

08/31/2004

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

RIGHT NUMBER: 25-14012
NAME AND ADDRESS: GORDON MORRIS
584 E 400 N
FIRTH ID 83236
SOURCE: POSEY CREEK TRIBUTARY: GRAYS LAKE
QUANTITY: 0.100 CFS
The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
PRIORITY DATE: 05/01/1931
POINT OF DIVERSION:

T03S R43E S16 SESW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/15 12/01	0.030 CFS
IRRIGATION	05/01 10/31	0.100 CFS

PLACE OF USE: STOCKWATER Within BONNEVILLE County

T03S R43E S20 NWSW

IRRIGATION Within BONNEVILLE County

T03S R43E S20 SWNW 3.3

3.3 ACRES TOTAL

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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

RM

08/31/2004

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 25-14012

GORDON MORRIS

584 E 400 N

FIRTH ID 83236

Telephone Number: (208)785-7396

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

RECEIVED

OCT 01 2004

Department of Water Resources
Eastern Region

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

9-19-04

SIGNATURE:

Gordon Morris

Please print your name:

GORDON MORRIS

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

SCANNED

OCT 06 2004

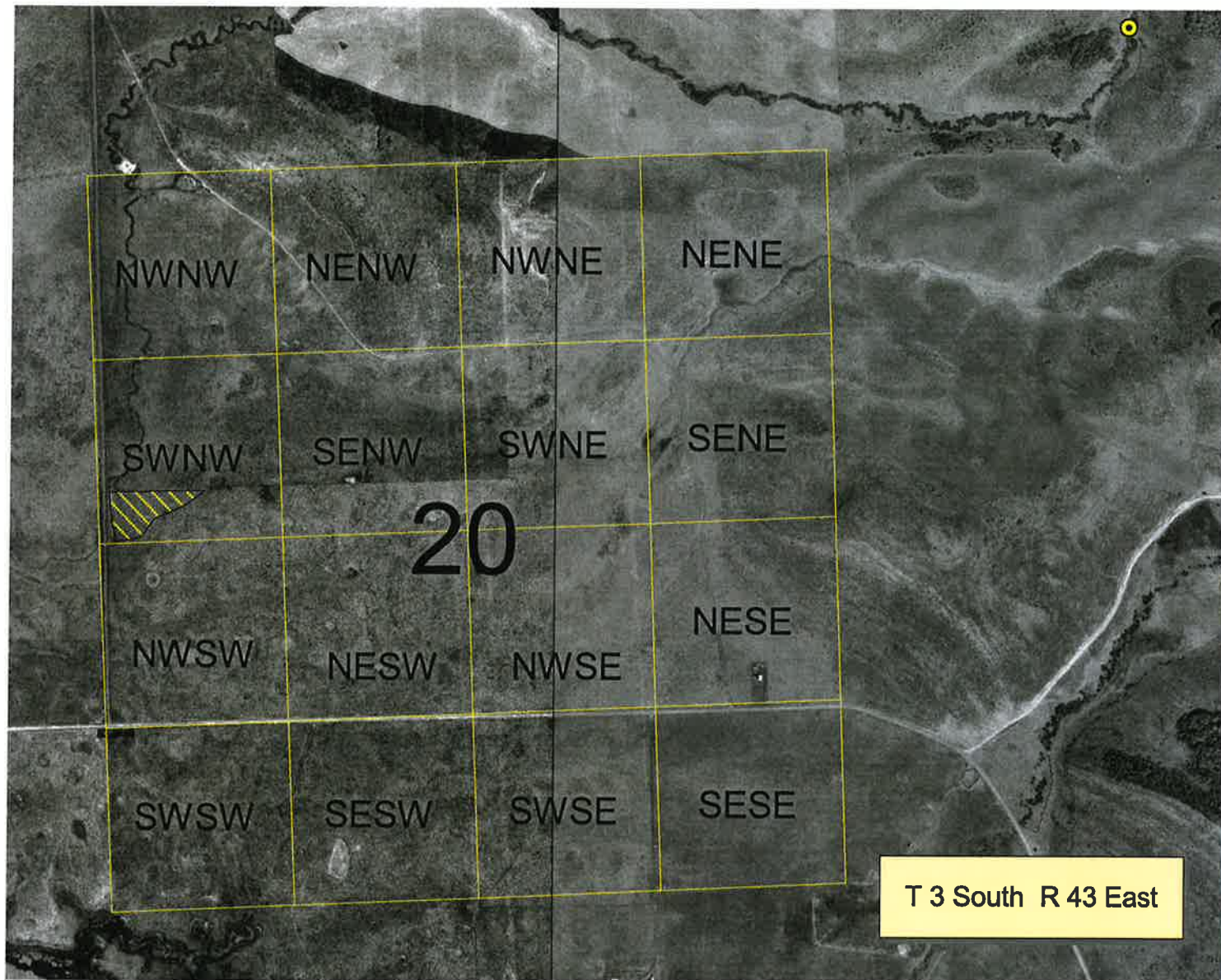


State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 25-14012



1320 0 1320 2640 3960 Feet



- Point of Diversion
- Place of Use
- Section 20

PROFILED

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: August 2004

EE LOG
MH
2-4-04

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	A25-10497	Yes			

2. The following **REQUIRED** information must be submitted with this form:

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FEB 04 2004

A. ~~The appropriate FILING FEE. See instructions for fee amounts.~~ *NONE*

Department of Water Resources
Eastern Region

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION.**

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

Dorothy or Basil Poulton

153 E 200 N Blackfoot ID 83221

4. New Owner/Claimant(s)

Gordon Mom's

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

584 E 400 N

City, State and ZIP Code

Firth, ID 83226

New Telephone Number

(208) 785-7396

5. Date you acquired the property

10/22/90

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See claim filed investigation

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>A25-10497</u> <i>Morris</i>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>6 acres, 0.12 cfs</u>	
Stock		
Domestic		
Other		
Total	<u>0.12 cfs</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other		
Total		

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Gordon Morris

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

12-1-86
410623

719495

QUITCLAIM DEED

BONNEVILLE COUNTY
CLERK

DEC 1 11 05 AM '86

Marsha Sellings

*1/4 Wm
Purchase*

FOR VALUABLE RECEIVED, BUD MORRIS, acting as Personal Representative of the Estate of Leona T. Morris, Deceased, of Bingham County, Idaho, MILDRED CUTTER, of Salt Lake County, Utah, GORDON MORRIS, of Bingham County, Idaho, DOROTHY POULSON of Bingham County, Idaho, do hereby convey, release, remise and forever quitclaim unto BUD MORRIS, individually, of 373 West, 300 North, Blackfoot, Idaho 83221, the follwoing described premises, to-wit:

Beginning at a point that is N 89°40'17" W 2475.60 feet along the Section line and S 0°02'26" E 1912.68 feet from the Northeast corner of Section 20, Township 3 South, Range 43 East of the Boise Meridian, Bonneville County, Idaho (the location of said corner being as determined by the Department of Interior Surveyors in 1978, and as perpetuated and recorded in November 1985), thence S 0°02'26" E 2066.15 feet to the North right-of-way fence of an existing County Road; thence S 89°58'20" E 2378.63 feet along said right-of-way fence; thence N 2°29'40" W 1456.20 feet along an existing fence line; thence N 1°39'28" E 411.21 feet along said fence line; thence N 85°45'51" E 301.43 feet along said fence line; thence N 3°07'57" W 178.17 feet along said fence line; thence N 89°58'20" W 2619.49 feet to the point of beginning, containing 112.31 acres.

TOGETHER WITH their appurtenances and all ditch and ditch rights and water and water rights thereunto belonging or in anywise appertaining, including an undivided one-fourth (1/4) interest in all water rights pursuant to Claim Nos. 25-4152 and 25-7289.

ALSO TOGETHER WITH an easement for purposes of ingress and egress to effectuate the aforementioned water rights, over, across and upon the following described real property, to-wit:

NE1/4; E1/2NW1/4; SW1/4NW1/4; N1/2S1/2 of Section 20, Township 3 South, Range 43, East

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SEP 01 2004

of the Boise Meridian, Bonneville County,
Idaho.

Dated this 5th day of September, 1986.

Mildred Cutter
MILDRED CUTTER

Dorothy Poulson
DOROTHY POULSON

Gordon Morris
GORDON MORRIS

Bud Morris
BUD MORRIS, as Personal Representative
of the Estate of Leona T. Morris
Deceased

STATE OF UTAH)
County of Salt Lake) ss.

ON THIS 5th day of September, 1986, before me,
Kelly R. Johnson, a Notary Public in and for said State,
personally appeared MILDRED CUTTER, known to me to be the person
whose name is subscribed to the within and foregoing instrument,
and acknowledged to me that she executed the same.

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

(SEAL)

Kelly R. Johnson
Notary Public for Utah
Residing at Salt Lake
My Commission Expires: MY COMMISSION EXPIRES MARCH 1



SCANNED

SEP 01 2004

STATE OF IDAHO)
) ss.
County of Bingham)

ON THIS 16th day of September, 1986, before me,
H. WILLIAM FURCHNER, a Notary Public in and for said State,
personally appeared DOROTHY POULSON, known to me to be the person
whose name is subscribed to the within and foregoing instrument,
and acknowledged to me that she executed the same.

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

(SEAL)

H. William Furchner
Notary Public for Idaho
Residing at Blackfoot, Idaho
My Commission Expires: Jan. 31, 1990

STATE OF IDAHO)
) ss.
County of Bingham)

ON THIS 23rd day of September, 1986, before me,
H. WILLIAM FURCHNER, a Notary Public in and for said State,
personally appeared GORDON MORRIS, known to me to be the person
whose name is subscribed to the within and foregoing instrument,
and acknowledged to me that he executed the same.

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

(SEAL)

H. William Furchner
Notary Public for Idaho
Residing at Blackfoot, Idaho
My Commission Expires: Jan. 31, 1990

SCANNED
SEP 01 2004

STATE OF IDAHO)
 : ss.
County of Bingham)

ON THIS 12th day of September, 1986, before me, H. WILLIAM FURCINER
a Notary Public in and for said State, personally appeared BUD MORRIS, as
Personal Representative of the Estate of Leona T. Morris, Deceased, known to
me to be the person whose name is subscribed to the within and foregoing
instrument, and acknowledged to me that he executed the same as such Personal
Representative.

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

(SEAL)

H. William Furciner
Notary Public for Idaho
Residing at Blackfoot, Idaho
My Commission Expires Jan. 31, 1990

SCANNED
SEP 01 2004

INSTRUMENT NO. 795476
DATE 10-22-90
INST. CODE
FICHE NO. 6783-21
FEE 6.00

STATE OF IDAHO
COUNTY OF BONNEVILLE
I, Clerk, do hereby certify that the within
instrument was recorded.

Donald Longmore,
County Recorder,
By *[Signature]* Deputy
Request of *[Signature]*
582 E 400 N Firth, ID 83236

BONNEVILLE COUNTY
CLERK

795476

90 OCT 22 AM 11:03

DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVE

THIS DEED, made by GORDON MORRIS, as Personal Representative of the Estate of MILDRED M. CUTTER, also known as MILDRED CUTTER, deceased, Grantor, to GORDON MORRIS, Grantee, whose address is 582 East 400 North, Firth, Idaho 83236.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Probate Number 88-441, in Salt Lake County, Utah; and

WHEREAS, Grantee is entitled to distribution of the hereinafter described real property;

THEREFORE, for valuable consideration received, Grantor conveys and releases to Grantee the following described real property in Bonneville County, Idaho:

BEGINNING at a point that is N 89°40'17" W 2475.60 feet along the Section line and S 0°02'26" E 2300.26 feet from the Northeast corner of Section 20, Township 3 South, Range 43 East Boise Meridian, Bonneville County, Idaho, (the location of said corner being as determined by the Department of Interior Surveyors in 1978, and as perpetuated and recorded in November 1985), and running thence N 89°58'20" W 2914.44 feet to the East right-of-way fence of an existing County Road; thence S 0°02' 26" E 1678.57 feet along said right-of-way fence to the North right-of-way fence of an existing County Road; thence S 89°58'20" E 2914.44 feet along said right-of-way fence; thence N 0°02'26" W 1678.57 feet to the point of beginning, containing 112.31 acres.

TOGETHER WITH their appurtenances and all ditch and ditch rights and water and water rights thereunto belonging or in anywise appertaining, including an undivided one-fourth (1/4) interest in all water rights pursuant to Claim Nos. 25-4152 and 25-7289.

ALSO TOGETHER WITH an easement for purposes of ingress and egress to effectuate the aforementioned water rights, over, across and upon the following described real property, to-wit:

N1/4; E1/2NW1/4; SW1/4NW1/4; N1/2S1/2 of Section 20, Township 3 South, Range 43, East of the Boise Meridian, Bonneville County, Idaho.

EXECUTED this 10 day of Oct, 1990, ~~1989~~.

10/22/90

Gordon Morris
GORDON MORRIS, Personal Representative of the estate of MILDRED M. CUTTER, deceased.

STATE OF IDAHO

County of Bonneville

} ss.

On this 22 day of OCTOBER, 90, 1989, before me, JoAnn Arendts, a Notary Public in and for said State, personally appeared GORDON MORRIS, as Personal Representative of the estate of MILDRED M. CUTTER, Deceased, known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same as such Personal Representative.

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

(SEAL)

JoAnn Arendts
Notary Public for Idaho
Residing at Idaho Falls
My Commission Expires:
9-7-92

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 25-14012
Date Received: 11/26/2003
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

GORDON MORRIS Phone: (208)785-7396
584 E 400 N
FIRTH ID USA 83236

2. Date of Priority: 06/15/1921

3. Source: POSEY CREEK Trib. to: GRAYS LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03S	43E	16	NE SE SW	BONNEVILLE	

5. Description of diverting works:

HEADGATE IN STREAM TO DITCH FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.12	
STOCKWATER	04/15	12/01	0.03	

7. Total Quantity Appropriated is:
0.12 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
03S	43E	20	NW SW	STOCKWATER IRRIGATION	6

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Section Acres 6
Total Acres 6

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 25-10497.

15. Basis of Claim: Statutory Claim

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

SCANNED
SEP 01 2004

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 25-14012
Date Received: 11/26/2003
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

BASIL POULSON Phone: (208)785-2553
153 E 200 N
BLACKFOOT ID USA 83221

DOROTHY POULSON Phone: (208)785-2553
153 E 200 N
BLACKFOOT ID USA 83221

2. Date of Priority: 06/15/1921

3. Source: POSEY CREEK Trib. to: GRAYS LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03S	43E	16	NE SE SW	BONNEVILLE	

5. Description of diverting works:

HEADGATE IN STREAM TO DITCH FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.12	
STOCKWATER	04/15	12/01	0.03	

7. Total Quantity Appropriated is:
0.12 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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03S	43E	20	NW	SW	STOCKWATER	
			SW	NW	IRRIGATION	6
					Section Acres	6
					Total Acres	6

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 25-10497.

15. Basis of Claim: Statutory Claim

SCANNED
SEP 01 2004