 29, 2001.

MICROFILMED

APR 16 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 22, 2001

ALVIN CARPENTER
2079 E 1700 S
MALTA ID 83342
Transfer No. 69347

TODD CARPENTER
2023 E 1700 S
MALTA ID 83342
Joint Transfer No. 69430

RE: Applications for Transfer

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your application(s). Please refer to the number(s) in all correspondence regarding the above referenced application(s).

This office has scheduled advertising the application(s) in the South Idaho Press for 10/22 and 10/29/01. The advertisement will be published for two weeks, and a period of ten calendar days following the second publication will be allowed for the submittal of protests. (November 12, 2001)

If an application is protested, the applicant will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

Please be advised that a notarized statement from any lien holder on the property is needed before the application(s) can be forwarded to our state office for approval.

Please be advised that evidence of ownership of the land to which the water is appurtenant such as copies deeds, tax records, etc. is needed before the application(s) can be forwarded to our state office for approval.

State Office personnel will conduct a complete review prior to final processing of the application(s) and will notify the applicant of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Mary A. Baldwin
Administrative Assistant

MICROFILMED

APR 16 2003



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 22, 2001

TOMMY HUTCHISON WATERMASTER
WATER DISTRICT #43-C
PO BOX 1380
ELBA ID 83342

Re: Application(s) for Transfer of Water Right No. 43-113 et al (Alvin & Todd Carpenter)

Dear Mr. Hutchison:

Enclosed is a copy of Application(s) for Transfer of a Water Right within your District, and Watermaster's Recommendation Form(s).

Section 42-222 of the IDAHO CODE requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation form(s) and return to this office.

Regional review of an unprotested application can be completed as soon as the final protest period is past; therefore, your prompt response to this request is appreciated.

If you have any questions about an application, please contact this office or the applicant.

Very truly yours,

Mary A. Baldwin
Administrative Assistant

Enclosure(s)

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APR 16 2003

Notice is hereby given that several application(s) for transfer have been filed with the Idaho Department of Water Resources for changes to water rights within Cassia & Minidoka Counties as listed below:

CONDIE BROTHERS, 4625 W 4100 S, WEST VALLEY CITY UT 84120, has filed **Application for No. 69257** on 7/9/01 for diversion of a total of 17.06 cfs from ground water for irrigation of a 1440 acre permissible place of use which includes a change the place of use for 212 acres to more suitable ground located 19 miles North and 7-8 miles East of Malta OR (0.5-2.5 miles South and 1-2 miles East of Raft River Store).

PAUL &/or POLLY CARNEY, 1550 W 400 N; PAUL ID 83347 filed **Application No. 69322** on 7/10/01 for diversion of a total of 0.18 cfs from ground water for domestic, stockwater & commercial uses for the expansion of an existing dairy located 1 mile North and 5.5 miles West of Paul. Applicants propose to drill a new backup well. For conversion of irrigation to dairy use 9.1 irrigated acres will be dried up at a site 6 miles North and 11 miles West of Paul.

GOOSE CREEK CATTLE & HORSE ASSN, PO BOX 89; OAKLEY ID 83346 filed **Application No. 69404** on 9/17/01 for the purpose of recording an addition of a pump and pipeline system to an instream stockwater right on Goose Creek. The transfer also ties together other recorded stockwater rights diverted from other unnamed springs, Chalk Spring, and Hole in the Wall Spring allowing these rights to be diverted from Goose Creek. The new Goose Creek diversion is 13 miles South and 3 miles West of Oakley above Goose Creek Reservoir. Stockwater (0.50 cfs) will be used on a 24 square mile range cattle allotment located Northwest of the Goose Creek diversion described above.

CHARLES R. &/or JANET O. WARD, 2075 E 1700 S; MALTA ID 83342 filed **Application No. 69385** on 7/25/01 for diversion of 0.16 cfs from Springs tributary to Cassia Creek. The purpose of the transfer is to record the co-mingling with all other rights on farm for irrigation of 148.0 total recommended acres located 4.5 miles Southwest of Malta which includes land on both sides of Cassia Creek.

ALVIN CARPENTER, 2079 E 1700; MALTA ID 83342 filed **Application No. 69347** on 7/11/01 for diversion of a combined total of 0.25 cfs from ground water for stockwater & commercial uses in the expansion of an existing dairy located 3 miles South and 3.25 miles East of Malta. Applicants propose to dry up 12.4 irrigated acres at site described below and drill a new backup well. Alvin Carpenter along with co-applicant Todd Carpenter, 2023 E 1700 S; MALTA ID 83342 also filed **Companion Application No. 69430** on 9/27/01 for a co-mingled total of 7.93 cfs from ground water, Cassia Creek, and Unnamed Drain. Applicants propose to tie all water rights together on two farms in a 367 acre permissible place of use located 2.5 miles South and 2 miles West of Malta which has been re-arranged due to the above referenced pending transfer for the dairy.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before November 12, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 10/22 & 10/29/01.

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APR 16 2003

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301

Phone: 736-3033

Fax: 736-3037

October 18, 2001

ATTN KAY MOORE
SOUTH IDAHO PRESS
230 E MAIN ST
BURLEY ID 83318

Dear Ms. Moore:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues).

If you cannot publish the notice on the proposed dates, please contact us immediately at 736-3033.

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

Sincerely

Mary A. Baldwin
Administrative Assistant

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APR 16 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

T69430

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 5, 2001

D L Evans Bank
ATTN: Eric Steigers
PO Box 87
Twin Falls, ID
83303

RE: Apps. For Transfer #69347 (Alvin Carpenter) & 69430 (Alvin & Todd Carpenter)

Dear Mr. Steigers;

Alvin Carpenter has asked me to send you copies of these applications for review. Since your bank holds a mortgage on these properties, we need your written acceptance of these applications as part of our review process. A simple letter on your stationary will suffice. If you have questions, feel free to contact me.

Regards,

James E. Stanton
Sr. Water Resource Agent

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APR 16 2003

MEMO

TO: FISCAL SECTION

DATE: 10-4-01

FROM: JIM STANTON

RE: REQUEST FOR REFUND OF EXCESS FILING FEE

On 4-25-01, Receipt S023851 was issued to Green Canyon Ranch (Alvin Carpenter) in the amount of \$100 submitted as payment for an application for transfer. This application was corrected prior to advertising to add additional rights, which brought the fee up to \$530. Mr. Carpenter paid an additional \$770 due to incorrect advice from me on how much was due. One farm has 5.8 cfs from surface water and 5.71 cfs from ground water, with a limit of 5.8 cfs from both sources. The other farm has 2.13 cfs from surface water. The total to be transferred is 7.93 cfs due to the overlap limit on the first farm, but I simply added the 3 amounts to get a total of 13.64 cfs (fee of \$770). And I forgot about the \$100 that had already been paid. So we should refund the difference between the \$530 due and the \$870 paid, which is \$340. Receipt S024118 covers his second payment. Please take the necessary action. Let me know if you need more info.

APR 16 2003

**Idaho Dept of Water Resources
Claims review notes and narrative**

Date: 9-8-2000

File: 43-113 T CARPENTER

Prepared by Kelly K Christensen

SYSTEM ANALYSIS FOR 43-113, 43-114, 43-115, AND 43-11240.

All four rights are from the same system from Cassia Creek and irrigate the same place of use of 106.4 acres. They vary on priority date and diversion rate. 43-11240 was originally part of 43-00112, which was split through a change of ownership. The other portion of 43-112 is being recommended as 43-11239 with Tracy as the current owner. 43-112 was decreed at 0.90 cfs. The change of ownership identified 0.22 cfs remaining with Tracy and the balance of 0.68 going to Todd.

The system and a portion of the P/U have been changed after 1987. A transfer is pending at this time. This recommendation reflects the system as it existed in 1987.

Cassia Creek splits into 3 separate channels in TWP 13S, RNG 26E, SEC 21 NWSE. The northern channel runs diagonally toward the southeast corner of Malta. The Middle fork runs easterly for approximately 2 miles and then turns northeasterly and crosses highway 81 at the Hudspeth Cutoff Historical marker which is located near the NW corner of the NENW of sec 24, TWP 13S, RNG 26E. The third channel identified as the South Fork of Cassia Creek also runs easterly for about 2½ miles to sec 24 where it eventually disappears.

There were 2 points of diversion from Cassia Creek, one from the northern most channel and the second from the middle channel. Both diverted into earth ditches and were delivered to the place of use for flood irrigation. The Middle channel diversion has not been used for a number of years based upon the condition and vegetation growth in and around the ditch and diverting works. I am, however recommending the point of diversion at this time.

Virtually all of the place of use from the northern ditch south to the southern border of the place of use appears to have always been irrigated and my recommendation reflects this. There may be or have been areas of riparian ground around either fork of Cassia Creek that was not directly irrigated, but I considered them to be insignificant and have ignored any of those areas. Currently there is a center pivot delivering water to a majority of the place of use. This pivot is tied into the irrigation system of Alvin Carpenter (his father) and utilizes points of diversion from Cassia Creek on Alvin's property as well as ground water from Alvin's groundwater rights. This use, again, occurred after 1987 and is being addressed by allocations.

I found 106.4 irrigated acres under Todd's ownership that I am recommending. At one inch per acre I am recommending a combined right limitation of 2.13 cfs (106.4 * 0.02). Each right individually does not exceed an inch to the acre for the found place of use. No other rights have been perfected for this property.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

T69430

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 21, 2001

Alvin Carpenter
2079 E 1700 S
Malta, ID
83342

RE: Application for Transfer To Create PPU With Todd Carpenter

Dear Mr. Carpenter;

I have put this application together as we discussed in our July meeting. If the application is satisfactory, please sign the form before a notary and return it to me for processing. If you find problems, let me know. The application is based on the SRBA recommendations made by Kelly Christensen; for convenience, I am holding these records in my office. They will be part of the application, however.

Regards,

James E. Stanton
Sr. Water Resource Agent

correct fee is \$530, not
\$770 as paid, request refund
from S.O. once corrected app
is returned w/signature

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APR 16 2003



State of Idaho

T69430

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 2, 2001

Todd Carpenter
2023 E 1700 S
Malta, ID
83342

RE: Illegal Irrigation Of Your Property

Dear Mr. Carpenter;

Your father still has not taken steps to remedy this matter. He told us that he would be in after school ended, but we have had no additional contact with him since May. As the owner of the land being irrigated with water rights that are not appurtenant to it, you are legally liable for this activity. We can send a field agent to inspect your property at any time, and a cease-and-desist order will be issued if a violation is found. Violation of this order can result in fines being issued against you for each day of illegal irrigation.

How do you plan to deal with this situation? We have been patient so far, but this will not last much longer.

Regards,

James E. Stanton
Sr. Water Resource Agent

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APR 16 2003

69430

for JS



2.5 miles N of 2 miles E of Malta
(City or local landmark).

[illegible]

T69430

2 Mia Aedel
NE/NE 1.28
1N 18E well
1974 Lewis
788-2646 ext 13

695-2347

67059

Rick
733-8304

1/25 of Malta to 17005
turn west to trees, then south
past green

MICROFILMED
APR 16 2003

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 43-113

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRYCE TRACY
Current Owner	SHARON TRACY
	HC 71 BOX 1248
	MALTA, ID 83342
	(208)645-2584

Priority Date: 4/1/1882
Basis: Decreed
Status: Valid

Source: CASSIA CREEK Trib. to: RAFT RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	0.3 CFS		
Total Diversion			0.3 CFS		

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
13S	26E	21	NE NE SE		CASSIA
13S	26E	21	NE SE NE		CASSIA

Place(s) of use:

Place of Use Legal Description: IRRIGATION

CASSIA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
13S	26E	22		NWNE	30									
				NWNW	18									
				NWSE	37									
				NWSW	2.9									

Total Acres: 87.9

Remarks:

- General CASSIA CREEK SPLITS WITHIN THE NENWSE S.21 T.13S, R26E. THIS RIGHT IS DIVERTED OUT OF BOTH THE NORTHERN & MIDDLE STREAMS OF CASSIA CREEK.

Dates:

Licensed Date:
Claim Received Date:
Decreed Date: 10/18/1928
Date Filed with Court:

09/11/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-115

NAME AND ADDRESS: ROBIN K CARPENTER
TODD CARPENTER
HC 61 BOX 1210
MALTA, ID 83342

SOURCE: CASSIA CREEK TRIBUTARY: Raft River

QUANTITY: 1.1 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
	T13S R26E S21	NENESE	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	1.10 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T13S R26E S22	NENW	24	T13S R26E S22	NWNW	5.4
T13S R26E S22	SENW	40	T13S R26E S22	SWNW	37
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. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

FOR THE POINT OF DIVERSION IN T-13S, R-26E, SEC 21 NENESE, THE SOURCE IS ALSO KNOWN AS THE MIDDLE FORK OF CASSIA CREEK.
FOR THE POINT OF DIVERSION IN T-13S, R-26E, SEC 21 SWSENE, THE SOURCE IS ALSO KNOWN AS THE NORTH FORK OF CASSIA CREEK.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 43-113

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBIN K CARPENTER
Current Owner	TODD CARPENTER
	2023 E 1700 S
	MALTA, ID 83342
	(208) 645-2418

Priority Date: 04/01/1882
 Basis: Decreed
 Status: Active

Source
 CASSIA CREEK

Tributary to
 RAFT RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.3 CFS		

Total Diversion 0.3 CFS

Location of Point(s) of Diversion:

CASSIA CREEK	SWSENE	Sec. 21	Township 13S	Range 26E	CASSIA County
CASSIA CREEK	NENESE	Sec. 21	Township 13S	Range 26E	CASSIA County

IRRIGATION Use:
 Acre Limit: 106.4

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

<u>Townshi</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
13S	26E	22		NENW	24		NWNW	5.4		SENE	40		SWNW	37

Total Acres: 106.4

Conditions of Approval:

- C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

- Place of Use - Irrigation USE OF THIS RIGHT WITH 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.: 43-11240, 43-114, AND 43-115.
- Quantity 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.
- Explanatory FOR THE POINT OF DIVERSION IN T-13S, R-26E, SEC 21 NENESE, THE SOURCE IS ALSO KNOWN AS THE MIDDLE FORK OF CASSIA CREEK.
- Explanatory FOR THE POINT OF DIVERSION IN T-13S, R-26E, SEC 21 SWSENE, THE SOURCE IS ALSO KNOWN AS THE NORTH FORK OF CASSIA CREEK.

09/11/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-114

NAME AND ADDRESS: ROBIN K CARPENTER
TODD CARPENTER
HC 61 BOX 1210
MALTA, ID 83342

SOURCE: CASSIA CREEK TRIBUTARY: Raft River

QUANTITY: 0.6 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: 04/30/1885

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

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.60 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T13S R26E S22	NENW	24	T13S R26E S22 NWNW 5.4
T13S R26E S22	SENW	40	T13S R26E S22 SWNW 37
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. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

FOR THE POINT OF DIVERSION IN T-13S, R-26E, SEC 21 NENESE,
THE SOURCE IS ALSO KNOWN AS THE MIDDLE FORK OF CASSIA CREEK.
FOR THE POINT OF DIVERSION IN T-13S, R-26E, SEC 21 SWSENE,
THE SOURCE IS ALSO KNOWN AS THE NORTH FORK OF CASSIA CREEK.

09/11/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-11240

NAME AND ADDRESS: ROBIN K CARPENTER
TODD CARPENTER
HC 61 BOX 1210
MALTA, ID 83342

SOURCE: CASSIA CREEK TRIBUTARY: Raft River

QUANTITY: 0.68 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: 05/31/1881

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

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.68 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T13S R26E S22	NENW	24	T13S R26E S22	NWNW	5.4
T13S R26E S22	SENW	40	T13S R26E S22	SWNW	37

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. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

FOR THE POINT OF DIVERSION IN T-13S, R-26E, SEC 21 NENESE,
THE SOURCE IS ALSO KNOWN AS THE MIDDLE FORK OF CASSIA CREEK.
FOR THE POINT OF DIVERSION IN T-13S, R-26E, SEC 21 SWSENE,
THE SOURCE IS ALSO KNOWN AS THE NORTH FORK OF CASSIA CREEK.

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. C9430**CORRECTED APPLICATION FOR TRANSFER OF WATER RIGHT**
PART 1Name of applicant Alvin &/or Todd Carpenter Phone 645-2347
Post Office address c/o Alvin Carpenter, 2079 E 1700 S, Maltz, ID 83342**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Create PPU

2. Describe the reason for the proposed changes Tie all surface & ground water rights for both farms together in a single system. This actually occurred several years ago, so transfer will legalize what already exists. Also removes surface rights from land being dried up of groundwater right for dairy under companion transfer.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 7.93 cubic feet per second and/or 1418.4 acre-feet per annum. from GW

3. Source of water Drain, Cassia Creek & Ground Water tributary to 1844.0 AFA From all sources

4. Point(s) of Diversion: See Attachment B

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use: Surface-water PPU of 461 ac/yr. GW PPU of 354.6 ac/yr

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
135	26E	22	40	39	40	36	~~39~~ 40				39	40			40	40			410
							24	5	37	40									
		23						39	22.6										61.6

Total acres 471.6

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Alvin Carpenter Phone 645-2347Post Office address ~~HC 61 Box 1410, Malta, ID 83226~~ 2079 E 1700 S

A. PURPOSE OF TRANSFER

83342

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes The place of use for my groundwater rights is being reduced in a companion transfer to provide water for a dairy expansion. This application will remove my surface rights from the same land while retaining the full rights on my remaining irrigated land

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

1. Right Number	Priority	Amount (cfs/ann)	Nature of Use	Period of Use
<u>43-140</u>	<u>4-30-1883</u>	<u>2.60</u>	<u>Irrigation</u>	<u>3-15</u> to <u>11-15</u>
<u>43-10818</u>	<u>6-1-1912</u>	<u>3.20</u>	<u>"</u>	<u>"</u> to <u>"</u>
<u>43-11234</u>	<u>3-15-1982</u>	<u>1.09</u>	<u>"</u>	<u>"</u> to <u>"</u>
<u>43-10631</u>	<u>10-11-1928</u>	<u>0.60</u>	<u>"</u>	<u>"</u> to <u>"</u>

2. Total amount of water being transferred 5.96 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Cassia Creek tributary to Reft River

4. Point(s) of Diversion: Unnamed Drain Cassia Creek
No change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use: Permissible place of use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13S	26E	22	40	29	40	36					38	30			40	40			293
		23						39	32.6										61.6

Total acres 354.6

(Internet)

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

APR 25 2001

Department of Water Resources
Southern RegionName of applicant Alvin Carpenter & Todd Carpenter Phone 645-2347Post Office address 4061 Box 1410, Malta, ID 83326 2079 E 1700 S

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes The place of use for my groundwater rights is being reduced in a companion transfer to provide water for a dairy expansion. This application will remove my surface rights from the same land while retaining the full rights on my remaining irrigated land

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

1. Right Number	Priority	Amount (cfs/acre-ft)	Nature of Use	Period of Use
<u>43-140</u>	<u>4-30-1883</u>	<u>2.60</u>	<u>Irrigation</u>	<u>3-15</u> to <u>11-15</u>
<u>43-10818</u>	<u>6-1-1912</u>	<u>3.20</u>	<u>"</u>	<u>"</u> to <u>"</u>
<u>43-11234</u>	<u>3-15-1982</u>	<u>1.09</u>	<u>"</u>	<u>"</u> to <u>"</u>
<u>43-10631</u>	<u>10-19-1928</u>	<u>0.60</u>	<u>"</u>	<u>"</u> to <u>"</u>

2. Total amount of water being transferred 5.96 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Cassia Creek tributary to Raft River

4. Point(s) of Diversion: Unnamed Drain Cassia Creek
No change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use: Permissible Place of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>13S</u>	<u>26E</u>	<u>22</u>	<u>40</u>	<u>29</u>	<u>40</u>	<u>36</u>	<u>24</u>	<u>5.4</u>	<u>37</u>	<u>40</u>	<u>38</u>	<u>30</u>			<u>40</u>	<u>40</u>			<u>293</u>
		<u>23</u>						<u>39</u>	<u>22.6</u>										<u>61.6</u>

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APR 16 2003

Total acres 354.6 + 106.4

PART 1**6. General Information:**

a. Description of diversion system Existing diversions in Cassia Creek. Tile drain emptying into Cassia Creek. Pond with re-lift pump, mainline to sprinklers.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Land will not be irrigated.

d. Remarks:

Rights have been used every year based on availability of supply.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

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APR 16 2003

02/07/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 43-140

Owner Type Name and Address
Current Owner ALVIN CARPENTER
 HC 61 BOX 1210
 MALTA, ID 83342
 (208)645-2347

Original Owner MRS JANE HITT
 XX, ID 99999

Priority Date: 04/30/1883
Basis: Decreed
Status: Active

Source Tributary to
CASSIA CREEK RAFT RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	2.6 CFS		

Total Diversion 2.6 CFS

Location of Point(s) of Diversion:

CASSIA CREEK	NWNESE	Sec. 21	Township 13S	Range 26E	CASSIA County
CASSIA CREEK	NENWSE	Sec. 22	Township 13S	Range 26E	CASSIA County

IRRIGATION Use:
Acre Limit: 148

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
13S	26E	22		NESE	40		NWSE	40						
				NESW	38		NWSW	30						
				NENE	40		NWNE	29		SENE	36		SWNE	40
		23		NWNW	39		SWNW	35						

Total Acres: 367

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 367 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.

APR 16 2003

Water Right 43-140

2. Explanatory RIGHT NO. 43-11234 IS AN ENLARGEMENT OF THIS RIGHT AND 43-10818 PURSUANT TO SECTION 42-1426, IDAHO CODE.
3. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.80 CFS. COMBINED RIGHT NOS.: 43-140, 43-10818, AND 43-11234.
4. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.96 CFS. COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.
5. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 148 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates:

Licensed Date:
Claim Received Date: 06/08/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date: 10/18/1928
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Other Information:

Receipt Number(s): C007301
State or Federal: S
Owner Name Connector: OR
Water District Number: 43C
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

MICROFILMED

APR 16 2003

02/07/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 43-10818

Owner Type Name and Address
Current Owner ALVIN CARPENTER
 HC 61 BOX 1210
 MALTA, ID 83342
 (208)645-2347

Priority Date: 06/01/1912
Basis: Decreed
Status: Active

Source Tributary to
CASSIA CREEK RAFT RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	3.2 CFS		
Total Diversion			3.2 CFS		

Location of Point(s) of Diversion:

CASSIA CREEK	NWNESE	Sec. 21	Township 13S	Range 26E	CASSIA County
CASSIA CREEK	NENWSE	Sec. 22	Township 13S	Range 26E	CASSIA County

IRRIGATION Use:
Acre Limit: 150

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
13S	26E	22		NESE	40									
				NENE	40		NWNE	29		SENE	36		SWNE	40
				NWSE	40									
				NESW	38		NWSW	30						
		23		NWNW	39		SWNW	35						

Total Acres: 367

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 150 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. Explanatory RIGHT NO. 43-11234 IS AN ENLARGEMENT OF THIS RIGHT AND 43-140 PURSUANT TO SECTION 42-1426, IDAHO CODE.
3. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 367

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Water Right 43-10818

APR 16 2003

ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.

4. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.80 CFS. COMBINED RIGHT NOS.: 43-140, 43-10818, AND 43-11234.
5. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.96 CFS. COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.
6. Explanatory THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 43-141 and 43-142.

Dates:

Licensed Date:
Claim Received Date: 06/08/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Other Information:

Receipt Number(s): X777777
State or Federal: S
Owner Name Connector: OR
Water District Number: 43C
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

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APR 16 2003

02/07/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 43-11234

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALVIN CARPENTER HC 61 BOX 1210 MALTA, ID 83326 (208)645-2347

Priority Date: 03/15/1982
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary to</u>
CASSIA CREEK	RAFT RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.34 CFS		
Total Diversion			1.09 CFS		

Location of Point(s) of Diversion:

CASSIA CREEK	NWNESE	Sec. 21	Township 13S	Range 26E	CASSIA County
CASSIA CREEK	NENWSE	Sec. 22	Township 13S	Range 26E	CASSIA County

IRRIGATION Use:
Acre Limit: 69

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
13S	26E	22		NENE	40		NWNE	29		SENE	36		SWNE	40
				NESE	40		NWSE	40						
				NESW	38		NWSW	30						
		23		NWNW	39		SWNW	35						

Total Acres: 367

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. General THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 43-140 AND 43-11818 PURSUANT TO SECTION 42-1426, IDAHO CODE.
2. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 69 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 367 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-140, 43-10818, 43-10631, 43-2425,

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APR 16 2003

Water Right 43-11234

43-2523, 43-11234, AND 43-11233.

4. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.96 CFS.
COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.
5. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.80 CFS.
COMBINED RIGHT NOS.: 43-140, 43-10818, AND 43-11234.

Dates:

Licensed Date:
Claim Received Date: 07/25/2000
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SFS Filed:
Special Master Recon Signed Date:

Other Information:

Receipt Number(s):
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

MICROFILMED

APR 16 2003

02/07/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 43-10631

Owner Type Name and Address
Current Owner ALVIN CARPENTER
 HC 61 BOX 1210
 MALTA, ID 83342
 (208)645-2347

Priority Date: 10/19/1928
Basis: Beneficial Use
Status: Active

Source Tributary to
UNNAMED DRAIN CASSIA CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.6 CFS		
Total Diversion			0.6 CFS		

Location of Point(s) of Diversion:

UNNAMED DRAIN NWNWSE Sec. 22 Township 13S Range 26E CASSIA County

IRRIGATION Use:
Acre Limit: 36

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
13S	26E	22		NENE	40		NWNE	29		SENE	36		SWNE	40
				NESE	40		NWSE	40						
				NESW	38		NWSW	30						
		23		NWNW	39		SWNW	35						

Total Acres: 367

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 367 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.
2. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 36 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.96 CFS.

MICROFILMED

Water Right 43-10631

APR 16 2003

COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.

Dates:

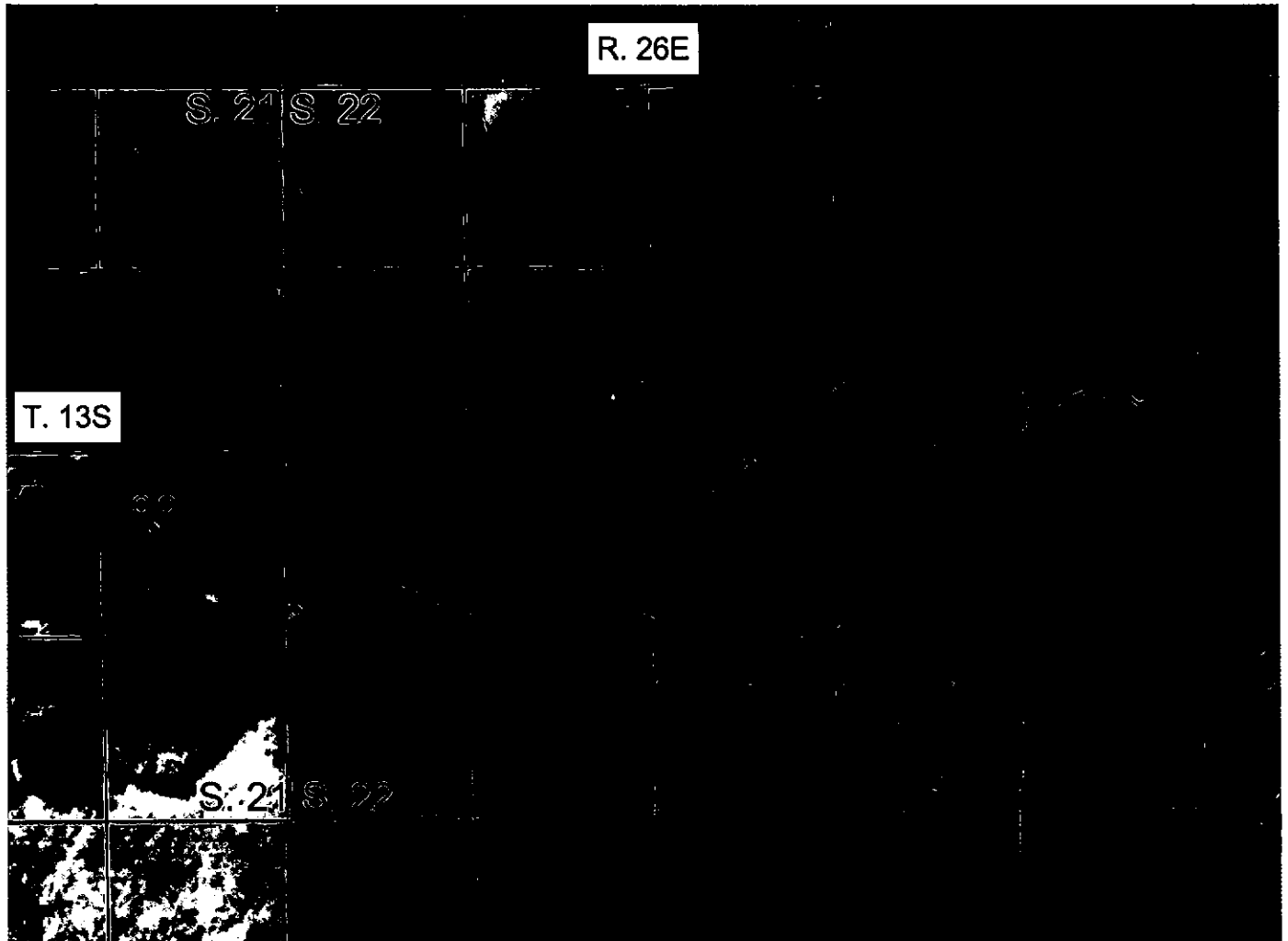
Licensed Date:
Claim Received Date: 06/08/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Other Information:

Receipt Number(s): C007301
State or Federal: S
Owner Name Connector: OR
Water District Number: 43C
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

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APR 16 2003

APP FOR TRANSFER - ALVIN CARPENTER



Recommended PPU

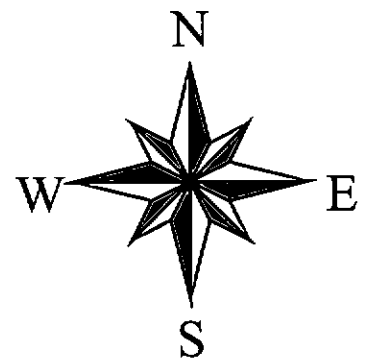


Land Being Dried Up

C.C. = Cassia Creek Diversion

MICROFILMED

APR 16 2003



Prepared 2-7-01 By J E Stanton

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

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

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

x Alvin Carpenter
(Signature of Applicant)

Subscribed and sworn to before me this 24th day of April, 19 2001.

J. Stanton
(Notary Public)

My commission expires 10-25-06

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by J. Stanton Date 4-24-01 Protest filed by _____Prelim. check by _____ Fee \$100. 5023851Receipted by JS Date 4-25-01

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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APR 16 2003