

RECEIVED

JUL 18 2005

Department of Water Resources
Eastern Region

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: 27-7339

GORDON MORRIS
582 E 400 N
FIRTH ID 83236
Telephone Number: (208)785-1559

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:

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

DATE: 7-11-05 SIGNATURE: Gordon Morris
Please print your name: Gordon Morris

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



RECEIVED
09/22/2003

JUL 18 2005

Department of Water Resources
Eastern Region

Handwritten: Kay 7/19

09/29/2003

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

RIGHT NUMBER: 27-7339

NAME AND ADDRESS: GORDON MORRIS
582 E 400 N
FIRTH ID 83236

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.840 CFS
580.000 AFY

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.

PRIORITY DATE: 01/13/1983

POINT OF DIVERSION:

T02S R37E S7 NWSESW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

Diversion and use of water under this right is subject to rules that may
subsequently be promulgated for existing rights used for supplemental
purposes.

PLACE OF USE: IRRIGATION Within BINGHAM County

T02S R36E S12	NESE	3.0	T02S R36E S12	SESE	10.0
T02S R37E S07	NESW	38.0	T02S R37E S07 Lot 3	NWSW	27.0
T02S R37E S07 Lot 4	SWSW	30.0	T02S R37E S07	SESW	37.0

145 ACRES TOTAL

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

The use of water under this right shall not give rise to any claim against
the holder of a senior water right based upon the theories of forfeiture,
abandonment, adverse possession, waiver, equitable estoppel, estoppel
by laches or customary preference.

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: License



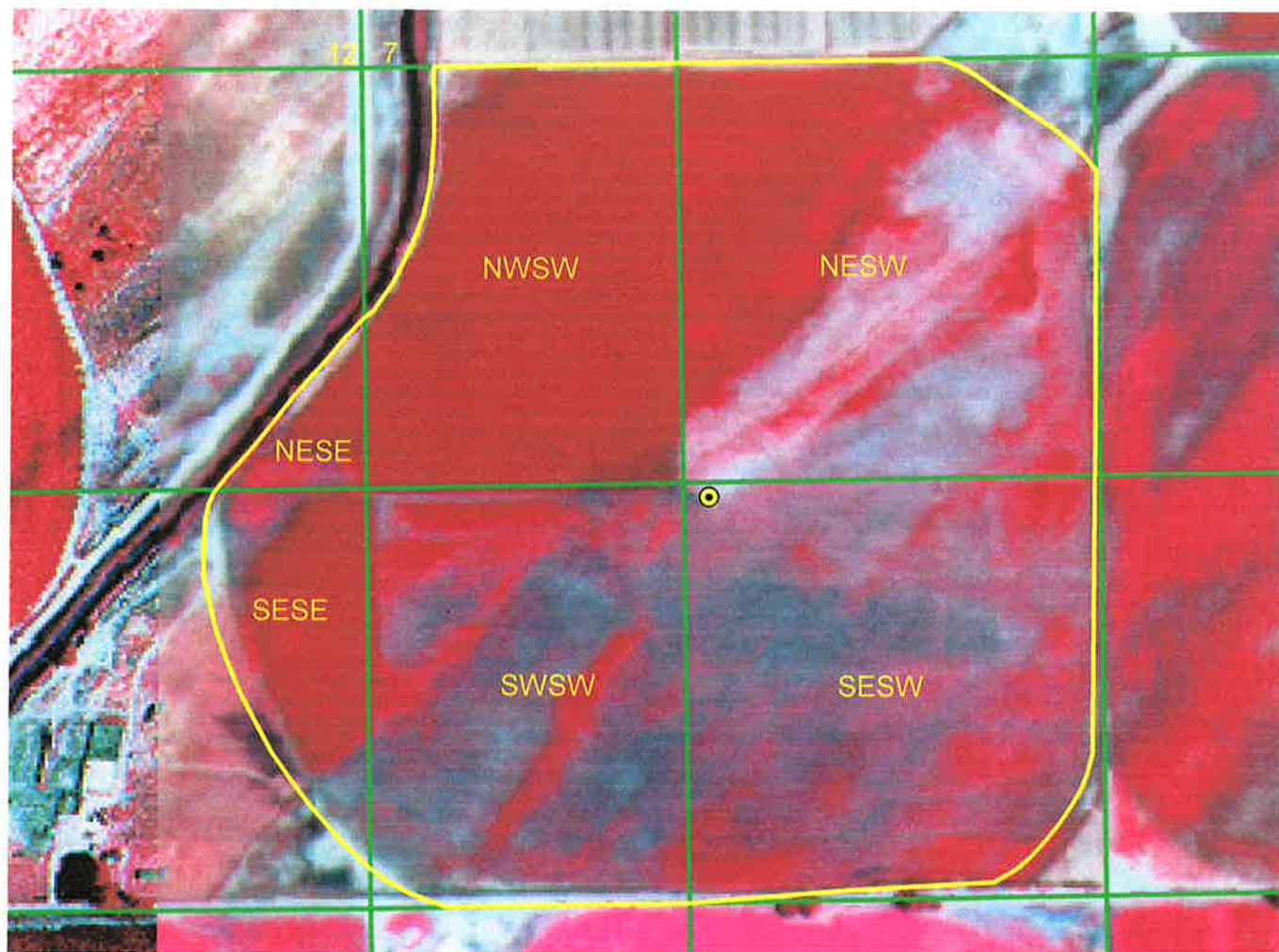
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-7339



0.07 0 0.07 0.14 Miles



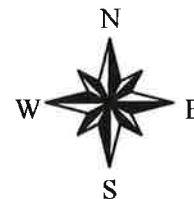
IRRIGATED ACRES 145.0

LEGEND

- Point of Diversion
- Place of Use
- Townships
- Sections
- Quarter-Quarters

Place of Use: T2S, R36E:
(part of) Sec. 12, NESE, SESE
T2S, R36E:
(part of) Sec. 7, NESW, NWSW,
SWSW, SESW

Point of Diversion: T2S, R37E:
Sec. 7, NWSESW



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: September 2003

Notes

8/11/03. Please make a copy of the license and add it to the files. Then return both claims to me!

8-12-03 I found a copy of the approved permit (copy in file) but no license on the CD. BP

8/15/03 Michael Cicull is sending over the W/R slope files. We need to link the Pong Pop for this claims to the W/R slopes.

9-17-03 Only partial Bingham special tax lot available. Gcdp close. BP

9-22-03 ~~stated~~ VCR. Layout was incorrect so quit part way thru. BP

9-23-03 Redid layout. BP

WEL 400 N
ID 83236

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 13, 1983; and has submitted Proof of Beneficial Use on July 26, 1990. An examination indicates that the works have a diversion capacity of 2.84 cfs of water from:

SOURCE
GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	2.84 CFS	580.0 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 7, Twp 02S, Rge 37E, B.M., BINGHAM 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	
02S 36E 12													3.0			10.0	13.0
02S 37E 7									38.0	27.0	30.0	37.0					132.0
									L3	L4							
Total Acres: 145																	

CONDITIONS OF APPROVAL

1. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.
2. 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.
3. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 30th day of June, 2003.


KARL J. DREHER
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Gordon Morris Phone 785-1559
Post office address Rt. 1, Box 184 Firth, Idaho 83236
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7 Township 2S
Range 37E B.M. Bingham County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.0 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 3.0 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well/pump to mainline and
pivot system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 16 inches; proposed depth of well is 120 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

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AUG 16 1989

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2S	37E	7									40	27	30	40					137
2S	36E	12													2			11	13

Total number of acres to be irrigated 150

c. Describe any other water rights used for the same purposes as described above. Shares in Idaho Irrigation District

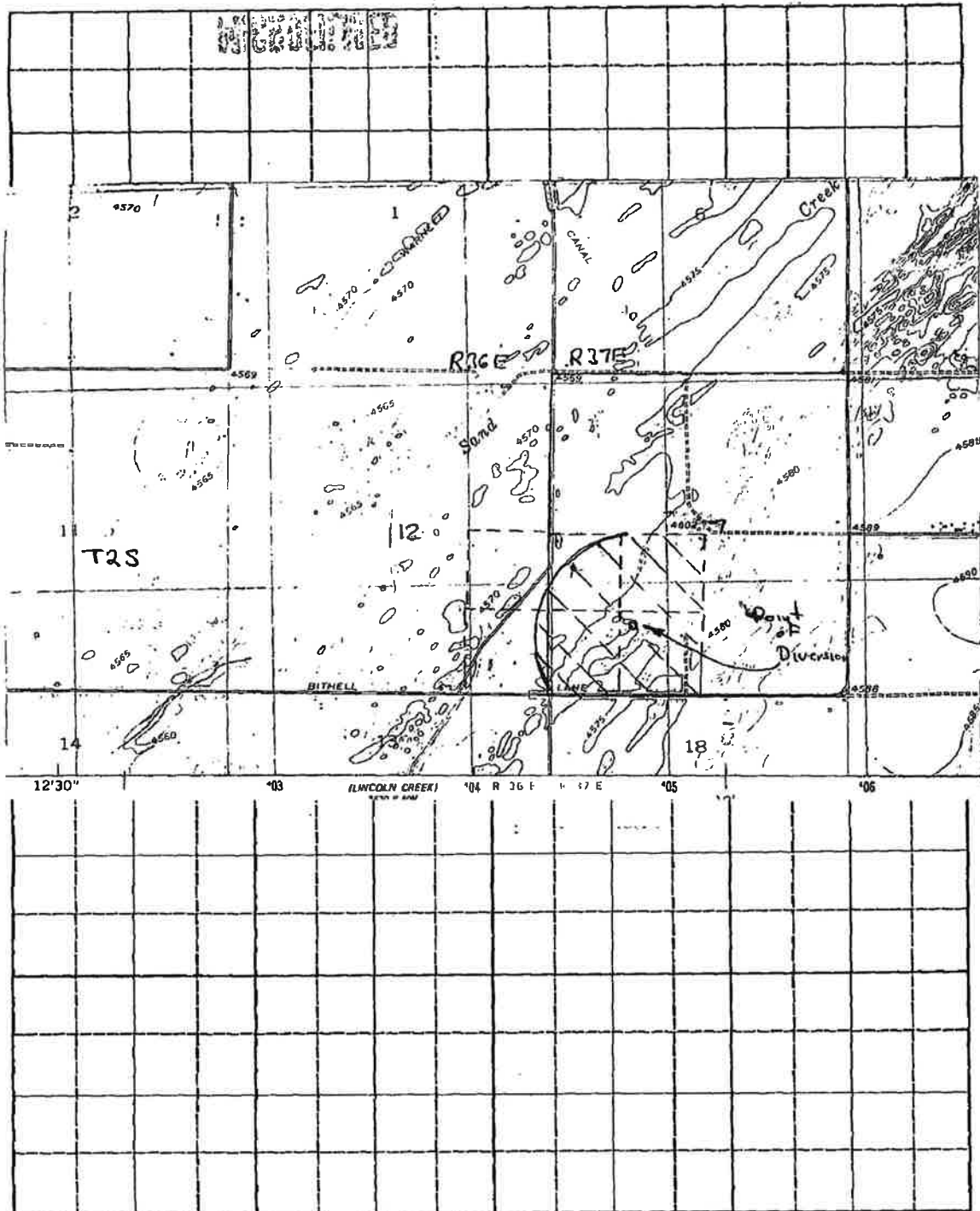
9. a. Who owns the property at the point of diversion Gordon Morris
 b. Who owns the land to be irrigated or place of use Gordon Morris
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks Water from canal system does not come in early enough in spring. Inconsistent when it does come in, because this property is on tail end of 70 mile system.

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11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

AUG 16 1989

London Morris
(Applicant)

Proposed Priority 1/13/83

Assoc. by WJ
Received by WJ Date 1-13-83 Time 3:10
Preliminary check by KW Fee \$ 85.00
Received by WJ Date 1-18-83 # 23313
Publication prepared by GB Date 5-10-89
Published in Spawning Flow
Publication dates 5-18 & 24, 89
Publication approved GB Date 6-8-89
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by WJ

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 27-7339 , and said application is hereby APPROVED .

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

a. **SUBJECT TO ALL PRIOR WATER RIGHTS.**

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1 , 19 90 .

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 5th day of July , 1989.

L. Glen Saxton

MICROFILMED

AUG 16 1989

JUL 20 2001

Log for claim 27-07339

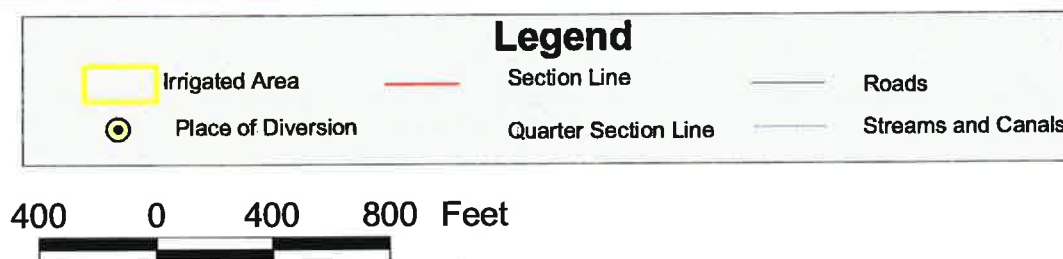
Spatial Dynamics LTD

1/2/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s36e	12	NESE	2	2.3	
02s36e	12	SESE	11	8.6	
02s37e	7	NESW	40	40	
02s37e	7	NWSW	27	26	
02s37e	7	SWSW	30	29	
02s37e	7	SESW	40	39	
Totals:			150	144.9	

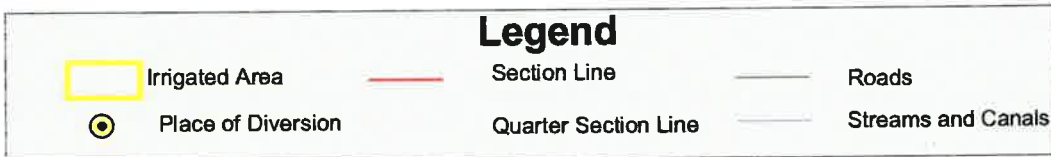
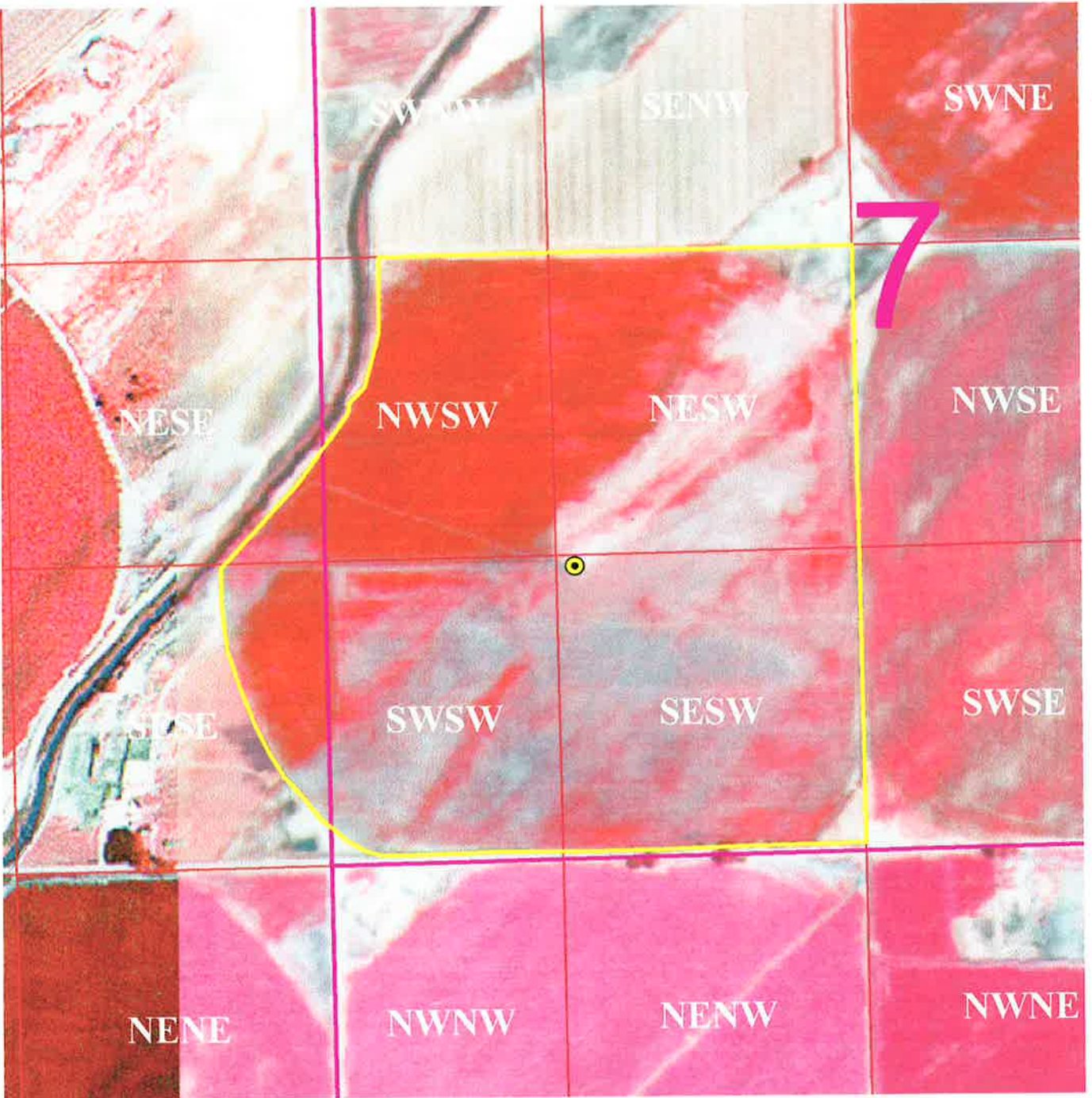
Water Right Claim Number 27-07339
Townships , 2S37E, 2S36E

01/02/2001



Water Right Claim Number 27-07339
Townships , 2S37E, 2S36E

01/02/2001



400 0 400 800 Feet



Water Right Claim Number 27-07339
Townships , 2S37E, 2S36E

01/02/2001



400 0 400 800 Feet



SPATIAL
DYNAMICS

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GORDON MORRIS 582 E 400 N FIRTH ID 83236 (208) 785-1559	01/13/1983	IRRIGATION	04-01 11-01	3.000 CFS	
					TOTAL DIVERSION:	3.000 CFS
					CONSUMPTIVE USE:	375.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion:

T02S R37E S07

NWSESW

BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
02S	36E	12	:	:	:	:	:	:	:	:	:	:	:	02	:	:	:	11	:	13.0
02S	37E	7	:	:	:	:	:	:	:	40	27	30	40	:	:	:	:	:	:	137.0
																			TOTAL ACRES	150.0

POU County: BINGHAM

Non-Irrigation Uses: NONE

Other Rights: IDAHO IRRIGATION DIST.

Other Water Rights Listing Overlapping Place(s) of Use:

A01-0007521 A01-0007621 A01-0031221 A01-0036821 A01-0036921 A01-0037021 A25-0022421 A27-07327 A27-10994

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 048 - The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
- 049 - The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
- 01G - Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Remarks: GEN APPLICATION APPROVED 6/8/1989.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

AJ5809NP
No. A27-07339

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 141

Audit: 03/20/90 VERNER 01/17/95 JTHOMPSO 03/29/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Gordon Morris Phone 785-1559
Post office address Rt. 1, Box 184 Firth, Idaho 83236
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7 Township 2S
Range 37E B.M. Bingham County, additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 3.0 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 3.0 cubic feet per second and/or b. _____ acre-feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well/pump to mainline and pivot system

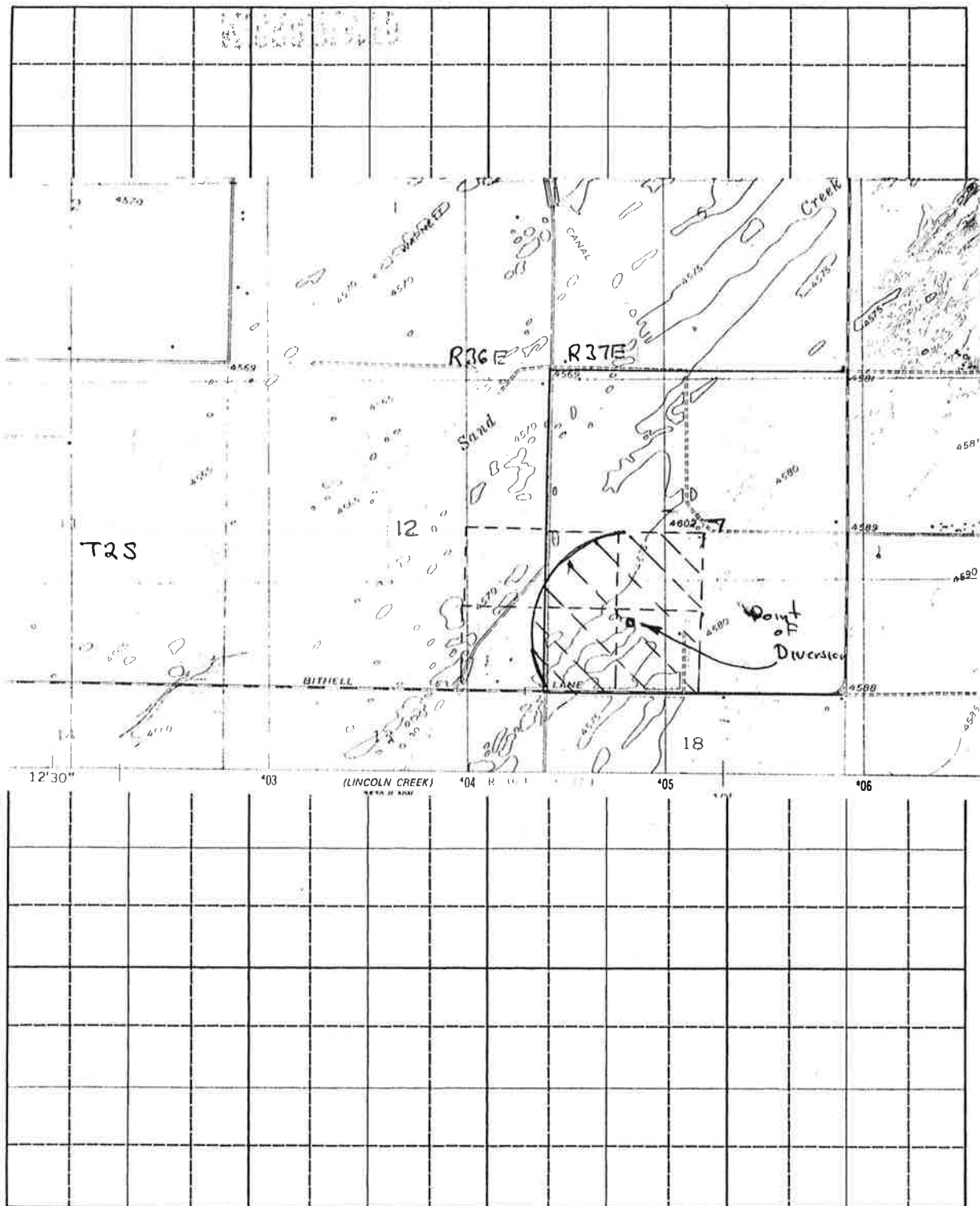
b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____
Period of year when water will be diverted to storage _____ to _____, inclusive.
(Month/Day) (Month/Day)
c. Proposed well diameter is 16 inches; proposed depth of well is 120 feet.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

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AUG 16 1989

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 Inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

AUG 16 1989

Gordon Morris
(Applicant)

INTER-DEPARTMENT MEMO — 1

DATE 3-20-90

FROM ERIC VERNER

TO A27-07339

SUBJECT FILING FEE.

Mr. Morris choose to file the permit even though it was just approved in 1988. Since it isn't required that he file this at this time, no late fee was charged. Also, acreage fee was paid by Idaho Livestock District.

MICROFILMED
NOV 12 1992

EO

SIGNATURE

SCANNED

JUL 25 2001

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: A27-07339
Date Received: 3/20/1990
Receipt No: E012453
Received By: EA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GORDON MORRIS 208-785-1559
Address: 582 E. 400 N.
FIRTH, ID 83236

2. Date of Priority: JAN 13, 1983

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	37E	7	NW	SE	SW		BINGHAM

5. Description of diverting works:
WELL, PUMP, MAINLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.000		

7. Total Quantity Appropriated is:
3.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 375.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02S	36E	12	NE	SE		IRR	2.0
			SE	SE		IRR	11.0
						Section Acres	13.0

A27-07339

Page 1

Date: 03/20/90

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NOV 12 1992

A2707339

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	37E	7	NE	SW		IRR	40.0
			NW	SW		IRR	27.0
			SW	SW		IRR	30.0
			SE	SW		IRR	40.0
						Section Acres	137.0
						Total Acres	150.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
IDAHO IRRIGATION DIST.

14. Remarks:
APPLICATION APPROVED 6/8/1989.

15. Basis of Claim: PERMIT

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): Lordon Morris Date: 3-20-90

Date: _____

State of Idaho)
County of Iron) SS.

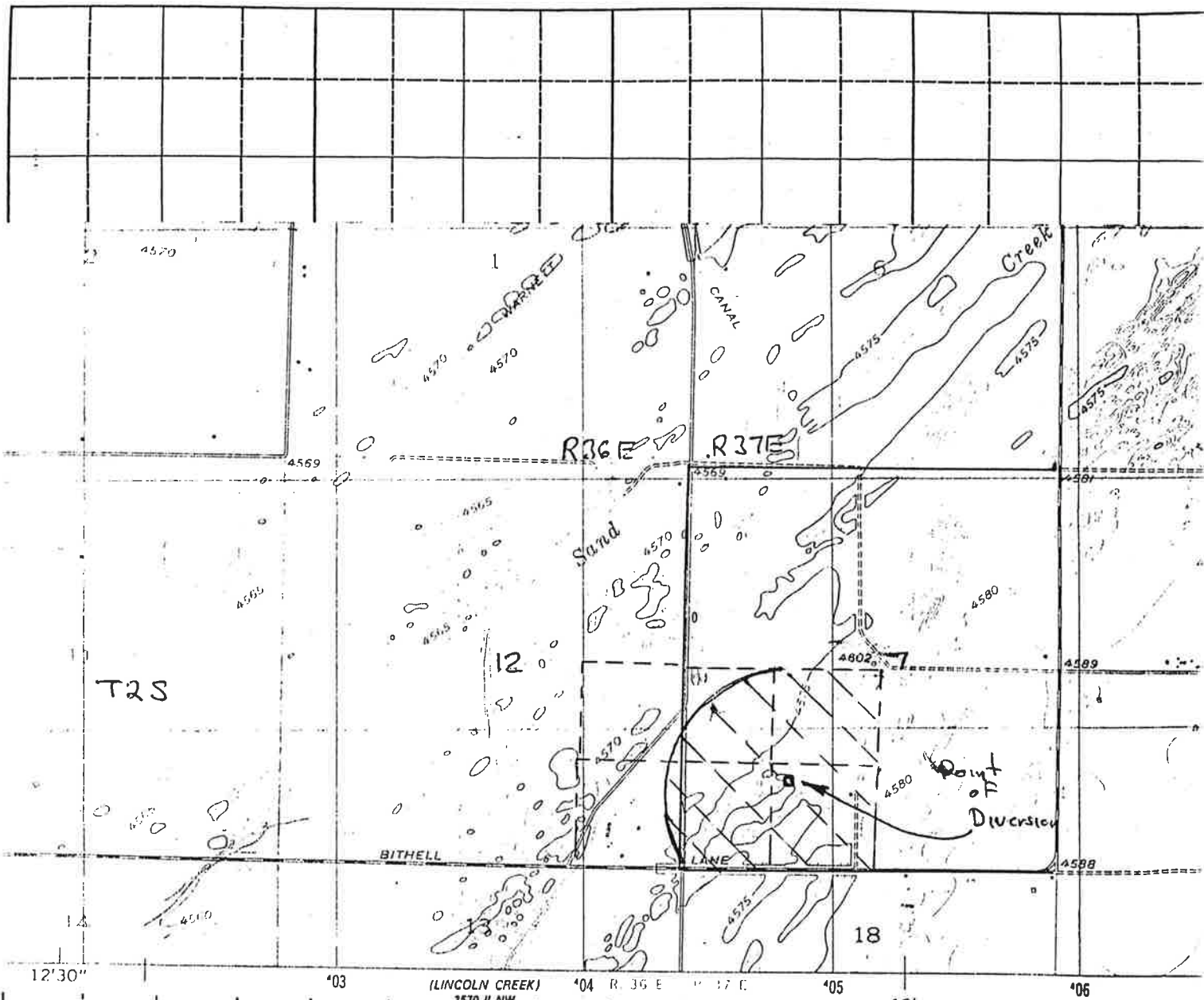
Subscribed and sworn (or affirmed) before me this 20 day
of March 19 90

[Signature]
Notary Public

Seal

Residing at Rob Fells b.
My Commission Expires 22 Aug 1994

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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NOV 12 1992